



DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
11511 MAIN ST., P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Gregory Ashley, Ashley Shoreline Design

LOCATION OF PROPOSAL: 6208 Hazelwood Lane SE

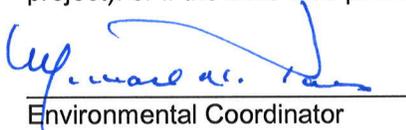
DESCRIPTION OF PROPOSAL: Installation of one ground based boatlift and moorage cover associated with an existing dock.

FILE NUMBERS: 13-113306-WG **PLANNER:** Reilly Pittman

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on **8/1/2013**

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.


Environmental Coordinator

7/18/2013
Date

OTHERS TO RECEIVE THIS DOCUMENT:

- State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
- State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
- Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
- Attorney General ecyolyef@atg.wa.gov
- Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us



City of Bellevue
 Development Services Department
 P.O. Box 90012, Bellevue, WA 98009-9012
 (425) 452-6800 Fax (425) 452-5225

**Shoreline Management Act of 1971
 Permit for Shoreline Management Substantial
 Development
 Conditional Use and/or Variance**

Application No. 13-113306-WG

Date Received 4/26/2013

Approved / Date 7/18/2013
 Denied / Date _____

Type of Action:

- Substantial Development Permit
- Conditional Use Permit
- Variance Permit

Pursuant to Chapter 90.58 RCW, a permit is hereby granted to: Gregory Ashley, Ashley Shoreline Design to undertake the following development:
 Installation of one free standing ground based boat lift with a canopy cover associated with the existing dock structure.

upon the following property: 6208 Hazelwood Lane SE

within Lake Washington and/or its associated wetlands. The project will be located within Shorelines of Statewide Significance (RCW 90.58.030). The project will be located within a Shoreline Overlay District designation. The following master program provisions are applicable to this development:

- Land Use Code(LUC) Section 20.25E.080(N) Moorage Regulations
- Bellevue Comprehensive Plan, Shoreline Management Program Element, Policy SH-13 and SH-50

Development pursuant to this permit shall be undertaken in accordance with the following terms and conditions:

Conditions of Approval (Land Use Division)

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms and conditions hereof. Construction pursuant to this permit, or substantial progress toward construction, must be undertaken within two years of the date of final approval. This permit shall expire five years from the date of local approval.

Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the date of filing, as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one (21) days from the date of such filing have terminated; except as provided in RCW 90.58.140(5) (A) (B) (C).

July 18, 2013

Date


 City of Bellevue, Land Use Division

CC: Attorney General, Department of Ecology, Northwest Region
 Dept. of Fish and Wildlife, 1775 12th Ave. NW Suite 201, Issaquah, WA 98027
 DOE, Joe Burcar, 3190 160th Avenue SE, Bellevue, WA 98008-5452



**City of Bellevue
Development Services Department
Land Use Staff Report**

Proposal Name: Smith Boatlift

Proposal Address: 6208 Hazelwood Lane SE

Proposal Description: Application for Land Use Approval of a Shoreline Substantial Development Permit for the installation of one freestanding boatlift adjacent to an existing dock on Lake Washington. No dock modifications proposed.

File Number: 13-113306-WG

Applicant: Gregory Ashley, Ashley Shoreline Design

Decisions Included: Shoreline Substantial Development Permit (SSDP) (Process II. 20.30R)

Planner: Reilly Pittman, Land Use Planner

**State Environmental Policy Act
Threshold Determination:**

Determination of Non-Significance

Carol V. Helland, Environmental Coordinator
Development Services Department

Director's Decision:

Approval with Conditions

Michael A. Brennan, Director
Development Services Department

By: 
Carol V. Helland, Land Use Director

Application Date: April 26, 2013
Notice of Application Date: May 16, 2013
Decision Publication Date: July 18, 2013
SEPA Appeal Deadline: August 1, 2013 (14-days from publication date)
SSDP Appeal: August 8, 2013 (or 21-days from receipt by State)

For information on how to appeal a project proposal, visit the Permit Center at City Hall or call 425-452-6800. Appeal of the SEPA Threshold Determination must be made to the City of Bellevue City Clerk's Office by 5 p.m. on the date noted above for SEPA appeal deadline. Appeal of the Shoreline Substantial Development Permit must be made to the Washington State Shoreline Hearings Board (contact the project planner for more information on how to file an appeal with the Shoreline Hearings Board).

