

WSSA Critique of Bellevue SMP Open House

Washington Sensible Shorelines Assoc. has prepared the following critique of Bellevue's draft SMP regulations as portrayed by staff at the April 20, 2011 City Open House. WSSA notes a number of discrepancies and clarifications.

Click one of these topics and "jump" to that section -

[Exist Docks](#)

[Existing Development](#)

[New Development](#)

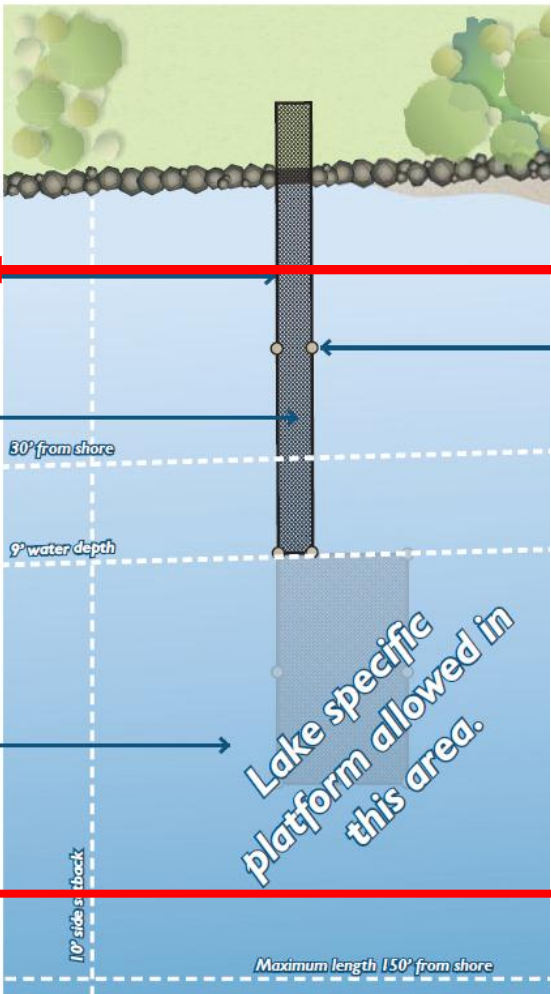
[Existing Bulkheads](#)

[New Bulkheads](#)

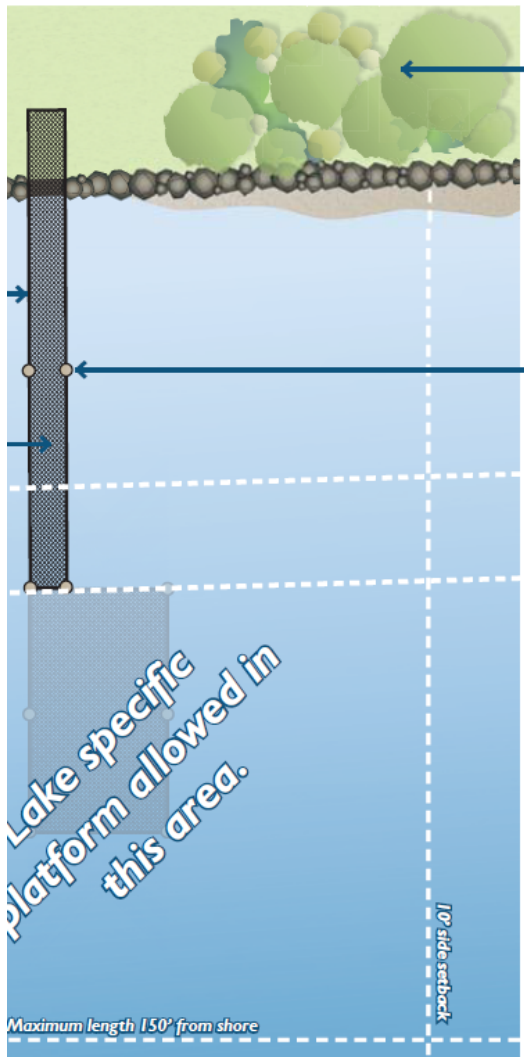
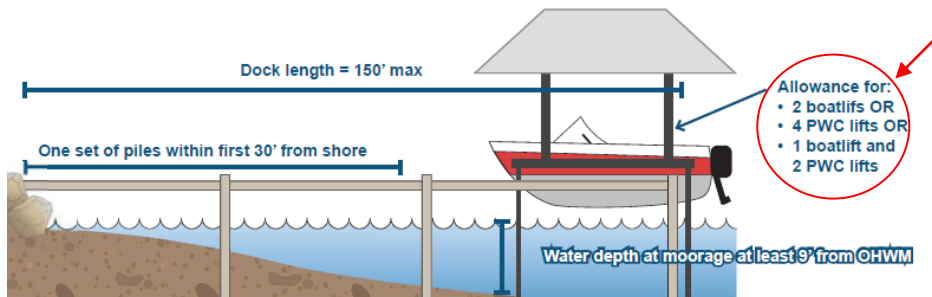
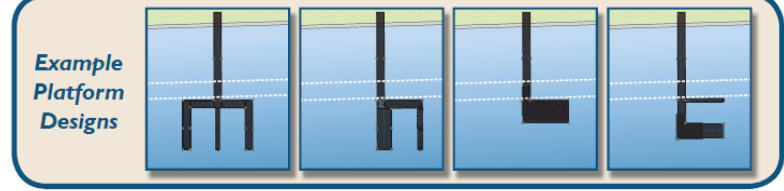
[Phantom Lake](#)

[OHWM \(Ord. High Water\)](#)

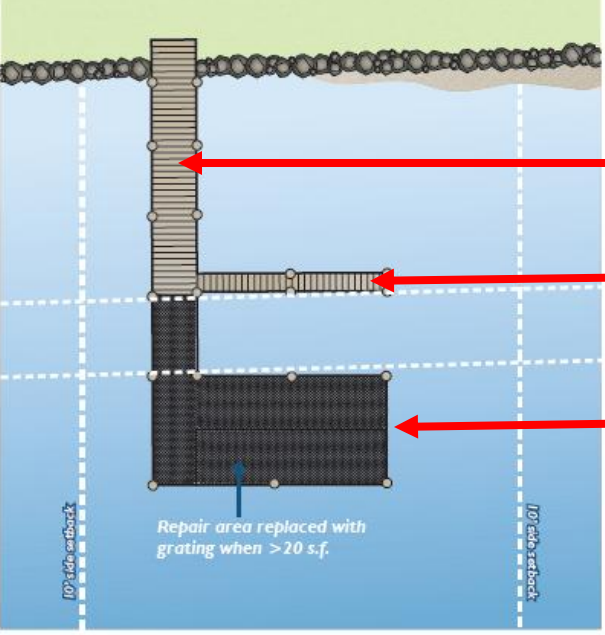
[Newport Shores](#)

City Display	WSSA Critique
<p>New Docks</p> <p style="text-align: center;">Overview Statement -></p>	<p>WSSA's position on docks is that – (a) the City should leave dock regulation to State and Federal agencies that have jurisdiction. (Duplication is not necessary and would be costly), and (b) the City does not have the expertise to design safe docks. (The applicant's dock specialist and higher agencies should work out the design.)</p>
<div style="display: flex;"> <div style="flex: 1; padding-right: 10px;"> <p>Walkway: Length: Greater of 30' from OHWM or 9' water depth Width: 4'</p> <p>Note: Can increase width up to 6' total if platform area is reduced by 2:1 ratio</p> <p>Example: For every 1' of walkway and corresponding walkway area, twice as much platform area must be reduced.</p> </div> <div style="flex: 2;">  <p>The diagram illustrates a dock structure extending from a shoreline. Key features include: <ul style="list-style-type: none"> Walkway: A narrow strip at the shore end, with a red arrow pointing to its width. Decking: A wider section labeled 'Grated', with a blue arrow pointing to it. Moorage Platform: The largest section, with a blue arrow pointing to it. Measurements: '30' from shore' (dashed line), '9' water depth' (dashed line), '10' side setback' (dashed line), and 'Maximum length 150' from shore' (dashed line). Annotations: A red arrow points from the 'Walkway' note to the walkway. A red arrow points from the 'Note' about platform area to the moorage platform. A blue arrow points from the 'Lake specific platform allowed in this area.' text to the moorage platform. </p> </div> </div>	<p>Practical considerations may prevent adherence to these as local standards, and</p> <p>These requirements are not prescribed by State and Federal agencies.</p> <p>This statement conflicts with the opening statement above. Further, 5 ft is a minimum safe walkway and a call for 3 ft is more than unreasonable and reflects a lack of understanding of safe design.</p>

