

PLANNING DIVISION
SHORELINE MANAGEMENT ACT OF 1971

PERMIT FOR SHORELINE MANAGEMENT

EVALUATION FORM & DECISION

DATE OF PERMIT ISSUANCE: March 4, 2015
LAND USE ACTION FILE NO.: LUA14-001181, ECF, SM
DATE RECEIVED August 28, 2014
DATE OF PUBLIC NOTICE: September 17, 2014

Pursuant to Chapter 90.58 RCW, staff recommends that the City of Renton grant a Shoreline Substantial Development Permit. This action is proposed on the following application:

PROJECT NAME: DiCerchio Joint Use Residential Pier
PROJECT MANAGER: Kris Sorensen, Associate Planner
OWNER/APPLICANT: Richard DiCerchio; 4005 Williams Ave N; Renton WA 98056; and Barbee Mill Waterfront LLC; 4011 Williams Ave N
CONTACT: Evan Wehr; Ecco Design Inc; 203 N 36th St #201; Seattle WA 98103
PROJECT LOCATION: 4005 & 4011 Williams Ave N
LEGAL DESCRIPTION:
4005 Williams Ave N: Lot 48, Barbee Mill, according to the plat thereof, recorded in volume 246 of plats, pages 25 through 39, inclusive, in King County, Washington; Together with an undivided interest in Tract K for ingress, egress and utilities as delineated on the face of said plat; And also together with an easement across Lot 47 for ingress, egress and utilities as delineated on the face of said plat.

4011 Williams Ave N: Lot 47, Barbee Mill, according to the plat thereof, recorded in volume 246 of plats, pages 25 through 39, inclusive, in King County, Washington; Together with an undivided interest in Tract K for ingress, egress

and utilities as delineated on the face of said plat.

SEC-TWN-R: NW-32-24-5

PROJECT WITHIN THE SHORELINE OF: Lake Washington, Reach C

APPLICABLE MASTER PROGRAM: City of Renton

PROPOSAL DESCRIPTION: The applicant is proposing to construct a joint use residential pier/dock on the shore of Lake Washington. The dock would have a fully grated 80-foot long, 4 to 6 feet in width with a total area of 400 square feet. The applicant is proposing to install a freestanding boatlift adjacent to an existing community boat dock. Two boatlifts would be located next to the dock approximately 57 feet from the shoreline. The pier construction would be accomplished by driving steel piles using a barge-mounted vibratory pile and installing two 3-inch diameter steel pins on land to support the landward section of the pier. Two 12-inch diameter steel mooring piles would be driven in the water on the southside of the pier, approximately 80 feet and 50 feet from the shoreline. The 8 steel piles to support the pier consist of two 4-inch diameter steel piles, four 8-inch diameter steel piles, and two 10-inch diameter steel piles. A canopy to cover the boatlift on the southern side of the dock was originally proposed and is no longer being proposed.

The bottom of the dock is approximately 18 inches above the Ordinary High Water Mark (OHWM). The proposed boat lifts would be approximately within 6 to 12 inches above the OHWM in the most upward position when a boat sits on top of the bunkers in a parked position. The boat lifts are approximately 12 feet by 10 feet in size (120 square feet in area) and would sit on the bottom substrate of the lake on four 1-foot by 1-foot pads. The boat lifts were originally proposed at 42 feet from the shoreline and have been revised and located further waterward, at approximately 57 feet in distance from the shoreline. At the deepest point of the lifts, they would be approximately 12 feet below the waterline.

Construction materials would be stored on a barge brought to the site. The date of construction would depend on when the necessary government approvals are issued. Construction of the pier and installation of the boat lifts would take approximately two weeks to complete from the start of work. The in-water work window within Lake Washington at the site is open from July 16 to December 31. The work is proposed to be completed in July 2015. The boatlifts would be pre-assembled and set in the lake by crane from the construction barge following construction of the pier. A silt containment curtain would be installed around the work area.

The joint use dock would provide moorage and facilitate access to Lake Washington for the residents of the two upland properties. The subject properties have approximately 123 feet of Lake Washington shoreline made up of existing rock bulkhead and a metal sheetpile bulkhead with concrete cap.

A planting mitigation plan provides for 4 Shore Pine trees, 6 Nootka Rose shrubs, 8 Red-Flowering Currants shrubs, and 6 Tall Oregon Grape shrubs on the 4005 Williams Ave N property, and 8 Red-Flowering Currants shrubs on the 4011 Williams Ave N property. A monitoring and maintenance plan for the plantings has been provided to evaluate ongoing performance of the plantings over a 5-year period.