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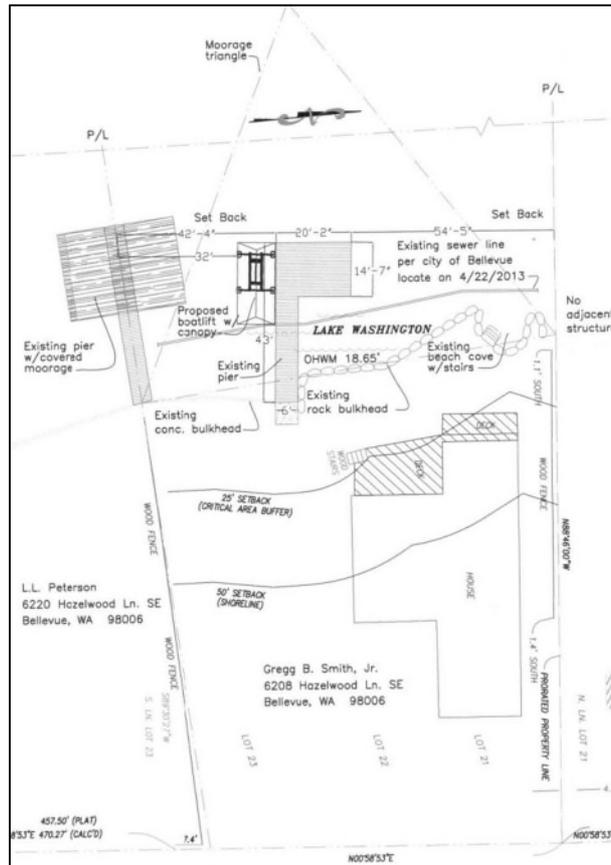
Attachments

1. Plans, SEPA Checklist, Application Forms, and Materials – In File

I. Proposal Description

The applicant proposes to install a freestanding boat lift within Lake Washington adjacent to an existing dock that serves a single-family residence. See Figure 1 and 2 below for an elevation view and site plan.

Figure 1



II. Site Description, Zoning, and Land Use

A. Site Description

The project site is located at 6208 Hazelwood Lane SE in the Newport Subarea. The site is a residentially zoned property with a single-family residence and existing dock. All surrounding properties are zoned residential. Another dock is located on the south property line and has a boat house covering the dock slips. This structure is not part of this proposal.

B. Zoning

The property associated with the lift is zoned R-5, single-family residential.

C. Land Use Context

The property has a Comprehensive plan Land Use Designation of SF-H (Single Family High Density).

D. Critical Areas On-Site and Regulations

i. Shorelines

Shorelines provide a variety of functions including shade, temperature control, water purification, woody debris recruitment, channel, bank and beach erosion, sediment delivery, and terrestrial-based food supply (Gregory et al. 1991; Naiman et al. 1993; Spence et al.1996).

Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values. The discussion presented herein emphasizes this ecosystem approach.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The R-5 zoning dimensional requirements found in LUC 20.20.010 do not apply to this project as no structure on land is proposed to be constructed.

B. Shoreline Overlay District LUC 20.25E:

The installation of a boatlift is subject to the performance standards in LUC 20.25E.080.N.5 and covered moorage is subject to the performance standards in LUC 20.25E.080.N.6.

i. Consistency with LUC 20.25E.080.N.5 Boatlifts

Installation, repair, maintenance, replacement or retention of one ground-based or floating watercraft lift without a canopy, per adjacent upland property and the placement of no more than two cubic yards of fill to anchor the lift is permitted.

a. The fill must be clean.

b. The fill must consist of rock or pre-cast concrete blocks.

c. The fill must only be used to anchor the watercraft lift.

d. The minimum amount of fill must be utilized to anchor the watercraft lift.

The standards above are applicable to any fill material associated with the boatlift

proposed. See Section X for a related condition of approval.

ii. Consistency with LUC 20.25E.080.N.6 Covered Moorage

Installation of a translucent canopy on a new or existing watercraft lift is allowed in accordance with this subsection.

- a. In fresh waters, the canopy and structure should be located waterward of the nine-foot depth elevation as established by the OHWM.**
- b. The lowest edge of the canopy must be at least eight feet above the plane of OHWM.**
- c. Only one canopy can be installed per single or joint use residential overwater structure.**
- d. The watercraft lift with the canopy must be oriented with the length in the north-south direction to the maximum extent practicable.**

New canopies are required to be translucent. The canopy is located in water that is just over 6 feet of depth and is as deep as possible while still usable from the adjacent dock. The lowest edge of the canopy shall be at least 8 feet above the OHWM. This is the only canopy associated with the dock structure. The existing dock orientation has determined the mostly east-west orientation of the proposed canopy. See Section X for a related condition of approval.