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City Display	WSSA Critique
<p>New Docks - Continued</p>  <p>Required Mitigation Options:</p> <ul style="list-style-type: none"> • Vegetation along shore • Augment beach with gravel / sand and emergent vegetation • Replace >15' hard armoring with soft armoring • Plant double the vegetation in alternate location <p>Piling: Walkway = 8" max Platform = 12" max One set w/in first 30'</p> <p>Don't miss this! Proposed draft standards allow property owners to configure moorage platform to meet their user needs. An overall square footage limitation is specified rather than precise dimensions for platform length and width.</p> <p>Lake specific platform allowed in this area.</p> <p>Maximum length 150' from shore</p> <p>10' side setback</p>	<p>The last two options have not been justified on any documented scientific basis and weather-related conditions on all Bellevue lakes make soft armoring suspect. Is this why the City will require a waiver of liability?</p> <p>These are regulated by higher agencies and Bellevue should not include these in their SMP.</p> <p>BUT, the City has no jurisdiction over the location of boat moorage locations. So why does the City specify ...</p>
 <p>Dock length = 150' max</p> <p>One set of piles within first 30' from shore</p> <p>Water depth at moorage at least 9' from OHWM</p> <p>Allowance for: • 2 boatlifts OR • 4 PWC lifts OR • 1 boatlift and 2 PWC lifts</p>	<p>... the applicant must choose between: 2 boatlifts or 4 watercraft lifts or 1 boatlift and 2 watercraft lifts. No basis has been provided for this.</p> <p>Not shown here are restrictions that the lower edge of the canopy <u>must be 8 ft above high water!</u></p>
<p>Example Platform Designs</p> 	<p>The intent is that boat propellers not be aimed at the shoreline and stir up sediment. Again, the City has no jurisdiction of moorage locations.</p>

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City Display	WSSA Critique
Existing Docks - Repair	
<p style="text-align: center;">Overview Statement -></p>	<p>WSSA's position on docks is that – (a) the City should leave dock regulation to State and Federal agencies that have jurisdiction. (Duplication is not necessary and would be costly), and (b) the City does not have the expertise to design safe docks. (The applicant's dock specialist and higher agencies should work out the design.)</p>
<div style="border: 1px solid black; padding: 10px; margin-bottom: 10px;"> <p>Standards for Dock Repair / Maintenance: The proposed draft identifies the following activities as repair and maintenance:</p> <ul style="list-style-type: none"> • Repair / replacement of 100% of decking • Repair / replacement of 100% of substructure • Repair (cutting, splicing, capping) of 100% of piling • Replacement of up to 50% of piles (note: cumulative over 3 year period) <p>» Grated decking required for repair of decking >20 s.f.</p> </div> <div style="border: 1px solid black; padding: 10px;"> <p>Don't miss this! For example, on an existing dock with 20 piles: up to 10 piles may be replaced, the remaining 10 spliced or capped, all decking and substructure replaced, and the entire surface grated.</p> </div>	<p>Two messages are not made clear in this definition of "maintenance" (1) if the activity isn't considered repair, then the rules for NEW docks apply, and (2) the fine print limits the owner to an unreasonable 20 square feet for routine maintenance!</p> <p>Important to note here - (1) The configuration of existing pilings and stringers may not accommodate grated decking, (2) a professional may be needed to determine what's feasible, and (3) new steel piles may be needed. So 30 s.f. of deteriorated boards could lead to a \$100K new dock.</p>
 <p>The diagram shows an 'F' shaped dock structure. A vertical section is labeled '10' side setback' on both sides. A horizontal section extending from the vertical one is labeled 'A finger pier (usually very narrow)'. The main rectangular base of the 'F' is labeled 'The main platform or moorage area.' and 'Repair area replaced with grating when > 20 s.f.' with an arrow pointing to a shaded area. Another label '10' side setback' is on the right side of the main platform.</p>	<p>This diagram is useful to help understand some terms:</p> <p>This is the "pier" or walkway area.</p> <p>A finger pier (usually very narrow)</p> <p>The main platform or moorage area.</p> <p>This diagram construes all docks are constructed with an "F" configuration. This is not true.</p>

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City Display

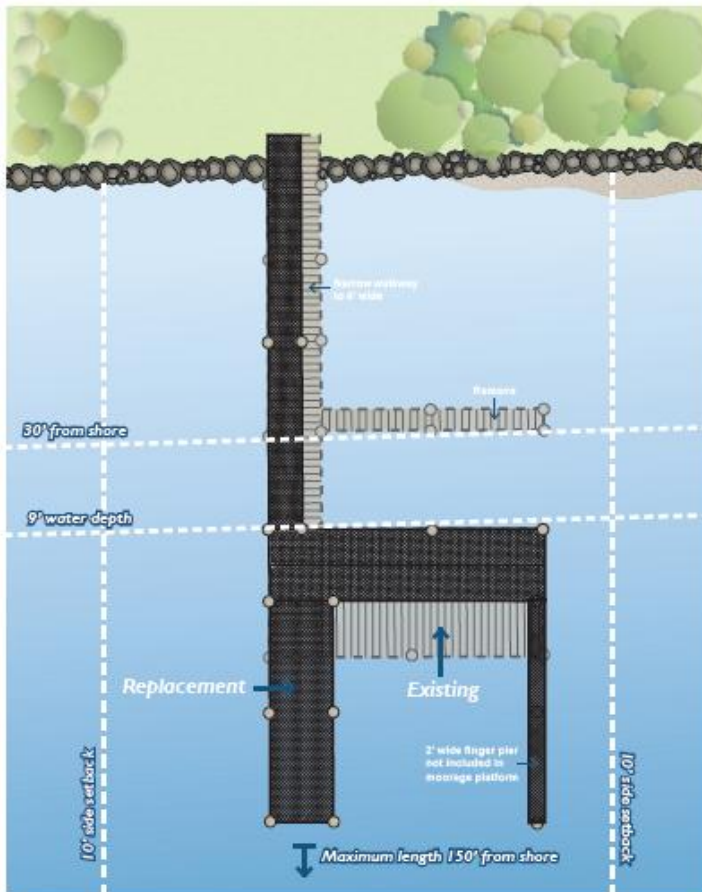
WSSA Critique

Existing Docks - Replacement

Here is a clearer summary:
Applicants are told to –

- narrow the pier to an unsafe 4 ft (elsewhere 3 ft is stipulated)
- remove the finger pier,
- stay away 10 ft or more from neighboring properties,
- extend the walkway at least 30 ft from shore OR reach a depth of 9 ft of water, but
- don't extend more than 150 ft from shore, and
- reduce the platform to a size staff believes “fits” each lake (WA = 350 s.f., Samm. = 250 s.f., PL = 100 s.f. including pier)

We ask other practical questions below...



Standards for Dock Replacement:

Walkway:

- Length = greater of 30' from OHWM or 9' water depth
- Width = 4' (Note: can increase width up to 6' total if platform area is reduced by 2:1 ratio)

Moorage Platform:

- May be equal to existing platform area or maximum allowed for new dock, whichever is greater.

Decking:

- Must be grated

Piling:

- One set within first 30'
- Walkway = 8" max; Platform = 12" max
- » Mitigation: four options to meet standard

Some practical questions –

If reaching 30 ft has the pilings in 20-30 ft of water, will the dock be stable?

Why does one need to “buy-back” a safe width of walkway by reducing ones moorage platform?