The subject properties are part of the Conner Homes at Barbee Mill project which includes 114 lots ranging in size from 1,800 square feet to 6,000 square feet. The lots consist of, but are not limited to, duplexes and single-family residences. The overall site was formerly a lumber mill facility. In order to restore the former industrial site to a site suitable for a residential waterfront subdivision, the mill buildings were demolished, contaminated soils remediated, fill soils were removed from behind the bulkhead, asphalt paving, a pier, a wooden bulkhead and piling associated with the mill operation were removed; and shoreline restoration was accomplished. The shoreline restoration was accomplished by the Barbee Mill Company upon cessation of the mill operation. The cost fair market value of the project is \$100,000.

An Environmental (SEPA) Review Determination of Non-Significance – Mitigated (DNS-M) was issued for this project on February 13, 2015. The appeal period of the determination ends February 27, 2015.

FINDINGS OF FACT:

1. The applicant is requesting a Shoreline Substantial Development Permits for the construction of a shared pier/dock connected to the shoreline, installation of two mooring piles, and installation of two boat lifts for the use of two residential properties.
2. The site currently is comprised of two single family residences, each with landscaping between the structure and shoreline and pathways to the shoreline that provide access to the proposed dock. The properties on the north side developed with residential homes and May Creek on the south side.
3. The shared pier would project waterward from the shoreline approximately 80 feet and have boat lifts installed on either side approximately 57 feet from shore. Two mooring piles are located approximately 14 feet south of the pier, one at 80 feet from shoreline and the other 50 feet from the shoreline. The boat lift would be installed on the north side of the existing Community Dock, 4 feet east of the inner harbor line, and approximately 11 feet 6 inches from the sheetpile and concrete shoreline bulkhead to the west.
4. The pier, boat lifts, and mooring piles would provide moorage and facilitate access to Lake Washington for use by residents and guests 4005 and 4011 Williams Ave N.
5. The pier area is 400 square feet in area, fully grated, with the walkway 4 feet in width

from the shore to a distance of 40 feet waterward, and increases to 6 feet in width to the end of the walkway, 80 feet waterward. The pier will be held in place by 8 steel piles in the lake between 4 and 10 inches in diameter and 2 steel piles driven on land 3 inches in diameter.

6. The boat lift dimensions are approximately 175 square feet in area supported on the lake bottom by four 1-foot wide by 1-foot long pads, with a total of 4 square feet sitting on the lake bottom.
7. The two steel mooring piles are 12 inches in diameter.
8. The boat lifts are accessory to the shared pier, and are permitted outright per RMC Table 4-3-090.E.1 Shoreline Use Table, and would be approximately 12 feet below the waterline at their most westerly deepest point.
9. The shared pier would extend waterward from the shoreline past the Inner Harbor line into an area of Lake Washington regulated by Department of Natural Resources (DNR).
10. The subject site has priority habitat and is located in areas regulated by the City of Renton Shoreline Master Program for Lake Washington and May Creek although the project is only located in the Lake Washington regulated area. Steep slopes are located on-site on the westerly portion of 4005 Williams Ave N. No other critical areas exist on site.
11. Representatives from various city departments have reviewed the application materials to identify and address issues raised by the proposed development. These comments are contained in the official file, and the essence of the comments have been incorporated into the appropriate sections of this report, the Environmental (SEPA) Review Report, and the Departmental Recommendation at the end of this report.
12. An Environmental (SEPA) Review Determination of Non-Significance – Mitigated (DNS-M) was issued for this project on February 13, 2015 with 5 mitigation measures. The appeal period of the determination ended February 27, 2015. No appeals were filed.
13. An amended project biological evaluation by Marine Surveys & Assessments, dated December 17, 2014, states that for this project there will be no net loss of ecological functions and values which is consistent with the City of Renton's Shoreline Master Program.
14. The applicant received approval of the planting plan by the Barbee Mill homeowners association for installation of the proposed plantings along May Creek shoreline and Lake Washington shoreline.
15. A mitigation planting plan provides for installation of 4 Shore Pine trees, 6 Nootka Rose

shrubs, 8 Red-Flowering Currants shrubs, and 6 Tall Oregon Grape shrubs on the 4005 Williams Ave N property, and 8 Red-Flowering Currants shrubs on the 4011 Williams Ave N property.

