

**DECISION OF THE
CITY OF LAKE FOREST PARK PLANNING DIRECTOR
REGARDING APPLICATION FOR
SHORELINE SUBSTANTIAL DEVELOPMENT EXEMPTION (2021-SSD-0001)**

FINDINGS

On September 3, 2021, the applicant, Evan Wehr of Ecco Design Inc, on behalf of David Homavand (the "Applicant"), applied for a Shoreline Substantial Development (SSD) permit to replace an existing dock. It was later determined that based on the scope of the application, the project qualified for a Shoreline Substantial Development Exemption. The scope of the project includes demolition of an existing pier and boat cover, construction of a new pier with thru-flow grated decking, replacement of an existing boat lift, and installation of two jet-ski lifts.

The application was found to be complete on November 5, 2021 and a notice of application and optional DNS were issued on November 11, 2021. The City received one comment during the comment period.

Lake Forest Park Shoreline Management Program subsection 3.3(C)(6)(b) states that *"normal maintenance or repair of existing structures or developments"* is an action that is exempt from Shoreline Substantial Development permits. It further states that *"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 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."*

The proposed replacement structure is of the common method of repair for docks and is not designed to cause substantial adverse effects to shoreline resources or the environment. The design of the proposed structure meets the required mitigation measures (see LFP SMP 8.5 (C) (1) findings below) and dimensional requirements for an alternative design replacement dock structure by eliminating all existing in-water and overwater structures location within 30 feet of the OHWM. As a condition of approval and to satisfy the additional mitigation requirements, the project will be required to have no skirting of any kind.

LFP SMP 8.5 (C) (1) (b) states *"Alternative Design – The City shall approve the following modifications to a pier replacement proposal that deviates from the dimensional standards B.3 above, subject to both US Army Corps of Engineers and Washington Department of Fish and Wildlife approval to an alternate project design. In addition, the following requirements and all other applicable provisions in this Chapter shall be met."* LFP SMP (C) (1) (b) – table contains the dimensional specifications required for alternative designs, including:

- *"Maximum Area Requirement: No larger than existing pier."* The existing pier/dock structure is 653 square feet, and the proposed replacement structure

is 653 square feet, therefore the proposed structure is of an equivalent size compared to the existing;

- and where, *“Maximum Length Requirement: 26ft. for fingers and float decking attached to a pier.”* No fingers are proposed with the new structure;
- and where, *“Maximum Width Requirement: 4 ft. for portion of pier or dock located within 30 ft. of the OHWM; otherwise, 6 ft. for walkways, 8 ft. for ells and float decking attaches to a pier For piers with no ells or fingers, the most waterward 26 ft. section may be 8 ft. wide Otherwise, the pier and all components shall meet the standards noted in B.3 above.”* The width of the proposed dock is 4 feet wide in the area within 30 feet of the OHWM, 8 feet wide in the 26-foot section most waterward, and all other walkways on the proposed dock are 6 feet in width. There are no fingers or ells proposed. There is no float decking proposed. All other components of the structure meet the dimensional standards in LFP SMP 8.5 (B) (3);
- and where, *“Maximum Depth Requirement: No shallower than authorized through state and federal approval.”* The proposed replacement dock is proposed to reach a depth of 7 feet and 5 inches.

CONCLUSIONS

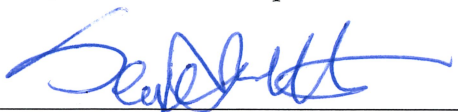
The Applicant's submittals, including written material and plans referenced in the above findings, demonstrate that the proposal meets requirements to be exempt from the Substantial Development under LFP SMP subsection 3.3 (C) (6) (b) and those of LFP SMP 8.5 (C) (1) (b), provided that the following conditions are complied with.

Conditions:

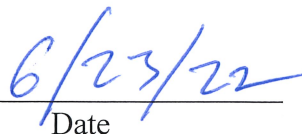
1. The permittee shall apply for and must have an approved building permit to perform the replacement dock construction.
2. The permittee shall submit an analysis by a structural engineer addressing the reduced pile spacing that demonstrated compliance with LFP SMP 8.5 (B) (3) (g) at the time of building permit application submittal.
3. The permittee shall provide documentation that the U.S. Army Corps of Engineers and the Washington Department of Fish and Wildlife have approved the design prior to building permit issuance.
4. The permittee shall not install skirting.
5. The permittee shall not use any materials or chemicals identified as hazardous or toxic for water conditions.
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. All aquatic conditions shall be returned to pre-construction status upon completion of the project.

DECISION

The Shoreline Substantial Development permit exemption 2021-SSD-0001 is approved subject to the conditions above. If any Finding is deemed to be a Conclusion or vice-versa, the Director adopts it as such.

A handwritten signature in blue ink, appearing to read "Stephen Bennett", written over a horizontal line.

Stephen Bennett, AICP
Planning Director

A handwritten date "6/23/22" in blue ink, written over a horizontal line.

Date