

**DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT
TO CITY OF LAKE FOREST PARK HEARING EXAMINER**

The following review by the City of Lake Forest Park Planning Department is based on information contained in the application and supplemental correspondence, information in the file, comments and letters received on-site investigation, applicable scientific reports, applicable codes, development standards, adopted plans, and other information on file with the city.

SUMMARY INFORMATION

City File Numbers: 2020-SSD-0002

Hearing Date: October 25, 2021; 10:00 AM

Requested Action: Approval of Shoreline Substantial Development Permit to repair (6) piles, reconstruct the dock with updated thru-flow grated decking material, install a 18'x6' extension supported by (2) new 8' steel piles, install a 10'x16' platform lift, replace the existing bulkhead stairs with rock steps and repair the entire existing bulkhead. Relocate existing boat lift with canopy from north of existing dock to the south side of the dock.

Permittee: Seaborn Pile Driving
1080 W Ewing ST BLDG B
On behalf of Demartini property owner

Site Location: 17727 Beach Drive NE
Lake Forest Park, WA 98155; Parcel # 4030100255

Staff Recommendation: Approval with conditions

Comprehensive Plan Designation: Single Family Residential, High
(Exhibit 3)

Zoning Classification: RS – 7,200 (Exhibit 4)

APPLICABLE CODES AND REGULATIONS FOR THE SHORELINE DEVELOPMENT

(This list may not be completely exhaustive)

1. LFPMC Chapter 16.18 – Establishes the SMP (Shoreline Master Program) as the regulatory document for all shoreline uses, development and shoreline modification activities.
2. LFP SMP 3.4 (A) – Establishes permitting and process requirements for proposals in Shoreline jurisdiction
3. LFP SMP 3.4 (C) – Establishes notice requirements for Shoreline Substantial Development
4. LFP SMP 3.4 (E) – Establishes Hearing Examiner review and decision of substantial development applications

5. LFP SMP 3.4 (F) – Establishes public hearing procedures for substantial development applications
6. LFP SMP 8.5 – Establishes requirements for overwater structures.
7. LFP SMP 8.5 (A)- Establishes regulations for private and public overwater structures
8. LFP SMP 8.5 (D)- Establishes requirements for private dock additions
9. LFP SMP 8.5 (E)- Establishes requirements for repairs of existing residential pier or docks
10. LFP SMP 8.5 (F)- Establishes requirements for canopy, boatlifts, and covered moorage
11. LFPMC 16.26.030 – Establishes the authority of the Hearing Examiner to issue quasi-judicial decisions for conditional use applications (Type I application).
12. LFPMC 16.26.110 (D) – Establishes the decision of the Hearing Examiner on a Type I application as the final decision of the city.
13. LFPMC 16.26.040(D), .050, .090, and .110(C) – Establishes the public notification requirements associated with Type I applications.

BACKGROUND INFORMATION:**Description of the proposal:**

On behalf of the property owner James and Carol DeMartini, Seaborn Pile Driving submitted a shoreline substantial development application on October 28, 2020 (Exhibit 2). The permittee requests a shoreline substantial development permit to repair (6) piles, reconstruct the dock with updated thru-flow, grated decking material, install an 18'x 6' extension supported by (2) new 8' steel piles, install a 10'x 16' platform lift, re-locate existing boat lift with canopy from north of existing dock to the south side of the dock. The permittee also proposes to replace the existing bulkhead stairs with rock steps and repair the entire existing bulkhead, a scope which qualifies as an administrative shoreline exemption per SMP 3.3 (C) (6) (c). The property currently has an existing dock, and boat lift, located over water.

Site Characteristics:

The subject site is approximately 75-foot-wide residential single-family lot and averages 235 feet deep. The site has one single-family 4,390 square-foot home. King County Assessor records indicates that the home was built in 1988. Most of the area within the shoreline setback has impervious concrete, a paved patio, and grass adjacent to the water.

The property is zoned RS 7,200. The lot is situated east of the Burke Gilman Trail (BGT) to Lake Washington and the terrain slopes slightly downward toward the lake (see Exhibit 5).

The shoreline for this lot includes a bulkhead across 75% of the shore, and an existing 49'6" pier/dock extending into Lake Washington.

The driveway for the subject property accesses directly from Beach Drive NE.

Adjacent Land Use Characteristics:

The two properties immediately adjacent to the subject site are also zoned RS 7,200. The Carpenter property, to the northeast (17729 Beach Drive NE), includes one single-family house and one pier which extends approximately 40 feet waterward of the OHWM. The Carli property is comprised of a single lot to the southwest of the subject property and has one pier which extend approximately 65 feet waterward of the OHWM, which includes covered moorage.

The city-owned Waterfront Park is found about 1200 feet further south, and is the location of the mouth of Lyon Creek. The Park property shares a border to the southwest with the Lake Forest

Park Civic Club. The existing pier at the Civic Club reaches approximately 290 feet waterward, with some portion of the pier beyond the inner harbor line.

The Burke Gilman Trail (BGT), directly west of the subject site, is a regional multi-use trail constructed on a former rail line which is now King County ROW 50 feet wide. East of the BGT is City right-of-way, Beach Drive NE. This segment of Beach Drive NE is accessible via Ballinger Way NE. Approximately 30 beachfront properties access their homes along this segment of Beach Drive NE.

All properties adjacent to and surrounding the subject site are also zoned RS 7,200. There are no residences located on the west side of Beach Drive NE in this area.

Project Review Timeline:

The application was submitted on October 28, 2020. The application was considered complete as of February 1, 2021. A combined Notice of Application (NOA) and notice of the planned SEPA Determination (using the optional DNS process) was mailed to properties within 300 feet of the subject site; posted at the required locations including the subject property; posted online; posted at City Hall, Third Place Books, the LFP Library; and published in the Seattle Times on January 4, 2021.

On February 26, 2021, the city provided comments and requested additional information from the permittee citing inconsistencies with the City's Shoreline Master Program (SMP). On June 1, 2021, the permittee provided additional information responding to City comments, as well as design changes incorporating alternative sizing and dimensions for the proposed project.

On June 4, 2021, the city provided comments and requested additional information from the permittee citing inconsistencies with the City's SMP. On June 10, 2021, the permittee provided additional information responding to City comments, as well as design changes incorporating alternative sizing and dimensions for the proposed project.

On June 17, 2021, the city reviewed the applicant's revised design and provided additional comments and requested revised information from the permittee citing inconsistencies with the dimensional requirements in the City's SMP. On August 25, 2021, the permittee provided additional information responding to City comments, as well as design changes incorporating alternative sizing and dimensions for the proposed project.

On September 2, 2021, the city provided comments and requested additional information, based on the outcomes of staff review, from the permittee and cited inconsistencies with the City's SMP. On September 14, 2021, the permittee provided responses to that addressed the remaining City comments and provided a design that staff could recommend for approval as it was consistent with the city's SMP.

LFPMC 16.26.040 (F) (2) (a) states that any period during which the permittee is correcting plans, conducting studies, or providing additional information at the request or direction of the city and up to 14 days after the information has been provided shall be excluded as application processing time.

The Notice of Hearing was mailed, published, and posted on October 15, 2021 (Exhibit 7).

The review time from complete application to public hearing has equaled 28 days.

CRITERIA ANALYSIS

The following criteria have been excerpted from the Lake Forest Park Shoreline Master Program. For those criteria not applicable to this proposal, the code language may only be listed on the following criteria list, along with a statement in bold: **Not Applicable**.

Lake Forest Park Shoreline Master Program Chapter 3

3.3- Shoreline Permits and Exemptions

B. A substantial shoreline development permit is required per the following guidelines:

- 1. A development, use, or activity shall not be undertaken within the jurisdiction of the SMA, Chapter 90.58 RCW, and this shoreline Master Program unless it is consistent with the policy and procedures of the SMA, applicable state regulations and this shoreline Master Program.*

Lake Forest Park Shoreline Master Program Chapter 8

8.5- Overwater Structures: Piers, Docks, Floats, and Buoys

Regulations

8.5.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.*
- 2. New floating docks shall not be permitted. Piers that terminate in a floating section are allowed provided that the landward edge of the float is over water with a depth of ten (10) feet or more and are at least 30 feet from the OHWM. All float tubs shall be fully encapsulated. **Not Applicable**.*
- 3. Proposed overwater structures which are not an accessory use to residential development and are not joint-use structures must obtain a conditional use permit. A conditional use permit may be granted if... **Not Applicable**.*
- 4. Except for recreation floats, proposed overwater structures which are not accessory to a residential use and are granted a conditional use permit must comply with the regulations of this section for overwater structures which are accessory to single-family residential development. **Not Applicable**.*
- 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.*
- 6. No portion of the deck of a pier shall, during the course of the normal fluctuations of the elevation of the water body, protrude more than five (5) feet above the OHWM.*

7. No residential dwelling unit may be constructed on a pier. **Not Applicable.**
8. Grated decking is required on all new or replaced moorage facility surfaces.
9. All pier and dock dimensions shall be minimized to the maximum extent feasible. The proposed length must be the minimum necessary to support the intended use.
10. No skirting is permitted on any structure. **Not Applicable.**
11. All piers, docks, floats, and similar structures shall float at all times on the surface of the water or shall be of fixed-pile construction. Floating structures shall at no time rest on the lake substrate.
12. All over-water structures and other water-use developments shall be constructed and maintained in a safe and sound condition. Abandoned or unsafe structures shall be removed or repaired promptly by the owner.
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.
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.
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.
16. Boathouses or other walled covered moorage are not permitted. **Not Applicable.**
17. If a pier, ramp, or dock is provided with a safety railing, such railing shall not exceed 36 inches in height and shall be an open framework that does not unreasonably interfere with shoreline views of adjoining properties. **Not Applicable.**
18. Moorage facilities shall be marked with reflectors, or otherwise identified to prevent unnecessarily hazardous conditions for water surface users during the day or night. Exterior finish shall be generally non-reflective.
19. No more than one moorage type is allowed per single-family residential lot, except that in cases when an existing moorage structure must be extended to a length consistent with this SMP to achieve adequate moorage depth, one (1) mooring buoy may be allowed as an alternative to structure extension.

8.5 B. 3 Development Standards

- a. Only piers and ramps are permitted in the first 30 feet of the OHWM. All floats, fingers and ells must be at least 30 feet waterward of the OHWM.
- b. All new decking must be fully grated.

c. Length.

- i. The maximum waterward intrusion of any portion of any pier shall be one hundred twenty (120) feet. In cases where more than 80 feet are desired, the applicant shall demonstrate to the satisfaction of the Shoreline Administrator that there are unique circumstances that require additional length, such as situations where the excess pier length is necessary to achieve a minimum depth of 10 feet. The proposed length must be the minimum necessary to support the intended use.*
- ii. The maximum length of ells and fingers is 26 feet. The maximum length of a float is 20 feet. **Not Applicable***

d. Width.

- i. The maximum width of a pier walkway is four (4) feet with ells and floats up to six (6) feet wide. Any additional fingers must be two (2) feet wide. **Not Applicable***
- ii. The maximum width of a ramp connecting a pier to a float is 3 feet. **Not Applicable***

e. Size. Surface coverage, including all floats, ramps and ells, shall be limited to the following:

- i. Four hundred eighty (480) square feet for a single property owner; **Not Applicable***
- ii. Seven hundred (700) square feet for a joint-use structure utilized by two residential property owners; **Not Applicable***
- iii. One thousand (1,000) square feet for a joint-use structure utilized by three or more residential property owners **Not Applicable***

f. Spacing. Except for joint-use structures, piers shall be spaced a minimum of 20 feet apart from adjacent piers or 10 feet from the side yard, whichever is greater.

g. Piles. Piles shall be the minimum size allowed by site-specific engineering or design considerations, and shall not be treated with pentachlorophenol, creosote, chromated copper arsenate (CCA) or comparably toxic compounds. Piles shall be spaced a minimum of 18 feet apart except when shown not to be feasible for site-specific engineering or design considerations.

