



ADMINISTRATIVE DECISION FOR SHORELINE SUBSTANTIAL DEVELOPMENT EXEMPTION

APPLICATION: File # 2024-SSDE-0002

PROPERTY OWNER/APPLICANT: City of Lake Forest Park

OWNER'S AUTHORIZED AGENT: Kenny Booth, Facet

REQUEST: Shoreline Exemption determination for proposed investigational geotechnical borings (5) throughout the site to guide design parameters for creation of a future park design.

SITE ADDRESS: 17345 and 17347 Beach Drive NE
Lake Forest Park, WA 98155
Parcel #s 40301000-35, -40, and -50

APPLICATION DATES: Application Submitted: July 23, 2024
Date of Complete Application: July 31, 2024
Decision Issued: August 2, 2024
Posted for 14-day Notice of Decision: August 5, 2024

ZONING: RS 7.2 - Single-Family Residential, High

SHORELINE DESIGNATION: Shoreline Residential and Urban Conservancy

APPLICABLE REVIEW PROVISIONS: Chapter 16.18, Shoreline Master Program

ENVIRONMENTAL DETERMINATION: After review of the proposal, application, supporting materials, and the State Environmental Policy Act (SEPA), the City has determined that the proposal is categorically exempt from environmental review under WAC 197-11-800(2.j), (6), and (17). No in-water work or activity waterward of the Ordinary High Water Mark (OHWM) is proposed or required. Shoreline views and access will not be affected.

DECISION MAKER: Mark Hofman, AICP
Shoreline Administrator/Community Development Director

DECISION: Approved with conditions

I. APPLICATION TIMELINE

- On July 23, 2024, the application for the shoreline substantial development exemption was submitted and filed. Application materials included: a December 4, 2023, Lakefront Property/Lion Creek Waterfront Preserve Wetland and Stream Delineation Report; and, a July 18, 2024, Geotechnical Site Investigation Plan.
- On July 29, 2024, the city requested additional information to clarify items in the Geotechnical Site Investigation Plan to ensure consistency with the city's adopted Shoreline Master Program.
- On July 30, 2024, the authorized agent for the application, Facet, provided additional/supplemental information responding to city comments, via a Technical Memorandum, titled Lakefront Park – Geotech Borings.
- The application was deemed complete on July 31, 2024.
- This decision is being issued on August 2, 2024.
- A Notice of Decision for the Shoreline Substantial Development Exemption will be published, posted, mailed, and otherwise distributed by Monday, August 5, 2024.

II. SITE DESCRIPTION AND CHARACTERISTICS

Site location & access

The existing site was acquired by the city of Lake Forest Park for future development of a public lakeside park, adjacent to the existing Lion Creek Preserve. The site is developed with several structures, single-family residential in character, located adjacent to Beach Dr NE with lakefront access.

Existing site conditions

The property is currently developed with a single-family residential structure and appurtenances typical of past urban shoreline development. The site is mostly flat and includes a lawn area with some ornamental trees and shrubs. Wetland areas exist on site.

III. PROJECT DESCRIPTION

Shoreline Exemption determination for proposed investigational geotechnical borings (5) throughout the upland portion of the site to guide design parameters for creation of a future public park design. The boring locations will involve minimal site disturbance and the locations will be restored to current conditions upon completion. A later park design will be reviewed and considered by the city. No in-water work or activity waterward of the OHWM is proposed or required. Shoreline views and access will not be affected.

IV. SHORELINE EXEMPTION REQUIREMENTS

The criteria for approval of a shoreline substantial development exemption are specified in LFPMC Section 16.18, and the city's adopted Shoreline Master Program (SMP), specifically SMP Section 3.3(C)(6)(i). The Applicant is required to demonstrate

compliance with those elements that are applicable to the shoreline exemption. Those requirements, along with staff's findings and conclusions for each requirement, are as follows:

SMP Section 3.3 Permits and Exemptions

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

- ...i. Site exploration and investigation activities that are prerequisite to preparation of an application for development authorization under this chapter, if:*
 - i. The activity does not interfere with the normal public use of the surface waters;*
 - ii. The activity will have no significant adverse impact on the environment including but not limited to fish, wildlife, fish or wildlife habitat, water quality, and aesthetic values;*
 - iii. The activity does not involve the installation of any structure, and upon completion of the activity the vegetation and land configuration of the site are restored to conditions existing before the activity;*
 - iv. A private entity seeking development authorization under this section first posts a performance bond or provides other evidence of financial responsibility to the local jurisdiction to ensure that the site is restored to preexisting conditions.*

Findings: The proposed investigational geotechnical borings (5) throughout the subject site will guide design parameters for creation of a future public park design to be located on the lakeshore of Lake Washington, within the shoreline jurisdiction. The proposal falls within the scope of site exploration and investigation activities. Such activities are a common step in determining soil parameters that affect foundation design and grading considerations.

No drilling activity will occur in wetland areas, or below the Lake Washington or Lyon Creek OHWM, and drilling activities will not interfere with public use of the lake or stream as it exists at this time. No significant adverse impacts will result from drilling activities. No new permanent structures will be installed. The site will be restored to pre-existing conditions following completion of drilling activities. Criterion iv is not applicable for this city sponsored effort on property owned by the city.

Conclusion: The applicable criterion has been satisfied to the satisfaction of the Shoreline Administrator of the city of Lake Forest Park. The Shoreline Administrator has conducted a site visit to ensure that the proposal meets the exemption criteria.

The application and supporting materials demonstrate compliance with those elements that are applicable to the issuance of a shoreline substantial development exemption.

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, mailed, and published on August 5, 2024.

VI. SUMMARY CONCLUSIONS

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

VII. CONDITIONS

The proposed investigational geotechnical boring activity is determined to be exempt from shoreline permitting and the Shoreline Substantial Development Exemption application is hereby granted approval, subject to the following conditions of approval:

1. Exemption from substantial development permit requirements does not constitute exemption from the policies and use regulations of the Shoreline Management Act, the provisions of the Lake Forest Park Shoreline Master Program, and other applicable city, state, or federal permit requirements.
2. The project proponents, agents, representatives, and contractors shall prior discuss any changes or amendments to the proposed project description and/or plan with the Shoreline Administrator for determination of conformance with the exemption action before commencing on any action or activity other than the activity described in the application supporting documents.

Staff Signature:



Name & Title: Mark Hofman, AICP
Shoreline Administrator/Community Development Director

Issued Date: August 2, 2024

3. APPEALS

Pursuant to Section 3.6 of the city's adopted Shoreline Master Program, this Type-III decision may be appealed by the applicant, private or public organization, or individual to the City of Lake Forest Park Hearing Examiner within ten (10) calendar days following the written decision and publication of a Notice of Decision.