

**DECISION OF THE
CITY OF LAKE FOREST PARK PLANNING DIRECTOR
REGARDING APPLICATION FOR A
CRITICAL AREA WORK PERMIT
(Alteration of Erosion Hazard Area, Steep Slope Hazard Area, and Landslide Hazard
Area through installation of new retaining walls)
Permit # 2019-CAMJ-0006**

FINDINGS

On November 4, 2019, the applicant, King County Housing Authority (the “Applicant”) applied for a Critical Area Work Permit to replace and expand a failing retaining wall, install two other retaining walls, and perform significant re-grading to sloped areas between the two Woodland North apartment buildings at 3611 NE 155th St (the “Property”). According to the applicant’s February 10th, 2020 geotechnical report, the location of the retaining walls and where grading will take place are within an erosion hazard area, a steep slope hazard area, and a landslide hazard area, as defined in Lake Forest Park Municipal Code (LFPMC) 16.16.040. Since the project will need heavy equipment to be accomplished, a major critical area permit is required. The Applicant requests approval for altering an erosion hazard area, a steep slope hazard area, and a landslide hazard area pursuant to the guidelines of LFPMC 16.16.280, 16.16.290, and 16.16.310 respectively.

LFPMC 16.16.280 permits altering erosion hazard areas as long as projects with the criteria listed in 16.16.280(A-L). The applicant’s February 10th, 2020 geotechnical report states that the proposed project can comply with criteria C through L(pg. 7). Criterion A states that clearing activities are only allowed between the dates of April 1st and September 30th. The applicant has indicated a desire to start earlier than April 1st and asked for an exception to be granted. There is no administrative exception for starting clearing before that date however, the code is silent on staging and the implementation of the TESC plan included in the construction documents prior to April 1. Criterion B requires that the planning director approves of the TESC plan. The building official reviewed the project’s TESC plan and found it satisfied criterion B.

LFPMC 16.16.290.D.1 states that, when a landslide hazard area is present on a slope that has at least a 40% grade, alterations are permitted as long as they meet the criteria listed in LFPMC 16.16.310 for steep slope permitted alterations.

LFPMC 16.16.310.C.2 states that “any slope that was created through legal grading activity may be regraded as part of an approved development plan; provided, that any slope that remains 40 percent or steeper following site development shall be subject to all requirements for steep slopes.” The applicant’s February 10th, 2020 geotechnical report states that, since the site was in unincorporated King County at the time of construction, it is assumed “... that the development was permitted by King County.” The applicant’s February 10th, 2020 geotechnical report finds that the project will meet the criteria outlined in LFPMC 16.16.310.D.1-4, stating that “the proposed retaining walls and regrading will improve slope stability for the site and adjacent areas, reducing the existing erosion potential, and establish a greater buffer between Building 2 and the adjacent retaining walls that will replace the rockery. It will eliminate the hazards associated with the deteriorating condition of the rockeries,” (pg 7).

CONCLUSIONS

The Applicant's submittals, including written material and plans referenced in the above findings, demonstrate that the proposal complies with the criteria for altering an erosion hazard area, a steep slope hazard area, and a landslide hazard area.

DECISION

The Critical Area Work Permit 2019-CAMJ-0006 allowing the replacement and expansion of a failing retaining wall, installation of two other retaining walls, and performing significant re-grading to sloped areas between the two Woodland North apartment buildings at 3611 NE 155th St is approved. If any Finding is deemed to be a Conclusion or vice-versa, the Director adopts it as such.

Stephen Bennett, AICP
Planning Director

Date