IV. Public Notice and Comment

Application Date:	April 26, 2013
Public Notice (500 feet):	May 16, 2013
Minimum Comment Period:	June 17, 2013

The Notice of Application for this project was published the City of Bellevue weekly permit bulletin on May 16, 2013. It was mailed to property owners within 500 feet of the project site. The Muckleshoot Tribe submitted a comment regarding the translucency of the canopy cover.

V. Summary of Technical Reviews

A. Clearing and Grading

The Clearing and Grading Division of the Development Services Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards and approved the application.

B. Utilities

The Utilities Department has reviewed the proposed site development for compliance with Utility codes and standards and approved the application with the condition that no structure

be placed within 5 feet of the City's sewer lake line identified on the site plan and that no barge or equipment is located near the line. See Section X for a related condition of approval.

VI. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

A. Earth, Air, and Water

The project does not propose any modification of soils. The lift will be placed within Lake Washington. No dredging, withdrawals, diversions, or discharges are anticipated from the placement of a boatlift.

B. Animals

Chinook salmon, bull trout, and steelhead are found in Lake Washington. Provided that it means City standards, the placement of the lift and moorage cover within potential fish habitat is allowed.

C. Plants

No vegetation will be disturbed by the lift installation.

D. Noise

The site is adjacent to single-family residences whose residents are most sensitive to disturbance from noise during evening, late night and weekend hours when they are likely to be at home. Any construction noise will be limited by the City's Noise Ordinance (Chapter 9.18 BCC) which regulates construction hours and noise levels. See Section X for a related condition of approval.

VII. Changes to Proposal Due to Staff Review

No changes were proposed.

VIII. Decision Criteria

LUC 20.30R.155.B Shoreline Substantial Development Permit – Decision Criteria

The Director may approve, or approve with modifications if:

1. **The applicant has carried the burden of proof and produced evidence sufficient to support the conclusion that the application merits approval or approval with modifications;**

The proposed boatlift and covered moorage is in conformance with the required performance standards in the Land Use Code as reviewed in this staff report. See Section X for a related condition of approval.

2. **The applicant has demonstrated that the proposal complies with the applicable decision criteria of the Bellevue City Code;**

As discussed in this staff report, the proposal complies with all applicable decision criteria.

3. **The applicant has demonstrated that the proposal is consistent with the policies and procedures of the Shoreline Management Act and the provisions of Chapter 173-14 WAC and the Master Program.**

The proposal complies with the policies of the Shoreline Management Act and Chapter 173-14 WAC of the Master Program.

IX. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the installation of a covered moorage boatlift associated with the adjacent existing dock on this property.

Note- Expiration of Approval: In accordance with LUC 20.30R.175, the Shoreline Substantial Development Permit automatically expires and is void if the applicant fails to file for a building permit or other necessary development permit and fails to make substantial progress towards completion of the project within two years of the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension for the Shoreline Substantial Development Permit pursuant to LUC 20.30R.180.

Permit authorization expires finally, despite substantial progress, five years after the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension pursuant to LUC 20.30R.180

X. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Janney Gwo, 425-452-6190
Utilities – BCC Title 24	Mark Frazier, 425-452-2022
Land Use Code- BCC Title 20	Reilly Pittman, 425-452-4350
Noise Control- BCC 9.18	Reilly Pittman, 425-452-4350

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

- 1. Fill Standards:** Any fill material needed for the boatlift is:
 - limited to 2 cubic yards or less and must be the minimum amount needed to anchor the lift
 - must be clean
 - must consist of rock or pre-cast concrete blocks
 - must only be used to anchor the watercraft lift

Authority: Land Use Code 20.25E.080
 Reviewer: Reilly Pittman, Development Services Department

- 2. Moorage Cover:** The canopy for the covered moorage is required to be translucent and the lowest point of the canopy shall be at least 8 feet above the Ordinary High Water Mark.

