

# Initial Project Review

## Shoreline Substantial Development Permit/Shoreline Variance: Coda

**Application Numbers: 925779, 925780**  
**Parcel Numbers: 0222163071, 0222163072, and 0222163073**

**Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: September 9, 2020, at 6:30 p.m.** Due to COVID-19 restrictions, this meeting will be held virtually. To participate, visit [www.Zoom.com](http://www.Zoom.com) and click “Join a Meeting” or call 253-215-8782, then enter the Meeting ID: 949 7386 9802 and Passcode: 968816, or click on the following link: <https://piercecountywa.zoom.us/j/94973869802?pwd=MFpkU2lOSFB5dDFKdjVnajRtdnhPQT09>. For additional questions regarding the virtual meeting process, contact Tiffany Aliment at 253-798-3226 or [tiffany.aliment@piercecountywa.gov](mailto:tiffany.aliment@piercecountywa.gov).

Originally this case was scheduled to be heard by the PAC on March 25, 2020; however, due to Governor Inslee’s announcement of COVID-19, all cases were rescheduled to be heard at a later date.

**Proposal:** The proposed project is to reduce the required 150-foot Fish and Wildlife (shoreline) buffer to 57 feet 2 1/8 inches, at the closest point, in order to remove the existing house (built in 1964) and to construct the following:

- 3,500-square foot, two-story single-family residence (2,000 square feet on the 1<sup>st</sup> floor and 1,500 square feet on the second floor)
- 1,500-square foot garage/shop
- 900-square foot, two-car garage
- 168-square foot shed/boathouse
- 1,250-square foot Accessory Dwelling Unit (ADU)

The proposed project will be located on three contiguous parcels for a total of 1.51 acres in size and approximately 327 feet of shoreline frontage on the northeast shore of Crescent Lake.

**Project Location:** 14808, 14812, and 14818 Talmo Drive NW, Gig Harbor, WA, in the Residential Shoreline Environment, Rural Sensitive Resource (RSR) zone classification, and the Gig Harbor Community Plan area, in the SW ¼ of Section 16, T22N, 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 some modifications and conditions.

**State Environmental Policy Act (SEPA):** A SEPA checklist was submitted for this application. However, 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 determined that the project is exempt from SEPA provisions in accordance with Washington Administrative Code (WAC) 197-11-800(6)(b).

**County Contact:** Mojgan K. Carlson, Senior Planner, [mojgan.carlson@piercecountywa.gov](mailto:mojgan.carlson@piercecountywa.gov), 253-798-7234

**Pierce County Online Permit Information:**

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departementStatus?applPermitId=925779>



**Project Data**

Complete Application Date: December 19, 2019

1<sup>st</sup> Initial Project Review Mailed: March 18, 2020

2<sup>nd</sup> Initial Project Review Mailed September 2, 2020

Applicant/Owner: Joseph A. Coda TTEE and Teresa L. D. Coda  
13525 East Lake Kathleen Drive SE  
Renton, WA 98059  
[codajoez@gmail.com](mailto:codajoez@gmail.com)

Agent: Carl Halsan  
PO Box 1447  
Gig Harbor, WA 98335  
[carlhalsan@gmail.com](mailto:carlhalsan@gmail.com)

**Legal and Public Notice**

- *January 3, 2019:* Notice of Application (NOA) and Public Meeting Notice, including the Gig Harbor Peninsula Advisory Commission (PAC) meeting date, 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.
- *January 10, 2020:* Public Notice sign was posted on-site, confirmed with a Declaration of Posting.
- *March 11, 2020:* Legal notice was published in the official County newspaper (*Tacoma News Tribune*) newspaper, advertising the PAC public meeting.
- *March 19, 2020:* 1<sup>st</sup> Legal notice was published in the *Peninsula Gateway* newspaper, advertising the PAC public meeting.
- *August 26, 2020:* 2<sup>nd</sup> Legal notice was published in the official County newspaper (*Tacoma News Tribune*), advertising the PAC public meeting.
- *August 27, 2020:* 2<sup>nd</sup> Legal notice was published in the *Peninsula Gateway* newspaper, advertising the PAC public meeting.

