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## ADMINISTRATIVE DECISION FOR SHORELINE EXEMPTION PERMIT

**CASE:** File # 2021-SSDE-0005

**APPLICANT:** Evan Wehr of Ecco Design on behalf of property owner Gary Campbell  
7413 Greenwood Ave N  
Seattle, WA 98103

**REQUEST:** Repair an existing pier by splicing twenty-one piles, re-framing, and re-decking with Thruflow grated decking. Install a jet-ski lift, plant four scouler willows, two red-flowering currants, and one snowberry.

**SITE ADDRESS:** 16550 Shore Drive NE  
Lake Forest Park, WA 98155  
Parcel #7738500745

**APPLICATION DATES:** Application Submitted: July 19, 2021  
Date of Complete Application: August 16, 2021  
Posted for 14-day Notice of Decision: September 15, 2021  
Decision Issued: September 15, 2021

**ZONING:** RS-7.2

**APPLICABLE REVIEW PROVISIONS:** Chapter 16.18- Shoreline Master Program

**ENVIRONMENTAL DETERMINATION:** Exempt pursuant to  
WAC 197.11.800(3)

**ASSIGNED STAFF:** Cameron Tuck  
Assistant Planner

**DECISION:** Approve with conditions

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**I. APPLICATION TIMELINES**

- On July 19<sup>th</sup>, 2021, the applicant applied for the shoreline substantial development exemption and the application was deemed complete on August 16, 2021;
- This decision is being issued on September 15, 2021.

Overall, the application was in review approximately 58 days.

**II. SITE DESCRIPTION and CHARACTERISTICS**

Site location & access

The existing site is a single-family residence, surrounded by single-family residential use, located along Shore Dr NE with lakefront access.

Existing site conditions

The property is currently developed with a single-family residence and appurtenances typical of medium density urban shoreline development (residential structure with appurtenant dock). The property is mostly flat and includes a lawn area with some ornamental trees and shrubs.

**III. PROJECT DESCRIPTION**

The applicant is proposing to repair an existing pier by splicing twenty-one piles, re-framing, and re-decking with Thruflow grated decking. The applicant is also proposing to install a jet-ski lift, plant four scouler willows, two red-flowering currants, and one snowberry.

**IV. SHORELINE EXEMPTION REQUIREMENTS.**

The criteria for approval of a shoreline exemption are specified in LFFMC Section 16.18, and the Shoreline Master Program. The Applicant is required to demonstrate compliance with those elements that are applicable to the shoreline exemption. Those requirements, along with staff's findings and conclusions for each requirement, are as follows:

Chapter 3.3 Permits and Exemptions

*6. The following list outlines twelve (12) exemptions that shall not be considered substantial developments for the purpose of this Master Program:*

*a. Any development of which the total cost or fair market value, whichever is higher, does not exceed five thousand (\$5,000) dollars, if such development does not materially interfere with the normal public use of the water or "shorelines of statewide significance." The dollar threshold established in this subsection must be adjusted for inflation by the Office of Financial Management every five years, beginning July 1, 2007, based*

*upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the Bureau of Labor and Statistics, United States Department of Labor. The Office of Financial Management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect. For purposes of determining whether or not a permit is required, the total cost or fair market value shall be based on the value of development that is occurring on "shorelines of statewide significance." The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials;*

Findings: The applicant has provided an estimate from Stillwater Marine Construction for the materials and cost of the installation of the jet-ski lift at a total of \$6,949.51. The adjusted exemption rate through state regulation as of 2017 is \$7,047.00.

Conclusion: The cost of the installation of the jet-ski lift is less than the adjusted exemption dollar threshold. This criterion has been satisfied.

*b. Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to the shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including, but not limited to, its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment;*

Findings: The proposal falls within the scope of normal maintenance or repair.

Conclusion: This criterion has been satisfied.

#### Chapter 8.5 Overwater Structures: Piers, Docks, Floats, and Buoys

*A. General Regulations for Private and Public Structures*

- 1. All new, reconstructed, repaired, or modified overwater structures must comply with all other regulations as stipulated by State and Federal agencies, local Tribes, or others that have jurisdiction.*

Findings: The applicant has provided a copy of their application to the State for a Joint Aquatic Use Permit (JARPA). This exemption decision will include a condition for the applicant to obtain all other agency approvals.