16. The following table contains project elements intended to comply with the Shoreline Master Program standards and policies, as outlined in RMC 4-3-090:

SHORELINE MASTER PROGRAM CRITERIA:	
A. COMPREHENSIVE PLAN COMPLIANCE AND CONSISTENCY, SHORELINE ELEMENT:	
The site is located in the Shoreline High-Intensity Overlay District. The objective of the High Intensity Overlay is to provide opportunities for large-scale office and commercial employment centers as well as multi-family residential use and public services. This district provides opportunities for water-dependent and water-oriented uses while protecting existing ecological functions and restoring ecological functions in areas that have been previously degraded. Development may also provide for public use and/or community use, especially access to and along the water's edge. The proposal is compliant with the following Shoreline policies:	
✓	Objective SH-A. Provide for use of the limited water resource consistent with the goals of the Shoreline Management Act by providing a preference for water-oriented uses.
✓	Objective SH-B. Provide that the policies, regulations, and administration of the Shoreline Master Program ensure that new uses, development, and redevelopment within the shoreline jurisdiction do not cause a net loss of shoreline ecological functions.
✓	Policy SH-7. Existing and future activities on all Shorelines of the State regulated by the City of Renton should be designed to ensure no net loss of ecological functions.
✓	Policy SH-14. Shoreline use and development should be carried out in a manner that prevents or mitigates adverse impacts so that the resulting ecological condition does not become worse than the current condition. This means ensuring no net loss of ecological functions and processes in all development and use. Permitted uses should be designed and conducted to minimize, in so far as practical, any resultant damage to the ecology and environment (RCW 90.58.020). Shoreline ecological functions that should be protected include, but are not limited to, fish and wildlife habitat, food chain support, and water temperature maintenance. Shoreline processes that shall be protected include, but are not limited to, water flow; littoral drift; erosion and accretion; infiltration; ground water recharge and discharge; sediment delivery, transport, and storage; large woody debris recruitment; organic matter input; nutrient and pathogen removal; and stream channel formation/maintenance.
B. DEVELOPMENT STANDARDS:	
The subject site where the pier will be located is classified as Shoreline High Intensity on the City of Renton Shoreline Overlay Map. The following development standards are applicable to the proposal:	
1. No Net Loss of Ecological Functions Required	

✓	<p>Shoreline use and development shall be carried out in a manner that prevents or mitigates adverse impacts to ensure no net loss of ecological functions and processes in all development and use. Permitted uses are designed and conducted to minimize, in so far as practical, any resultant damage to the ecology and environment (RCW 90.58.020). Shoreline ecological functions that shall be protected include, but are not limited to, fish and wildlife habitat, food chain support, and water temperature maintenance. Shoreline processes that shall be protected include, but are not limited to, water flow; erosion and accretion; infiltration; groundwater recharge and discharge; sediment delivery, transport, and storage; large woody debris recruitment; organic matter input; nutrient and pathogen removal; and stream channel formation/maintenance.</p> <p><i>Staff Comment: The applicant provided an addendum to the biological assessment, authored by Marine Surveys & Assessments (who also authored the biological review) stating that the project and mitigation measures and proposed plantings provide for no net loss of ecological functions and values which is consistent with the City of Renton's Shoreline Master Program.</i></p>
2. Burden on Applicant	
✓	<p>Applicants for permits have the burden of proving that the proposed development is consistent with the criteria set forth in the Shoreline Master Program and the Shoreline Management Act, including demonstrating all reasonable efforts have been taken to provide sufficient mitigation such that the activity does not result in net loss of ecological functions.</p>
3. View Obstruction and Visual Quality	
N/A	<p>View Corridors Required: Where commercial, industrial, multiple use, multi-family and/or multi-lot developments are proposed, primary structures shall provide for view corridors between buildings where views of the shoreline are available from public right-of-way or trails.</p> <p><i>Staff Comment: The proposed shared dock and associated mooring piles and boat lifts are not a primary structure and the dock would be approximately 2.5 feet above the waterline and a boat sitting on the lift bunkers at the highest point would be approximately 5 feet above the waterline.</i></p>
✓	<p>Maximum Building Height: Buildings shall be limited to a height of no more than 35 feet above average finished grade level except at specific locations.</p> <p><i>Staff Comment: The dock and boat lifts are less than 35 feet in height above the waterline as mentioned in the previous section. The dock is proposed to project waterward from the shoreline, which is a lower grade than the building pads the existing homes are built on.</i></p>
N/A	<p>Minimum Setbacks for Commercial Development Adjacent to Residential or Park Uses: All new or expanded commercial development adjacent to residential use and public parks shall provide fifteen feet setbacks from adjacent properties to attenuate proximity impacts such as noise, light and glare, and may address scale and aesthetic impacts. Fencing or landscape areas may be required to provide a visual screen.</p>

