

Staff Report

Shoreline Conditional Use Permit: Barneson

Application Numbers: 897677 / 898025

Parcel Number: 0121362012

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: April 10, 2019, 6:30 p.m., at the City of Gig Harbor, southeast entrance, 3510 Grandview Street, Gig Harbor.

Examiner's Hearing: May 1, 2019, at 9:00 a.m., at the Pierce County Public Services Building, South Entrance, Public Meeting Room, 2401 South 35th Street, Tacoma, WA 98409.

Proposal: Place a 200-square foot (10-foot x 20-foot) boatlift onto the northwest end of the existing 187-foot long by 8-foot wide joint-use dock (Case No. SD11-10), accessory to a single-family residence on a 0.72-acre parcel. The project site is located on the southwest shore of Hale Passage, in a Rural Residential Shoreline Environment, a Rural 10 (R10) zone classification, and the Gig Harbor Peninsula Community Plan area.

Project Location: 729 Chinook Drive FI, Fox Island, WA, within the NW ¼ of Section 36, T21N, R1E, W.M., in Council District #7.

Staff Recommendation: The proposal does meet all of the criteria stated within these regulations and, as such, staff recommends approval of the proposed project, with conditions, subject to all applicable provisions of the Pierce County Shoreline Master Program.

State Environmental Policy Act (SEPA): A SEPA checklist was submitted for this application. Pursuant to the State Environmental Policy Act and the Pierce County Environmental Regulations, Title 18E, the Pierce County Responsible Official has reviewed this project and issued a Determination of Nonsignificance (DNS) on February 26, 2019. The comment period expired 14 days after issuance and the appeal period 28 days after issuance of the DNS.

County Contact: Mojgan Carlson, Senior Planner, 253-798-7234, mojgan.carlson@piercecounitywa.gov

Pierce County Online Permit Information:

<https://pals.piercecounitywa.gov/palsonline/#/permitSearch/permit/departementStatus?applPermitId=897677>



Project Data

Application Complete Date: October 30, 2018

Staff Report Mailed: March 29, 2019

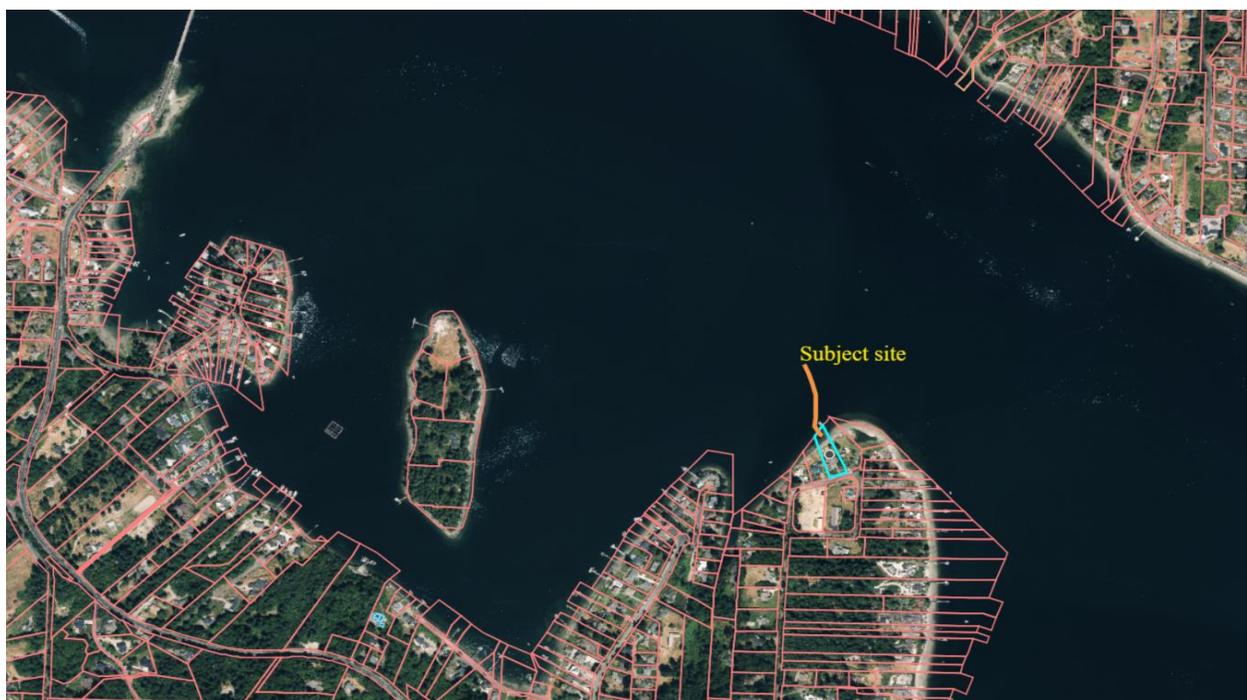
Owners/Applicants: John and Julie Barneson TTEE
729 Chinook Drive
Fox Island, WA 98333-9719