8.5 D. Pier and Dock Additions

1. Additions to existing piers or docks may be permitted under the following circumstances:

- a. When additional length is required to reach 10 feet of water depth;*
- b. When a single-use pier is converted to a joint-use pier; or*
- c. When the addition of an ell or finger will increase safety and usability.*

2. Enlarged portions must comply with the new pier or dock standards for length and width, height, water depth, location, and pilings and for materials as described in B.3 above.

3. Must convert an area of decking within 30 ft. of the OHWM to grated decking equivalent in size to the additional surface coverage.

4. Mitigation:

- a. The permittee must remove any in-water structures rendered obsolete by the addition;*
- b. Planting must comply with mitigation requirements for new piers.*

8.5 E. Repair of Existing Residential Pier or Docks

1. Repair proposals which replace 75 percent or greater of the existing pier-support piles are considered replacement piers and must comply with requirements for Replacement Piers. **Not Applicable.**

2. *Repair proposals which replace between 25 and 75 percent of the existing pier support piles must achieve the minimum 18-foot spacing to the extent allowed by site-specific engineering or design considerations and shall install deck grating on all areas of replaced decking.*
3. *All proposed replacement piles shall be the minimum size allowed by site specific engineering or design considerations, and shall not be treated with pentachlorophenol, creosote, chromated copper arsenate (CCA) or comparably toxic compounds. **Not Applicable***
4. *Pile repair shall not utilize pentachlorophenol, creosote, chromated copper arsenate (CCA) or comparably toxic compounds.*
5. *Repair proposals which replace 50 percent or more of the decking must use grating as specified above.*
6. *Other repairs to existing legally established moorage facilities where the nature of the repair is not described in the above subsections shall be considered minor repairs and are permitted, consistent with all other applicable codes and regulations. If the cumulative repair proposed over a three-year period exceeds thresholds established for reconstructed or repaired piers listed above, the current repair proposal shall be reviewed under those provisions. **Not Applicable***

8.5.F. Boatlifts, Canopies, and Covered Moorage

1. *Boatlifts and boatlift canopies may be permitted as an accessory to residential development, or as a conditional use in the Shoreline Residential and Urban Conservancy Environments when not accessory to residential structures, provided that:*
 - a. *All lifts are placed as far waterward as feasible and safe,*
 - b. *Boatlift canopies are elevated above the boatlift to the maximum extent practicable and are made of light-permeable fabric, and **Not Applicable**.*
 - c. *Any platform lifts are fully grated.*
2. *A moorage cover over a boat slip or boat lift may be permitted in the Shoreline Residential Environment when accessory to a residential structure or as a conditional use when not accessory to a residential structure, provided that: **Not Applicable**.*
 - a. *The cover must be constructed of light-permeable materials,*
 - b. *The cover must be elevated above the water's surface to the maximum extent practicable, and*
 - c. *The permittee demonstrates to the satisfaction of the Shoreline Administrator that the moorage cover is the minimum size necessary to serve the intended use of protecting the watercraft from the elements.*
3. *All lifts, canopies, and covers must comply with all other regulations as stipulated by State and Federal agencies, local Tribes, or others that have jurisdiction.*
4. *Boat houses are not permitted. **Not Applicable**.*

*Lake Forest Park Shoreline Master Program***Chapter 3.3.B- Shoreline Permits and Exemptions**

3.3 CRITERION B.1: *A development, use, or activity shall not be undertaken within the jurisdiction of the SMA, Chapter 90.58 RCW, and this shoreline Master Program unless it is consistent with the policy and procedures of the SMA, applicable state regulations and this shoreline Master Program.*

The permittee has applied for a shoreline substantial development permit and the scope of work does not qualify for any type of exemption from a substantial development permit.

Criterion met.

Chapter 8.5.A Overwater Structures: Piers, Docks, Floats and Buoys

8.5 CRITERION A.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.*

The Permittee has applied for approval from the required state, federal and tribal agencies and staff recommends that the permittee provide documentation of these applications or approvals at the public hearing.

Terms of this requirement have been incorporated into the list of recommended conditions of approval on the final page of this report.

Criterion met, subject to compliance with recommended conditions.

8.5 CRITERION A.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.*

The proposed overwater structure complies with all the applicable dimensional standards as listed in SMP 8.5 (D), (E) and (F). Staff has provided separate findings to illustrate this compliance (see criteria analysis for pier and dock additions, repair of existing residential pier or docks, and boatlifts, canopies, and covered moorage.)

This criterion is met.

8.5 CRITERION A.6: *No portion of the deck of a pier shall, during the course of the normal fluctuations of the elevation of the water body, protrude more than five (5) feet above the OHWM.*

The submitted drawings indicate an existing distance of 1'1" between the OHWM and the top of the existing pier (Exhibit 6). Sheet A5.0 shows that the proposed distance between the OHWM and the top of the existing pier is planned to be 1'5". While information provided is conflicting,

there is no indication that suggests that the greatest distance that the proposed pier may reach is more than 2' above the water body elevation.

This criterion is met.

8.5 CRITERION A.8: *Grated decking is required on all new or replaced moorage facility surfaces.*

Drawings for the proposed project indicate that all decking will be flow-thru and grated. (see sheet(s) ?)

This criterion is met.

8.5 CRITERION A.9: *All pier and dock dimensions shall be minimized to the maximum extent feasible. The proposed length must be the minimum necessary to support the intended use.*

The depth of water reachable with the proposed pier is more than 7'6", which is deeper than the existing pier structure and a direct result of increased pier length. The applicant did not provide an explanation with their application on how their design complies with this criterion specifically, so staff recommends that the Hearing Examiner have the permittee speak in open testimony to how and the reasons why their project complies with this criterion.

This criterion is met provided additional explanation is provided which demonstrates compliance.

8.5 CRITERION A.11: *11. All piers, docks, floats, and similar structures shall float at all times on the surface of the water or shall be of fixed-pile construction. Floating structures shall at no time rest on the lake substrate.*

Drawings of the proposed pier show that the structure will be supported with fixed-piles. (Exhibit 6).

This criterion is met.

8.5 CRITERION A.12: *All over-water structures and other water-use developments shall be constructed and maintained in a safe and sound condition. Abandoned or unsafe structures shall be removed or repaired promptly by the owner.*

This criterion relates to conditions after construction, and this requirement has been incorporated with recommended conditions of approval.

Criterion met, subject to compliance with recommended conditions.

8.5 CRITERION A.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.*

Lighting installations have not been included with this proposal; however, these requirements have been incorporated with recommended conditions of approval.

Criterion met, subject to compliance with recommended conditions.

8.5 CRITERION A.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.*

Drawings for this proposal show that the newly installed pilings will be made of steel. There is no indication that the steel will receive treatment of any kind. There is no indication within the scope of work that the permittee intends to install new wood members or treat or coat any existing wood members with herbicides, fungicides, paint, or pentachlorophenol. Similarly, the permittee does not indicate an intention to treat any potentially replaced wood members with arsenate compounds or creosote. These restrictions have been incorporated with recommended conditions of approval.

Criterion met, subject to compliance with recommended conditions.

8.5 CRITERION A.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.*

The Permittee has not indicated any plans to use temporary moorage as a part of this project. The likelihood of needing this feature is high given the nature of the project.

The requirement associated with this criterion has been incorporated with recommended conditions of approval.

Criterion met, subject to compliance with recommended conditions.

8.5 CRITERION A.18: *Moorage facilities shall be marked with reflectors, or otherwise identified to prevent unnecessarily hazardous conditions for water surface users during the day or night. Exterior finish shall be generally non-reflective.*

Reflectors have not been specifically called out with the proposed plans. These requirements have been incorporated with recommended conditions of approval.

Criterion met, subject to compliance with recommended conditions.

8.5 CRITERION A.19: *No more than one moorage type is allowed per single-family residential lot, except that in cases when an existing moorage structure must be extended to a length consistent with this SMP to achieve adequate moorage depth, one (1) mooring buoy may be allowed as an alternative to structure extension.*

This proposal only includes one moorage type for one single-family residential lot.

This criterion is met.

Lake Forest Park Shoreline Master Program

Chapter 8.5.D Pier and Dock Additions

8.5 CRITERION D.1. *Additions to existing piers or docks may be permitted under the following circumstances:*

a. When additional length is required to reach 10 feet of water depth;

According to the permittee's design, the proposed addition area of the extension and platform will allow the structure to reach depths beyond the existing 7 feet 6 inches of water depth bringing it even closer to the desired 10 feet of water depth.

b. When a single-use pier is converted to a joint-use pier; or

The existing single use pier is not being proposed for conversion.

c. When the addition of an ell or finger will increase safety and usability.

The project does not propose to add additional fingers or ells, but the addition of pier length will increase safety for those watercrafts using the structure as it creates additional water depth.

This criterion is met.

8.5 CRITERION D.2. *Enlarged portions must comply with the new pier or dock standards for length and width, height, water depth, location, and pilings and for materials as described in B.3 above.*

The proposed pier addition complies with each of the above dimensional standards. At a proposed 67.5 feet long, the total length of the dock will be less than the 80' length allowed without justification.

The existing walkway width of 5'10" and existing overall dock width of 20'9" is not proposed to be altered.

The proposed addition area of the extension and platform will allow the existing structure to reach 7 feet 6 inches of water depth bringing it closer to the desired 10 feet of water depth.

The submitted drawings indicate an existing distance of 1'1" between the OHWM and the top of the existing pier (Exhibit 6). Sheet 5.0 shows that the proposed distance between the OHWM and the top of the existing pier is planned to be 1'5". The combined information provided suggests that the greatest distance that the proposed pier may have with the water body may reach a height as much as 2'

Locationally, the extension and platform additions will not change the dock's location relative to side property lines or encroach onto any adjacent properties. The existing boatlift with canopy will be re-located from the northern side of the dock to the south side. The boatlift re-location will eliminate the structure's encroachment on the north side yard setback and relocate the structure to an area on the southern side of the dock where there were previously no structures. Relocating the structure will eliminate all side yard setback encroachments.

New pile materials will be steel, and repaired piles will not be treated with any material or be steel, which meet standards in the SMP.

This criterion is met.

8.5 CRITERION D.3. *Must convert an area of decking within 30 ft. of the OHWM to grated decking equivalent in size to the additional surface coverage.*

The project proposes to convert the entire dock with updated flow-through, grated decking.

This criterion is met.

8.5 CRITERION D.4. *Mitigation:*

a. The permittee must remove any in-water structures rendered obsolete by the addition;

There are no in-water structures that will be rendered obsolete by the addition.

b. Planting must comply with mitigation requirements for new piers (SMP 8.5 (B) (3) (h)).

