

Initial Project Review

Shoreline Substantial Development Permit / Land Use Variance: Ringlee

Application Numbers: 896813, 903165
Parcel Number: 0121214023

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: February 13, 2019, at 6:30 p.m., City of Gig Harbor, 3510 Grandview, southeast entrance, Gig Harbor, WA 98335

Proposal: Applicant requests a Shoreline Substantial Development Permit to convert the use of a second story storage space above the detached garage into an accessory dwelling unit. A land use Variance is requested for reduction of interior setbacks.

Project Location: 10214 - 36th Street NW, Gig Harbor, WA 98335, in the Rural Residential Shoreline Environment and Rural 10 (R10) zone classification of the Gig Harbor Peninsula Community Plan area, within Section 21, T21N, R01E, 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 regulation.

State Environmental Policy Act (SEPA): A SEPA checklist was not submitted for this application. Planning and Public Works (PPW) determined this project is categorically exempt from SEPA.

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

Pierce County Online Permit Information:

<https://palsonline.co.pierce.wa.us/palsonline/#/permitSearch/permit/departementStatus?applPermitId=896813>



Project Data

Complete Application Date: October 12, 2018

Initial Project Review Mailed: January 31, 2019

Applicants/Owners: David Ringlee
10214 36th ST NW
Gig Harbor, WA 98335
dringlee@harboret.com

Agent: Halsan EF&P LLC
Attn: Carl Halsan
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Legal Notice

- *November 9, 2018:* 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.
- *November 16, 2018:* Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *January 30, and 31, 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.

2017 Ortho Photos

2017 Ortho Photos



The map features are approximate and are intended only to provide an indication of said features. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED "AS IS" AND "WITH ALL FAULTS". The County makes no warranty of fitness for a particular purpose.

Date: 12/26/2018 03:27 PM

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 Key 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 0121214023 as being 0.61 acre in size; the two parcels participating in joint-use to the west are .66 and .77 acre.
- The parcel is accessed from the north and is 300 feet in length. The parcel includes 69 feet of tidelands.
- The parcel is located on the north shore of Hale Passage.
- The access to the site is via a driveway off 36th Street East.
- The topography of the site gently slopes toward the shore/bulkhead.
- The parcel is improved with a single-family home and there is one detached garage.
- The parcel is improved with a bulkhead.

Surrounding Land Use / Shoreline / Zoning Designation

	LAND USE	SHORELINE	ZONING
North	Unknown	N/A	Rural 10 (R10)
South	Puget Sound	Puget Sound	N/A
East	Single-family residence	Rural-Residential	R10
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 Squaxin Island Tribe commented that they would like to be notified of inadvertent discoveries of archaeological significance.
- The Nisqually Indian Tribe commented that they would like to be notified of inadvertent discoveries of archaeological significance.

Public Comments

No public comments have been received.

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

Pierce County Development Regulations-Zoning (Pierce County Code, Title 18A)

- Detached single-story accessory structures, except for accessory dwelling units, may occupy 25 percent of the total area of an interior yard and shall maintain a minimum 3-foot setback.
- Conversion of an existing detached structure to an Accessory Dwelling Unit (ADU) shall not be permitted within the required front, side, or rear yard setback.
- An ADU shall be no greater than 1,250 square feet when located outside of an Urban Growth Area.
- Calculating the square footage of a detached ADU, all measurements shall be taken from the exterior walls and shall include each level of the structure, excluding only the garage, covered porches, and any levels not accessed by a permanent stairway structure.
- The owner occupant shall apply for a building permit for an ADU. A complete application form must demonstrate that all size thresholds and design standards are met.

Staff Comment: The garage that contains the space to be converted is a 2 story 1,733 square foot detached garage with a 408-square foot attached carport. This structure is located outside of the 50-foot shoreline setback and the 25-foot front setback. But the two-story garage is within 6 feet of the property line. The interior setback on both sides of the parcel should be 10 feet for this particular structure. Pierce County Code 18A.37.120.A.5 mandates that an ADU shall not be permitted within the required front, side, or rear yard setback. So, a Variance is required to reduce the side yard setback for the detached ADU.