Agent: Permit Granted
Attn: Terri Schultz
4810 Point Fosdick Drive NW #156
Gig Harbor, WA 98335
permitgranted@comcast.net

Public and Legal Notice

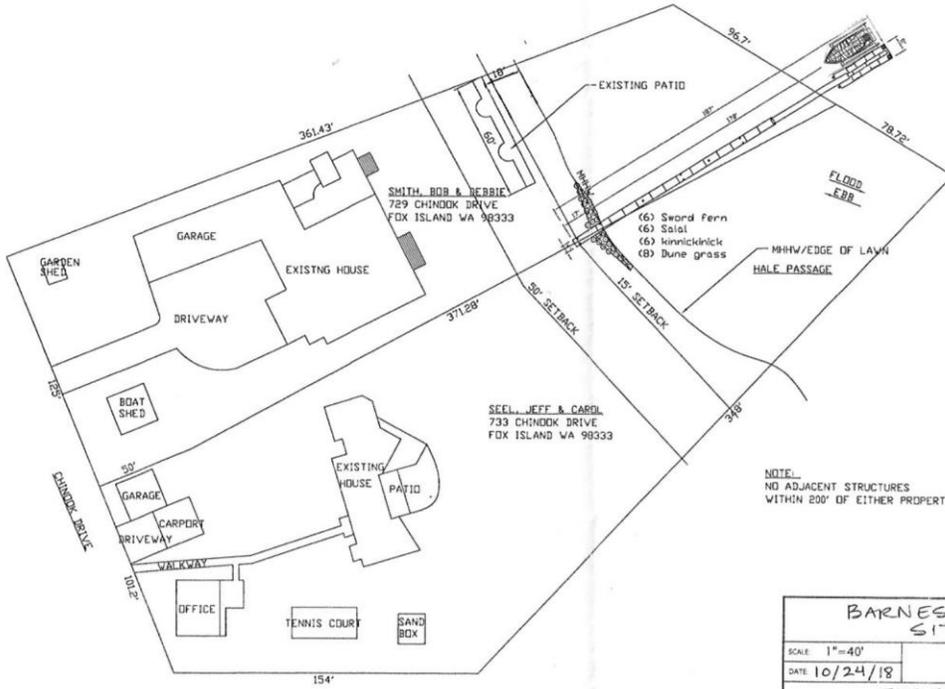
- *November 9, 2018*: Notice of Application (NOA) and Public Meeting Notice was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- *November 19, 2018*: Revised NOA and Public Meeting Notice was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- *November 17, 2018*: Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *March 27, and 28, 2019*: Legal notices were published in the official County newspaper (*Tacoma News Tribune*) and the *Peninsula Gateway* newspaper, advertising the public meeting to be held by the Gig Harbor Peninsula Advisory Commission (PAC).