Has it been established that this pile arrangement will be stable?

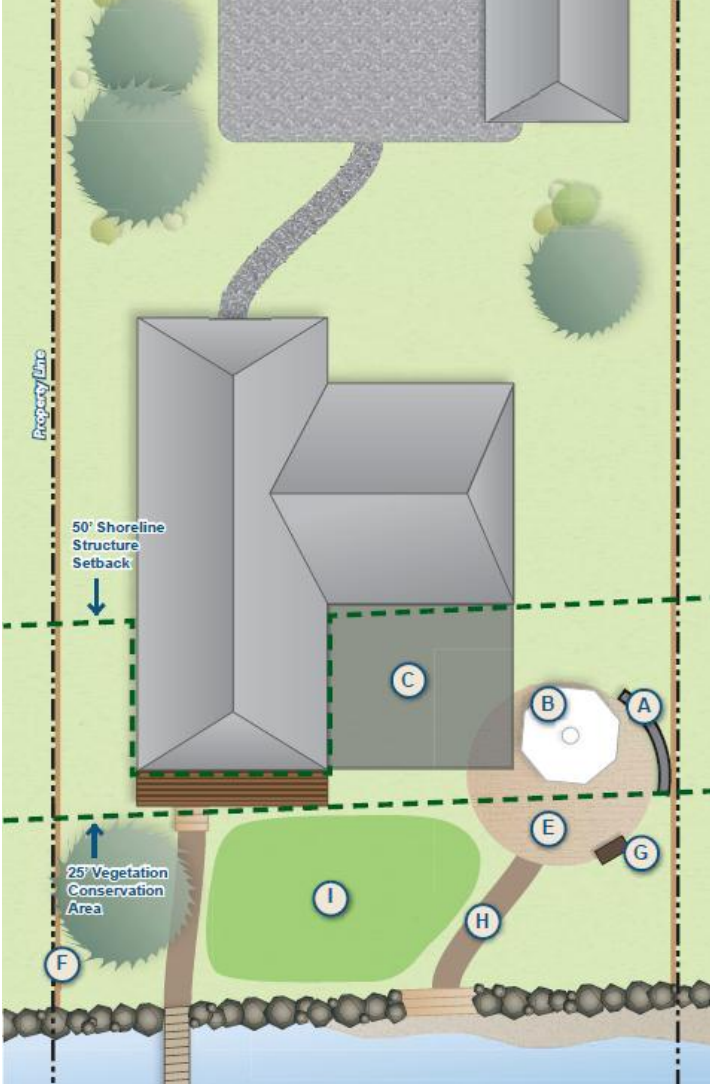
NOTE – mitigation options were not defined.

... but what other actions will be required of the applicant?

Who does these reports and at what cost?

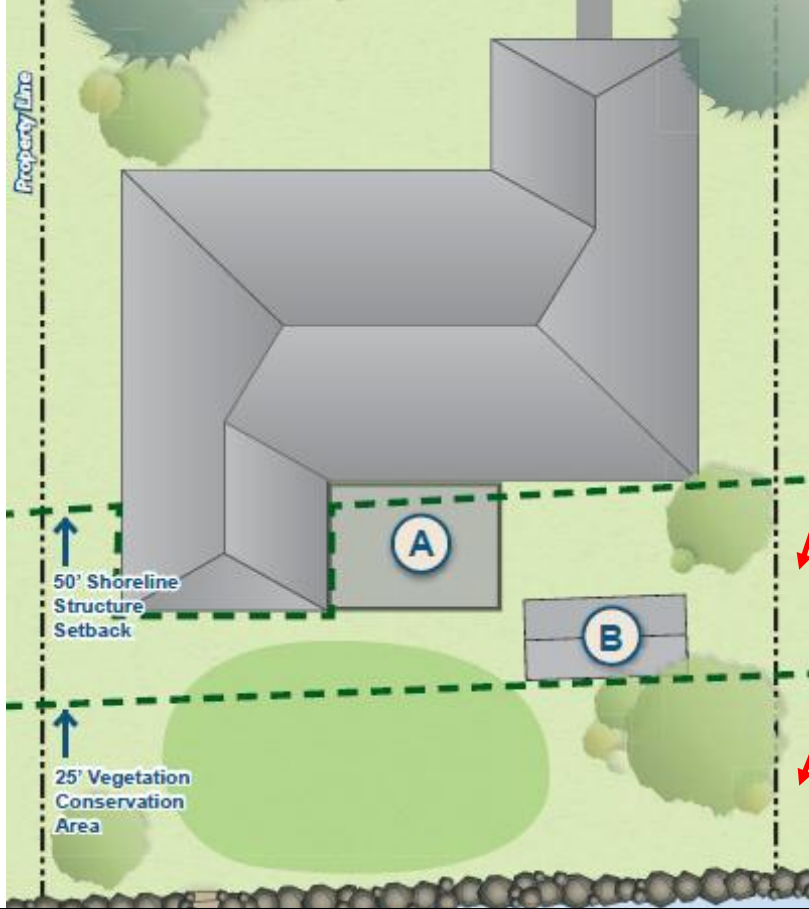
Don't miss this!

- Existing moorage platform size does not need to change when dock is rebuilt and reconfigured.
- Alternative designs to the prescriptive standard are considered through a Special Shorelines Report.

City Display	WSSA Critique
<p data-bbox="94 142 626 174">Existing Development – Exempt Actions</p>  <div data-bbox="110 1270 597 1915" style="border: 1px solid black; border-radius: 10px; padding: 10px; background-color: #f9f9f9;"> <p data-bbox="142 1297 462 1329"><i>Add these to your property:</i></p> <ul style="list-style-type: none"> <li data-bbox="142 1339 495 1371">Ⓐ Retaining wall < 30" high <li data-bbox="142 1381 527 1413">Ⓑ 200 s.f. accessory structure <li data-bbox="142 1423 381 1455">Ⓒ 500 s.f. addition <li data-bbox="142 1465 495 1570">Ⓓ Impervious surface up to 25% of setback (not to exceed 1000 sq. ft.) <li data-bbox="142 1581 527 1675">Ⓔ New pervious hardscape up to 40% of the Vegetation Conservation Area <li data-bbox="142 1686 251 1717">Ⓕ Fence <li data-bbox="142 1728 430 1759">Ⓖ Barbeque or fire pit <li data-bbox="142 1770 544 1833">Ⓗ Landscape features such as fountains, statues, and stairs <li data-bbox="142 1843 535 1875">Ⓘ Landscaping including lawn </div>	<p data-bbox="1047 184 1453 499">Although staff recommends “carving out” existing homes that are 25 to 50 ft from water’s edge, the increase in setback to 50 ft (from 25 ft established 1974) will increase to 40% the number of properties being “regulated”. Yet, there has been no justification for doing the increase.</p> <p data-bbox="1047 541 1469 678">Many affected structures will be declared non-conforming. Non-conformance carries with it serious consequences.</p> <p data-bbox="1047 720 1461 961">When combined, these factors point to increased restrictions, increased costs, and diminishing value of shoreline properties. Add in the City’s goal of acquiring 20% of the shore for public use, and conflict of interest comes to mind.</p> <p data-bbox="1047 1003 1437 1213">WSSA is also concerned with the intent to carve out 60% of the shore for conservation buffers restricted to native plants with permits/bonds required to maintain them.</p>
<p data-bbox="613 1900 852 1932" style="text-align: right;">CONTINUED BELOW</p>	<p data-bbox="1047 1264 1453 1327">A – Retaining walls closer to shore will be subject to regulation.</p> <p data-bbox="1047 1369 1461 1474">B – Code states accessory structure changes require onerous setback reduction options.</p> <p data-bbox="1047 1516 1437 1621">C – Additions must be <u>lateral</u> or else requires a setback reduction option.</p> <p data-bbox="1047 1663 1461 1768">D – Impervious surface includes dwelling expansion. Over 1000 s.f. triggers additional regulations.</p> <p data-bbox="1047 1810 1461 1873">E – 40%’s arbitrary. Engineering & bond required to assure ‘pervious’.</p> <p data-bbox="1047 1915 1437 1978">F – Fences allowed only to 25 ft from shoreline; thus are useless.</p>

