

Initial Project Review

Shoreline Administrative Conditional Use Permit: Wornell

Application Numbers: 911991, 912982
Parcel Number: 3445000100

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: August 14, 2019, at 6:30 p.m., City of Gig Harbor, 3510 Grandview, southeast entrance, Gig Harbor, WA 98335

Proposal: Installation of a recreational mooring buoy off the coast of Fox Island within the Zee's Reef Marine Preserve.

Project Location: 851 - 11th Avenue, Fox Island, WA 98333, in the Residential Shoreline Environment and Rural 10 (R10) zone classification of the Gig Harbor Peninsula Community Plan area, within Section 06, T20N, R2E, W.M., in Council District #7

Review Summary: The project can be conditioned to comply with all applicable policies and objectives of the Pierce County Code, Shoreline Regulations, Comprehensive Plan, and Gig Harbor Peninsula Community Plan. Staff has reviewed this proposal for compliance with all policies, codes, and regulations and intends to recommend approval with conditions.

State Environmental Policy Act (SEPA): A SEPA checklist was submitted for this application. Planning and Public Works (PPW) has concluded its environmental review. Note: This project is categorically exempt from SEPA threshold determination and Environmental Impact Statement (EIS) requirements per SEPA WAC 197-11-800.

County Contact: Robert Perez, Planner, 253-798-3093, robert.perez@piercecountywa.gov

Pierce County Online Permit Information:

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departmentsStatus?applPermitId=911991>



Project Data

Complete Application Date: June 3, 2019

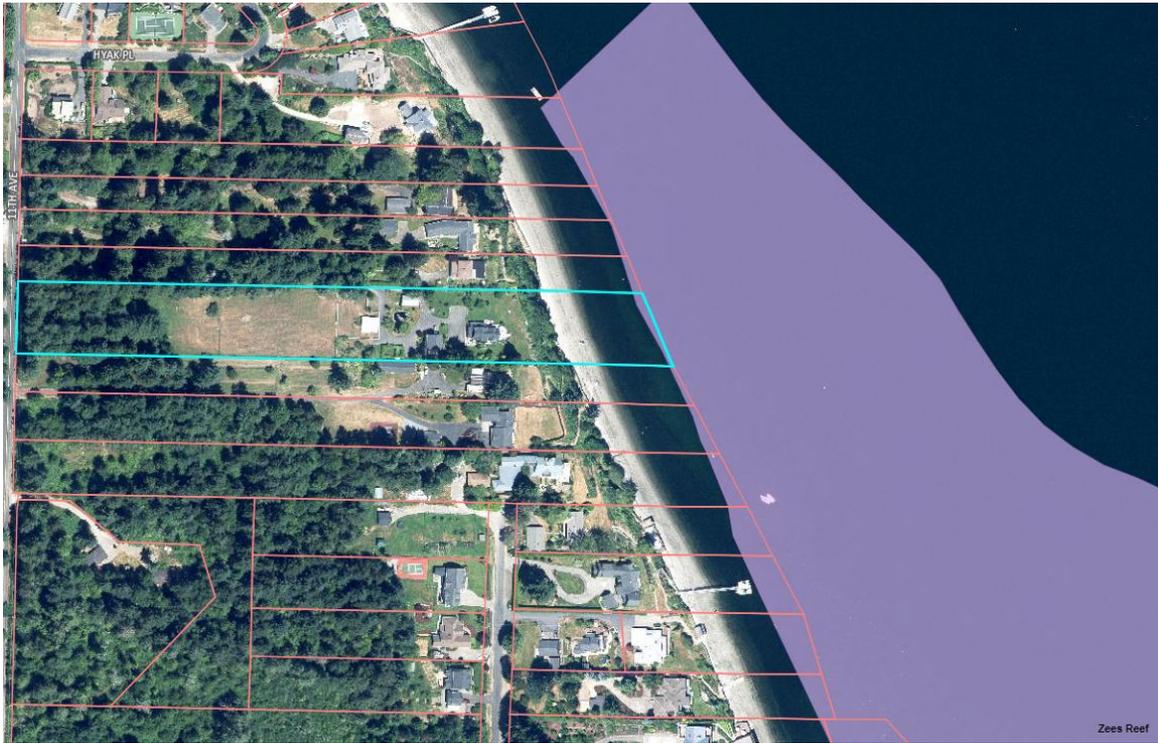
Initial Project Review Mailed: August 7, 2019

Applicants/Owners: Douglas Wornell
851 11th Avenue
Fox Island, WA 98333
llenrow@comcast.net