✓	<p>Lighting Requirements: Display and other exterior lighting shall be designed and operated so as to prevent glare, to avoid illuminating nearby properties used for noncommercial purposes, and to prevent hazards for public traffic. Methods of controlling spillover light include, but are not limited to, limits on the height of light structure, limits on light levels of fixtures, light shields, and screening.</p> <p><i>Staff Comment: The proposed shared dock has four dock lights, with two on either side of the dock and are not anticipated to create glare, illuminate nearby residential properties, or create hazards for public traffic. As a part of the SEPA Environmental Review, a mitigation measure was applied to the project requiring the lights to have an amber hue, which is anticipated to further reduce impacts of the lights.</i></p>
N/A	<p>Reflected Lights to Be Limited: Building surfaces on or adjacent to the water shall employ materials that limit reflected light.</p>
✓	<p>Integration and Screening of Mechanical Equipment: Building mechanical equipment shall be incorporated into building architectural features, such as pitched roofs, to the maximum extent feasible. Where mechanical equipment cannot be incorporated into architectural features, a visual screen shall be provided consistent with building exterior materials that obstructs views of such equipment.</p> <p><i>Staff Comment: Conduit containing electric wiring is proposed as part of the dock proposal. The conduit is below the walking surface grate, between the supporting stringers that the grate sits upon, which provides for the wiring to be screened from view.</i></p>
✓	<p>Visual Prominence of Freestanding Structures to Be Minimized: Facilities not incorporated into buildings including fences, piers, poles, wires, lights, and other freestanding structures shall be designed to minimize visual prominence.</p> <p><i>Staff Comment: The freestanding boat lifts on either side of the shared pier at their highest point would be below the nearby shoreline bulkhead without a boat, and below the top of the pier at the highest point without a boat.</i></p>
✓	<p>Maximum Stair and Walkway Width: Stairs and walkways located within shoreline vegetated buffers shall not exceed four feet in width; provided, that where ADA requirements apply, such facilities may be increased to six feet in width. Stairways shall conform to the existing topography to the extent feasible.</p> <p><i>Staff Comment: The existing walkway along the two properties' shared property line is 4 feet in width, is concrete, and therefore does not exceed the four foot width.</i></p>
4. Community Disturbances:	
✓	<p>Noise, odors, night lighting, water and land traffic, and other structures and activities shall be considered in the design plans and their impacts avoided or mitigated.</p> <p><i>Staff Comment: The project is not anticipated to generate noise, odors, lighting issues, or other water and land traffic disturbances beyond those that are part of water and boating</i></p>

	<p><i>related activities on the lake and that occur with a shared pier and moorage.</i></p>
<p>5. Public Access:</p>	<p>Physical or visual access to shorelines shall be incorporated in all new development when the development would either generate a demand for one or more forms of such access, would impair existing legal access opportunities or rights, or is required to meet the specific policies and regulations of the Shoreline Master Program.</p>
<p>N/A</p>	<p>Lake Washington Reach C: The potential for provision of public access from new development will occur after cleanup of the Superfund site with multi-use development, which shall include shoreline access across the entire property, with controlled access to the water's edge, consistent with requirements for vegetation conservation and ecological restoration and provisions for water-dependent use, consistent with standards of this Section. Provision of public access from future redevelopment of the Seahawks and Barbee Mill site shall include a continuous public access trail parallel to the shoreline with controlled public access balanced with provisions for ecological restoration, as well as to shared or commercial docks, consistent with standards of this Section.</p> <p><i>Staff Comment: The dock, two boatlifts, and mooring piles will not impact or reduce public access established through the Barbee Mill lumber mill clean-up and redevelopment.</i></p>
<p>6. Building and Development Location – Shoreline Orientation</p>	<p>Shoreline developments shall locate the water-dependent, water-related, and water-enjoyment portions of their developments along the shoreline. Development and use shall be designed in a manner that directs land alteration to the least sensitive portions of the site to maximize vegetation conservation; minimize impervious surfaces and runoff; protect riparian, nearshore and wetland habitats; protect wildlife and habitats; protect archaeological, historic and cultural resources; and preserve aesthetic values</p>
<p>✓</p>	<p>Location of Development: Development and use shall be designed in a manner that directs land alteration to the least sensitive portions of the site.</p> <p><i>Staff Comment: The applicant's biological habitat evaluation and related addendums provide an analysis. The location of the shared dock is at the furthest distance from May Creek as possible, which has a more sensitive shoreline designation than Lake Washington. Additionally, comments received from reviewing agencies have been integrated into the project by the applicant and provided for improved site development to reduce impacts in the shoreline and lake areas. In the initial proposal for the project, one of the boat lifts was proposed with a canopy, the boatlifts were to be installed at approximately 42 feet from the shoreline, and no trees were proposed as part of project mitigation. After receipt of comments received from reviewing agencies, the applicant revised the project. The boat lift canopy is no longer proposed. The boat lifts are now proposed 57 feet into the lake, 15 feet further than proposed. Additionally, native plantings are to be installed in closer proximity of the Lake Washington shoreline and May Creek shoreline and will include four Shore Pine trees. Based on the revised project proposal, the docks and associated boat lifts are located in the least sensitive portion of the site.</i></p>

