



City of Bainbridge Island

Department of Planning & Community Development
280 Madison Avenue North, Bainbridge Island, WA 98110

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NOTICE OF ADMINISTRATIVE DECISION

The City of Bainbridge Island has made a decision concerning the following land use application:

Date of Issuance: July 31, 2020
Project Name & Number: Kirkland SSDE PLN50453A SSDE
Project Type: Shoreline Substantial Development Exemption
Owner: Casey Kirkland
Project Site & Tax Parcel: 11411 BLUE HERON LN NE, TA#08250240492002

Project Description: Replace existing single-family solid surfaced residential dock that currently grounds out at low tide in the same footprint. Total overwater length is 164': 8 x 10' pier, 4' x 50' fully grated aluminum ramp, 4' x 100' floating dock system, 10' x 30' moorage float. All supported by 5, 10" galvanized steel piling; 2 existing piling supporting the pier will remain. New floats will be suspended above the substrate by 12 stub piling, and floats will be grated. Remove 34' of rock bulkhead for mitigation.

Project Decision: The application is **conditionally approved**. This proposal is subject to administrative review under Chapter 2.16.030 of the Bainbridge Island Municipal Code. The staff report containing the findings of facts upon which the decision is based, including the conclusions of law derived from those facts and the conditions of approval, is available to the public upon request. **The decision becomes final after 14 days from the date of issuance, or after August 14, 2020.**

Decision Maker:

Signature: Heather Wright Date: July 31, 2020
Heather Wright
Director of Planning and Community Development

Appeal Procedure:

This administrative decision may be appealed by filing a written appeal containing a summary of grounds for the appeal and paying a \$530.00 filing fee to the City Clerk at 280 Madison Avenue North, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 2.16.020. **An appeal must be filed no later than 4:00 p.m., August 14, 2020.**

If you have any questions, contact:

Annie Hillier

Department of Planning & Community Development

280 Madison Avenue North

Bainbridge Island, WA 98110

206-780-3773 or pcd@bainbridgewa.gov

Conditions of Approval

1. All work must be in substantial compliance with the SSDE application materials (received August 7, 2019, and additional information received June 22, 2020).
2. A building permit is required prior to the start of any construction.
3. Activities to be undertaken as part of this permit require approvals or permits from the Washington Department of Fish and Wildlife and US Army Corps of Engineers prior to building permit issuance. Evidence of required approvals shall be provided in the building permit application.
4. All in-water and over-water installation and construction activities shall adhere to any authorized work windows established by the Washington Department of Fish and Wildlife provisions found in WAC 220-660-330 and as specified in the LOP issued by the US Army Corps of Engineers.
5. The submitted geotechnical assessment (Cobalt Geosciences, May 2020) satisfies the Step 1 and Step 2 requirements. The final construction plan set, submitted with the building permit, shall be consistent with the findings of the geotechnical assessment, or further review by the City shall be required.
6. An indemnification or hold harmless agreement shall be required for all projects in geologically hazardous areas and buffers. The form of the agreement shall be approved by the City and executed prior to the commencement of construction or site alteration.
7. Shoreline uses and activities shall apply Best Management Practices (BMP's) to minimize any increase in surface runoff and to control, treat and release surface water runoff so that receiving properties, receiving waters, wetlands or streams, and are not adversely affected, consistent with the City's adopted Stormwater Management Manual.
8. Issuance of a building permit shall require the project to demonstrate that it meets Minimum Requirement 2 (Erosion Control) in accordance with the City's adopted stormwater manual. The applicant shall prepare and submit a construction Stormwater Pollution Prevention Plan (SWPPP) to COBI prior to any permitted activities including demo, construction, or overwater work. COBI Form B109D or an equivalent document that covers the 13 basic elements of construction erosion control as published in the Washington Department of Ecology Stormwater Management Manual for Western Washington (SWMMWW, 2012 amended in 2014). An issued Hydraulic Project Approval (HPA) may satisfy this condition if imposed HPA conditions reasonably apply to any upland disturbances anticipated on the project. If so, this shall be explicitly noted in the building permit application which includes the HPA.
9. Piles, floats, or other components in direct contact with water shall not be treated or coated with biocides such as paint or pentachlorophenol.
10. The grating on the floating pier shall have 60% open area, or shall otherwise achieve a total open area of at least 30%. At least 50% of the surface area of the floats must be grated. These calculations shall be provided with the

building permit (e.g. 50% of surface area x 60% open area). If 30% total open area cannot be achieved, detailed information shall be submitted with the building permit application for further review for compliance with the SMP.

11. Pilings must be located 40' apart in forage fish spawning areas. The applicant revised the proposal to meet this requirement, which is depicted on the revised elevations sheet. The building permit shall reflect this requirement.
12. All construction activities shall comply with noise limitations in residential zones per BIMC 16.16.020.
13. Materials removed from the project site as a part of the project shall be disposed of at an appropriate upland location.
14. Any use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property in a manner that violates the terms or conditions of this exemption shall be considered a violation of the Bainbridge Island Shoreline Master Program and be subject to the applicable violations, enforcement and penalties provisions of the Program.