The site currently does not have any native vegetation planted within the shoreline area. The proposed design includes a mitigation plan that, with the recommended conditions, complies with the requirements for new piers. Specifically, the plan provides native riparian vegetation in at least 75 percent of the nearshore riparian area located along the water's edge. The vegetated portion of the nearshore riparian area averages ten (10) feet in depth from the OHWM. The proposed plantings consist of a mixture of native trees, shrubs and groundcover and will be designed to improve habitat functions along the shoreline environment. Specifically, the proposed planting plan includes two western red cedar trees, three nootka rose shrubs and three mock orange shrubs which is consistent with the required three trees per 100 linear feet of shoreline but falls significantly short of the required 60% (approximately 450 square feet) shrub density. A recommended condition will be for the permittee to provide an updated planting plan with their application for a building permit and demonstrate that the required 60% shrub density can be achieved, or, that the permittee provide an alternative planting plan or mitigation measure (as allowed in SMP 8.5 (B) (3) (h) (iv) (a)- mitigation requirements) in lieu of meeting the prescriptive requirements if it can be approved by other state and federal agencies.

In addition to the native planting plan, the permittee proposes to provide as-built drawings and photographs after installation of the mitigation plantings. The permittee also proposes annual monitoring reports for 5 years that include written and photographic documentation on tree and shrub mortality. The following performance standards for the mitigation are recommended for the mitigation:

- One-hundred (100) percent survival of all planted native trees and shrubs during the first two (2) years after planting; and
- One hundred (100) percent survival of trees and eighty (80) percent survival of remaining native plants in years three (3) through five (5).

To ensure performance standards are met, and to ensure plantings survive, staff recommends that a financial security be posted for a maintenance period of five years. The cost of the financial security shall be based on the fair market value of labor and materials for the planting installation.

With recommended conditions, this criterion is met.

Lake Forest Park Shoreline Master Program

8.5.E Repair of Existing Residential Pier or Docks

8.5 CRITERION E.2: Repair proposals which replace between 25 and 75 percent of the existing pier support piles must achieve the minimum 18-foot spacing to the extent allowed by site-specific engineering or design considerations and shall install deck grating on all areas of replaced decking.

The project proposes to repair six out of the existing 12 piles, or 50% of the existing piles by splicing and installing corrective sleeves to maintain structural integrity while keeping the existing location. There will also be two new piles installed for the extension portion. The project also proposes to replace all decking with flow-thru, grated decking material.

This criterion is partially not applicable because the applicant does not propose to replace any piers. Since the project proposes to replace all decking to grated material that portion of this criterion is met.

8.5 CRITERION E.4: Pile repair shall not utilize pentachlorophenol, creosote, chromated copper arsenate (CCA) or comparably toxic compounds.

Drawings for this proposal show that the repair portion of the pilings will be made of steel. There is no indication that the steel will receive treatment of any kind nor that any chemicals will be used in the repair of piles.

This criterion is met.

8.5 CRITERION E.5: Repair proposals which replace 50 percent or more of the decking must use grating as specified above.

The project proposes to replace all decking with flow-thru, grated decking material.

This criterion is met.

Lake Forest Park Shoreline Master Program

Chapter 8.5.F Boatlifts, Canopies, and Covered Moorage

8.5 CRITERION F.1: Boatlifts and boatlift canopies may be permitted as an accessory to residential development, or as a conditional use in the Shoreline Residential and Urban Conservancy Environments when not accessory to residential structures, provided that:

a. All lifts are placed as far waterward as feasible and safe,

The existing boatlift has been re-located as far waterward as feasible according to the submitted drawings (Exhibit 6).

b. Boatlift canopies are elevated above the boatlift to the maximum extent practicable and are made of light-permeable fabric, and

According to the application materials and information provided by the permittee, the existing canopy which will continue to function as a part of the re-located boatlift and will be elevated above the boatlift to the maximum extent practicable and be constructed of light-permeable fabric.

c. Any platform lifts are fully grated.

The proposed platform lift is proposed to be constructed with fully grated decking material.

This criterion is met.

8.5 CRITERION F.3: All lifts, canopies, and covers must comply with all other regulations as stipulated by State and Federal agencies, local Tribes, or others that have jurisdiction.

Terms of this requirement have been incorporated into the list of recommended conditions of approval on the final page of this report.

This criterion is met.

PUBLIC AND AGENCY COMMENT

The City has not received any public comments for this proposal. Notice of Application was mailed, published and posted on February 14, 2021 (see Exhibit 7) The notice of public hearing was published on October 15, 2021 (see Exhibit 8).

CONCLUSIONS AND RECOMMENDATION

The Planning Department concludes that the permittee has shown that the proposal can meet all criteria for a Shoreline Substantial Development permit allowing for an addition and repair to an existing dock. The City of Lake Forest Park Planning Department recommends approval of the proposal of drawings associated with Exhibit 6, with the conditions listed below.

The Planning Department recommends conditional approval of the request for Shoreline Substantial Development Permit (2020-SSD-0002) for the above-described reasons with the following conditions:

1. Permittee must apply for and receive all necessary permits from the Lake Forest Park Department of Planning and Building prior to commencing any proposed work.
2. All decking material shall be grated.
3. No skirting is permitted on any portion of the structure
4. The new structure shall be marked with reflectors or otherwise and be made of non-reflective surfaces.
5. All over-water structures and other water-use developments shall be constructed and maintained in a safe and sound condition. Abandoned or unsafe structures shall be removed or repaired promptly by the owner.
6. 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.
7. 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.

8. Moorage facilities shall be marked with reflectors, or otherwise identified to prevent unnecessarily hazardous conditions for water surface users during the day or night. Exterior finish shall be generally non-reflective.
9. The Permittee shall provide documentation at the time of building permit submittal that the U.S. Army Corps of Engineers, and the Washington Department of Fish and Wildlife have approved the proposed pier design. The overwater structure shall comply with all other regulations as stipulated by State and Federal agencies, local Tribes, or others that have jurisdiction.
10. The Permittee is responsible for complying with any conditions of approval placed on these or other state or federal permits or approvals, and for submitting revised drawings to the City for its review and approval, if necessary, to reflect these state or federal conditions of approval.
11. The Permittee shall not cover grated decking material with any objects which would impact light transmission.
12. The Permittee shall not treat or coat wood members with herbicides, fungicides, paint, or pentachlorophenol; Additionally, the Permittee shall not treat any elements of the new construction with arsenate compounds or creosote.
13. The Permittee shall provide an updated mitigation planting plan with their application for a building permit and demonstrate that the required 60% shrub density can be achieved, or, the Permittee shall provide an alternative planting plan or mitigation measure in lieu of meeting the prescriptive requirements if that plan can be approved by other applicable regulating state and federal agencies. The following performance standards shall be applicable for the mitigation planting:
 - One-hundred (100) percent survival of all planted native trees and shrubs during the first two (2) years after planting; and
 - One hundred (100) percent survival of trees and eighty (80) percent survival of remaining native plants in years three (3) through five (5).

The permittee shall provide a financial security in the amount of the cost for labor and materials of the plantings. The financial security shall be valid for a maintenance period of 5 years.

ATTACHMENTS

The following documents are attached to or referenced, and made a part of this report:

Attached:

Exhibit 1: Staff Report and Recommendation

Exhibit 2: Shoreline Substantial Development Permit Application

Exhibit 3: Comprehensive Plan Designation Map

Exhibit 4: Zoning Map

Exhibit 1.16

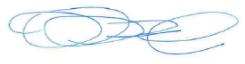
Exhibit 5: Aerial Photo

Exhibit 6: Design Plans

Exhibit 7: Notice of Application

Exhibit 8: Notice of Public Hearing Exhibit 9: SEPA Checklist

Exhibit 10: SEPA Determination of Non-Significance

Submitted:  Date: October 15, 2021
Nick Holland
Senior Planner

For information about this proposal or questions about this staff report, please contact Nick Holland, Senior Planner at Lake Forest Park City Hall, 17425 Ballinger Way NE, (206) 957-2832 or e-mail nholland@cityoflfp.com



EXHIBIT # 2.0

Application Number: 2020 SSD-0002 RECEIVED

Date: OCT 28 2020

City of Lake Forest Park

CITY OF LAKE FOREST PARK SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT APPLICATION

PERMIT TYPE	FEE
Shoreline Exemption	\$500.00
Shoreline Conditional Use	\$3,500.00
Shoreline Variance	\$3,500.00
<input checked="" type="checkbox"/> Substantial Shoreline Development	\$3,500.00
<input checked="" type="checkbox"/> Public Notice Signage	\$200.00
Additional Public Notice Signage	THIS PLAN IS TO REMAIN ON SITE AND IS TO BE KEPT INTACT.
<input checked="" type="checkbox"/> 5% Technology Fee (5% of fee total)	\$ 185 ⁰⁰
TOTAL FEES.....	\$ <u>3885⁰⁰</u>

SITE COPY

FEES MUST BE PAID AT TIME OF APPLICATION

Hydraulic Project Approval (HPA) from the Department of Fish and Wildlife under 75.20 RCW is required if your project includes construction or other work that:

- Will use divert, obstruct or change the natural flow or bed of any fresh or salt water of the state. This includes all construction or other work waterward and over the ordinary high water line, including dry channels and may include projects landward of the ordinary high water line (e.g., at activities outside the ordinary high water line that will directly impact fish life and habitat, falling trees into streams or lakes, etc.)

Shoreline Substantial Development (SSD), Conditional Use, Variance Permit or Exemption from Local Government (under the Shoreline Management Act, 90.58 RCW) required for work or activity in the 100-year floodplain, or within 200 feet of the ordinary high water mark of Shorelines of the state and which includes any one of the following:

- Dumping, drilling, dredging, filling ,placement or alteration of structures (whether temporary or permanent); or any activity which substantially interferes with normal public use of the waters regardless of cost

Washington Joint Aquatic Resource Permit (JARPA) is used to apply for aquatic-oriented permits from federal, state and local agencies and may apply to your project and can be used to apply for HPA approvals, Shore Management and Water Quality Certifications.

Please submit application on the same day to:

City of Lake Forest Park
Planning Department
17425 Ballinger Way
Lake Forest Park, WA 98155

Submitted online; Permit #22549

Washington Dept of Fish and Wildlife
16018 Mill Creek Blvd
Mill Creek, Washington, WA98012-1296

For further information, please contact: City of Lake Forest Park Planning Department (206) 368-5440

Shoreline Substantial Development Checklist

A complete application for a **Substantial Development, Exemption, Conditional Use, or Variance** permit must contain, at a minimum, the following:

<input checked="" type="checkbox"/>	A completed SSD Permit Application Form
<input checked="" type="checkbox"/>	A Cover Sheet containing a general description of the project, existing property (including physical characteristics, improvements, and structures) and adjacent areas (uses, structures and improvements, intensity of development, and physical characteristics).
<input checked="" type="checkbox"/>	A Site Development Plan containing the following:
	Parcel Boundaries.
	The ordinary Lake Washington high water mark.
	Existing and proposed land contours.
	A delineation of all wetland areas that that will be altered or used as a part of development.
	A general indication of the character of vegetation found on the site.
	The dimensions and locations of all existing and proposed structures and improvements, including but not limited to: buildings, paved or graveled areas, roads, utilities, septic tanks and drainfields, material stockpiles or surcharge, and stormwater management facilities.
	Where applicable, a landscaping plan for the project.
	Where applicable, plans for development of areas on or off the site as mitigation for the impacts associated with the proposed project.
	Quantity, source, and composition of any temporary or permanent fill material placed on-site.
	Quantity, composition, and destination of any excavated or dredged material.
	A vicinity map showing the relationship of the property and proposed development or use to roads, utilities, existing developments and uses on adjacent properties.
	Where applicable, a depiction of the impacts to views from existing residential uses and public areas.
	For Shoreline Variance only – Plan should indicate where development could occur without approval of a variance, the physical features and circumstances on the property that provide a basis for the request, and the location of adjacent structures and uses.