<p>✓</p>	<p>Minimization of Site Alteration: Development shall minimize site alteration in sites with substantial unaltered natural features by applying the following criteria:</p> <p>(a) Vehicle and pedestrian circulation systems shall be designed to limit clearing, grading, and alteration of topography and natural features.</p> <p>(b) Impervious surfacing for parking lot/space areas shall be limited through the use of under-building parking or permeable surfaces where feasible.</p> <p>(c) Utilities shall share roadway and driveway corridors and rights-of-way wherever feasible.</p> <p>(d) Development shall be located and designed to avoid the need for structural shoreline stabilization over the life of the development. Exceptions may be made for the limited instances where stabilization is necessary to protect allowed uses, particularly water-dependent uses, where no alternative locations are available and no net loss of ecological functions will result.</p> <p><i>Staff Comment: Criteria "d" above is applicable to the project. The installation of the shared dock will have a physical connection with the shoreline. To help stabilize the project into the future, the project has been designed to use posts driven into the lake to support the structure with two pin piles to be driven at the beginning of the pier on the shoreline to support the landward section of the pier. It is not anticipated that the proposal would create structural destabilization in the future. Any stabilization work if required in the future, would require a shoreline permit and provide required analysis to evaluate possible impacts of ecological functions and mitigation requirements.</i></p>
<p>N/A</p>	<p>Location for Accessory Development: Accessory development or use that does not require a shoreline location shall be located outside of shoreline jurisdiction unless such development is required to serve approved water-oriented uses and/or developments or unless otherwise allowed in a High Intensity designation. When sited within shoreline jurisdiction, uses and/or developments such as parking, service buildings or areas, access roads, utilities, signs and storage of materials shall be located inland away from the land/water interface and landward of water-oriented developments and/or other approved uses unless a location closer to the water is reasonably necessary.</p>
<p>✓</p>	<p>Navigation and Recreation to Be Preserved: Shoreline uses shall not deprive other uses of reasonable access to navigable waters. Existing water-related recreation shall be preserved.</p> <p><i>Staff Comment: The proposed location is in an area of Lake Washington where navigation is limited, as the site dead-ends into a shoreline sheet pile and concrete cap and bulkhead to the east, and is in an area where other piers are located. As such, the placement of the shared pier, mooring piles, and boat lifts at this location would not result in unreasonable impacts to navigation or recreation.</i></p>
<p>7. Archaeological, Historical, and Cultural Resources:</p>	
<p>✓</p>	<p>Detailed Cultural Assessments May Be Required: The City will work with tribal, State, Federal, and other local governments as appropriate to identify significant local historical, cultural, and archaeological sites in observance of applicable State and Federal laws protecting such information from general public disclosure. Detailed cultural assessments</p>