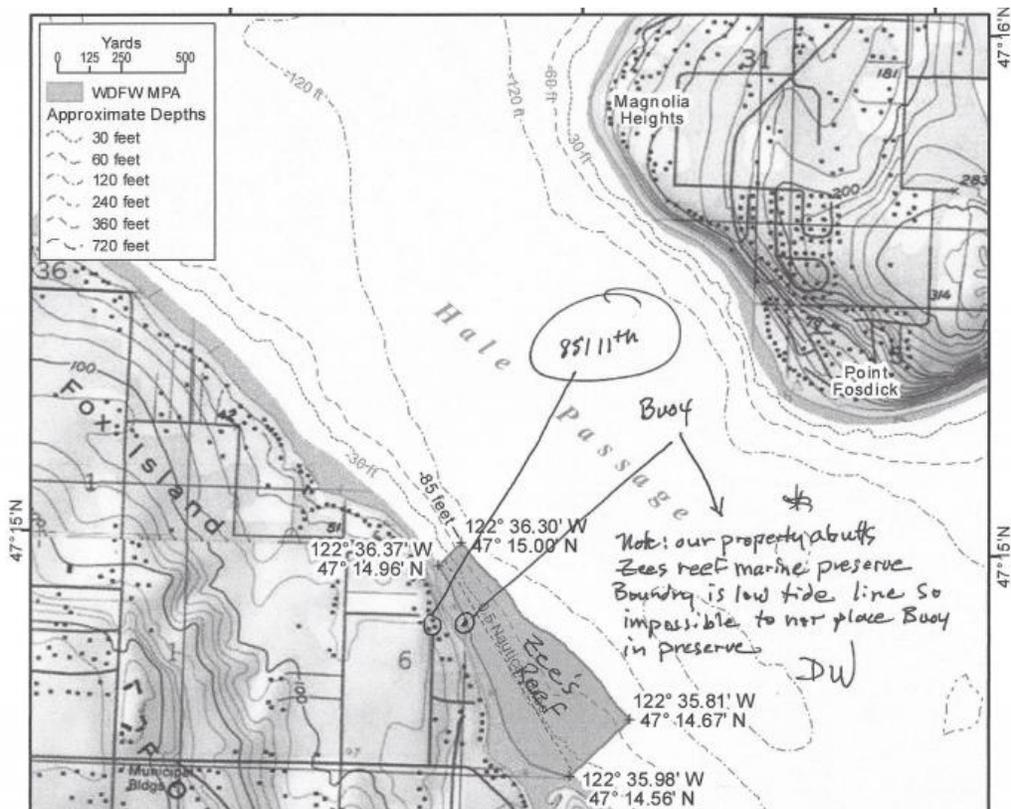
Legal Notice

- *June 7, 2019*: Notice of Application 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.
- *May 10, 2019*: Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *July 31, 2019, and August 1, 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.