*Self
SCH*

PROJECT DESCRIPTION: We propose to repair (6) piles, reconstruct the dock w/4" HN flaw decking material and replace bulkhead steps w/ Rock steps

Property Owner: DeMartini

Property Address: 17127 Beach Dr ME

EXHIBIT # 2.2

Parcel No: 4030100255

Phone: 206.650.6135

OWNERS AUTHORIZED AGENT

Name: Kelsey Meyer @ Seaborn Contact Ph No: 206.236.1700

Address: 1080 W EWING ST. BLDG B.

City: SEATTLE State: WA Zip: 98042

CONTRACTOR

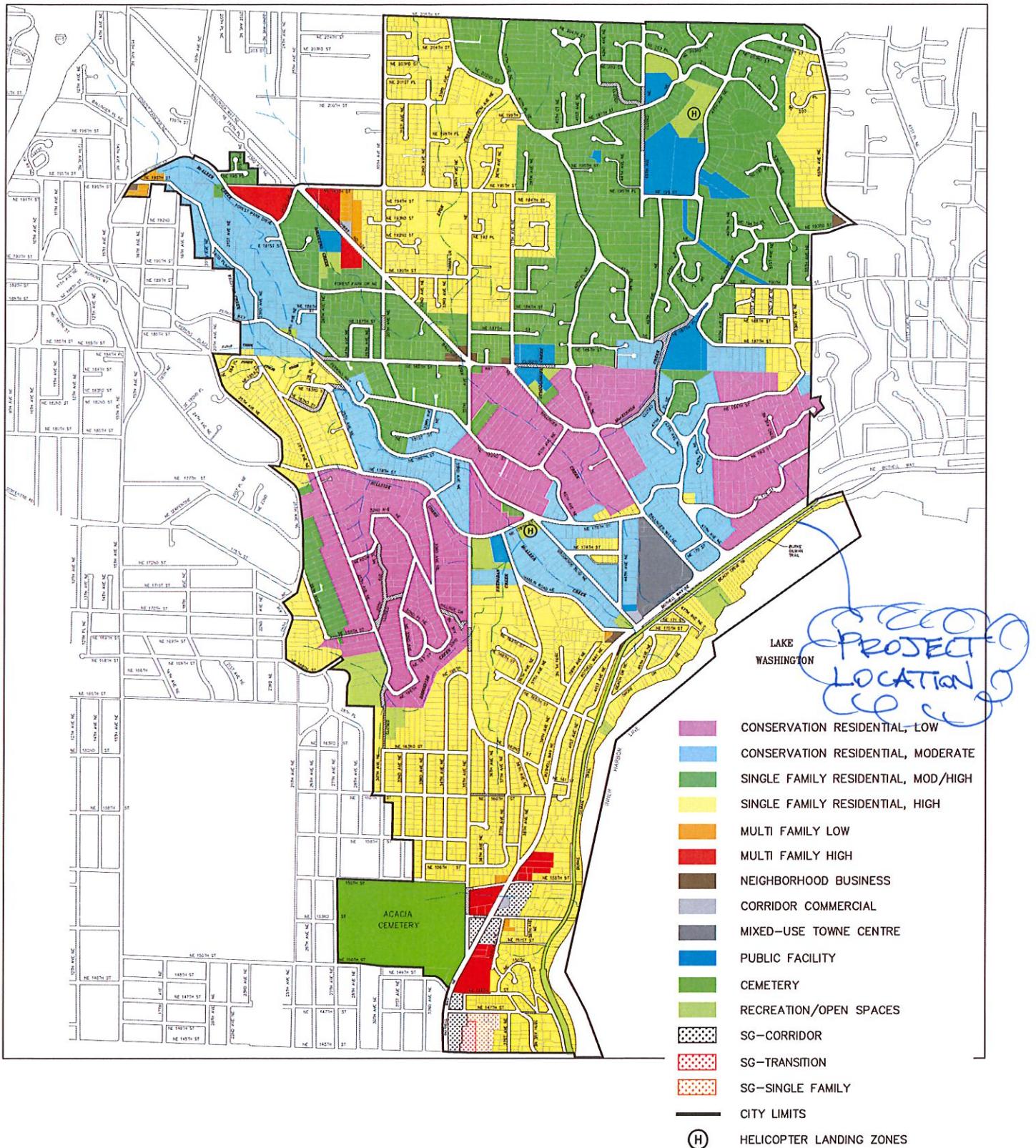
Contractor Name: Seaborn Pile Driving Co Contact Ph No: 206.236.1700

Address: 1080 W. EWING ST. BLDG B City: SEATTLE State: WA Zip: 98042

State License #: SEABOPD94ZCG Exp: _____ City License: _____ Exp: _____

EXHIBIT # 3

Figure I.2 Comprehensive Plan Land Use Map

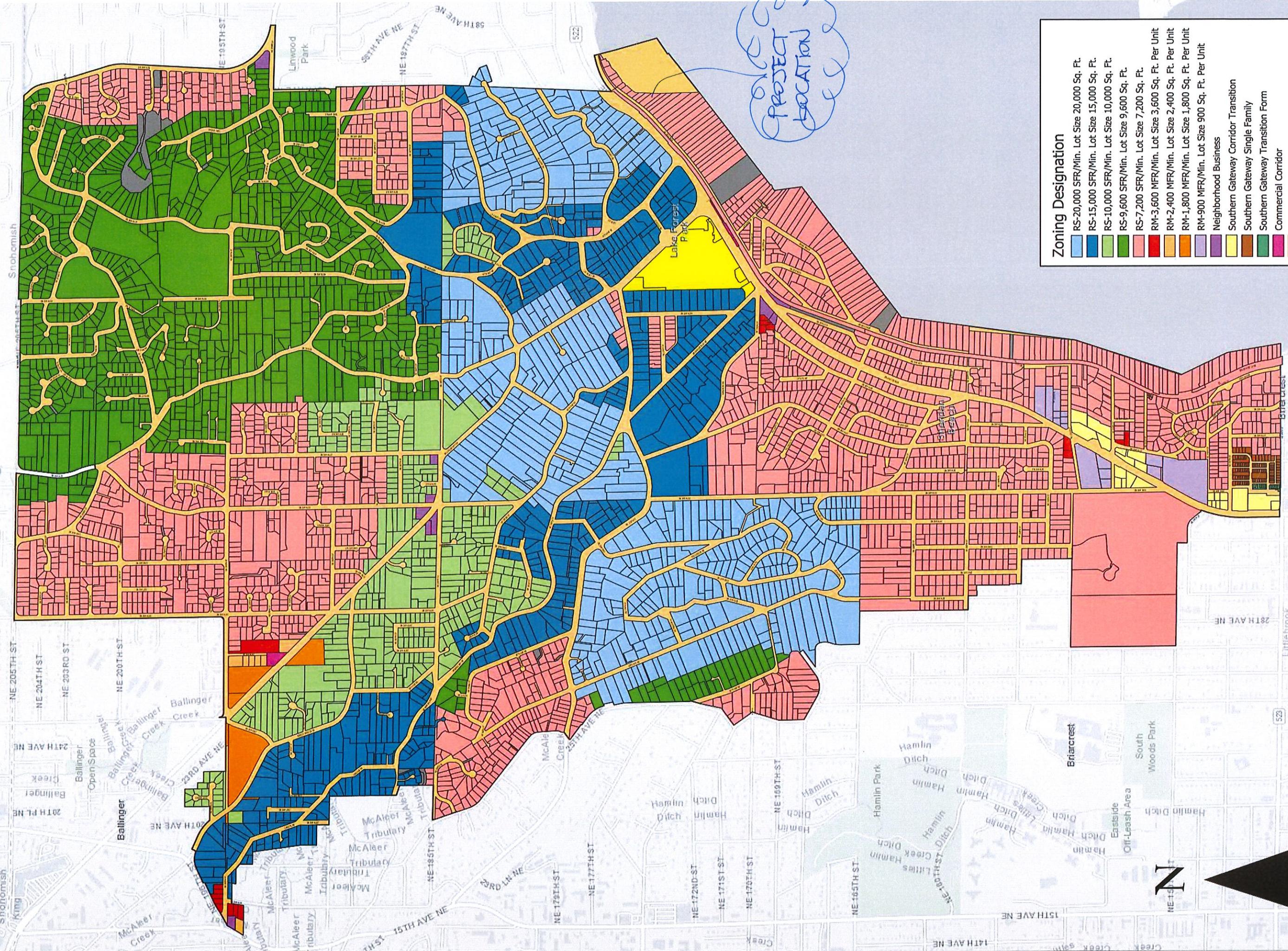


CITY OF LAKE FOREST PARK ZONING MAP

This map is designed for general information purposes only. It is not intended to provide an absolutely accurate and current depiction of addresses, property lines, or lot configurations. Contact city staff for additional verification of the information provided on this map.