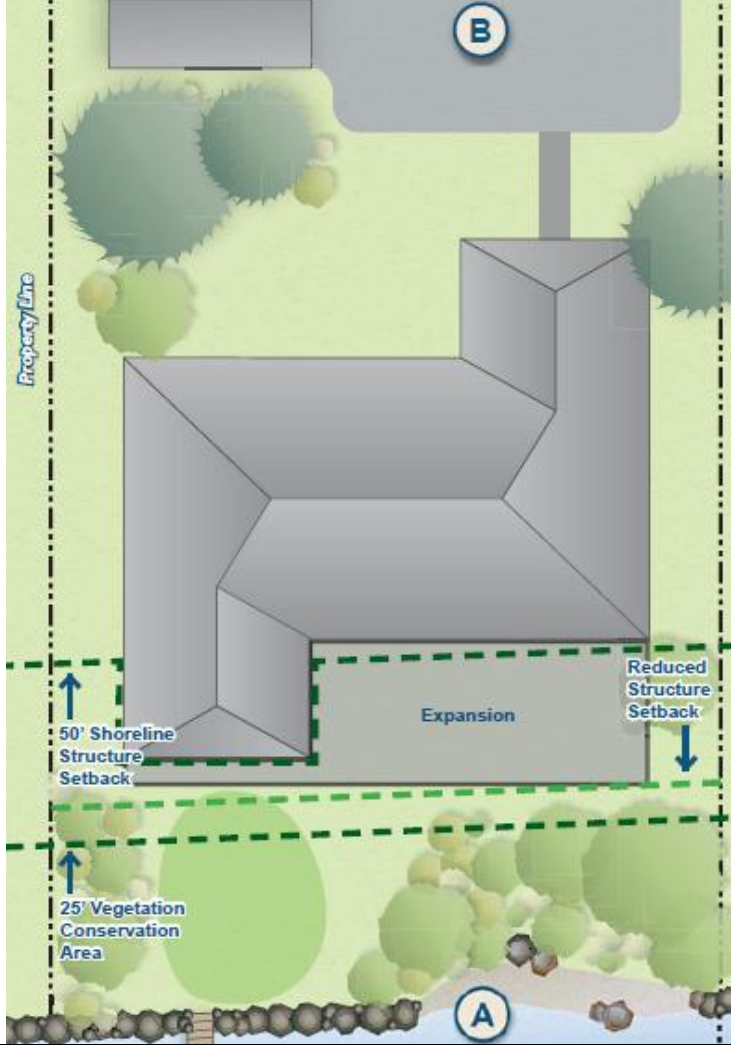
City Display	WSSA Critique
Existing Development – Exempt Actions - Continued	
<p>50' Shoreline Structure Setback</p> <p>25' Vegetation Conservation Area</p>	<p>Comments are the same as on the previous display.</p>
<p>Example Maintenance Activities</p> <ul style="list-style-type: none"> • Add landscaping and remove existing ornamental shrubs or groundcover • Maintain lawn by mowing, sod replacement and other natural lawncare practices • Install lawn in area of existing landscaping • Update your plumbing or electrical systems • Paint existing structures 	<p>Routine maintenance is allowed if: (1) consistently carried out, (2) ornamentals predominate over native/invasive species, (3) hand tools and hand labor are used. Mowing is OK. HOWEVER! If repair will exceed 50% of the replacement value, entire property must comply with SMP regulations (i.e., new development standards will apply).</p>
<p>Don't miss this!</p> <p>Footprint exception: even when a structure is located within the shoreline structure setback, but outside the Vegetation Conservation Area, it can be rebuilt in the same footprint without triggering additional requirements.</p>	<p>But, this punishes those who've not been able to afford to do a complete re-build of their residence.</p>

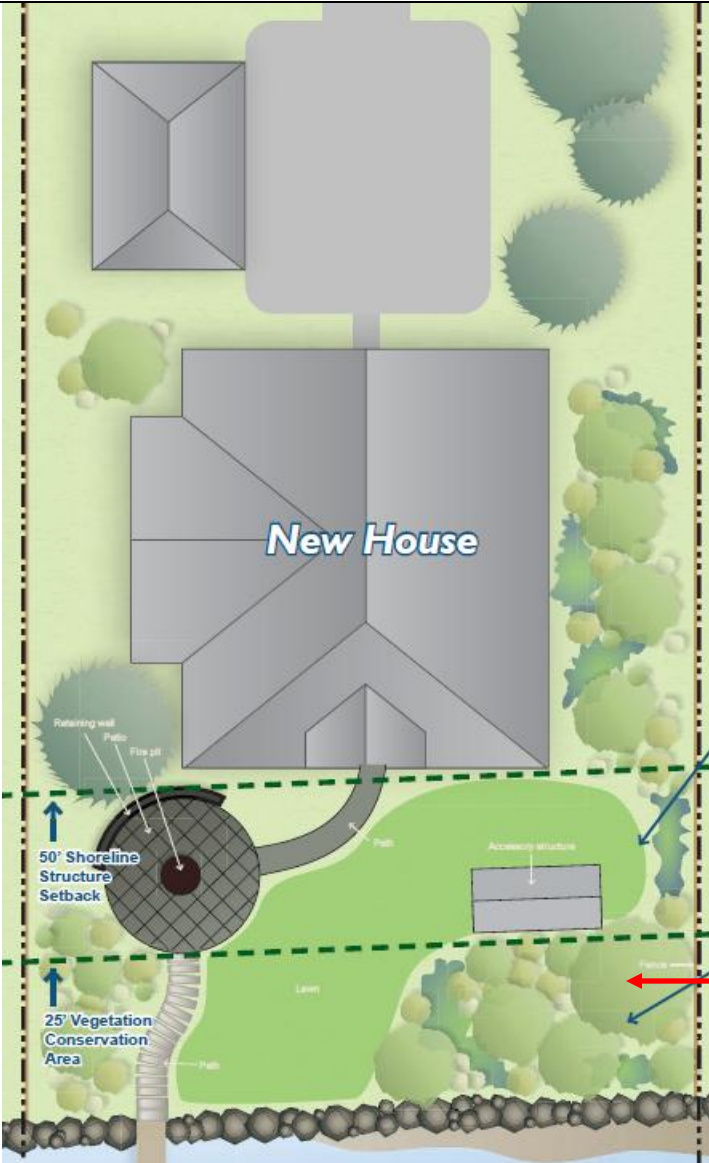
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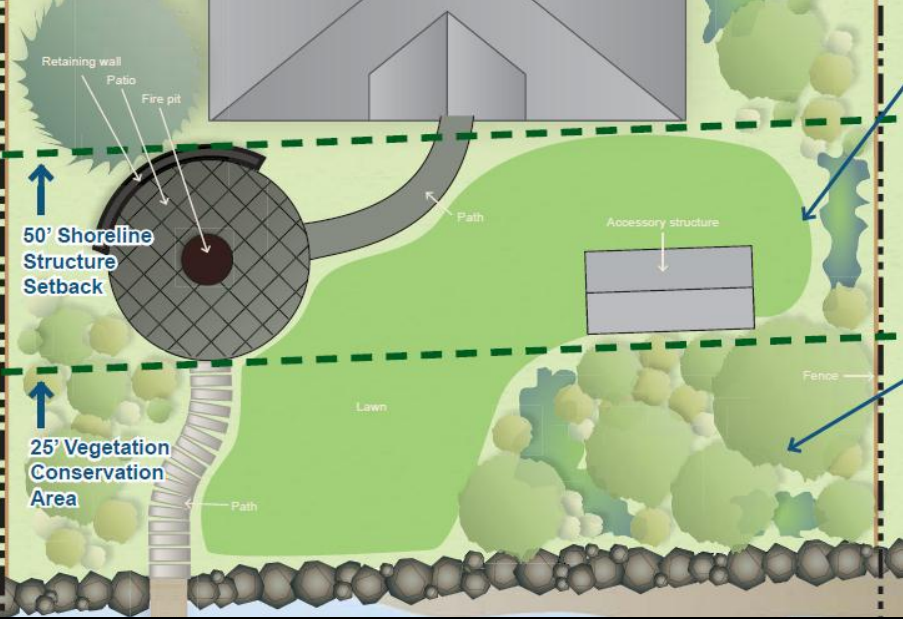
City Display	WSSA Critique
Existing Development – Allowed Expansion	
	<p>Building Setback - Since 1974 properties have been developed using a total setback of 25 ft. No scientifically established reason has been provided to extend that value by adding a 25 ft. restricted activity area.</p> <p>VCA – or Vegetation Conservation Areas were previously termed “buffers” and would impose severe restrictions on the property. Note - this may carry long term implications under tightened State regulations - such as more deed restrictions, more maintenance, or other restriction of property rights. WSSA opposes buffers under any pseudonym. They have not been justified. The existing 25 ft setback should be retained.</p>
<p>A 500 s.f. expansion into structure setback, parallel to existing building line</p> <p>B 200 s.f. of accessory structures</p> <ul style="list-style-type: none"> » City-wide tree preservation standard » Retain existing native vegetation in Vegetation Conservation Area » No additional mitigation 	<p>No rationale has been provided for these thresholds. NOTE: the activity MUST be beyond the 25 ft. Conservation Area. They cannot be placed within the first 25 ft.</p>
<p>Don't miss this! Additional allowances within shoreline setback for hardscape, landscape features and minor building elements like decks and bay windows.</p>	