**2018 Google Earth**

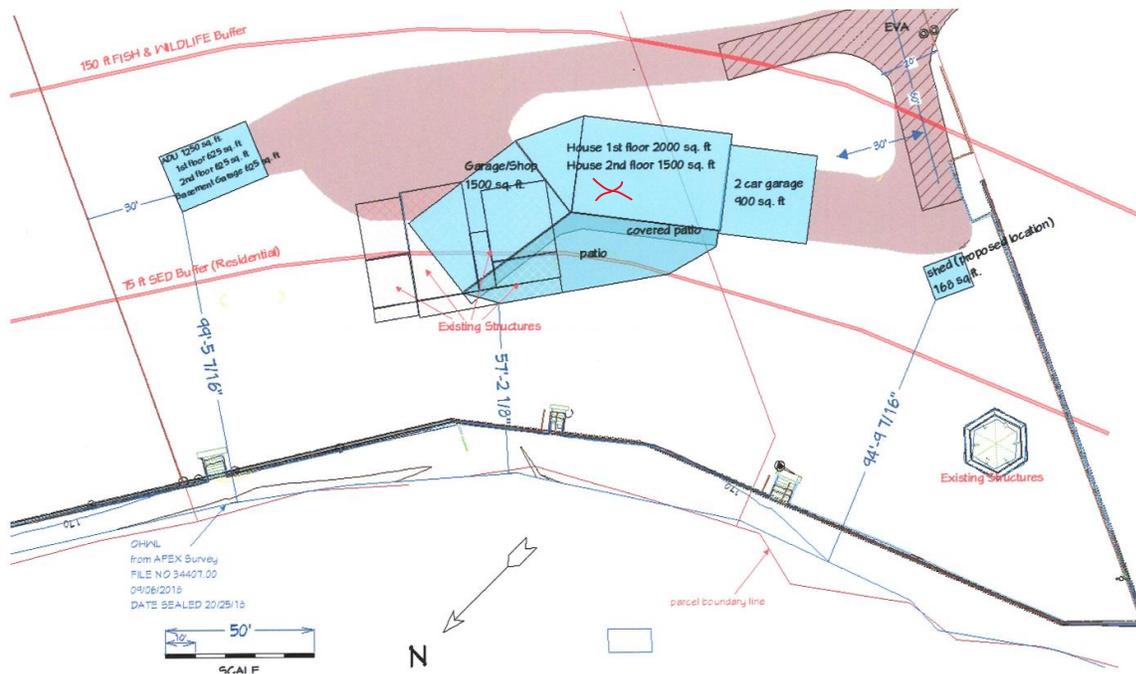


**2017 Ortho Photos**

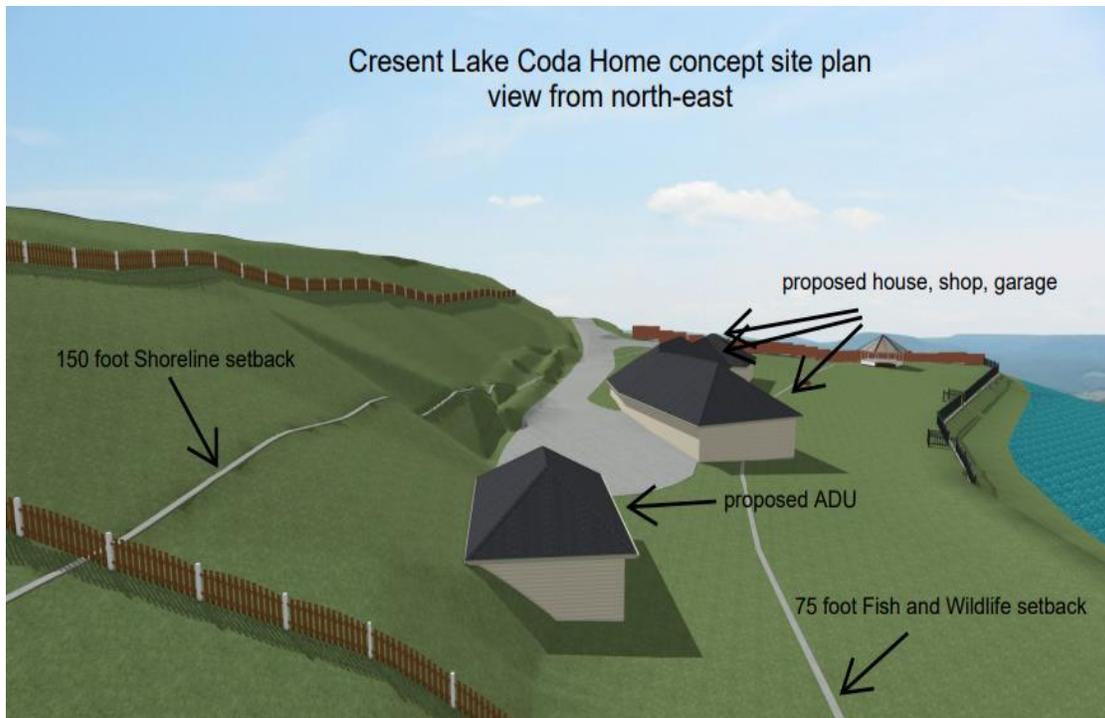