Date: 12/3/2019 9:32 AM

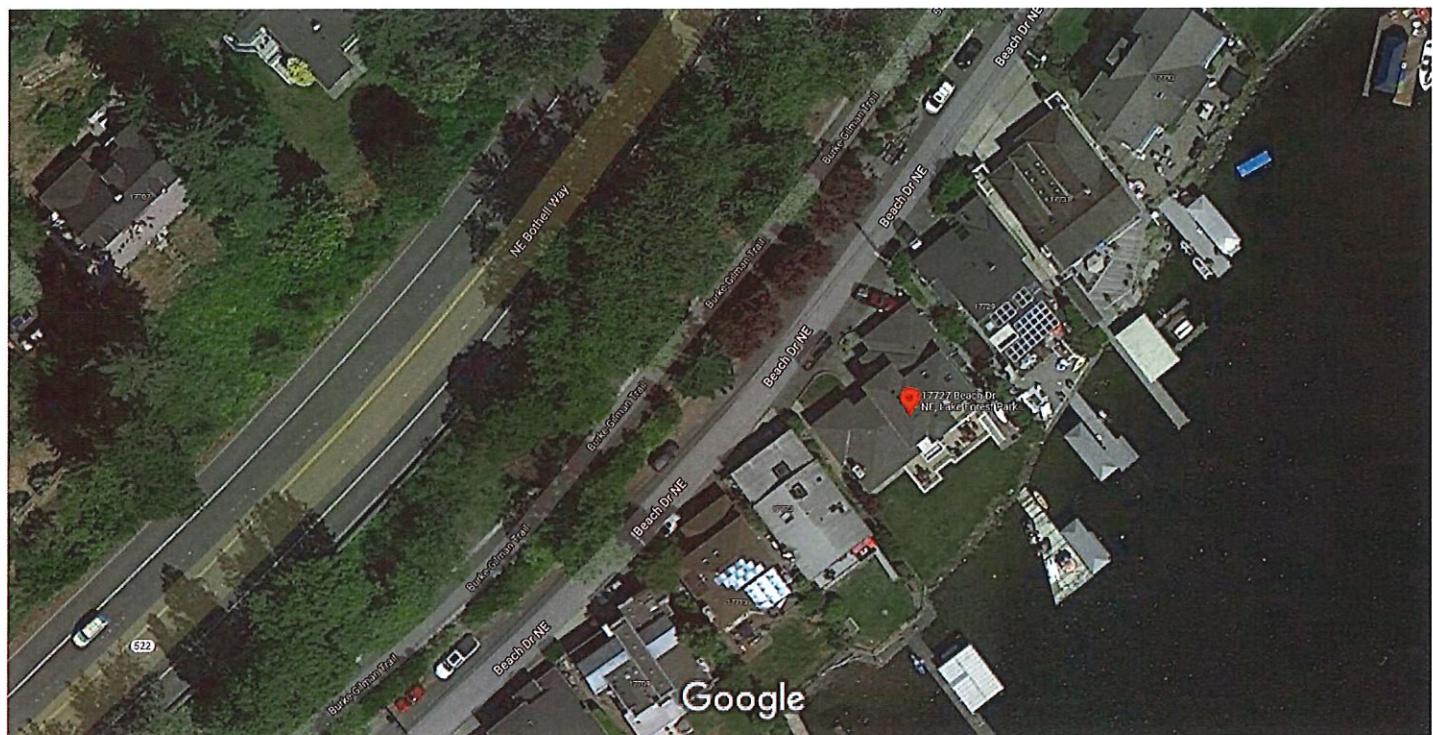
EXHIBIT #



Google Maps

17727 Beach Dr NE

Exhibit 5

EXHIBIT # 5

Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 20 ft



17727 Beach Dr NE

Lake Forest Park, WA 98155

Building



Directions



Save



Nearby



Send to your phone

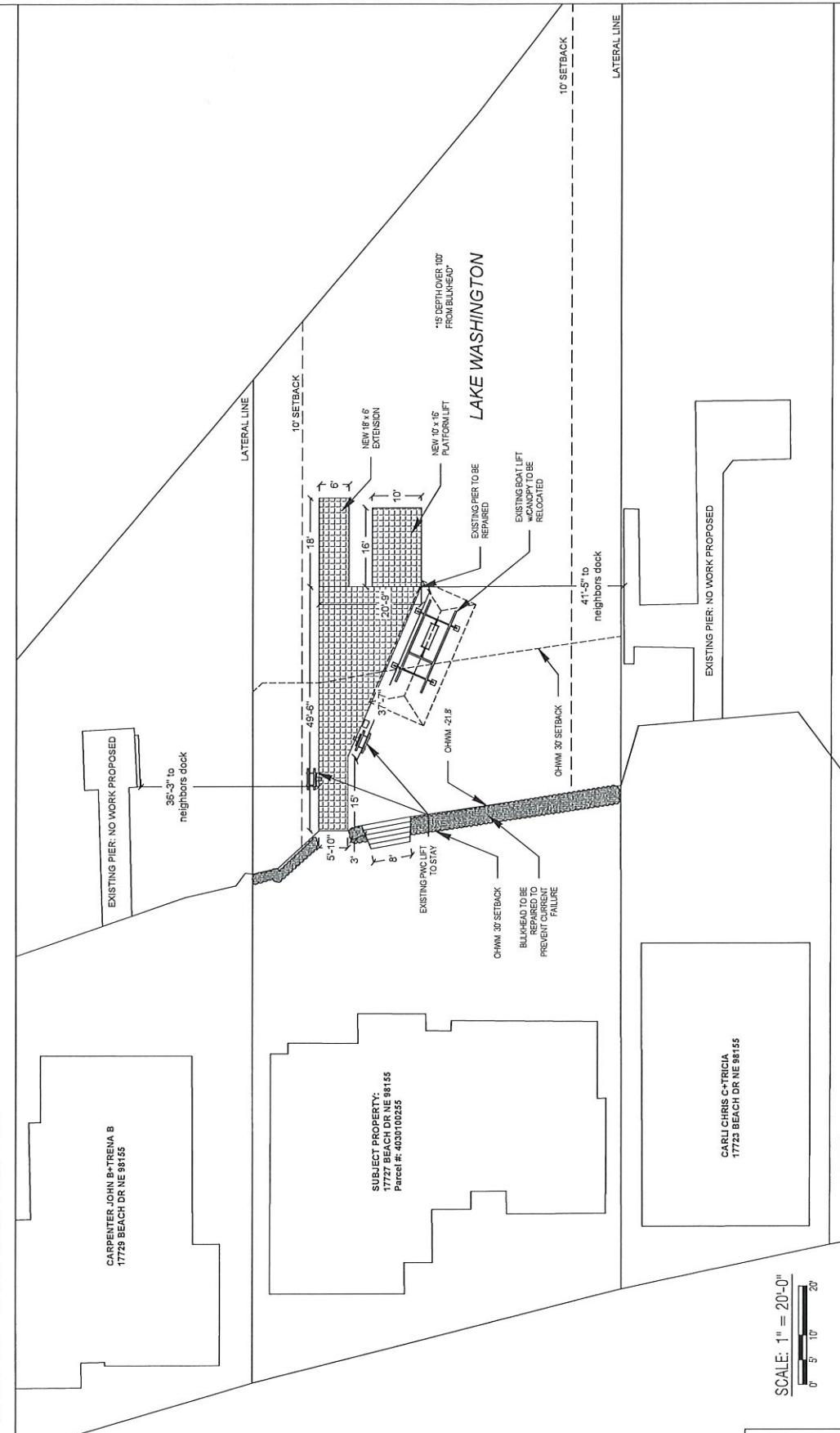


Share

Photos

PROPOSED CONDITIONS

EXHIBIT # 6.2



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119
Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

Scope of Work: We propose to repair (6) Piles, reconstruct the dock supported by (2) new 8' steel piles, install a 10'x16' platform lift, relocate the existing bulkhead, and relocate the existing boat lift and canopy.

A3.0
SHEET

Office: 208-238-1100 ext. 3
www.seabornpiledriving.com

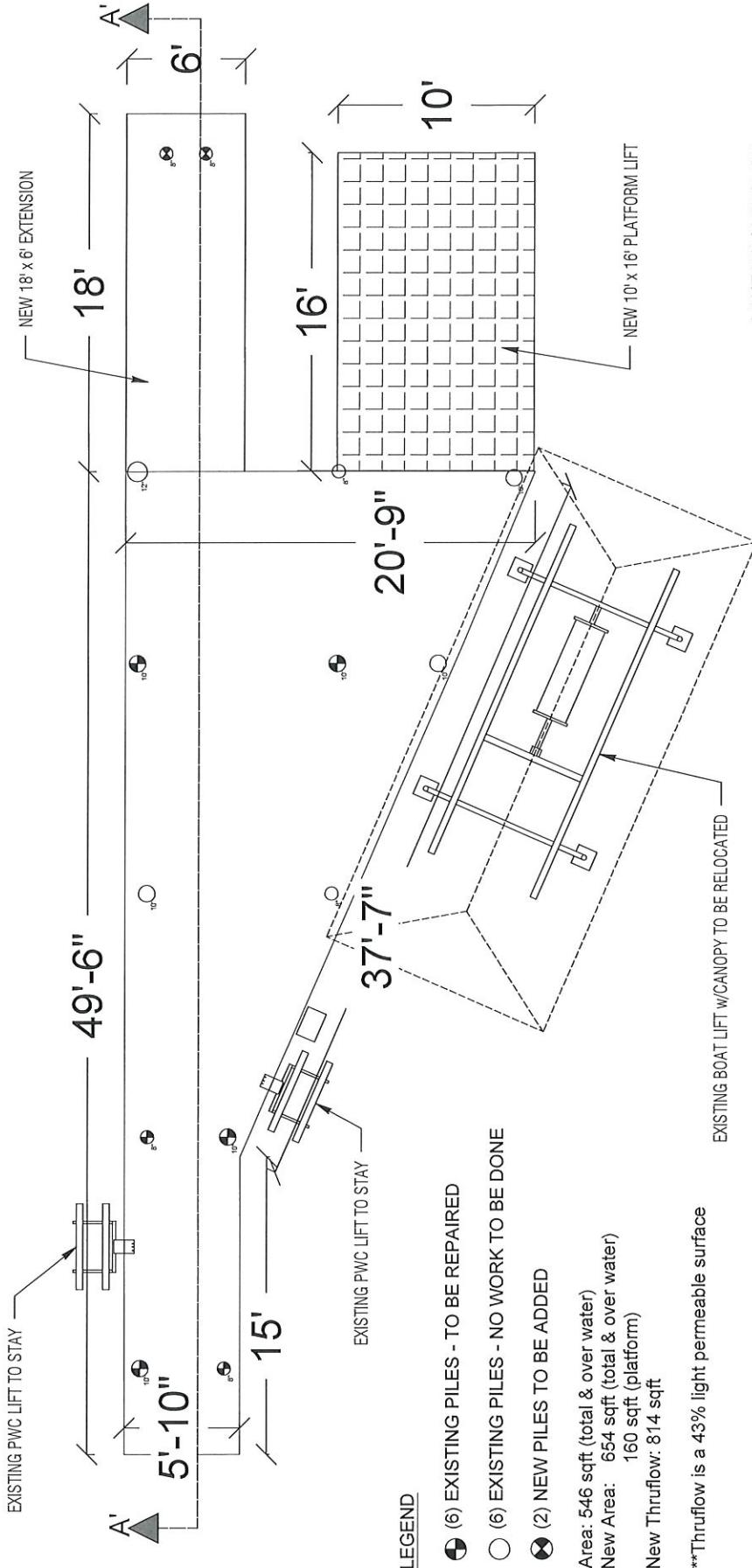
Office: 208-238-1100 ext. 3
www.seabornpiledriving.com