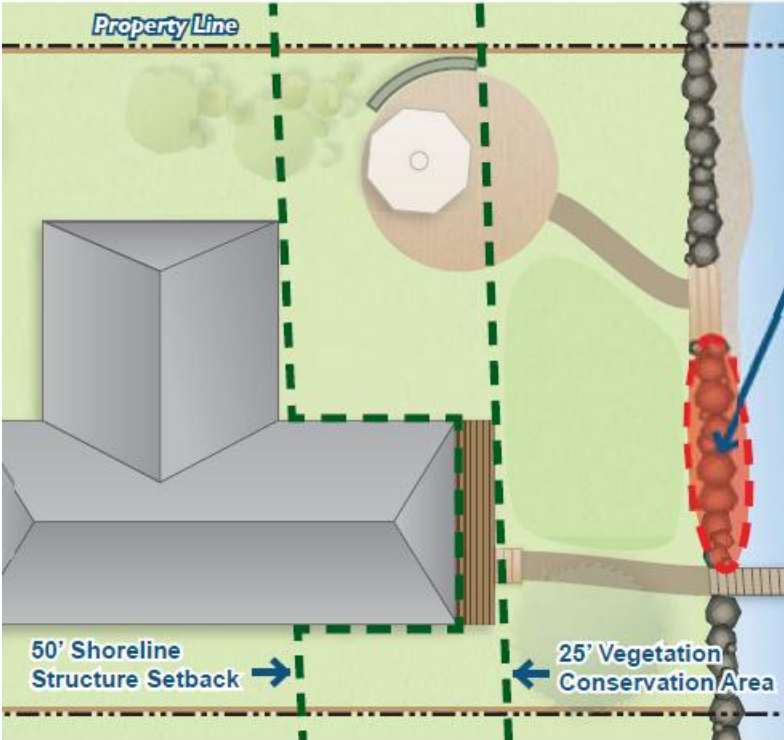
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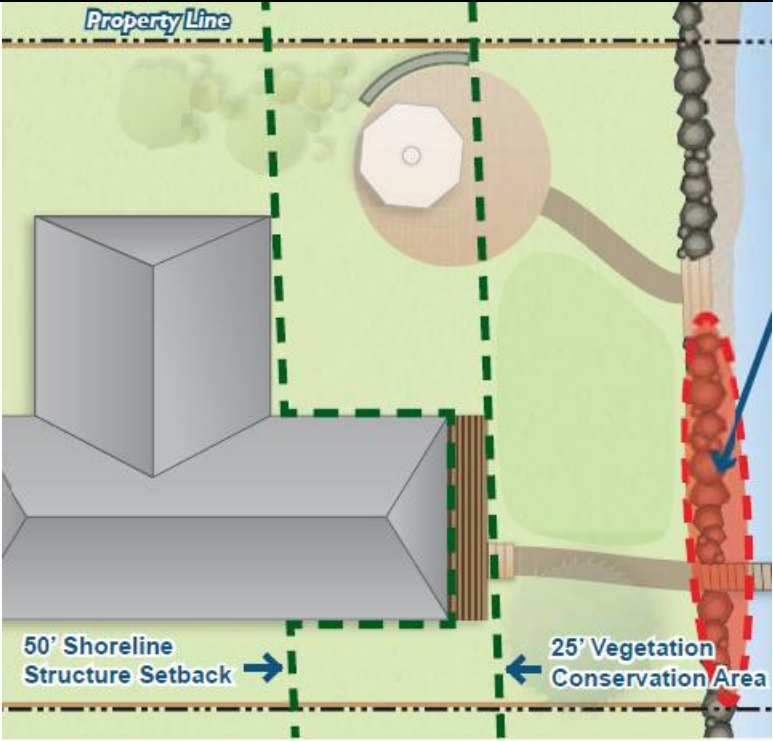
City Display	WSSA Critique
Existing Development –Expansion With Setback Reduction	
	<p>To modify a parcel and move closer to the water, City staff offers 10 unrealistic options to do so. They raise practical questions -</p> <p>Would one willingly remove ones' bulkhead to move closer to an unprotected shoreline?</p> <p>Would opening a "piped" stream have it declared potential salmon habitat (i.e., a critical area)?</p> <p>How practical is converting 1000 s.f. of driveway to pervious surface?</p> <p>How reasonable is it to require dedication (on one's title) of an additional 20% of the parcel as a native vegetation preserve?</p> <p>Would anyone be willing to sign a release of City liability AND record these restrictions and maintenance obligations in perpetuity on their property title?</p>
<ul style="list-style-type: none"> • Menu Option: suite of 10 options for mitigation <ul style="list-style-type: none"> (A) Option 2: Use of natural or soft stabilized shoreline for >15' (B) Option 5: Use of >1000 s.f. of pervious material in parking and driveways • Special Shorelines Report for alternative mitigation • Additional standards <ul style="list-style-type: none"> » City-wide tree preservation standard » Retain existing native vegetation in Vegetation Conservation Area » Proportional landscaping standard 	<p>Attendees found that the Open House "options" minimized other onerous regulatory requirements.</p> <p>Each of the items shown is overly simplified here. Much stricter rules, controlling plants and trees on the entire parcel, are proposed; including required use of hand tools and hand labor.</p>
<p>Don't miss this!</p> <p>When a site doesn't contain shoreline stabilization, the menu option allows a reduction of the shoreline setback to a total of 25 feet.</p>	<p>But, staff doesn't mention they'll require replacement of 60% of the shoreline with a deed restricted, "no touch" native vegetation buffer including tall trees.</p>