Conclusion: This criterion, as conditioned, has been satisfied.

- 5. Proposed overwater structures which do not comply with the dimensional standards contained in this chapter may only be approved if they obtain a variance;*

Findings: The applicant has provided details of the proposed apparatus. The dimensions meet the dimensional standards contained in Sections E and F of Chapter 8.5 within the SMP.

Conclusion: This criterion has been satisfied.

- 8. Grated decking is required on all new or replaced moorage facility surfaces.*

Findings: The applicant has provided details of the design that describes the installation of Thruflow grated decking.

Conclusion: This criterion has been satisfied.

- 10. No skirting is permitted on any structure.*

Findings: The applicant has not specified if skirting will be used as part of the dock repair or installation of the jet-ski lift. A condition of this exemption will be for the permittee to refrain from installing skirting with the apparatus.

Conclusion: This criterion, as conditioned, has been satisfied.

- 13. Lighting associated with overwater structures shall be beamed, hooded or directed to avoid causing glare on adjacent properties or waterbodies. Illumination levels shall be the minimum necessary for safety.*

Findings: The applicant has not indicated if permanent lighting will be installed as part of this project. A condition of this exemption will be for the permittee to adhere to the lighting standards within the SMP.

Conclusion: This criterion, as conditioned, has been satisfied.

- 14. Piles, floats and other water-use structures that are in direct contact with water or over water shall not be treated or coated with herbicides, fungicides, paint, or pentachlorophenol. Use of wood members treated with arsenate compounds or creosote is prohibited.*

Findings: The applicant has not specified if herbicides, fungicides, paint, or pentachlorophenol will be used as part of this project. A condition of this exemption will be for the permittee to refrain from using these hazardous chemicals in any part of the dock repair or installation of the jet-ski lift.

Conclusion: This criterion, as conditioned, has been satisfied.

- 15. Temporary moorages shall be permitted for vessels used in the construction of shoreline facilities. The design and construction of temporary moorages shall be such that upon termination of the project, the aquatic habitat in the affected area can be returned to its original (pre-construction) condition within one (1) year at no cost to the environment or the public.*

Findings: The applicant has not specified the type of temporary moorage that may be necessary to repair the dock and install the jet-ski lift. This exemption will contain conditions for any temporary moorage to end upon the project's completion, and for aquatic conditions to be returned to pre-construction status.

Conclusion: This criterion, as conditioned, has been satisfied.

## **V. PUBLIC NOTIFICATION**

This decision is being issued as a type III administrative decision per LFPMC 16.26.030 (C), and pursuant to LFPMC 16.26.180 notice of this decision was posted and published on [DATE].

## **VI. SUMMARY CONCLUSIONS**

Staff has reviewed the proposal for general conformance with city codes and ordinances and the requirements set forth herein, and has provided findings in response to each requirement. Based upon said findings, staff concludes that the shoreline exemption as

described herein conforms to the criteria for shoreline exemptions as defined in the City's Shoreline Master Program.

## **VII. CONDITIONS**

In consideration of the above findings of fact and conclusions, the proposed shoreline exemption is hereby granted approval, subject to the following conditions:

1. The permittee shall obtain a building permit prior to conducting work within the ordinary high water mark.
2. The permittee shall obtain all other agency approvals prior to conducting work within the ordinary high water mark.
3. The permittee shall not use any materials or chemicals identified as hazardous for water conditions.
4. The permittee shall not install skirting with the apparatus.
5. Lighting associated with overwater structures shall be beamed, hooded or directed to avoid causing glare on adjacent properties or waterbodies. Illumination levels shall be the minimum necessary for safety.
6. All aquatic conditions shall be returned to pre-construction status upon completion of the project.

**Staff Signatures:**



**Name & Title:** Cameron Tuck  
Assistant Planner

**Issued Date:** September 15, 2021

## **X. APPEALS**

This decision may be appealed by the applicant or any party of record under the provisions of LFPMC Section 16.26.190. Appeals must be submitted in writing.