



**ADMINISTRATIVE DECISION FOR
SHORELINE EXEMPTION PERMIT**

CASE: File # 2019-SSDE-0003

APPLICANT: Evan Wehr
203 NE 36 ST ste. 201
Seattle, WA 98103

Robert DeFritas
16202 Beach DR NE
Lake Forest Park, WA 98155

REQUEST: Install jet-ski lift on dock at single family residence.

SITE ADDRESS: 16202 Beach DR NE
Lake Forest Park, WA 98155

APPLICATION DATES: Application Submitted: June 10, 2019
Date of Complete Application: June 10, 2019
Posted for 14-day Notice of Decision: July 11,
2019
Decision Issued: July 11, 2019

COMPREHENSIVE PLAN: Single Family Residential; High

ZONING: RS 7.2

APPLICABLE REVIEW PROVISIONS:

- Chapter 16.18- Shoreline Master Program

ENVIRONMENTAL DETERMINATION: Exempt pursuant to
WAC 197.11.800(4)

ASSIGNED STAFF: Nick Holland
Senior Planner

DECISION: Approve with conditions

I. APPLICATION TIMELINES

- On June 10, 2019 the applicant applied for the short subdivision;
- This decision is being issued on July 11, 2019

Overall, the application was in review 29 days.

II. SITE DESCRIPTION and CHARACTERISTICS

Site location & access

The project site is located at 16202 Beach DR NE, and is accessed via public right of way along Beach AVE NE.

Existing site conditions

The site is developed with an existing single family residence and existing shared (with the adjacent property) floating dock upon Lake Washington. The site has turf, and loose gravel adjacent to the dock.

III. PROJECT DESCRIPTION

Installation of a jet-ski lift on an existing shared floating dock for at a single family residence. Some work will occur within the ordinary high water mark. A jet ski lift is defined as a boatlift within the City's Shoreline Master Program (SMP) (see definitions in chapter 2 of SMP).

IV. SHORELINE EXEMPTION REQUIREMENTS.

The criteria for approval of a shoreline exemption are specified in LFPMC Section 16.18, and the Shoreline Master Program. 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:

Chapter 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:*

- a. *Any development of which the total cost or fair market value, whichever is higher, does not exceed five thousand (\$5,000) dollars, if such development does not materially interfere with the normal public use of the water or "shorelines of statewide significance." The dollar threshold established in this subsection must be adjusted for inflation by the Office of Financial Management every five years, beginning July 1, 2007, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the Bureau of Labor and Statistics, United States Department of Labor. The Office of Financial Management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect. For purposes of determining whether or not a permit is required, the total cost or fair market value shall be based on the value of development that is occurring on "shorelines of statewide significance." The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials;*

Findings: The applicant has provided an estimate from Stillwater Marine Construction for the materials and cost of installation of the jet-ski lift which totals \$6,997.91. The adjusted exemption rate through state regulations is \$7,047.00.

Conclusion: The cost of installation is less than the adjusted exemption threshold. This criteria has been satisfied.

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

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.*

Findings: The applicant has provided a copy of their application to the state for a Joint Aquatic Use Permit (JARPA). This exemption decision will include a condition for the applicant to obtain all other agency approvals.

Conclusion: This criteria, as condition, has been satisfied.

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;*

Findings: The applicant has provided details of the apparatus and methods of construction and installation. Its dimensions meet the dimensional standards contained in section (F) of Chapter 8 within the SMP.

Conclusion: This criteria has been satisfied.

8. *Grated decking is required on all new or replaced moorage facility surfaces.*

Findings: The applicant has not specified if grated decking will be used for any flat surfaces of the jet-ski lift. A condition of this exemption will be for the permittee to install grated decking anywhere where decking may be needed for this project.

Conclusion: This criteria, as condition, has been satisfied.

10. *No skirting is permitted on any structure.*

Findings: The applicant has not specified if skirting will be used as a part of installation of the jet-ski lift. A condition of this exemption will be for the permittee to refrain from install skirting anywhere where on the apparatus.

Conclusion: This criteria, as condition, has been satisfied.

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.*

Findings: The applicant has not specified if permanent lighting will be installed as a part this project. A condition of this exemption will be for the permittee to adhere to the lighting standards within the SMP.

Conclusion: This criteria, as condition, has been satisfied.

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.

Findings: The applicant has not specified if herbicides, fungicides, paint, or pentachlorophenol will be used as a part this project. A condition of this exemption will be for the permittee to refrain from using hazardous chemicals in any part of the installation of the jet-ski lift.

Conclusion: This criteria, as condition, has been satisfied.

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.

Findings: The applicant has not specified the type of temporary moorage that may be necessary to install the jet-ski lift. This exemption will contain conditions for any temporary moorage to end upon the project's completion, and for conditions to be returned to pre-construction levels.

Conclusion: This criteria, as condition, 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 July 11, 2019.

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. CONDITIONS

In consideration of the above findings of fact and conclusions, the proposed shoreline exemption is hereby granted approval, subject to the following conditions:

1. The permittee shall obtain all other agency approvals prior to conducting work within the ordinary high water mark.
2. The permittee shall use grated decking for any surfaces that require decking with this installation.
3. The permittee shall not install skirting with the apparatus.
4. Any lighting installed as a part of the project shall be screened or hooded to avoid light spill onto adjacent properties.
5. The permittee shall not use any materials or chemicals identified as hazardous for water conditions.
6. All aquatic conditions shall be returned to pre-construction status upon completion of the project.

Staff Signatures:



Name & Title: Nick Holland
 Senior Planner

Issued Date: July 11, 2019

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.