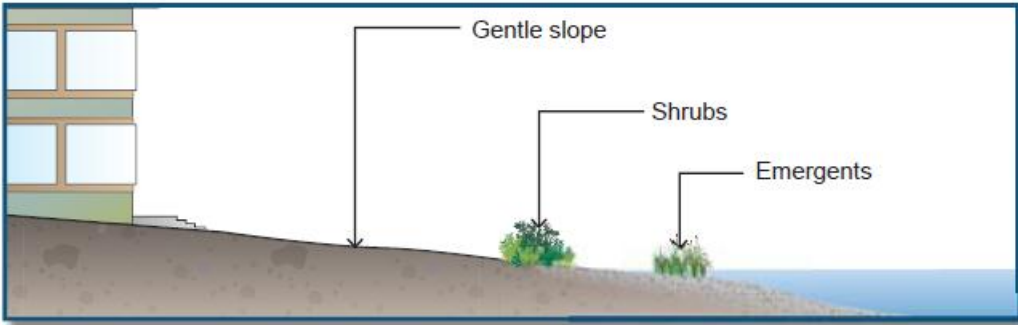
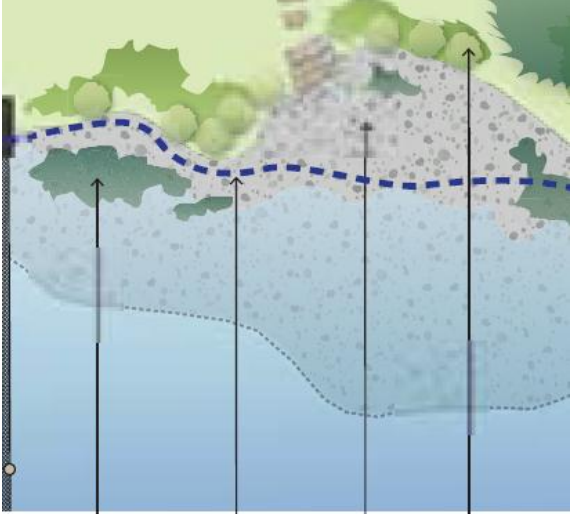
City Display	WSSA Critique
<p data-bbox="94 212 350 243">New Development</p>  <p>The diagram illustrates a proposed 'New House' development. It shows a large house with a driveway and a retaining wall. A '50' Shoreline Structure Setback' is indicated by a dashed line. A '25' Vegetation Conservation Area' is shown as a green area with trees. A 'Pile pit' is marked near the retaining wall. A 'Path' leads from the house to the shoreline. An 'Access structure' is shown near the shoreline. A 'Lawn' area is also depicted. Red arrows point from the critique text to the diagram, highlighting non-compliance with proposed rules.</p>	<p data-bbox="1045 285 1448 359">What restrictions would there be?</p> <p data-bbox="1045 401 1159 432">Answer:</p> <p data-bbox="1045 443 1398 474">You will need to locate to -</p> <ul data-bbox="1045 485 1448 705" style="list-style-type: none"> - avoid need for a bulkhead - avoid proximity to shore - minimize topographic change - dedicate 60% VCA on shore - plant native vegetation & trees <p data-bbox="1045 747 1377 779">AND, you will need to. . .</p> <p data-bbox="1045 789 1182 821">Agree to –</p> <ul data-bbox="1045 831 1419 1052" style="list-style-type: none"> - a maintenance bond - record VCA on title - replace trees at 3:1 ratio - leave trimmings for habitat - use only hand tools & hand labor. <p data-bbox="1045 1104 1463 1325">This diagram does not comply with the proposed rules. The planted areas cannot be split as shown here and these are tall trees, blocking views, and they will be prone to toppling.</p>
<p data-bbox="107 1404 607 1509">Draft standards for new construction:</p> <p data-bbox="126 1514 691 1545">Shoreline structure setback = 50 feet</p> <div data-bbox="159 1549 704 1724"> <ul style="list-style-type: none"> » Landscaping standard: plant 60% of Vegetation Conservation Area » City-wide tree preservation standard » Retain existing native vegetation in Vegetation Conservation Area </div> <p data-bbox="126 1734 610 1776">Setback may be reduced using:</p> <ul style="list-style-type: none"> » Menu options » Special Shoreline Report » Variance <p data-bbox="94 1892 334 1923">CONTINUED BELOW</p>	<p data-bbox="1045 1472 1442 1629">These sites should be allowed to develop without unjustified setbacks and burdensome vegetation requirements.</p> <p data-bbox="1045 1787 1435 1902">More time and money! Requires Dept of Ecology approval, which rarely occurs.</p>

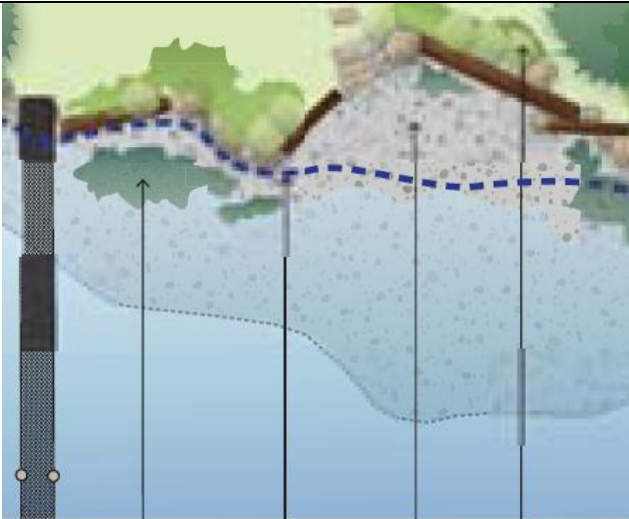
City Display	WSSA Critique
<p>New Development - Continued</p>	
 <p>The diagram illustrates a shoreline property layout. At the top, a house is shown with a patio and a fire pit. A dashed green line indicates a 50' Shoreline Structure Setback. Below this, a large circular feature, possibly a fire pit or patio, is shown. A path leads from the house to this feature. To the right, an accessory structure is shown. A dashed green line indicates a 25' Vegetation Conservation Area. Below this, a lawn is shown. A path leads from the lawn to the accessory structure. A fence is shown along the shoreline. The shoreline is represented by a rocky beach area at the bottom.</p>	<p>New development on vacant lots and tear downs should not be penalized. Development compatible with that existing in shoreline neighborhoods should be allowed and encouraged, not penalized. To do otherwise will result in incompatible uses, force hardship and costs onto the property owner, and result in reduced attractiveness of these parcels.</p>
<p>Setback beyond Vegetation Conservation Area:</p> <ul style="list-style-type: none"> • Hardscape surfaces up to 25% of total area, but no greater than 1,000 s.f. • Retaining walls less than 30" high • Fire/BBQ pits • Landscape features including fences, fountains, statues, walkways, and stairs • Minor building elements • Accessory structures totalling 200 s.f. <p>Vegetation Conservation Area (first 25'):</p> <ul style="list-style-type: none"> • Up to 40% new pervious patios, walkways, and decks • Fence on property lines • Fire/BBQ pits • Landscape features including fountains, statues, and stairs • Landscaping, including lawn 	<p>Any impervious surface constraints should be equivalent to but not exceed those imposed on all neighborhoods.</p> <p>There has been no rationale offered for a 40% limit, if there should be any limit at all...</p> <p>Fences must be kept 25 ft from shore & thus of limited value.</p> <p>...but don't forget, these are part of YOUR 40%</p>

City Display	WSSA Critique
Existing Stabilization – Minor Repair	
	<p>WSSA's position is that the City's action in <u>restricting or requiring removal of stabilization</u> will have serious unintended consequences. Our lakes have been "urbanized". Bulkheads have been used for protection and water levels are managed by systems such as the locks on Lake WA and weirs (small dams) on the other lakes. <u>Water levels have not been properly managed and this doubles the need to retain conventional stabilization.</u></p>
<div data-bbox="94 1018 852 1108" style="border: 2px dashed red; border-radius: 15px; padding: 5px; text-align: center;"> Area of repair < 50% of total length </div> <div data-bbox="97 1134 844 1648" style="border: 1px solid blue; border-radius: 15px; padding: 10px; margin-top: 10px;"> <ul style="list-style-type: none"> • Allow minor repair of legally established structures • May be repaired or reconstructed up to 50% of the linear length within a 3-year period • No expansion of height is authorized under repair provisions • Failed structures may not be repaired under these provisions </div>	<p>More restrictive than state requirements, the owner must prove their bulkhead was legally established.</p> <p>"50% & 3 yr" threshold is arbitrary AND under SMP law, replacement is an acceptable form of repair.</p> <p>Failure may be caused by poorly managed water levels or natural events beyond resident control. Therefore, complete replacement should be allowed as provided by law.</p>