Authority: Land Use Code 20.25E.080
 Reviewer: Reilly Pittman, Development Services Department

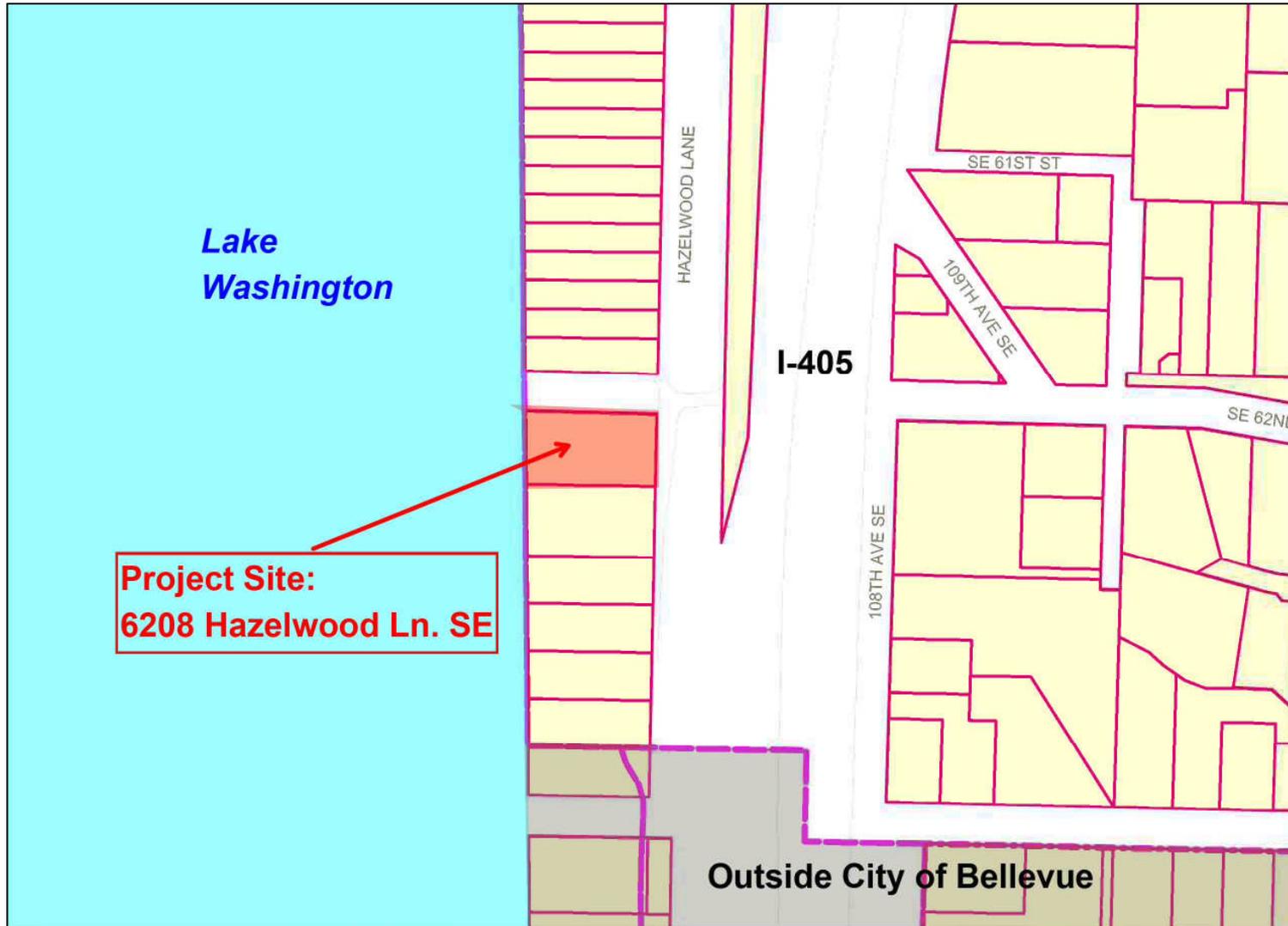
- 3. Protect Sewer Lake Line:** No structure or construction equipment shall be placed within five feet of the sewer lake line.

Authority: Utilities Code BCC Title 24
 Reviewer: Mark Frazier, Utilities Department

- 4. Noise Control:** Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit.