	<p>may be required in areas with undocumented resources based on the probability of the presence of cultural resources.</p> <p><i>Staff Comment: The reviewing agency comments received as part of the SEPA review process, provided the applicant a response from the State Department of Archaeology & Historic Preservation (DAHP) that a professional archeological survey is not necessary and would probably not be useful. The Department requested that an inadvertent discovery plan be provided for the project. As part of the City's environmental review, the City has required an inadvertant discovery plan as a mitigation measure, as requested by the DAHP. The Inadvertant Archeological and Historic Resource Discovery Plan requires actions upon discovery of protected cultural material, human remains, and/or cultural material that may be protected by law.</i></p>
<p>✓</p>	<p>Coordination Encouraged: Owners of property containing identified or probable historical, cultural, or archaeological sites are encouraged to coordinate well in advance of application for development to assure that appropriate agencies such as the Washington State Department of Archaeology and Historic Preservation, affected tribes, and historic preservation groups have ample time to assess the site and identify the potential for cultural resources.</p> <p><i>Staff Comment: See comment above.</i></p>
<p>✓</p>	<p>Detailed Cultural Assessments Required: Upon receipt of application for a development in an area of known or probable cultural resources, the City shall require a site assessment by a qualified professional archaeologist or historic preservation professional and ensure review by qualified parties including the Washington State Department of Archaeology and Historic Preservation, affected tribes, and historic preservation groups.</p> <p><i>Staff Comment: See comment above.</i></p>
<p>✓</p>	<p>Work to Stop Upon Discovery: If historical, cultural, or archaeological sites or artifacts are discovered in the process of development, work on that portion of the site shall be stopped immediately, the site secured, and the find reported as soon as possible to the Administrator of the Department of Community and Economic Development or designee. Upon notification of such find, the property owner shall notify the Washington State Department of Archaeology and Historic Preservation and affected tribes. The Administrator of the Department of Community and Economic Development or designee shall provide for a site investigation by a qualified professional and may provide for avoidance, or conservation of the resources, in coordination with appropriate agencies.</p> <p><i>Staff Comment: See comment above.</i></p>
<p>✓</p>	<p>Access for Educational Purposes Encouraged: Land owners are encouraged to provide access to qualified professionals and the general public if appropriate for the purpose of public education related to a cultural resource identified on a property.</p> <p><i>Staff Comment: See comment above.</i></p>

8. Standards for Density, Setbacks, and Height – Activities Exempt from Buffers and Setbacks

The following development activities are not subject to buffers and setbacks; provided, that they are constructed and maintained in a manner that minimizes adverse impacts on shoreline ecological functions; and provided further, that they comply with all the applicable regulations in RMC Title IV.

✓	<p>Water-Dependent Development: Those portions of approved water-dependent development that require a location waterward of the OHWM of streams, rivers, lakes, ponds, marine shorelines, associated wetlands, and/or within their associated buffers.</p> <p><i>Staff Comment: The shared pier is a facility primarily for moorage and use by residents and guests of the two residential properties.</i></p>
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9. Use Regulations:

a. Boat Lifts:

✓	<p>Boat lifts are permitted outright as accessory to a residential dock, provided that all lifts are placed as far waterward as feasible and safe, and platform lifts are fully grated.</p> <p><i>Staff Comment: See the above report subsection 6. "Location of Development".</i></p>
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b. Recreation Use: Piers and Docks

✓	<p>Piers and docks shall be designed to minimize interference with the public use and enjoyment of the water surface and shoreline, nor create a hazard to navigation.</p> <p><i>Staff Comment: The proposal is a shared dock, moorage piles, and boat lifts, and being a shared facility lessens the number of docks in the water that may cause interference with the public use and enjoyment of the water. The pier, moorage pilings, and boat lifts project design is anticipated to minimize interference with the public use and enjoyment of the water and shoreline, and is not anticipated to create a hazard to navigation.</i></p>
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✓	<p>The dock or pier shall not result in the unreasonable interference with the use of adjacent docks and/or piers.</p> <p><i>Staff Comment: The project location and design is not anticipated to result in unreasonable interference with the use of adjacent docks.</i></p>
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N/A	<p>The use of floating docks in lieu of other types of docks is to be encouraged in those areas where scenic values are high and where substantial conflicts with recreational boaters and fishermen will not be created.</p>
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N/A	<p>The expansion of existing piers and docks is preferred over the construction of new.</p> <p><i>Staff Comment: The project is a shared pier and is new. The shared pier provides for two properties' use of one dock, rather than the construction of two individual piers for each property.</i></p>
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N/A	<p>The responsibility rests on the applicant to affirmatively demonstrate the need for the proposed pier or dock in his/her application for a permit, except for a dock accessory to a single family residence on an existing lot.</p> <p><i>Staff Comment: The project is a dock accessory to single family residences.</i></p>
✓	<p>All piers and docks shall result in no net loss of ecological functions. Docks, piers, and mooring buoys, including those accessory to single family residences, shall avoid, or if that is not possible, minimize and mitigate adverse impacts to shoreline ecological functions such that no net loss of ecological functions results.</p> <p><i>Staff Comment: The biological evaluation and addendum to the evaluation determines that no net loss of ecological function will result from this project's unavoidable impacts due to its water dependent use.</i></p>
N/A	<p>Over-water construction not required for moorage purposes is regulated as a recreation use.</p>
✓	<p>New or expanded piers and docks allowed for water-dependent uses shall be consistent with the following criteria.</p> <ul style="list-style-type: none"> • Water-dependent uses shall specify the specific need for over-water location and shall be restricted to the minimum size necessary to meet the needs of the proposed water-dependent use. • Water-related, water-enjoyment and multiple uses may be allowed as part of a dock or pier to serve as water-dependent use structures where they are clearly auxiliary to and in support of water-dependent uses, provided the minimum size requirement needed to meet the water-dependent use is not violated. • Public access is required over all docks utilizing public aquatic lands that serve water-dependent uses, water-enjoyment uses and multiple uses, provided it does not preclude the water-dependent use. • The dock or pier length shall not extend beyond a length necessary to provide reasonable and safe moorage. <p><i>Staff Comment: Boat moorage for the single family residences is proposed through the construction of an over-water pier, mooring piles, and boat lifts. The project impacts and coverage areas are less than the construction of two individual piers, as the project is a shared pier. The pier length does not extend beyond a length necessary to provide reasonable and safe moorage.</i></p>