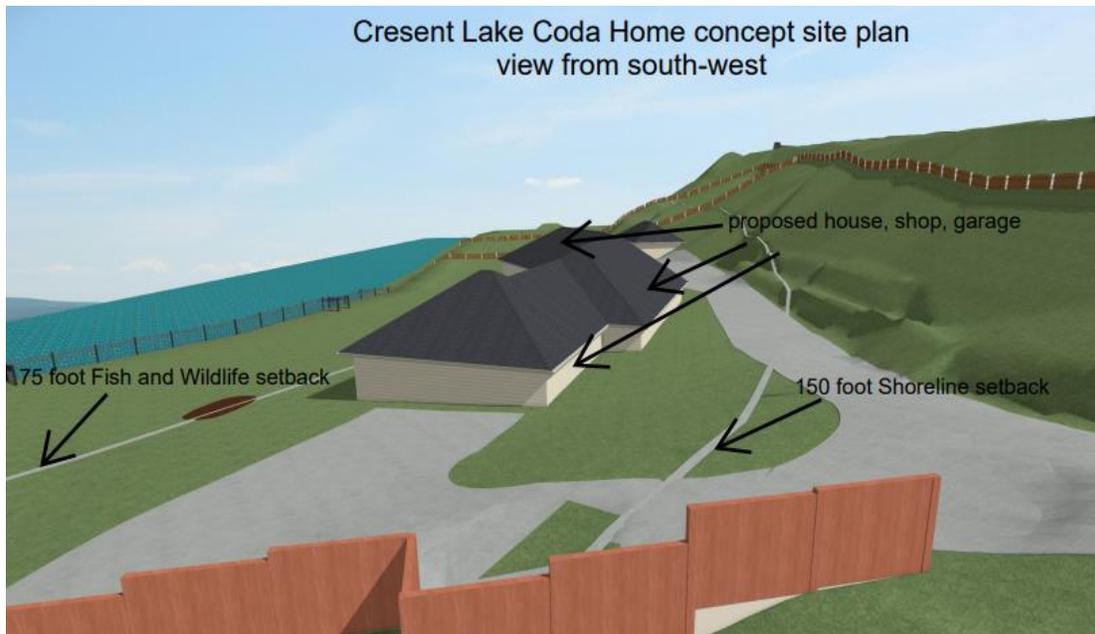


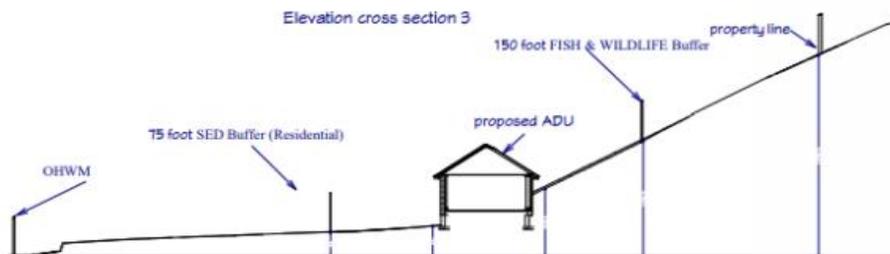
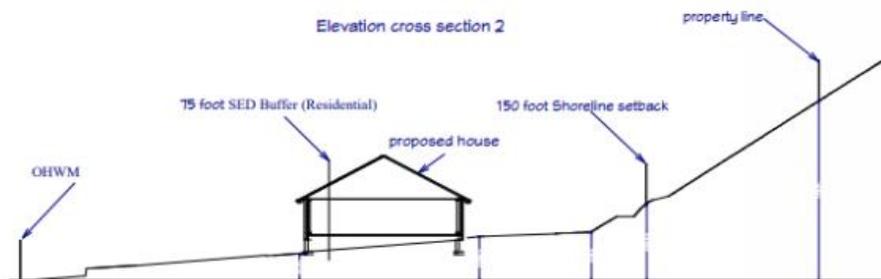
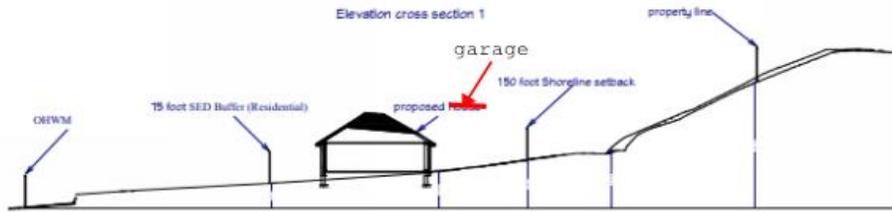