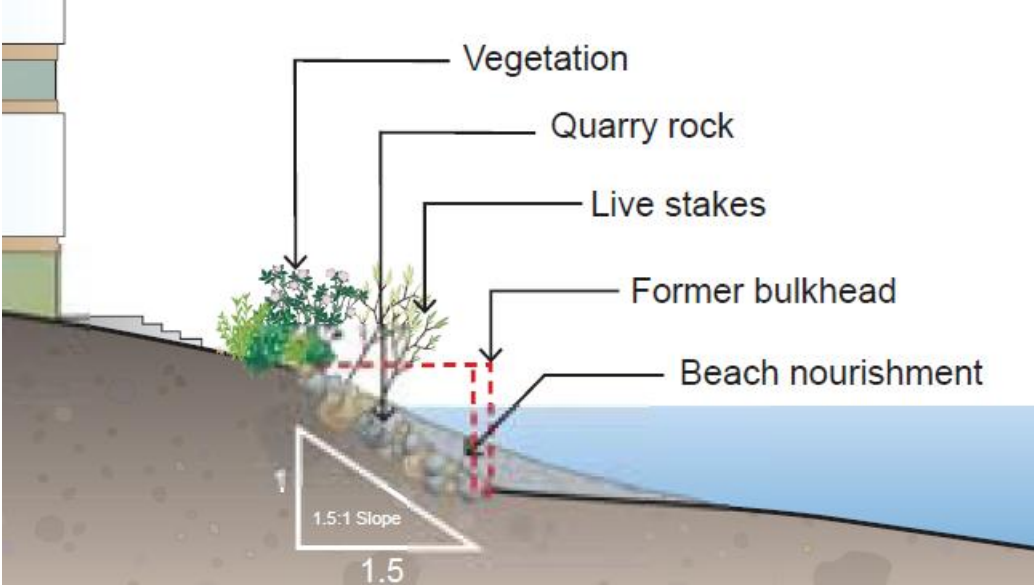
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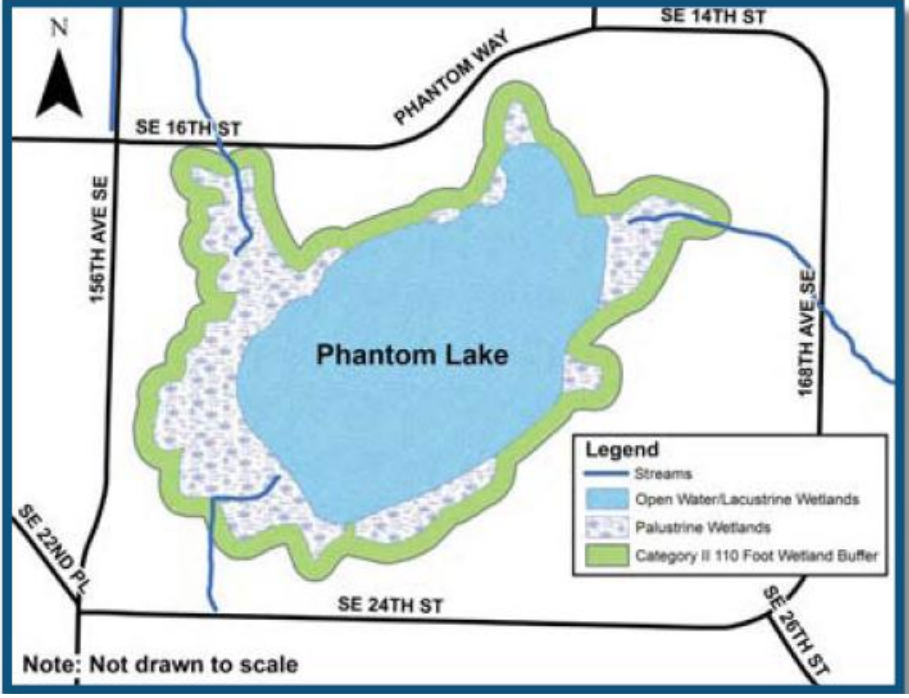
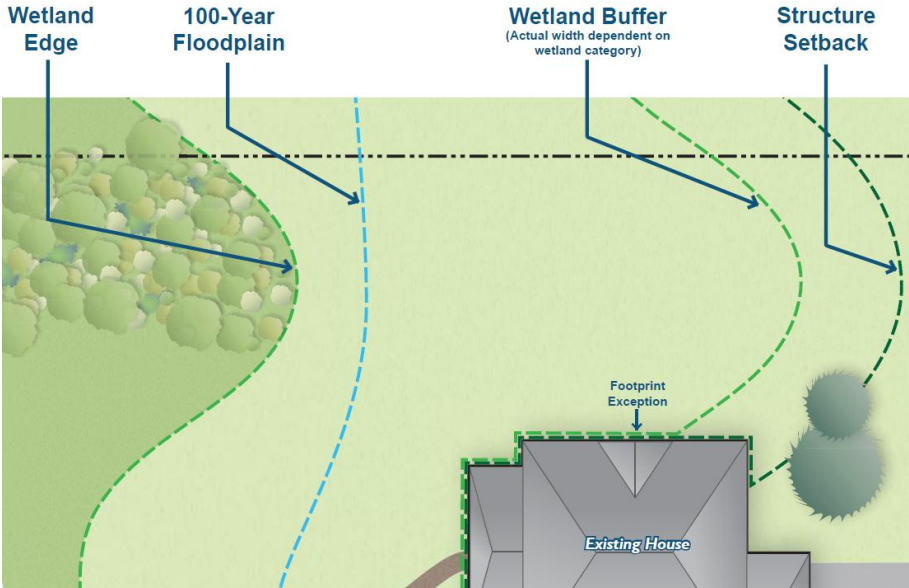
City Display	WSSA Critique
<p data-bbox="94 212 571 243">Existing Stabilization – Major Repair</p> 	<p data-bbox="1047 247 1469 667">City staff has modified State code to declare repair of more than 50% of existing bulkheads a full replacement. This would construe them as “New”. Next, staff modified State guidelines and would restrict new bulkheads only to those absolutely needed to protect existing homes, not other property features.</p> <p data-bbox="1047 699 1469 1039">Staffs’ code also complicates the permit process for new bulkhead approval. One must (thru consultants) demonstrate that hierarchies of “soft-to-hard” stabilization measures are “not technically feasible” before being allowed more protective structural methods.</p>
<div data-bbox="99 1058 850 1157" style="border: 2px dashed red; border-radius: 15px; padding: 10px; text-align: center;"> <p data-bbox="175 1089 764 1131">Area of repair > 50% of total length</p> </div> <div data-bbox="99 1188 850 1604" style="border: 1px solid blue; border-radius: 15px; padding: 10px; margin-top: 10px;"> <ul data-bbox="139 1209 812 1583" style="list-style-type: none"> <li data-bbox="139 1209 812 1339">• Reconstruction or replacement of more than 50% of the linear length of the stabilization over a 3-year period <li data-bbox="139 1360 812 1583">• Major repairs are treated as new stabilization and must adopt a soft or green solution unless hard stabilization is demonstrated to be necessary </div>	<p data-bbox="1047 1087 1469 1388">WSSA believes staff has been overly restrictive and that State code allows that “An <u>existing</u> shoreline stabilization structure <u>may be replaced</u> with a similar structure... (and) ‘replacement’ means the <u>construction of a new structure</u>”.</p>
<p data-bbox="99 1619 358 1656">Don’t miss this!</p> <p data-bbox="99 1661 886 1753">Repair is major when stabilization measure has collapsed, eroded or otherwise demonstrated a loss of structural integrity which jeopardizes its erosion protection function.</p>	<p data-bbox="1047 1619 1469 1688">See comments above. They apply equally here.</p>