The size of the structure shown on the site plan is approximately 1,156 square feet measured from the external walls. This measurement is not accurate for purpose of the ADU measurements which would be likely much less as it is measured from the external walls of the second story, which is smaller than the garage floor.

The applicant would still be required to apply for a Building Permit for an ADU.

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

- An accessory dwelling unit should be permitted on lots where a single-family residence exists.
- Design and place individual dwelling units and accessory dwelling units to avoid impacting the open space tract.
- Encourage rear yard alley access for garages. Permit single-family detached dwelling units to encroach into front yard setbacks the same distance the garage entrance is recessed behind the front yard setback line.
- Discourage residential design that accentuates carport and garages.
- Apply screening criteria to all visible aspects of the use, including parking lots, signs, garages, fuel tanks, etc.

Staff Comment: The conversion of the garage to an ADU is consistent with the policy in the Gig Harbor Peninsula Community Plan. The ADU is sited outside the shoreline setback and is adequately screened from the street. This particular project does have the garage as the first structure encountered on the site but, like previously stated, it is adequately screened with trees and foliage as to not accentuate this feature to the public.

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

- Recognizing that the location, density and design of residential development can have large impacts on hydrological systems, developers should be responsible for incorporating into their plans solutions to the problems of contamination of surface waters, depletion and contamination of ground water supplies, and the generation of increased surface runoff.
- The residential use of areas intrinsically unsuited for urban uses can have severe negative impacts on the environment along with creating conditions prone to natural disaster. Therefore, the County should prohibit the residential use of such unsuitable areas.
- Planning for residential development should consider the capabilities of the physical base and existing development patterns and utilities.
- Adequate distances between shorelines and structural developments should be maintained in order to protect water quality, maintain dynamic systems, prevent dangerous geological stresses, and insure aesthetic quality.
- Sewage disposal facilities, as well as water supply facilities, must be provided in accordance with appropriate state and local health regulations. Storm drainage facilities should be separate, not combined with sewage disposal systems.
- Residential development should occur only when adequate water supplies are available so that the ground water quality will not be endangered by over pumping.

Staff Comment: The ADU is consistent with other residential development in the area. There is already an adequate distance between the shoreline and the garage that is being proposed for conversion. It is important to note that a water availability letter may be necessary and septic design will be necessary for final building permits.

Pierce County Shoreline Management Use Regulations (Pierce County Code, Title 20)

- Construction of the proposed project exceeds established fair market value (\$6,416.00) for development and, therefore, the proposed construction shall be considered a substantial development for the purpose of this Title.
- Not more than 33-1/3 percent of the gross lot area shall be covered by impervious material including parking areas but excluding driveways.
- All setbacks, with the exception of the setbacks from the ordinary high-water line or lawfully established bulkhead, shall be as required by the Pierce County Zoning Code or other County regulations.
- The required setback for buildings and structures from any lot line or lines abutting the ordinary high-water line or lawfully constructed bulkhead shall be 50 feet except that the special shoreline setback shall not apply to docks, floats, buoys, bulkheads, launching ramps, jetties and groins.
- Offstreet Parking. At least one but not more than three offstreet parking spaces shall be provided for each dwelling unit on a site or tract of land subject to the limitations of total lot coverage. No parking area shall be located within 30 feet of the ordinary high-water mark.

- The maximum height above average grade level of any residential structure shall be 35 feet unless a Conditional Use Permit is obtained pursuant to Chapter 20.40 High Rise Structures.

Staff Comment: The garage is sited outside of the shoreline setback but within the shoreline jurisdiction. However, interior setbacks are not met for the establishment of an ADU. Applicant will be required to provide impervious surface coverage calculations to ensure that the 33.33 percent gross lot area is not exceeded. The currently constructed garage is below the 35-foot maximum height.

Note: A Land Use Variance is required to relax the interior setbacks. Review of this project only covered the proposed conversion of garage space into an ADU on the second floor under permit 896813. No other development within the shoreline jurisdiction was reviewed for approval. Application for the Variance was received January 29, 2019.

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