**Site Plan**



## Cross-Section and Elevation Plans





## 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.
- 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 Gig Harbor Peninsula Community Plan;
- C. Applicable state statutes; and
- D. All applicable notes on related previously recorded County documents.

### **Site Characteristics**

Staff conducted a site visit on February 12, 2020, and observed the following:

- The applicants own five contiguous parcels on the northeast shore of Crescent Lake.
- The project site is on the western portion of three almost rectangular shaped parcels. The other two northerly parcels are currently vacant and not part of this project.
- The long axis of the parcels is oriented in an east-west direction. There are dense various types of trees/vegetation located on the east half side of the parcels and maintained grass lawn along the western half side, by the shoreline, of the parcels.
- The topography of the parcels is generally rolling down from east to west with steep slopes of approximately 27% going down towards the water, on the west side of the project site. The County Assessor lists parcel #0222163071 as .59 acre in size with approximately 144 feet of shoreline frontage, parcel #0222163072 as .48 acre in size with approximately 92 feet of shoreline frontage, and parcel #0222163073 as .44 acre in size with approximately 91 feet of shoreline frontage.
- Currently, parcel #0222163071 is improved with a gazebo (built in 1985) and a small shed; parcel #0222163072 is improved with a dilapidated single-family residence (built in 1964); and parcel #0222163073 is improved with a shed, outbuilding and an RV.
- A narrow concrete pathway/walkway provides access from the residence to the gated metal fence located along the shoreline. This fence, with decorated light posts, is located on top of the concrete wall/bulkhead.
- A brick firepit is located at the middle of the walkway which terminates landward of the fence.
- The shoreline of the project site is improved with a concrete bulkhead/wall, with three sets of concrete inset stairs and two floats.

- A metal fence is located on the top of the concrete wall which may also require approval of an SDV application.
- Crescent Lake is considered as Type F1 Water, which requires a 150-foot buffer. There is an existing wetland along the shoreline.
- The area surrounding the project site is generally improved with Moderate Density Single-Family residential lots.
- The access to the site is via a gravel driveway off Talmo Drive NW, located to the east of the parcels.

**Surrounding Land Use / Shoreline / Zoning Designation**

	LAND USE	SHORELINE	ZONING
North	Vacant lot	Residential	Rural Sensitive Resource (RSR)
South	Vacant lot	Residential	RSR
East	Single-family residence	N/A	RSR
West	Crescent Lake	Residential	N/A

**Note:** The proposed project will be located on three contiguous parcels for a total of 1.51 acres in size and approximately 327 feet of shoreline frontage. The project site is located on the northeast shore of Crescent Lake. The applicants’ agent has indicated that upon approval of the project all three parcels will be combined as one, which will bring the total impervious coverage of the project site to be 22% or less than the maximum allowed impervious coverage of 33.3%. A condition of approval will address this issue.

**Comments from the Public and Agencies**

The proposed project has been routed to interested departments and agencies for review and comment. Comments received on this proposal may be found by accessing the online permit information referenced on page 1.

- No comments were received from the general public.
- No adverse comments were received from reviewing agencies within the County.
- Scott Sissons, County Biologist, has asked for a wetland review as well as application for fish and wildlife buffer variance.
- Jeff Kidston, Development Engineer, has asked for a drainage control plan to be submitted and a geotechnical assessment as specified in Title 18E.
- Nisqually Indian Tribe requests a Cultural Resource Survey to be done by a qualified Archaeologist prior to any ground disturbance. In addition, the tribe has asked for notification of any Inadvertent Discoveries of Archaeological Resources/Human Burials for this project.