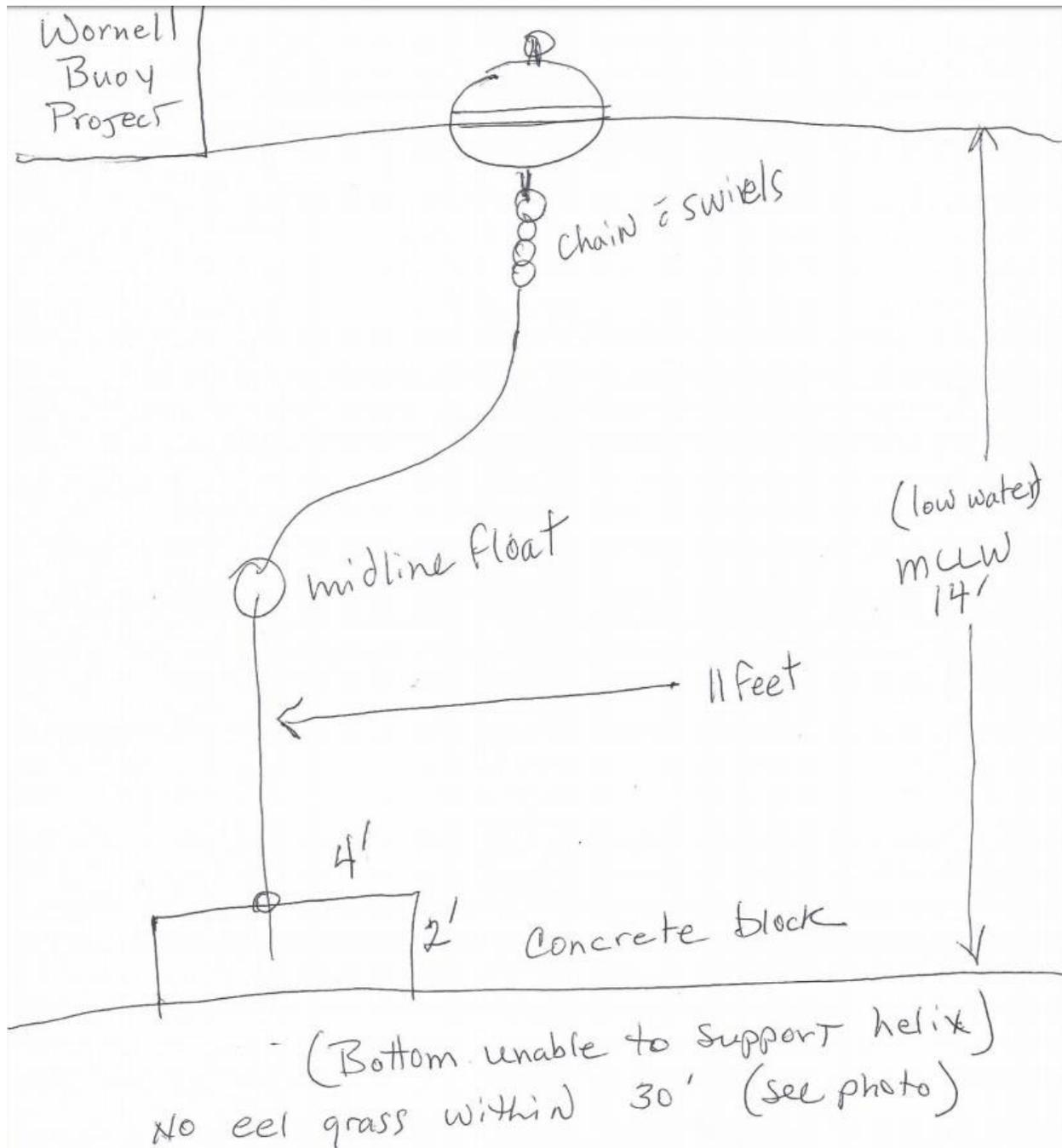
2014 Ortho Photos



Site Plan



Cross Section



Review Responsibility

The following list includes examples of jurisdictional areas for various County departments and divisions typically involved in the review and administration of this proposal:

A. Planning and Public Works (PPW):

- Current Planning verifies compliance with the Pierce County Comprehensive Plan, applicable community plans and Development Regulations such as, but not limited to, zoning, critical areas, natural resource lands, shoreline management, design review, and potential environmental impacts.

- Development Engineering reviews for drainage, erosion control, site development, flood, survey, landslide and erosion hazard, lot dimensions, and road standards.
- Cartography reviews road names and addresses.
- Resource Management reviews for consistency with the County wetland and fish & wildlife regulations.

B. Gig Harbor Peninsula Advisory Commission (PAC):

The PAC’s role in the review process for a land use proposal includes the following:

- Review the proposal for consistency with the goals and policies in the Community Plan.
- Provide a local perspective that includes input from the community and insights of which PPW staff or the Hearing Examiner may not be aware.
- Offer recommendations for project design to fit with the community’s vision while remaining consistent with the Community Plan.

PCC Chapter 2.45 Land Use Advisory Commissions provides regulations that apply to the PAC. Per PCC 2.45.130, Land Use Advisory Commission (LUAC) recommendations on a land use application shall be to approve, modify and approve, deny, or make no recommendation. The LUAC may recommend the Hearing Examiner continue a scheduled public hearing to obtain additional information or LUAC recommendations.

Review Criteria

The following regulations and policies shall be used during the review process including, but not limited to:

- A. Pierce County development regulations and construction and infrastructure regulations;
- B. Pierce County Comprehensive Plan and Peninsula Community Plan;
- C. Applicable state statutes; and
- D. All applicable notes on related previously recorded County documents.

Site Characteristics

- The County Assessor lists parcel 3445000100.
- The parcel is accessed from 11th Avenue
- The parcel is located on Fox Island.
- The topography of the site gently slopes toward the bluff then descends approximately 60 feet to the shore.
- The parcel is improved with a one and a half story single-family residence and detached garage.