PAGE 3 OF 3

PAGE 3 OF 3

EXHIBIT # 6.3

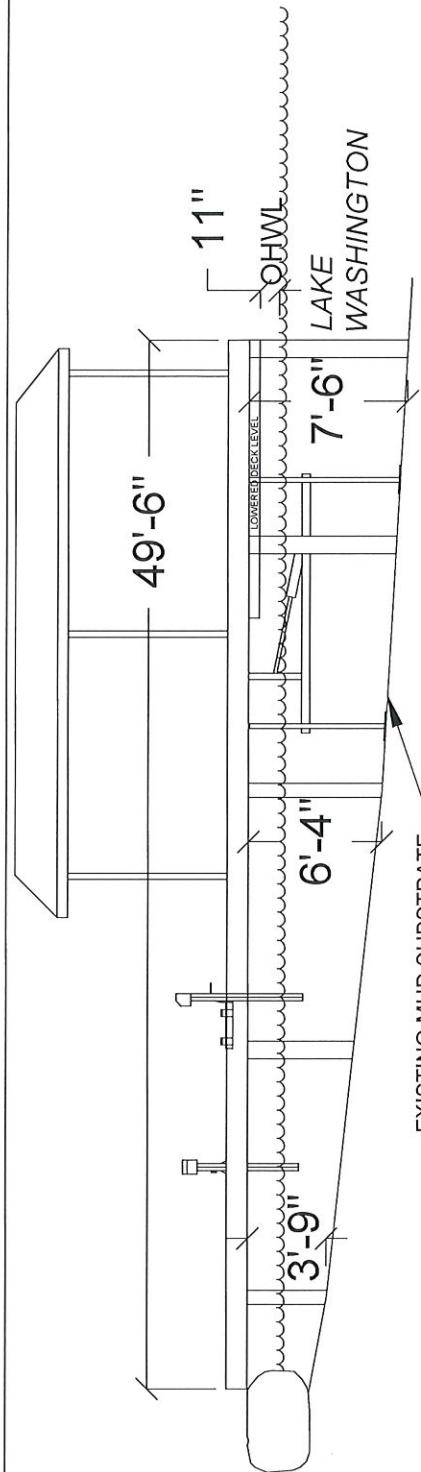
PIER DETAILS - EXISTING/PROPOSED



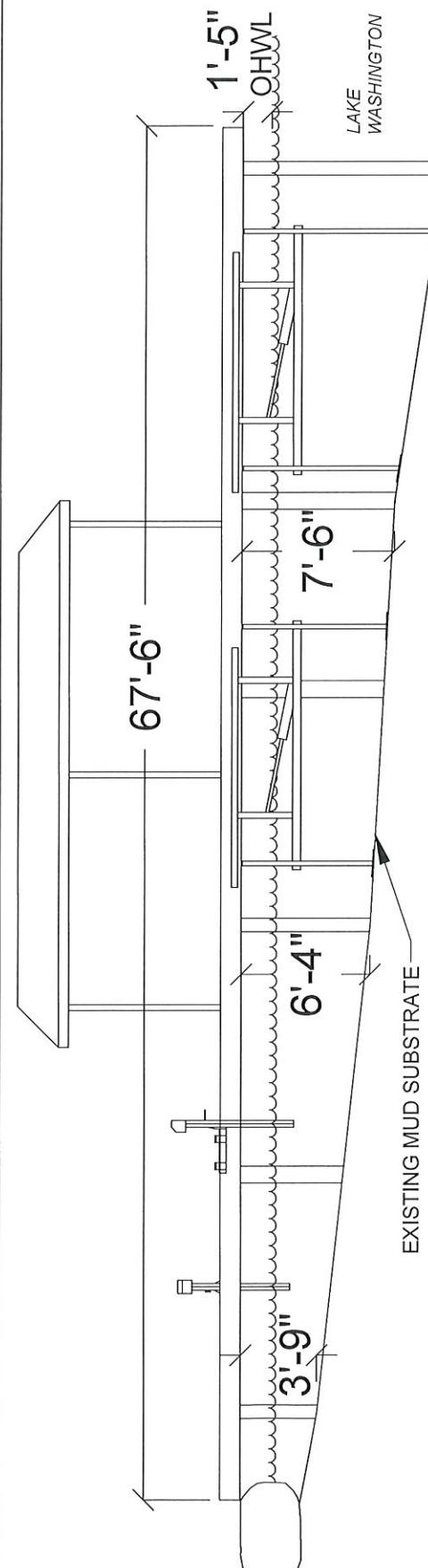
<p>PIER DETAILS - EXISTING/PROPOSED</p>	
<p>EXHIBIT # 6.3</p>	
<p>APPLICANT: CORPS OF ENGINEERS 1919 NE Quarter Of Section 10, Township 26, Range 04</p>	<p>AGENT: Seaborn Pile Driving Company 1080 W Ewing St Seattle, WA 98119</p>
<p>LOCATION: KING COUNTY Lake Forest Park, WA 98155</p>	<p>LOCATION: KING COUNTY Lake Washington, WA 98155</p>
<p>ADJACENT OWNERS: 17723 BEACH DR NE 98155 CARL CHRIS CTRICA 17727 BEACH DR NE 98155 CARPENTER JOHN B TREN B</p>	<p>ADJACENT OWNERS: 17723 BEACH DR NE 98155 CARL CHRIS CTRICA 17727 BEACH DR NE 98155 CARPENTER JOHN B TREN B</p>
<p>DATE: CORPS OF ENGINEERS 1919 10/08/2021</p>	
<p>LAST UPDATED: 9/29/2021 12:45 PM Kelsee</p>	
<p>EXHIBIT # 6.3</p>	
<p>PLAN VIEW</p>	
<p>BUILT BY SEABORN <i>ESTD 1941</i></p>	<p>Scope of Work: We propose to repair (6) Piles, reconstruct the dock with updated thriflow decking material, install a 18' x 6' extension supported by (2) new 8' steel piles, install a 10'x16' platform lift, replace the existing bulkhead stairs with rock steps & repair entire existing boat lift and canopy.</p>
<p>Office: 206-236-1700 ext. 3 www.seabornpiledriving.com</p>	
<p>NAVS-2021-XXX PAGE 4 OF 9</p>	

EXHIBIT # 6-4

PIER DETAILS EXISTING/PROPOSED



SECTION VIEW: PROPOSED



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119
Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

Scope of Work:

We propose to repair (6) Piles, reconstruct the dock with updated thruflow decking material, install a 18' x 6' extension supported by (2) new 8' steel piles, install a 10'x16' platform lift, replace the existing bulkhead stairs with rock steps & repair entire

BUILT BY
SEABORN
• ESTD 1941 •

existing bulkhead, and relocate the existing boat lift and canopy.

<p>PIER DETAILS EXISTING/PROPOSED</p>		<p>SECTION VIEW: EXISTING</p>		<p>SECTION VIEW: PROPOSED</p>	
APPLICANT: Demolition Residence	NE Quarter Of Section 10, Township 26, Range 04	AGENT: Seaborn Pile Driving Company	ADJACENT OWNERS:	ADJACENT OWNERS:	SHEET A5.0
1777 BEACH DR NE	LAKE FOREST PARK, WA 98155	1080 W Ewing St Seattle, WA 98119	LAKE WASHINGTON	LAKE WASHINGTON	
COUNTY: KING COUNTY	LOCATION: LAKE FOREST PARK, WA 98155	COUNTY: KING COUNTY	LOCATION: LAKE WASHINGTON	COUNTY: KING COUNTY	
STATE: WA	STATE: WA	STATE: WA	STATE: WA	STATE: WA	
LAST UPDATED: 9/29/2021 12:45 PM Kelsee	LAST UPDATED: 9/29/2021 12:45 PM Kelsee	LAST UPDATED: 9/29/2021 12:45 PM Kelsee	LAST UPDATED: 9/29/2021 12:45 PM Kelsee	LAST UPDATED: 9/29/2021 12:45 PM Kelsee	
7722 BEACH DR NE 98155	7722 BEACH DR NE 98155	7722 BEACH DR NE 98155	7722 BEACH DR NE 98155	7722 BEACH DR NE 98155	
DAUL CHRS+TRIC	CARPENTER JOHN B+TRENE B	DAUL CHRS+TRIC	CARPENTER JOHN B+TRENE B	DAUL CHRS+TRIC	
6	PAGE 5 OF	6	PAGE 5 OF	6	PAGE 5 OF

EXHIBIT # 6.5

BMP INFORMATION

Exhibit # 6.7

EXISTING PLANTING SPECIES/QUANTITIES					
SYMBOL	SCIENTIFIC NAME	COMMON NAME	QTY	SIZE	
[Symbol: A grid of 16 small arrows pointing right and down, representing a planting area]	Zoysia	grass	N/A	ENTIRE YARD	

EXISTING PLANT PLAN

EXISTING PLANTS TABLE

AGENT: Seaborn Pile Driving Company	APPLICANT: Demarini Restsource	LOCATION: KING COUNTY, LAKE WASHINGTON	NE Quarter Of Section 10, Township 2B, Range 04	DATE: 09/29/2021 12:45 PM Kelsee
17723 BEACH DR NE 98155	17723 BEACH DR NE 98155	CARPENTER JOHN B+TRINA S	17723 BEACH DR NE 98155	Created: 09/29/2021 12:45 PM Kelsee
Carb. Chrs. Control	Carb. Chrs. Control	Carb. Chrs. Control	Carb. Chrs. Control	Last Updated: 09/29/2021 12:45 PM Kelsee
Sheet A.8.0	Attachment Owners:	Attachment 04	Attachment 04	Attachment 04

Scope of Work: We propose to repair (6) piles, reconstruct the dock with updated thruflow decking material, install a 18' x 6' extension supported by (2) new 8' steel piles, install a 10'x16' platform lift, replace the existing bulkhead stairs with rock steps & repair entire existing bulkhead, and relocate the existing boat lift and canopy.

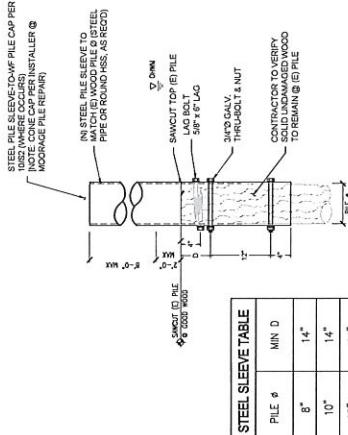
Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119
Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

BUILT BY
SEABORN
ESTD 1961

NWS-2021-000
PAGE 8 OF 9

EXHIBIT # 6-3

DETAILS - REPAIR



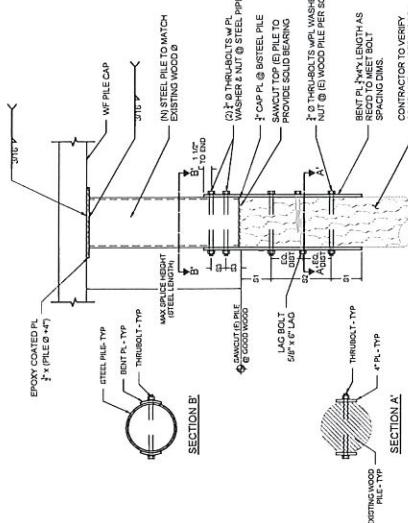
SLEEVE PIPE REPAIR

STEEL SLEEVE TABLE		
PILE ϕ	MIN D	
8"	14"	
10"	14"	
12+	14"	

② SLEEVE PIPE REPAIR - TYP



NOTES:
1) MAX PILE LOAD = 722 # / PILE (BOAT LOAD PARALLEL TO DOCK).
CONTACT ENGINEERING FOR BOAT SIZE EXCEEDS GENERAL NOTES MAXIMUM ALLOWABLE.

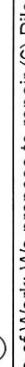


S5 SPLICE PILE REPAIR - TYP
SCA 11-11



DOCK SECTION REBUILD w(E) PILES - TYP

Scope of Work: We propose to repair (6) piles, reconstruct the dock with updated thriflow decking material, install a 18' x 6' extension supported by (2) new 8' steel piles, install a 10'x16' platform lift, replace the existing bulkhead stairs with rock steps & repair entire existing bulkhead, and relocate the existing boat lift and canopy.



SPLIT-ICE BIE REPAIR - TYP

<p style="text-align: center;">SHEET A9.0</p> <p style="text-align: center;">Adhesive Overlay CARBON FIBER REINFORCED PLATE 17722 BEACH DR NE SEATTLE, WA 98135</p> <p style="text-align: center;">NE Quarter Of Section 10, Township 26, Range 04 DULUTH, CORPS OF ENGINEERS 1919 APPLICANT: Demandite Residence COUNTY: KING COUNTY LOCATION: LAKE FOREST PARK, WA 98155 AGENT: Seaboard Private Driving Company DULUTH, WA 98119 1080 W Ewing St Seattle, WA 98119</p>	
<p style="text-align: center;">Last Updated: 9/29/2021 12:45 PM File #:</p>	
<p style="text-align: center;">Cleared:</p>	
<p style="text-align: center;">17722 BEACH DR NE SEATTLE, WA 98135</p>	
<p style="text-align: center;">CARBON FIBER REINFORCED PLATE 17722 BEACH DR NE SEATTLE, WA 98135</p>	
<p style="text-align: center;">S3 SECTION 1'-0"</p>	
<p style="text-align: center;">PIN PILE @SHORE MOUNT - TYP</p>	
<p style="text-align: center;">With updated thruflow decking material, install a 18' x 6' extension to the existing bulkhead stairs with rock steps & repair entire</p>	

Mayor
Jeff R. Johnson

17425 Ballinger Way NE
Lake Forest Park, WA 98155-5556
Telephone: 206-368-5440
Fax: 206-364-6521
E-mail: cityhall@ci.lake-forest-park.wa.us
www.cityoflfp.com



Councilmembers
Lorri Bodi
Tom French
Phillippa M. Kassover
Mark Phillips
E. John Resha III
Semra Riddle
John A. E. Wright

PUBLIC NOTICE

NOTICE OF APPLICATION FOR SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

File Numbers: 2020-SSD-0002

Proponent: Seaborn Pile

Driving/DeMartini

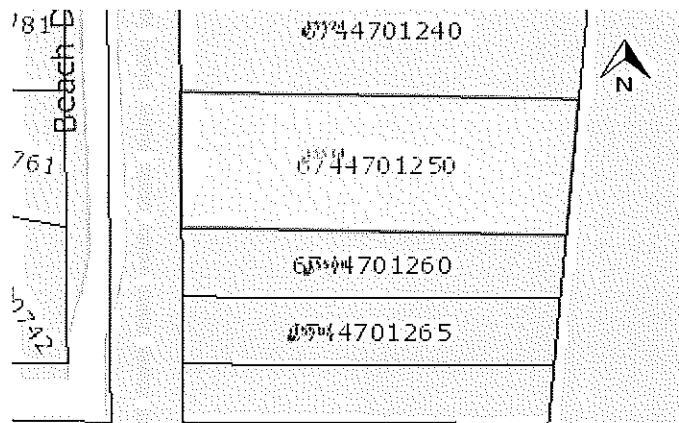
Location of proposal:

17727 Beach DR NE

Zoning: RS 7200

Proposal: Repair six piles, reconstruct dock with updated thruflow decking material, install 10'x12' platform lift, replace existing bulkhead stairs with rock steps and add reinforced fill behind existing bulkhead.