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

**Gig Harbor Peninsula Community Plan**

The Plan was adopted as part of the County Comprehensive Plan in June 30, 2016, Under Appendix E (Title 19A):

## Rural Design

GH D-11.7 Prioritize preservation of native vegetation (Douglas fir trees, Pacific madrone trees, etc.) on each site that is developed in the Rural Sensitive Resource (RSR) designation.

GH D-11.8 Development in the RSR designation shall utilize low impact development standards.

GH D-11.8.5 Consider implementing other low impact development tools include reducing the amount of impervious surfaces on each site, minimizing soil disturbance and erosion, disconnecting constructed drainage courses, and utilizing microdetention facilities on each lot where feasible rather than one facility at the end of a conveyance system.

GH D-11.8.6 Develop standards for implementation that prescribe an acceptable ratio between impervious surfaces and open space, based on the various low impact development techniques and best management practices proposed on a site plan

GOAL GH D-12 The presence of farms, forests, natural areas, and undisturbed lands are valuable features in the rural area of the Gig Harbor Peninsula. Native vegetation provides a variety of benefits including critical area buffering, protection of aquifer recharge areas, fish and wildlife habitat areas, and pleasing visual aesthetics. Agricultural uses and forest practice activities help sustain the rural character in the community outside of the Urban Growth Area. Preservation of these characteristics that have historically been associated with the rural environment on the Gig Harbor Peninsula creates the rural character that the community considers essential.

GH D-12.1 Retaining areas of mature native vegetation on a site is a higher priority than providing supplemental landscaping.

GH D-12.2 Require that setback areas be retained in natural vegetation where feasible and supplemented by planted native species where natural vegetation is sparse or nonexistent.

GOAL GH D-14 Require vegetative screens between new rural development and adjacent uses.

GH D-14.1 The required screening varies with the use and density or intensity of the proposed use and shall range from 25 to 70 feet in width on the property that has been proposed for development. The increase in screen width is based on the increase in impacts or incompatibility between uses.

GOAL GH ENV-2 Development standards along shorelines should ensure the preservation of native vegetation and wildlife habitat and protect water quality and natural shoreline processes.

GH ENV-2.1 Consider implementing low impact development tools. These include reducing the amount of impervious surfaces on each site, minimizing soil disturbance and erosion, disconnecting constructed drainage courses, and utilizing micro-detention facilities on each lot, (provided such facilities would not contribute to landslide hazards or slope failures) where feasible, rather than one facility at the end of a conveyance system.

GH ENV-2.2 Require a tree canopy and native vegetation buffer plan for new development in all shoreline environments.

GH ENV-2.2.1 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.

GH ENV-2.2.2 Require protection for trees, including snags, located along the shoreline.

GH ENV-2.4 Base allowable uses along the shoreline on the Comprehensive Plan land use designation and SMP and permit them on a case by case basis.

GH ENV-2.4.1 Analyze the cumulative impacts of shoreline development when evaluating an individual project.

GH ENV-2.4.3 Permit outright or administratively detached single-family residential homes and associated accessory structures when located outside of the defined shoreline setback.

GH ENV-2.6 Strictly control requests to obtain variances from development standards along the shoreline. Grant variances only in extraordinary circumstances relating to the physical character or configuration of the building lot.

GH ENV-3.1 Discourage the use of fertilizers and pesticides on lawns in shoreline areas. Offer educational information to residents on environmentally friendly, non-chemical alternatives.

GH ENV-3.2 To discourage erosion, encourage limbing or pruning trees for view enhancement instead of removing an entire tree. Remove tree stumps on a case by case basis.

GOAL GH ENV-4 Encourage shoreline restoration activities that increase the function and value of the nearshore environment.

GH ENV-4.2 Encourage the removal of bulkheads and other hard armoring along marine waters where it would improve fish habitat. GH ENV-4.3 Promote the voluntary retention and replanting of native vegetation along lakes, streams, and marine waters.

*Staff Comment:* The existing house is approximately 57 feet and 2 1/8 inches from the shoreline. Per PCC Section 18S.30.030.E, the required buffer for Residential Environment is 75 feet. Moreover, per PCC Section 18E.40.060, the required buffer for F1 Type waters such as Crescent Lake is 150 feet.

