



**ADMINISTRATIVE DECISION FOR
SHORELINE EXEMPTION PERMIT**

CASE: File # 2020-SSDE-0003

APPLICANT: Jay Irwin of Irwin Land Use Consulting LLC on behalf of property owner Bruce Sternberg
16012 Beach Dr NE
Lake Forest Park, WA 98155

REQUEST: Replace existing wooden framing and decking on existing dock with untreated fir piles. Replacement framing will be fir beams and replacement decking will be ThruFlow grated panels. Pilings will be sleeved with HDPE tubes.

SITE ADDRESS: 16012 Beach Dr NE
Lake Forest Park, WA 98155
Parcel #7738500290

APPLICATION DATES: Application Submitted: September 22, 2020
Date of Complete Application: September 22, 2020
Posted for 14-day Notice of Decision: October 29, 2020
Decision Issued: October 29, 2020

ZONING: RS 7.2

APPLICABLE REVIEW PROVISIONS: Chapter 16.18- Shoreline Master Program

ENVIRONMENTAL DETERMINATION: Exempt pursuant to WAC 197.11.800(3)

ASSIGNED STAFF: Lauren Hoerr
Assistant Planner

DECISION: Approve with conditions

I. APPLICATION TIMELINES

- On September 22, the applicant applied for the shoreline substantial development exemption and the application was deemed complete.
- This decision is being issued on October 29th.

Overall, the application was in review 37 days.

II. SITE DESCRIPTION and CHARACTERISTICS

Site location & access

The existing site is a single-family residence located off of Beach Dr NE with lakefront access.

Existing site conditions

As stated in the application materials, “The property is currently developed with a single-family residence and appurtenances typical of medium density urban shoreline development (residential structure with appurtenant dock). ...Property is mostly flat and includes a lawn area with some ornamental trees and shrubs.”

III. PROJECT DESCRIPTION

The proposal includes replacing the existing wooden framing and decking on the existing dock. The replacement framing will be untreated fir beams, while the replacement decking will be ThruFlow grated panels. Pilings will be sleeved with HDPE tubes.

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:

b. Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to the shoreline resource or

environment. 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 and the replacement structure or development is comparable to the original 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;

Findings: The proposal falls within the scope of normal maintenance or repair.

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 29, 2020.

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. Any new framing structures or piles shall not be coated with AZCA or any other similar treatment that would be in violation of LFP-SMP 16.18 Chapter 8.5 Regulations E.4, which states that "pile repair shall not utilize pentachlorophenol, creosote, chromated copper arsenate (CCA) or comparably toxic compounds."

Staff Signatures:

Name & Title: Lauren Hoerr
Assistant Planner

Issued Date: October 29, 2020

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.