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## **ADMINISTRATIVE DECISION FOR MINOR CRITICAL AREA WORK PERMIT**

**CASE:** File # 2022-CAMI-0006

**APPLICANT:** Brian Highberger  
18827 53<sup>rd</sup> Ave NE  
Lake Forest Park, WA 98155

**REQUEST:** Demolish existing residence within steep slope buffer and reduce steep slope buffer from 50 feet to 25 feet.

**SITE ADDRESS:** 3333 NE 202<sup>nd</sup> Street  
Lake Forest Park, WA 98155  
Parcel #4022901470

**APPLICATION DATES:** Application Submitted: June 27, 2022  
Date of Complete Application: July 25, 2022  
Posted for 14-day Notice of Decision: October 10, 2022  
Decision Issued: October 10, 2022

**ZONING:** RS-7.2

**APPLICABLE CODES:** Chapter 16.16- Critical Areas Code

**ENVIRONMENTAL DETERMINATION:** Issued Determination of Non-Significance on September 6, 2022

**ASSIGNED STAFF:** Nick Holland  
Senior Planner

**DECISION:** Approve

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## **I. APPLICATION TIMELINES**

- On June 27, 2022, the applicant applied for the major critical area work permit.
- The city deemed the application complete on July 25, 2022 and the 14-day notice of application was posted on August 3, 2022.
- This decision is being issued on October 10, 2022.

Overall, the application was in review for 77 days.

## **II. SITE DESCRIPTION and CHARACTERISTICS**

### Site location & access

The site is developed with an existing single-family residence and is located off and accessed via NE 202<sup>nd</sup> St.

### Existing site conditions

The existing property contains a single-family residence located along NE 202<sup>nd</sup> Street. The residence was built in 1929, according to the King County Assessor's records, and is abandoned and in extremely poor condition. There is an auxiliary structure to the south of the residence. There is also a shed that is situated in the southwestern corner of the parcel. The site contains a steep slope on its southern and eastern portions.

## **III. PROJECT DESCRIPTION**

Demolish the existing single family residential home and construct a new single-family home. A buffer reduction is sought to reduce the steep slope buffer from 50-feet to 25-feet.

## **IV. CRITICAL AREAS CODE REQUIREMENTS.**

The criteria for approval are specified in LFPMC Section 16.16, and the Applicant is required to demonstrate compliance with those elements that are applicable. Those requirements, along with staff's findings and conclusions for each requirement, are as follows:

### LFPMC 16.16.310 Steep slope hazard areas – Development standards – Permitted alterations.

- A. *Buffer Width Requirements. A minimum buffer shall be established at a horizontal distance of 50 feet from the top, toe and along all sides of any slope 40 percent or greater. The buffer may be reduced to a minimum of 25 feet when a qualified professional demonstrates to the planning director's satisfaction that the reduction will adequately protect the proposed development, adjacent developments, uses and the steep slope hazard area.*

Findings: The Applicant's geotechnical report from Geotech Consultants, Inc, dated May 5, 2022, states that a buffer of 25 feet with an additional 15-foot building setback would be adequate to meet the requirements of LFPMC 16.16.310(A), because it should provide adequate protection for the proposed development, adjacent properties, and the steep slope and landslide hazard area. The report states that there is no significant risk for large-scale slides to develop on the site under the current conditions. The report also states that proper site grading, drainage, and foundation placement should reduce the impact of such an event on the property and proposed development.

Conclusion: This criterion has been satisfied.

## **V. PUBLIC NOTIFICATION**

This decision is being issued as a type III administrative decision per LFPMC 16.26.030 (C), and pursuant to LFPMC 16.26.180 notice of this decision was posted and published on October 10, 2022.

## **VI. SUMMARY CONCLUSIONS**

Staff has reviewed the proposal for general conformance with city codes and ordinances and the requirements set forth herein and has provided findings in response to each requirement. Based upon said findings, staff concludes that the shoreline exemption as described herein conforms to the criteria for shoreline exemptions as defined in the City's Shoreline Master Program.

## **VII. DECISION**

In consideration of the above findings of fact and conclusions, the proposed major critical area work permit is hereby granted approval.

## **VIII. EXHIBITS**

1. Site plan illustrating the slope and buffer location
2. Geo-tech report from Geo-Tech Consultants Inc, date stamped June 16, 2022 by the City of Lake Forest Park

## **Staff Signatures:**

**Name & Title:** Nick Holland  
Senior Planner

**Issued Date:** October 10, 2022

## **X. APPEALS**

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