Table 18S.30.030-2. Standard Shoreline Buffers and Setbacks	
Shoreline Environment Designation (SED)	Standard Buffer
Natural	150 feet
Conservancy	100 feet
Residential	75 feet
Setback for Lake Tapps Reservoir	50 feet
High Intensity – non water-dependent use, or those portions of a use that are not water-dependent	50 feet
High Intensity – water-dependent use, or those portions of a use that are water-dependent	0 feet
See Chapter 18E.40 PCC for Fish and Wildlife Habitat Conservation Area regulations; critical area buffers may be greater than the standard shoreline buffer.	

Table 18E.40.060-1. Fish and Wildlife Habitat Conservation Area Buffer Requirements		
Water Type (1)	Water Body Criteria	Buffer Width (2,4)
Type S1	Marine waters designated as Marine Shoreline Critical Salmon Habitat	100 feet landward from the OHWM
Type F1	All segments of natural waters within the bankfull widths of defined channels or within lakes, ponds, or impoundments which provide habitat for or support any portion of the lifecycle of a critical fish species (3). Waters that are diverted for use by federal, state, tribal, or private fish hatcheries shall be considered to be Type F1 waters upstream from the point of diversion for 1,500 feet and tributaries if highly significant for protection of downstream water quality.	150 feet landward from the OHWM

Per Section 18S.30.030.D.4 any modification to a critical area buffer that exceeds 25% shall be subject to a Shoreline Variance (SDV). Furthermore, Section 18S.30.030.D.8 states “buffer to protect critical areas, such as a wetland or fish and wildlife habitat conservation area, may be wider than the shoreline buffer. The most protective regulations apply.” Therefore, the SDV application is needed for this project.

Per the submitted site plan, the average depth of parcels for this project is approximately 205 feet long. Considering the required 150-foot shoreline buffer for F1 water type and 25 feet of the required front yard setback, the buildable area will be significantly reduced without obtaining an SDV application.

As noted earlier, in this case the variance is to the required 150-foot buffer to be reduced (at its closest point) to 57 feet and 2 1/8 inches, which is more than the 25 percent allowance of PCC 18S; therefore, a Shoreline Variance application and its approval is required by both the Pierce County Hearing Examiner and Washington State Department of Ecology (ECY). It should be noted that the final approval of an SDV is by ECY.

It should be noted that staff was not able to find any type of permits for the existing metal fence on the top of the wall/bulkhead; however, the metal fence is not integral to the proposed activity. Therefore, per Pierce County Department-Wide Policy #2016-01, since the metal fence is not directly related or dependent with the proposal, the applicants are not required but encouraged to include the metal fence as part of their SDV application and obtain all necessary permits and approval. In a mean time, the department will place an “alert” comment on the parcel informing of the unpermitted structure (metal fence) on the site.

The proposed house, boathouse, shop, garages, and ADU are consistent with the guidance provided by the Gig Harbor Peninsula Community Plan and all required zoning setbacks (18A.15.040-2, front yard 25 feet, side yard 10 feet and rear yard 30 feet).

No vegetation will be removed as a result of this project since the western half portion of the project site (along the shoreline) has been devoid of all vegetation and only contains a maintained grass lawn. County policies require vegetative screens between new rural development and adjacent uses when uses are incompatible; however, as noted earlier in this report, the surrounding uses are residential and, as such, compatible with the proposed project.

It should be noted that opportunities exist on the site to utilize low impact development and vegetation planting plan on the site as well as along the shoreline as required by the Gig Harbor Community Plan policies.

### **Pierce County Development Policies and Regulations – Shorelines, (Title 18S)**

Title 18S provides policies, and regulations for development on Pierce County shorelines. The proposal is located within the Residential and Aquatic Shoreline Environment Designations.

#### **18S.20.050 - Residential Shoreline Environment Designation (SED).**

The intent of the Residential SED is to accommodate residential development in areas that are already developed with or planned for residential development. The Residential SED may also include water-oriented commercial and recreation uses.

- For residential development, not more than one third of the parcel within shoreline jurisdiction and landward of the ordinary high water mark (bulkhead) shall be covered by effective impervious areas, except that new lots created in a Natural or Conservancy SED shall be limited to 10 percent effective impervious surfaces. The calculation for impervious surfaces shall include parking areas but may exclude a 12-foot-wide driveway. This restriction applies to both principal and accessory uses and structures.
- Retention of existing vegetation shall be a priority within the entire shoreline jurisdiction. Retention of existing trees is particularly important.
- Where retention of shoreline vegetation is not feasible, new developments shall include a vegetation management plan as defined in subsection G.2. of PCC Section (18S.30.030G.2).
- Encourage sustainable residential development through restrictions on the scale of development, preservation of vegetation and topography, and preservation of views.
- Locate new residential structures with respect to views and with a height limit of 35 feet.
- Maintain, enhance, and/or restore shoreline features including vegetation.