Development of this project shall be undertaken pursuant to the following terms and conditions:

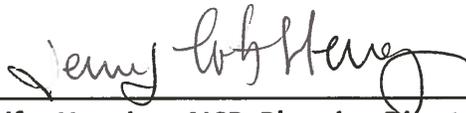
1. The applicant shall comply with the mitigation measures issued as part of the Determination of Non-Significance Mitigated, dated February 9, 2015.

This Permit is granted pursuant to the Shoreline Management Action of 1971 and pursuant to the following:

1. The issuance of a license under the Shoreline Management Act of 1971 shall not release the applicant from compliance with federal, state, and other permit requirements.
2. This permit may be rescinded pursuant to Section 14(7) of the Shoreline Management Act of 1971 in the event the permittee fails to comply with any condition(s) hereof.
3. Construction permits shall not be issued until twenty-one (21) days after approval by the Washington State Department of Ecology or until any review proceedings initiated within this twenty-one (21) day review period have been completed.

DATE OF DECISION ON LAND USE ACTION:

SIGNATURE:



Jennifer Henning, AICP, Planning Director
Department of Community & Economic Development

3/4/2015
Date

APPEALS: Appeals of Shoreline Substantial Development Permit issuance must be made directly to the Shorelines Hearings Board. Appeals are made by filing a request in writing within the twenty-one (21) days of receipt of the final order and concurrently filing copies of such request with the Washington State Department of Ecology and the Attorney General's office as provided in section 18(1) of the Shorelines Management Act of 1971. All copies of appeal notices shall also be filed with the City of Renton Planning Division and the City Clerk's office.

RECONSIDERATION: Within 14 days of the decision date, any party may request that the decision be reopened by the approval body. The approval body may modify his decision if material evidence not readily discoverable prior to the original decision is found or if he finds there was misrepresentation of fact. After review of the reconsideration request, if the approval body finds sufficient evidence to amend the original decision, there will be no further extension of the appeal period. Any person wishing to take further action must file a formal appeal within the 14-day appeal time frame.

EXPIRATION: Unless a different time period is specified in the shoreline permit as authorized by RCW 90.58.143 and subsection J1 of RMC 4-9-190, construction activities, or a use or activity, for which a permit has been granted pursuant to this Master Program must be commenced within two (2) years of the effective date of a shoreline permit, or the shoreline permit shall terminate, and a new permit shall be necessary. However, the Planning Division may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed with the Planning Division before the expiration date, and notice of the proposed extension is given to parties of record and the Washington State Department of Ecology. **DEFINITION OF COMMENCEMENT OF CONSTRUCTION ACTIVITIES:** the construction applications must be submitted, permits must be