Date of Application: October 28, 2020



Date of Letter of Complete Application: February 1, 2021

Other Approvals Needed: SEPA determination. A public hearing is required for these applications and will be noticed separately.

Environmental Review: The City has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed project.

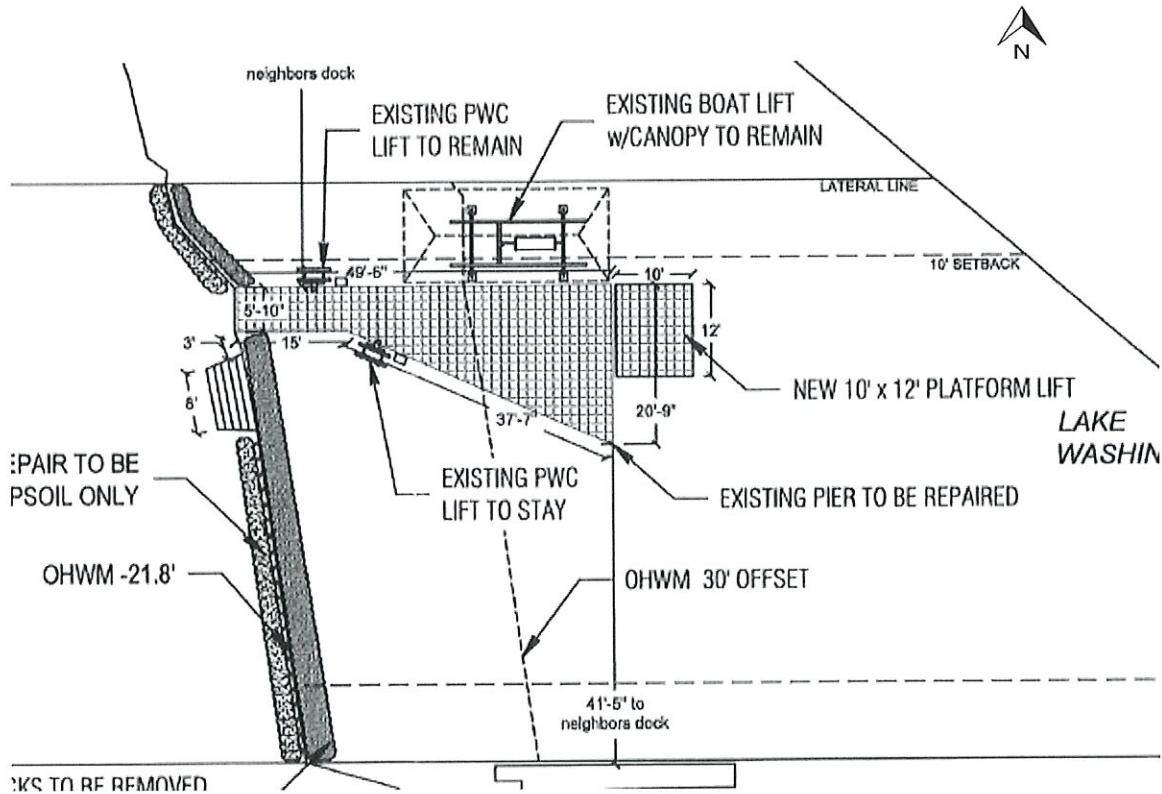
Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. Comments will be accepted for fourteen days following the publication date of this notice.

Public Comment: Interested parties may comment on this application by submitting written comments to Lake Forest Park Planning Department located at City Hall and 17425 Ballinger Way NE, Lake Forest Park, WA 98155 or via email to nholland@cityoflfp.com for fourteen days following the publication date of this notice.

Additional Information: Additional information may be obtained by contacting the Lake Forest Park Planning Department at (206) 957-2837 or at the City's Notices and Announcements webpage (cityoflfp.com/313/Notices-and-Announcements). Materials related to this proposal may be

Notice Date: February 14, 2021

reviewed at City Hall Monday - Friday 9:00 am - 5:00 pm. Contact Nick Holland, Senior Planner, at nholland@cityoflfp.com if you prefer to make an appointment to review the materials with a planner's assistance.



Mayor
Jeff R. Johnson

17425 Ballinger Way NE
Lake Forest Park, WA 98155-5556
Telephone: 206-368-5440
Fax: 206-364-6521
E-mail: cityhall@ci.lake-forest-park.wa.us
www.cityoflfp.com



Councilmembers
Lorri Bodi
Tom French
Phillippa M. Kassover
Mark Phillips
E. John Resha III
Semra Riddle
John A. E. Wright

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING FOR SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

File Numbers: 2020-SSDP-0002

Proponent: Seaborn Pile
Driving/DeMartini

Location of proposal:
17727 Beach DR NE

Zoning: RS 7200

Proposal: Repair (6) Piles, reconstruct the dock with updated thruflow decking material, install a 18' x 6' extension supported by (2) new 8' steel piles, install a 10'x16' platform lift, replace the existing bulkhead stairs with rock steps & repair entire existing bulkhead, and relocate the existing boat lift and canopy.

Date of Application: October 28, 2020

Date of Letter of Complete Application: February 1, 2021

Other Approvals Needed: Building Permit.

Date of Hearing: The hearing date is scheduled for **October 25, 2021 at 10am by virtual connection.**

Environmental Review: After review of the proposal and the State Environmental Policy Act (SEPA) checklist, the City issued a Determination of Non-Significance (DNS) on March 1, 2021.

Staff Recommendation: Staff recommends approval of the proposal with conditions. The staff report and accompanying exhibits will be available on the City Notices and Announcements webpage (www.cityoflfp.com/313/Notices-and-Announcements) 7 days prior to the hearing date.

Public Comment: Interested parties may submit public comments on this proposal by submitting written comments to Lake Forest Park City Hall, 17425 Bothell Way NE, Lake Forest Park, WA 98155 or via email to nholland@cityoflfp.com before 5:00 pm on October 24, 2021. After October 24, 2021, comments must be presented or submitted at the public hearing.

Additional Information: Additional information may be obtained by contacting the Lake Forest Park Planning Department at (206) 368-5440 or at the City's Notices and Announcements webpage (www.cityoflfp.com/313/Notices-and-Announcements). Materials related to this proposal may be reviewed at City Hall Monday-Friday 9:00 am-5:00 pm. Contact Nick Holland, Senior Planner, at nholland@cityoflfp.com if you prefer to make an appointment to review the materials with a planner's assistance.

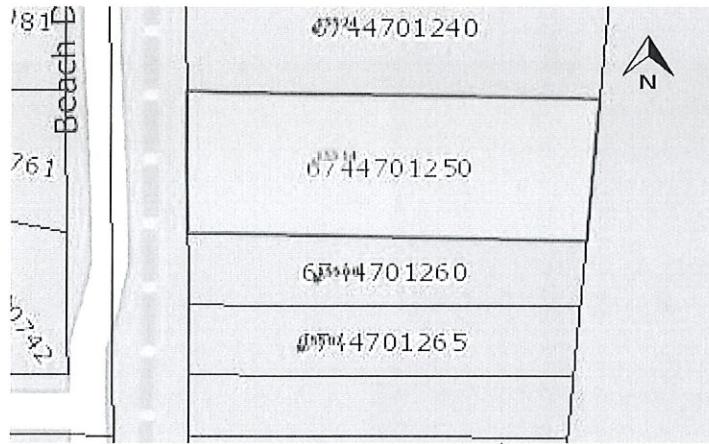
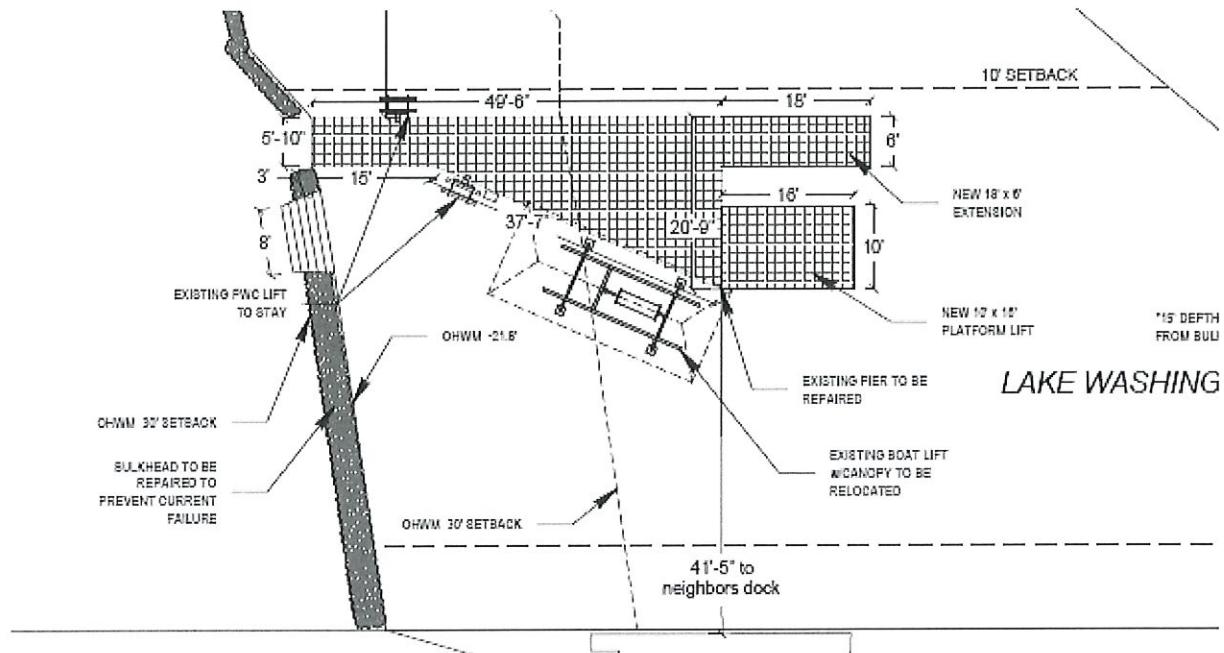


EXHIBIT # 8.1



ZOOM VIRTUAL CONNECTION INFORMATION

Topic: DeMartini Shoreline Permit Hearing

Time: Oct 25, 2021 10:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83689656701?pwd=bURodHJtKzJRbnBleVJwazFyS2h3UT09>