*Staff Comment:* The project site is currently improved with a dilapidated single-family residence, an outbuilding, a gazebo, RV, and a small shed. The existing house was constructed prior to enactment of the shoreline regulation. The existing residence will be demolished; however, the applicants have proposed to utilize the existing building footprint for construction of a portion of the proposed single-family residence.

Per the submitted email from the applicant's agent, dated February 18, 2020, the total impervious coverage of the project site is 22% (over three parcels). If the project is approved, a condition of approval will require the applicants to combine all three lots in order to meet the impervious coverage requirement of not more than one third of the parcel located within the shoreline jurisdiction and landward of the ordinary high water mark (OHWM). In addition, per the submitted documents, all proposed structures are less than 35 feet in height.

Currently, the shoreline of the site is devoid of any vegetation. It should be noted that a maintained grass lawn covers almost half of the western portion of the parcels (along the shoreline) while the eastern half of the parcels is covered with various type of dense trees. A condition of approval will require the applicants to remove the lawn and prepare a vegetation planting plan, within the shoreline buffer area, for review and approval prior to any site development/activity on the site.

Finally, staff believes, with conditions, the proposed project is appropriately suited for residential use as the use of the site will not change and will remain residential in nature

#### 18S.30.030 - Ecological Protection.

The intent of the Ecological Protection policies and regulations is to ensure that shoreline development is established and managed in a manner that protects existing ecological functions and ecosystem-wide process and that mitigates adverse impacts to ecological functions. This means assuring no net loss of ecological functions and processes in shorelines, and protecting critical areas designated in Title 18E PCC.

#### Policies and Regulations:

- Establish and manage shoreline uses and development in a manner that mitigates adverse impacts so that the resulting ecological condition is maintained or improved.

- All shoreline uses and development should avoid and minimize adverse impacts on the shoreline environment.
- Assure that shoreline modifications individually and cumulatively do not result in a net loss of ecological functions. This is to be achieved by limiting the number and extent of shoreline modifications and by giving preference to those types of shoreline modifications that have a lesser impact on ecological functions and requiring mitigation of identified impacts resulting from shoreline modification.
- Preserve and protect existing trees and native vegetation within shorelines to maintain shoreline ecological functions and mitigate the direct, indirect, and cumulative impacts of shoreline development. Where shoreline vegetation is inadequate to protect against the impact of new uses or development, native vegetation should be enhanced.
- Avoid impacts to shorelines through application of mitigation sequencing, giving highest priority to impact avoidance whenever new uses or development are proposed in shorelines.
- Replace designated noxious weeds and invasive species with native vegetation and other non-invasive vegetation to establish and maintain shoreline ecological functions and processes.
- Where new developments and uses are proposed, shoreline vegetation shall be conserved or restored when feasible. Shoreline vegetation helps to maintain shoreline ecological functions and processes and mitigate the direct, indirect and cumulative impacts of shoreline development.
- Where a critical area or critical area buffer is present, the applicable requirements of Title 18E PCC shall apply.

Table 18S.30.030-1. Mitigation Sequencing	
Higher Priority  Lower Priority	Avoiding the impact altogether by not taking a certain action or parts of actions.
	Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts.
	Rectify the impact by repairing, rehabilitating, or restoring the affected environment.
	Reducing or eliminating the impact over time by preservation and maintenance operations.
	Compensate for the impact by replacing, enhancing, or providing substitute resources or environments.
	Monitoring the impact and compensation projects and taking appropriate corrective measures.

***Staff Comment:*** The majority of homes around the lake are located 50 feet or less from the shoreline. The western portion of the project site is devoid of any natural vegetation. The applicants have not submitted a Mitigation Plan for the project site. Staff will require a condition of approval for the applicants to restore shoreline vegetation along the shoreline and within the shoreline buffer area. The proposed project, if approved with conditions, will not change the shoreline character of the area or have a result in a net loss of ecological functions.

18S.60.070 Shoreline Variance.