DATE OF PERMIT: March 4, 2015

Page 14 of 14

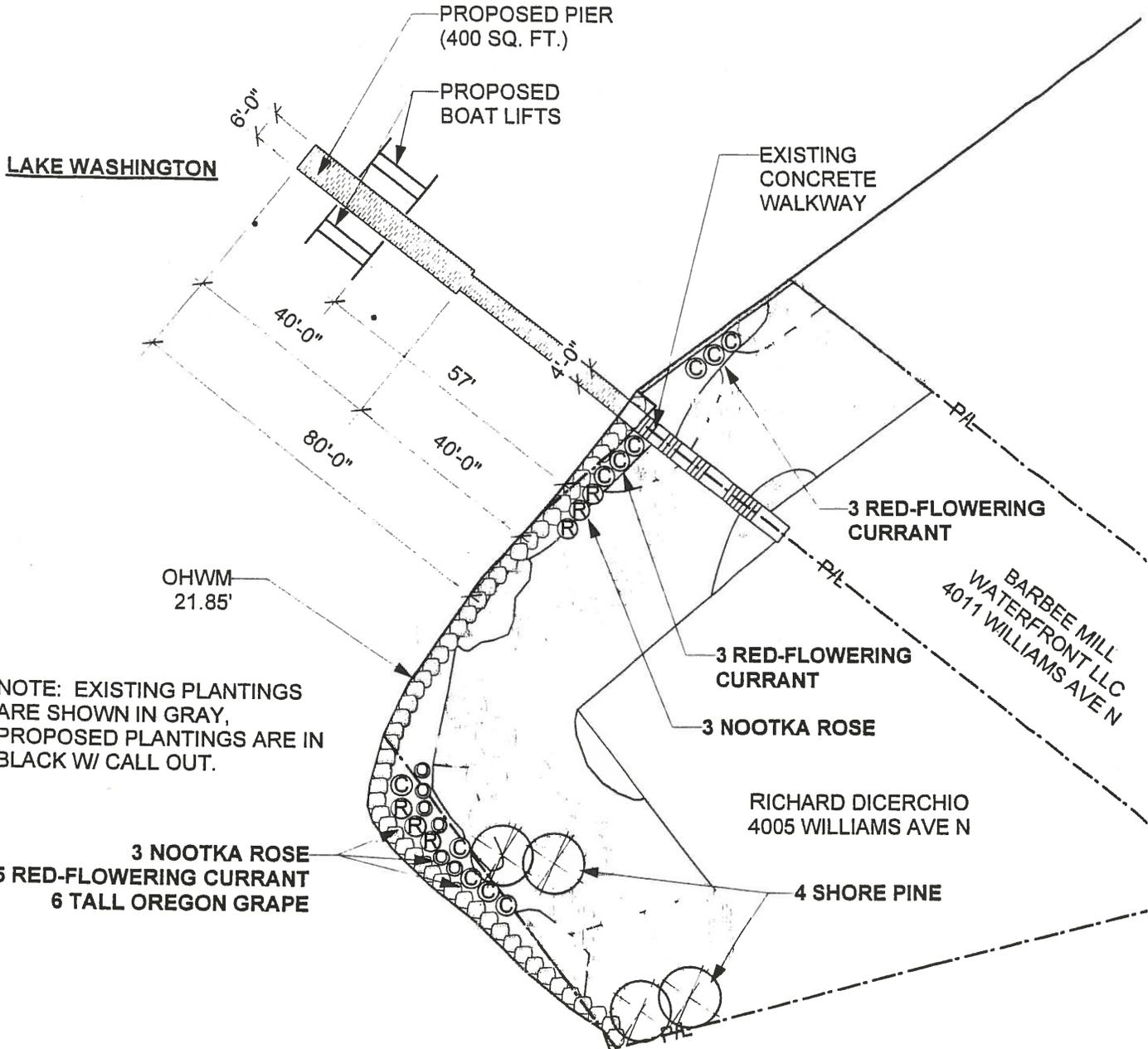
issued, and foundation inspections must be completed before the end of the two (2) year period.

Exhibits/Attachments:

- DiCerchio Joint Use Pier Plan Sheet, Sheets A1.0 and A2.0, prepared by Ecco Design, dated revision November 11, 2014.
- Planting Plan, prepared by Ecco Design

cc:

Office of Attorney General
Karen Walter, Muckleshoot Indian Tribe Fisheries Dept.
Vanessa Dolbee, Current Planning Manager
Barbee Mill Community Organization; c/o Shirley Ely – Morris Management Inc
Richard DiCerchio/Owner
Barbee Mill Waterfront LLC/
Evan Wehr, Ecco Design Inc/Applicant/Contact
Patti Klink; Vivian Roach, DNR; Lynda Priddy, EPA/ Party(ies) of Record



NOTE: EXISTING PLANTINGS ARE SHOWN IN GRAY, PROPOSED PLANTINGS ARE IN BLACK W/ CALL OUT.

PLANTING PLAN

SCALE 1" = 20'-0"



PROPOSED PLANT COUNT
 RED-FLOWERING CURRANT - 11 TOTAL
 NOOTKA ROSE - 6 TOTAL
 TALL OREGON GRAPE - 6 TOTAL
 SHORE PINE - 4 TOTAL