2017 Ortho Photos

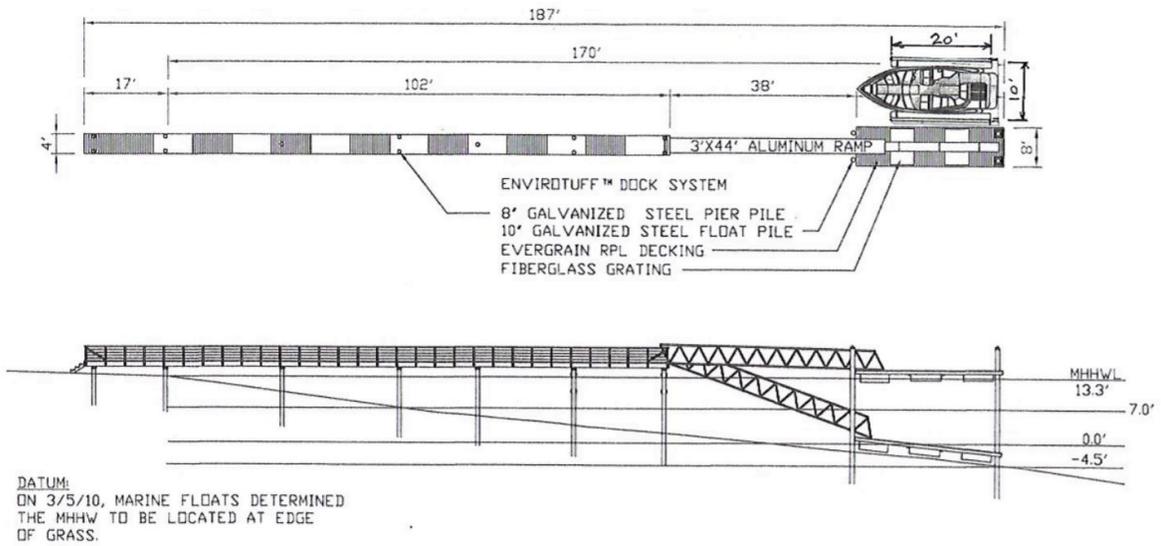




Site Plan and Cross Section View



BARNESON BOAT LIFT SITE PLAN		
SCALE 1"=40'		DRAWN BY
DATE 10/24/18		REVISION # 2 2/15/12
729 CHINOOK DR FOX ISLAND, WA 98333		
PN: 0121362018		DRAWING NUMBER



Public and Agency Review Comments

Public:

No comments have been received from neighbors or the general public to date.

Agencies:

1. No adverse comments were received from reviewing agencies within the County and State.
2. Nisqually Indian Tribe requests notification of any Inadvertent Discoveries of Archaeological Resources/Human Burials for this project.

Site Characteristics

Staff visited the site on November 9, 2018, and observed the following:

- The project site is on the northern portion of an almost rectangular shaped parcel abutting the southwest shore of Hale Passage on Fox Island.
- The long axis of the parcel is oriented in a north-south direction.
- The County Assessor lists the parcel as .72-acre in size and has 97 linear feet of shoreline.
- The parcel is considered low bank waterfront with slope of approximately 4% going down towards the water.
- The shoreline of the site is natural with no manmade shoreline protection on the site.
- The upper portion of the site is improved with a single-family residence and a garage.
- The shoreline of the parcels is improved with a ramp, a 187-foot long by 8-foot wide joint-use dock (170 feet over water) and a buoy.
- The joint-use dock (SD11-10) and ramp (SD/CP21-11) were approved by the Pierce County Hearing Examiner's decisions on July 5, 2011, and May 28, 2013.
- There are no docks or boatlifts on the immediate adjoining parcels to the east and west of the subject site.
- The access to the project site is via a driveway off Chinook Drive FI, which abuts the parcel to the south.
- The fetch in this area of Hale Passage (Tangelwood Island) is about 2,520 feet wide.
- The Applicants purchased this property in May of 2017.

Surrounding Land Use / Shoreline / Zoning Designation

	LAND USE	SHORELINE	ZONING
North	Hale Passage	Rural Residential	N/A
South	Chinook Drive FI	N/A	Rural 10 (R10)
East	Single-family residence	Rural-Residential	R10
West	Single-family residence	Rural-Residential	R10

Governing Regulations

Shoreline Master Program	March 4, 1974
Gig Harbor Community Plan	December 1, 2002
Title 20, Shoreline Management Use Regulations	February 2, 1998
Title 18A, Development Regulations – Zoning	September 1, 2017
Title 18 D, Environmental Regulations,	February 1, 2011
Title 18 E, Development Regulations - Critical Areas	February 1, 2011
Title 17A, Construction and Infrastructure Regulations – Site Development and Stormwater Drainage	March 1, 2005

Staff Review for Consistency with Applicable Land Use Policies and Regulations

Gig Harbor Peninsula Community Plan

Staff Comment: The applicants are seeking Shoreline Conditional Use Permit approval for placement of a boatlift at the end of the existing joint-use dock to prevent watercraft from grounding out at low tides.

The site is located within the Rural Residential Shoreline Environment and the proposed 20-foot long by 10-foot wide (200 sq. ft.) boatlift will be placed on the northwest end portion of the existing dock. Per the submitted site plan, dated October 24, 2018, the boatlift will not intrude farther into the water of Hale Passage or go beyond the end of the float portion of the dock.