Authority: Bellevue City Code 9.18
 Reviewer: Reilly Pittman, Development Services Department

Smith Boatlift– Vicinity Map
City of Bellevue File No. 13-113306-WG





Development Services
Permit Processing 425-452-4898

Application for
LAND USE APPROVAL

APPLICATION DATE <u>4/26/13</u>	TECH <u>WH</u>	CIP PROJ #	PROJECT FILE # <u>13-113306</u>
<input type="checkbox"/> Administrative Conditional Use-LA <input type="checkbox"/> Boundary Line Adjustment-LW <input type="checkbox"/> Planned Unit Development-LK <input type="checkbox"/> Planned Unit Dev Combined w/Plat-LK <input type="checkbox"/> Conditional Use-LB <input type="checkbox"/> Conditional Use Shoreline Mgmt-WA/WG <input type="checkbox"/> Design Review-LD <input type="checkbox"/> Final Plat-LG	<input type="checkbox"/> Binding Site Plan-LF <input type="checkbox"/> Final Short Plat-LF <input type="checkbox"/> Land Use Approval Amendment-LI <input type="checkbox"/> Land Use Exemption-LJ <input type="checkbox"/> Critical Land Use Permit Admin-LO <input type="checkbox"/> Preliminary Plat-LL <input type="checkbox"/> Antenna no Building Permit w/SEPA-CA	<input type="checkbox"/> Preliminary Short Plat-LN <input type="checkbox"/> Preliminary SEPA Review-LM <input type="checkbox"/> Shoreline Development-WG <input type="checkbox"/> Shoreline Exemption w/o SEPA-WD <input type="checkbox"/> Shoreline Exemption w/SEPA-WE <input type="checkbox"/> Shoreline Variance-WF <input type="checkbox"/> Variance-LS	
NOTICE OF COMPLETENESS: Your application is considered complete 29 days after submittal, unless otherwise notified.			

1. **Property Address** 6208 Hazelwood Ln. SE Zoning R-5
 Project Name (if applicable) Smith boatlift Tax Assessor # 334330-2030

2. **Applicant** Gregg B. Smith, Jr. Phone (425) 255-0250
 Address 11633 SE 89th St. City, State, Zip New Castle, WA 98056

3. **Contact Person** Gregory W. Ashley - Ashley Shoreline Design & Phone (425) 957-9381
 E-Mail Address greg@shoreline-permitting.com FAX # (425) 746-8252
 Address 16412 NE 10th Pl. City, State, Zip Bellevue, WA 98008

4. **Engineer/Architect/Surveyor** _____ Phone (____) _____
 Address _____ City, State, Zip _____

5. **Description of proposed project, use, exemption, or variance**
Install freestanding portable boatlift w/attached canopy

Proposed Building Gross Square Footage _____ Proposed Structure Parking Gross Square Footage _____

6. **Nature of Project (if applicable)** Private single-family residence
 Current use of property and existing improvements _____

Identify any adjacent water area/wetlands or significant natural features (i.e., streams, wetlands, views, significant trees, water bodies, etc) on or within 200 feet of the property.
Lake Washington

7. If **SHORT PLAT** or **SUBDIVISION** Application: Total Acreage _____ Number of Proposed Lots _____
 Has this property been previously subdivided? If yes, Date _____ Recording # _____
 If this is a Final Plat or Final Short Plat, what is the Preliminary project file # _____

8. If **SHORELINE MANAGEMENT**: Total cost or fair market value of the project (whichever is higher) \$ 7,300.00
 If a single family residence or pier is proposed, is it intended for the owner's own personal use? Yes No

If Shoreline Variance, the development will be located:
 Landward Waterward **AND/OR** Outside Inside areas designated as marshes, bogs or swamps by the Dept. of Ecology. (Chapter. 173.22. WAC)
 of the ordinary high water mark.

BCC 23.10.033 - Agreement regarding vested rights: The filing of an application for any of these required approvals prior to the filing of a valid and complete application for a building permit shall not establish or create a vested right to proceed with construction of any proposed project.

I certify that I am the owner or owners authorized agent. If acting as an authorized agent, I further certify that I am authorized to act as the Owners agent regarding the property at the above-referenced address for the purpose of filing applications for decision, permits, or review under the Land Use Code and other applicable Bellevue City Codes and I have full power and authority to perform on behalf of the Owner all acts required to enable the City to process and review such applications.

I certify that the information on this application is true and correct and that the applicable requirements of the City of Bellevue, RCW and the State Environmental Policy Act (SEPA) will be met.

Signature [Signature] Date 4/26/2013
 (Owner or Owners Agent)

Received
 APR 26 2013
 Permit Processing
 City of Bellevue