- A. The purpose of a Shoreline Variance is limited to granting relief from dimensional standards found in this Title (e.g., buffer, height, or lot coverage requirements) where there are extraordinary circumstances relating to the physical character or configuration of property such that the strict implementation of this Title will impose unnecessary hardship on the applicant or thwart the policies found in the Shoreline Management Act.
- D. Decision Criteria – General. A Shoreline Variance shall not be granted unless the applicant demonstrates that denial of the permit would result in a thwarting of the policy enumerated in the Act due to extraordinary circumstances, and the public interest would suffer no substantial detrimental effect.
- E. Decision Criteria – Development Landward of Ordinary High Water Mark (OHWM). In addition to the General Decision Criteria in subsection D. of this Section, Shoreline Variances for development landward of the OHWM or landward of any wetland may be authorized provided the applicant can demonstrate all of the following:
  - 1. The strict application of the bulk or dimensional standards precludes or significantly interferes with reasonable use of the property.
  - 2. The hardship described in subsection E.1. of this Section is specifically related to the property and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of this Title and not, for example, from deed restrictions or the applicant's own actions.
  - 3. The design of the project is compatible with other authorized development within the area and with development planned for the area under the Comprehensive Plan and this Title, and will not cause adverse impacts to the shoreline environment.
  - 4. The Shoreline Variance will not constitute a grant of special privilege not enjoyed by the other properties in the area.
  - 5. The Shoreline Variance requested is the minimum necessary to afford relief.
- G. Decision Criteria – Wetland Buffer. Where the Shoreline Variance request includes a reduction to a wetland buffer, the applicant shall demonstrate the following:
  - 1. Approval of the variance results in an overall increase in the function of the wetland.
  - 2. Approval of the variance results in the preservation or enhancement within the project area of other Habitats of Local Importance discussed in PCC [18E.40.020D](#).
  - 3. The proposal avoids impacts and provides mitigation, pursuant to PCC [18E.30.050](#), to the maximum practical extent.
- H. Decision Criteria – Fish and Wildlife Habitat Buffer. Where the Shoreline Variance request includes a reduction to a fish and wildlife habitat area buffer, the applicant shall demonstrate the following:
  - 1. Approval of the variance will not adversely impact receiving water quality or quantity.
  - 2. Approval of the variance will not adversely impact any functional attribute of the habitat area.
  - 3. Approval of the variance will not jeopardize the continued existence of species listed by the Federal government or the State as endangered, threatened, sensitive, or documented priority species or priority habitats.
  - 4. The proposal avoids impacts and provides mitigation, pursuant to PCC [18E.40.050](#), to the maximum practical extent.
- I. Decision Criteria – Cumulative Impact. In the granting of all Shoreline Variances, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if Shoreline Variances were granted to other development in the area where similar circumstances exist, the total of the Shoreline Variances shall also remain consistent with the policies of RCW 90.58.020 and shall not cause substantial adverse effects to the shoreline environment.

Staff Comment: The strict application of the required shoreline buffer and setbacks standards does preclude the reasonable use of this property since the average depth of the parcels is approximately 205 feet. Approval of this proposal would not likely be unique in the fact that the majority of other houses and their accessory structures around this lake are located approximately 50 feet or less from their respective shorelines.

Based on the submitted site plan, there will be more than one garage proposed on this site. Per WAC173.27.040(2).(g), construction of a garage will be exempt from an SD. However, in this case, the applicants are proposing three garages of which two are associated with the main proposed residence. The cumulative impacts of additional similar projects (i.e. if other residence on this area added a second garage) would be significant as it would be a second garage on the property and larger than most other garages in the immediate area.

As noted earlier in this report, the County Biologist, Scott Sissons, has required the applicants to submit an application for Fish and Wildlife buffer variance. He also noted that possibly a Wetland buffer variance may be required for this project.

### **Pierce County Development Policies and Regulations – Zoning s, (Title 18A)**

This Title shall apply to all land use in Pierce County unless specifically exempted. Per Section 18A.14.040-2, the Required setbacks in RSR zone are as follows:

- Front 25 feet
- Side 10 feet
- Rear 30 feet

Per Section 18A.37.120.B, size of an ADU, when located outside of the Urban Growth Area (UGA), shall be limited to the maximum of 1,250 square feet. It should be noted, the proposed ADU meets all requirements of Title 18A.

Finally, Staff has been informed that there is a high probability of cultural, anthropological, or historical significance and is requiring a cultural survey be completed prior to any activity on the project site.

Coda SD-SDV IPR PAC-MC