Aesthetic values are mostly important in the values to be protected under the Shoreline Management Act (SMA) and Pierce County's Shoreline Master Program. Currently, there are no docks or boatlifts on the immediate adjoining lots. Thus, one may say that a boatlift structure attached to the existing dock could result in view obstruction to the adjoining properties. However, staff believes that the view impact of mooring a boat on the boatlift is not any greater than having a boat moored at the existing dock. Therefore, if approved, it will not unduly impact the neighboring views. Additionally, by virtue of a shoreline location, it is assumed that water dependent uses such as boatlifts will be part of the view. Thus, staff believes placement of a boatlift in this location, as an accessory use to a single-family residence, should be allowed subject to approval of an SDCP application.

Pierce County Shoreline Master Program Policies (Pierce County Code, Title 19D.190)

The Shoreline Master Program provides goals and policies for development on Pierce County shorelines. The proposal is located within the Rural-Residential Shoreline Environment Designation.

Rural Residential Environment

B. General Regulations and Policies

1. Preferred Uses: Single-Family residence

Staff Comment: A single-family dwelling is a permitted use in the Rural Residential Shoreline Environment and the proposed project is considered accessory to the single-family residence. If approved, the project will function as a medium intensive recreational amenity for the existing single-family residence; therefore, it is consistent with the policies of this environment.

Shoreline Management Use Regulations for Pierce County (SUR) – Title 20

The proposed boatlift is not classified under any of the SMP use activities and, therefore, is subject to the conditional use criteria. Therefore, the applicants must comply with criteria stated in Section **20.72.030**. Conditional Use provision which provides more control and flexibility for implementing the regulations of the Master Program for the proposed boatlift.

Section **173.27.160** of the Washington Administrative Code (WAC) also contains additional criteria for the granting of a Shoreline Conditional Use Permit and requires that consideration be given to the cumulative impact of additional requests for like actions in the area.

Staff Comment: The applicants have applied for a Shoreline Conditional Use Permit (SDCP) to allow placement of a boatlift, on an existing joint-use dock, as a water dependent accessory use to a single-family residence.

The proposed boatlift will not interfere with the public's use of the shoreline as it will not intrude into the water beyond the length of the existing dock. Per the submitted site plan the boatlift will be placed on the northwest end of the existing dock with adequate setback (minimum of 10 feet) from the side property lines. The Applicants are not proposing a boatlift cover and one is not allowed.

Staff believes the view impact of having a boatlift attached to the dock with a boat on it is not any greater than having a boat moored at the exiting dock. In addition, upon completion of the project, the proposed boatlift will not change the level of pollution customarily found in the environment.

Recommended Conditions of Approval:

The following conditions of approval will be included in the Staff Report presented to the Hearing Examiner. Should the Examiner approve the request, Staff recommends the following conditions to be included in the decision.

Planning:

1. The decision set forth herein is based upon representations made and exhibits, including plans and proposals submitted at the hearing conducted by the Examiner. Pursuant to WAC 173-27-100, any substantial change to the design, terms, or conditions of the project shall be subject to approval of the Examiner and may require further and additional hearings.
2. No construction of a walkway/pathway or stairway shall take place until the County approves appropriate shoreline permits.
3. Development shall be started/completed per the timelines in WAC Section 173-27-090.
4. The applicant shall adhere to all conditions imposed under the authority of the Pierce County hearing Examiner.
5. The size of the boatlift shall be limited to 20 feet long by 10 feet wide (maximum of 200 square feet).
6. At no time shall any portion of the boatlift rest on the beach surface.
7. The boatlift shall not be allowed to have any type of roofing including canvas roof.
8. The boatlift shall be located at the northwest end of the dock and shall not extend further into the water beyond the length of the dock.

9. The boatlift must be placed such that the minimum 10-foot setback, extended from the shore, is maintained on both side property lines.
10. If the proposed project changes by more than 10% from the provision of the original permit a revision to the permit will be required per Section 20.76.30.H.
11. The Shoreline Conditional Use Permit requires approval by the Washington State Department of Ecology.
12. The applicant shall adhere to all previous conditions of the Pierce County Hearing Examiner's decisions dated July 5, 2011 (SD11-10) and May 28, 2013 (SD/CP21-11).

Barneson SDCP PAC SR-MC.docx