Meeting ID: 836 8965 6701

Passcode: 268133

One tap mobile

+12532158782,,83689656701#,,,*268133# US (Tacoma)

+16699006833,,83689656701#,,,*268133# US (San Jose)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 836 8965 6701

Passcode: 268133

Find your local number: <https://us02web.zoom.us/u/kpLJ6OEaj>

Notice Date: October 15, 2021

Permits

FILE COPY

SEPA Checklist

LAKE FOREST PARK
Washington17425 Ballinger Way NE
Lake Forest Park, WA 98155
206-368-5440

Permit #

2020-SEPA-0005

OCT 28 2020

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Owner of Record:	DeMartini		
Property Address:	17727 Beach Dr. NE		
Property Owner Phone:	206-650-6635	Email:	N/A
Property Owner Mailing Address (if different than project address):	17727 Beach Dr. NE Lake Forest Park, WA 98155		
Tax Parcel No:	4030100255		

Owner's Authorized Agent:	Kelsey @ Seaborn Pike Driving		
Authorized Agent Phone:	206.236.1700	Email:	Permits@seabornpikedriving.com

PERMIT APPLICATION FEES

Fees must be paid at time of application

Application Fee	\$ 700
Signage Fee	\$ 200
Additional Signage (if required) ----- \$25 each	N/A
SUBTOTAL	900
Technology Fee (5% of Subtotal)	45
TOTAL FEES	\$ 945

**Please complete the attached checklist
& submit to:**

City of Lake Forest Park, City Hall
17425 Ballinger Way NE
Lake Forest Park, WA 98155
Attn: Planning and Building Department

Questions?
For more information, please contact the Planning Department
aplanner@cityofflp.com
206-957-2837

Access to Information
Electronic versions of all forms, permits, applications, and codes
are available on the Lake Forest Park website:
<http://www.cityofflp.com/>

Paper copies of all of the above are available at City Hall:
17425 Ballinger Way Northeast, Lake Forest Park, WA 98155
206-368-5440

Instructions for application:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

A. Background

1. Proposed Project:

10-27-2020

2. Date checklist prepared:

Lake Forest Park

3. Agency requesting checklist:

4. Proposed timing or schedule (including phasing, if applicable): **During work window**

5. Do you have any plans for future additions, expansion or further activity related to or connected with proposal? If yes, please explain. **No**

6. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:

None

7. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain: **No**

Unknown

8. List any government approvals or permits that will be needed for your proposal, if known:

Lake Forest Park SSDP w/SPEA checklist, Lake Forest Park BLDG, WDFW & CORPS

9. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

We propose to repair (6) Piles, reconstruct the dock with updated thruflow decking material, Install a 10'x12' platform lift, replace the existing bulkhead stairs with rock steps & add reinforced fill to behind existing bulkhead;

10. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map and topographic map. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Pin: 4030100255

Legal Description: LAKE FOREST WATERFRONT ADD & SH LDS ADJ

Plat Block: 2 Plat Lot: 34-35-36

LAT: 47.75556 LONG: -122.27116

B. Environmental Elements

1. Earth

a.) General description of the site (circle one)

Flat Rolling Hilly Steep Slopes Mountainous Other _____

b.) What is the steepest slope on the site, and its approximate percent slope?

2%

c.) What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils

Sand and gravel

d.) Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe

No

e.) Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill

18 c/y of spawning gravel will replace existing rocks & 23 c/y of excavation to remove existing fill behind bulkhead

f.) Could erosion occur as a result of clearing, construction, or use? If so, generally describe

No

g.) About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

None, decking will be Thruflow grated material

h.) Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

2. Air

a.) What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known

Exhaust smoke from construction equipment

b.) Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **No**

c.) Proposed measures to reduce or control emissions or other impacts to air, if any:

Run equipment only as needed

3. Water

a.) Surface water

i. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Yes

ii. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. **No**

We propose to repair (6) Piles, reconstruct the dock with updated thruflow decking material, install a 10'x12' platform lift, replace the existing bulkhead stairs with rock steps & add reinforced fill to behind existing bulkhead;

iii. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material

None

iv. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known **No**

v. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan

No

vi. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b.) Ground water

- i. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. **No**
- ii. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing chemicals, agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve

None

c.) Water Runoff (including stormwater)

- i. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe

N/A

- ii. Could waste materials enter ground or surface waters? If so, generally describe
No

- iii. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe
No

d.) Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

N/A

4. Plants

a) Check the types of vegetation found on the site:

- Deciduous tree: alder, maple, aspen, other
- Evergreen tree: fir, cedar, pine, other
- Shrubs
- Grass
- Pasture
- Crop or grain
- Orchards, vineyards or other permanent crops.
- Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- Water plants: water lily, eelgrass, milfoil, other
- Other types of vegetation

b) What kind and amount of vegetation will be removed or altered?

N/A

c) List threatened and endangered species known to be on or near the site.

No known threatened or endangered plant species are on or near the site

d) Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Please see associated native planting and vegetation plan

e) List all noxious weeds and invasive species known to be on or near the site.

None present along the shoreline adjacent to the work site

5. Animals

a) List any birds and other animals which have been observed on or near the site or are known to be on or near the site. (I.e. any birds, fish, mammals, specifics if possible)

Eagle - Songbird. Potential for Steelhead salmon, bull trout and Chinook salmon to be in the adjacent waters in Lake Washington

b) List any threatened and endangered species known to be on or near the site.

Potential for Steelhead salmon, bull trout and Chinook salmon to be in the adjacent waters in Lake Washington

c) Is the site part of a migration route? If so, explain.

Unknown

d) Proposed measures to preserve or enhance wildlife, if any

Mitigation to include a fully grated dock deck, spawning gravel and construction activities during approved fish friendly work windows.

e) List any invasive animal species known to be on or near the site.

Unknown

6. Energy & Natural Resources

a) What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None

b) Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. **No**

c) What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A

7. Environmental Health

a) Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe

No

b) Describe any known or possible contamination at the site from present or past uses

Unknown

c) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity

None

d) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project

None

e) Describe special emergency services that might be required

None

f) Proposed measures to reduce or control environmental health hazards, if any:

N/A

8. Noise

a) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None

b) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Noise from construction equipment

c) Proposed measures to reduce or control noise impacts, if any:

Operate equipment only as needed

9. Land & Shoreline Use

a) What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe

Single Family

b) Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to non-farm or non-forest use?

No

c) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No

d) Describe any structures on the site.

Single family residence

e) Will any structures be demolished? If so, what?

no

f) What is the current zoning classification of the site?

RS 7200

g) What is the current comprehensive plan designation of the site?

urban residential

h) If applicable, what is the current shoreline master program designation of the site?

urban residential environment

EXHIBIT # 9.8

i) Has any part of the site been classified as a critical area by the city or county? If so, specify
No

j) Approximately how many people would reside or work in the completed project?

None

k) Approximately how many people would the completed project displace?

None

l) Proposed measures to avoid or reduce displacement impacts, if any:

N/A

m) Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

To ensure local, state and federal compliance, the project will include a shoreline substantial Development permit and SEPA review by the city of Mercer Island, a HPA (Hydraulic Project Approval) permit from Washington State Department of Fish and Wildlife and federal section 10 (work in navigable waters) permit from the US Army CORPS of Engineers

n) Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

Residential projects, N/A

10. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing

None

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing

None

c. Proposed measures to reduce or control housing impacts, if any:

N/A

11. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Less than 60" above OHWL

b. What views in the immediate vicinity would be altered or obstructed?

None

c. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

12. Light & Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

c. What existing off-site sources of light or glare may affect your proposal?

None

d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

13. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Single family residence swimming and boating

b. Would the proposed project displace any existing recreational uses? If so, describe

No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

14. Historic & Cultural Preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe **No**

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources

No

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Review of the Washington Information System for Architectural & Archaeological Records Data published by the Washington State Department of Archaeological & Historical Preservation

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A

15. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any

Bothell Way NE & Beach Dr NE,

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? **Yes**

There is a bus service on Bothell way

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

None

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private)

No

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe **No**

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

None

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe **No**

h. Proposed measures to reduce or control transportation impacts, if any:

N/A

16. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe

No

b. Proposed measures to reduce or control direct impacts on public services, if any:

N/A

17. Utilities

a. Circle utilities currently available at the site:

electricity natural gas water refuse service telephone sanitary sewer septic system other _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

No utilities involved in this project

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee: Kelsey Meyer

Position and Agency/Organization: Permit tech @ Seaborn Pile Driving Co.

Date Submitted: 10-27-2020

D. Supplemental Sheet for Non Project Actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented.

Respond briefly and in general terms

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life? Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources? Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities? Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.



EXHIBIT # 10

**CITY OF LAKE FOREST PARK
DETERMINATION OF NONSIGNIFICANCE (DNS)
WAC 197-11-340**

Description of proposal: Repair six piles, reconstruct dock with updated thruflow decking material, install 10'x12' platform lift, replace existing bulkhead stairs with rock steps and add reinforced fill behind existing bulkhead.

File number: 2020-SEPA-0005

Proponent: Seaborn Piling for property owner Demartini

Location of proposal, including street address, if any: 17727 Beach DR NE

Lead Agency: City of Lake Forest Park, 17425 Ballinger Way NE, Lake Forest Park, WA 98155

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. Information related to this decision is available to the public upon request.

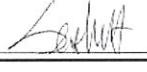
Public Hearing: The Hearing Examiner will hold a public hearing on this project and the hearing will be noticed separately.

This DNS is issued under WAC 197-11-340. The lead agency will not act on this proposal until the City's Hearing Examiner has issued a decision. This determination was noticed on March 1, 2021 utilizing the optional DNS process.

Responsible official: Steve Bennett **Position/Title:** Planning Director

Address: 17425 Ballinger Way NE, Lake Forest Park, and WA 98155

Date: March 1, 2021

Signature: 

You may appeal this determination to Evelyn Jahed, City Clerk, at 17425 Ballinger Way NE, Lake Forest Park, WA 98155, no later than December 8, 2017 by written appeal and \$500 filing fee. You should be prepared to make specific factual objections. Contact Ande Flower at aflower@cityofflp.com to ask about the procedures for SEPA appeals.

EXHIBIT # 11

Mayor
Jeff R. Johnson

17425 Ballinger Way NE
Lake Forest Park, WA 98155-5
Telephone: 206-368-5440
Fax: 206-364-6521
E-mail: cityhall@ci.lake-forest-park.wa.us



Councilmembers
Lorri Bodi
Tom French
Phillippa M. Kassover
Mark Phillips
E. John Resha III
Semra Riddle
John A. E. Wright

February 1, 2021

VIA EMAIL: kelsey@seabornpiledriving.com

Kelsey Meyer
1080 W Ewing ST, BLD B
Seattle, WA 98119

Re: DeMartini Shoreline Substantial Development Permit; 2020-SSD-0002; Letter of Complete Application

Dear Ms. Meyer:

Thank you for submitting responses to our initial completeness review and providing the cost estimate and mailing materials. The Planning Department has finished the second completeness review of your application for a Shoreline Substantial Development Permit at 17727 Beach DR NE. The City has determined your application complete. Within 14 days, the City will notice this application in accordance with the provisions of LFPMC 16.26.040 (D) (1). The public will be invited to comment on your proposal for a period of (14) days (see LFPMC 16.26.040 (E)).

Sincerely,

Nick Holland
Senior Planner
City of Lake Forest Park
17425 Ballinger Way NE
Lake Forest Park WA 98155
206-957-2832

Cc: Electronic and Record Files