Surrounding Land Use / Shoreline / Zoning Designation

	LAND USE	SHORELINE	ZONING
North	Single-family residence	Residential	Rural 10 (R10)
South	Single-family residence	Residential	R10
East	Puget Sound	Aquatic	N/A
West	Single-family residence	Rural-Residential	R10

Agency Review Comments

The proposed project has been routed to interested departments and agencies for review. Comments received from various departments and agencies may be found by accessing the Online Permit Information referenced on page 1.

Comments have been received, and corrections and/or additional information requested by the following agencies on the application:

- The Nisqually Indian Tribe commented that they would like to be notified of inadvertent discoveries of archaeological significance.
- Resource Management has requested a Critical Area Title Notification as required by Pierce County fish and wildlife review.

Public Comments

No public comments were received prior to July 30, 2019.

Initial Planning and Public Works Staff Review for Consistency with Development Regulations and Policies

Gig Harbor Peninsula Community Plan (Pierce County Code, Title 19B)

- Development standards along shorelines should ensure the preservation of native vegetation and wildlife habitat and protect water quality and natural shoreline processes.
- Discourage lawn areas that extend to the edge of slopes, bluffs, or beaches. Encourage retention of native vegetation immediately adjacent to the waterbody in any required setback.
- Require protection for trees, including snags, located along the shoreline.
- Prioritize vegetation and tree preservation in shoreline locations that are identified on the Open Space Corridors Map.
- To help control surface water runoff, discourage vegetation removal during construction and site development activity.
- Promote the voluntary retention and replanting of native vegetation along lakes, streams, and marine waters.

Staff Comment: The Gig Harbor Community Plan is silent on regulation of buoys and is focused primarily on preservation of native vegetation upland from the ordinary high water mark (OHWM). By proposing a buoy, the applicant is currently trying to have less of an impact than a traditional dock system. The applicant has been diligent in choosing a site that lacked any submerged vegetation and wanted to use a helical anchor system. The applicant has to rely on a concrete block anchor and has been working with Washington State Department of Natural Resources to identify appropriate mitigation.

Pierce County Shoreline Master Program (SMP)

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

- Piers associated with single-family residences should be discouraged.

- In considering any pier, considerations such as environmental impact, navigational impact, existing pier density, parking availability, and impact on adjacent proximate land ownership should be considered.
- Encourage the use of mooring buoys as an alternative to space consuming piers such as those in front of single-family residences.
- Piers and floating docks should be encouraged to be built perpendicular to the shoreline rather than along it.
- Encourage pier construction to include larger spans on fewer pilings rather than smaller spans and more pilings. Piers in marine waters may provide habitat suitable for predatory fish with consequent detriment to young salmonids.
- When plastics or other non-degradable materials are used in pier construction precautions should be taken to insure their containment.
- The use of floating docks should be encouraged in those areas where scenic values are high and where conflicts with recreational boaters and fisherman will not be created.
- Open-pile piers should be encouraged where shore trolling is important, where there is significant littoral drift, and where scenic values will not be impaired.
- Areas having a significant near shore fishery should not be used for floating docks.

Staff Comment: The proposal is consistent with the SMP. Proposing a buoy instead of a dock is preferred and should be encouraged.

Pierce County Shoreline Management Use Regulations (Pierce County Code, Title 18S)

- Locate, design, and operate facilities so that other water-dependent and preferred uses are not adversely affected.
- Size facilities in small water bodies, such as coves, bays, and inlets to accommodate maneuverability and existing legally established uses.
- Give preference to facilities that minimize the amount of shoreline modification(e.g., buoys rather than docks.)
- Encourage the removal of unutilized or derelict facilities.
- Limit proposals located in a constricted body of water to ensure the site is not overrun with facilities and has the flushing capacity necessary to maintain water quality.
- Floating facilities (including anchor lines) and vessels moored to all facilities shall not ground or beach on the substrate. Flotation material shall be fully enclosed and contained.
- Facilities shall be stable against the elements and maintained in safe and sound condition.
- In- and over-water facilities shall be visible under normal day and nighttime conditions. Visual aids may include reflectors and warning lights, and shall be consistent with any applicable U.S. Coast Guard requirements.

Staff Comment: A buoy is preferred in the Aquatic Marine environment. The applicant has been in close contact with Department of Natural Resources to design this proposal with mitigation in mind. The applicant has avoided seagrass in choosing a site, attempted to utilize a heliacal screw, and has provided mitigation landward removing a large concrete slab and restoring the beach.

Note: Mitigation has been identified and the applicant has already removed a slab of concrete from the beach and restored a portion of the beach.