City Display	WSSA Critique
New Stabilization – “ Avoidance ” – Vegetation Option	
 <p>Gentle slope</p> <p>Shrubs</p> <p>Emergents</p>	<p>Applicants for new or replacement bulkheads would need to prove none of the following actions are feasible before staff would approve their use!</p>
Action – Install plants to help reduce erosion and improve habitat.	
<p>New Stabilization – “Avoidance Not Feasible” –Option 1 - Bioengineering</p> <p>Increasing level of stabilization allowed when avoidance or lesser form of stabilization is not feasible. A determination of feasible alternatives shall consider the following Factors: Slope, Ability to Mitigate, Wave height, Nearshore Depth, Fetch, Wind Direction, Risk to Structure, Cost.</p>	<p>An expensive, complex report and permit process will be required of the applicant costing from \$7500 to \$15,000!</p>
Slope contouring, Beach nourishment, and Plantings	
 <p>OHWM</p> <p>Emergent vegetation</p> <p>Gravel</p> <p>Shrubs</p>	<p>Even the federal government recognizes that soft stabilization will not work with high wave and wind conditions found on our lakes.</p>
<p>Feasibility Study</p> <p>Required to demonstrate avoidance or soft approach is infeasible. Hard stabilization is not allowed when avoidance or soft approach is possible.</p> <p>CONTINUED BELOW</p>	<p>Unnecessary and extremely expensive. Leaves interpretation to staff.</p>

City Display	WSSA Critique
<p>New Stabilization – “Avoidance Not Feasible” – Option 2 – Rock & Wood</p> <p>Action – Place semi-natural arrangements of rock and wood, with transition to neighbors bulkheads.</p>	<p>See comments above. They apply equally here.</p>
 <p>The diagram illustrates a cross-section of a shoreline stabilization project. On the left, a vertical bulkhead structure is shown. To its right, a dashed blue line indicates the Ordinary High Water Mark (OHWM). Further right, a semi-natural arrangement of rock and wood is depicted. Labels with arrows point to specific features: 'Emergent vegetation' points to a green plant near the bulkhead; 'OHWM' points to the dashed blue line; 'Gravel' points to a light-colored, textured area; and 'Shrubs' points to a darker, textured area further right.</p>	
<p>New Stabilization – “Avoidance Not Feasible” – Option 3 – Rigid Structure</p> <p>Action: Place semi-natural arrangements of rock and wood, with greater rigidity to protect primary structure and adjacent properties. (Including logs)</p>	
<p>Feasibility Study</p> <p>Required to demonstrate avoidance or soft approach is infeasible. Hard stabilization is not allowed when avoidance or soft approach is possible.</p>	<p>See comments above. They apply equally here.</p>

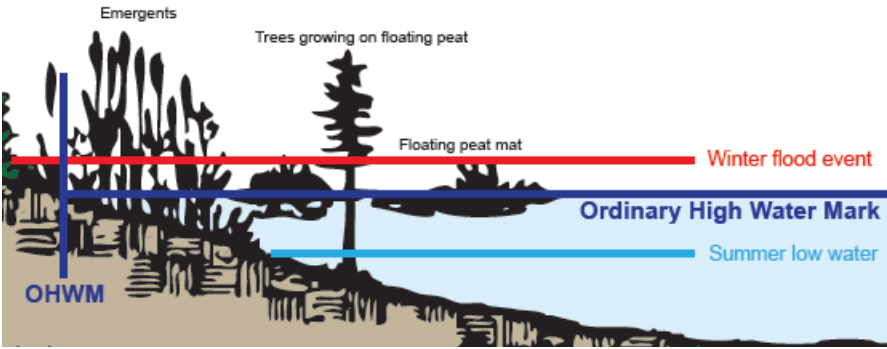
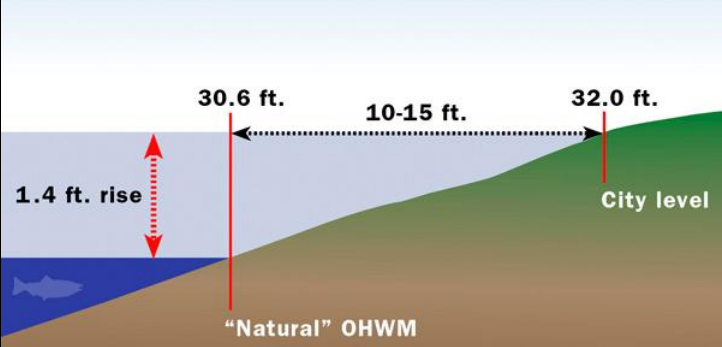
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City Display	WSSA Critique
<p>New Stabilization – “Avoidance Not Feasible” – Hard Stabilization Options 4, 5, and 6</p> <p>Action – Place sloped bulkhead varying the design depending on site conditions and location of dwelling.</p>	<p>See comments above. They apply equally here.</p>
 <p>The diagram illustrates a coastal stabilization design. It shows a cross-section of a shoreline with a building on the left. A sloped bulkhead is shown with various stabilization elements: Vegetation (represented by green bushes and trees), Quarry rock (represented by grey rocks), Live stakes (represented by thin vertical lines), a Former bulkhead (indicated by a dashed red line), and Beach nourishment (represented by a sandy area). A 1.5:1 slope triangle is shown with a horizontal base of 1.5 and a vertical height of 1.5.</p>	<p>Staff proposes 3 “slope scenarios” in order of priority. The owner must prove (thru consultants) that a scenario is “technically not feasible” before allowed to consider the next level of protection.</p> <p>WSSA asks:</p> <p>Have these scenarios been prepared by qualified hydrologic professionals and tested under the extreme conditions that occur along Bellevue shorelines?</p>
<p>3:1 Slope Shallow-sloped bulkhead paired with some bioengineering elements.</p> <p>2:1 Slope Modest-sloped bulkhead with narrow vegetation enhancement at toe or top of bulkhead.</p> <p>1.5:1 Slope Traditional bulkhead at sites with a primary structure $\leq 10'$ from OHWM.</p>	<p>Finally, before construction of the stabilization method is allowed, owners are required to:</p> <ol style="list-style-type: none"> 1) a sign Release of Liability w/ the City, and 2) record against their Title the permanence of the stabilization measure selected.
<p>A mix of hard and soft stabilization techniques may be used on different portions of the same property.</p>	

City Display	WSSA Critique
<p>Phantom Lake</p> <p><i>Don't miss this!</i> Critical areas standards generally apply in lieu of additional shoreline regulations.</p>  <p>Note: Not drawn to scale</p>	<p>This announcement says it all ! Staff would take advantage of mismanagement of Phantom Lake to designate its surrounding properties as critical areas.</p> <p>By taking advantage of State laws which declare wetlands to be critical, the City would side step its culpability that nurtured wetland-like conditions unnaturally onto lakeside parcels. This has occurred in part because of the City's failure to abide by easement agreements to maintain lake outflow.</p> <p>With planned expansion of neighboring Eastgate, and no assurance additional storm water will be directed elsewhere, nearly all residents have signed petitions urging a more reasoned treatment in the SMP.</p>
	<p>This diagram provides information necessary to understand the impacts to PL residents. (Note: the lake is off to the left margin) The <u>wetlands</u> have crept higher on properties. Complicating this is the <u>floodplain</u> extending even higher, but even <u>more important</u>, most property owners would find they're confronted with an even deeper <u>wetland buffer</u> (100 ft or more). Add to this the structure setback (20 ft) and many, many residences will be declared non-conforming; perhaps unable to secure insurance.</p>

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City Display	WSSA Critique
Phantom Lake - Continued	
<div data-bbox="94 212 1015 571" data-label="Image"> <p>The diagram illustrates a shoreline area with a lake on the left. A brown dock structure extends from the shore. A label '4' wide' points to the dock's width, and 'Max. length 100'' indicates its length. To the right, an 'Existing House' is shown with a dashed green line indicating a 'Footprint Exception' area.</p> </div> <div data-bbox="105 604 966 1459" data-label="List-Group"> <ul style="list-style-type: none"> • No Shoreline Setback <ul style="list-style-type: none"> ○ Wetland/floodplain regulation in critical areas overlay district 20.25H applies ○ Structures may be placed closer to lake through buffer averaging and/or critical areas modification when not in floodplain ○ Maintenance of existing landscaping and landscape features allowed ○ City-wide tree preservation standard applies • Unique dock standards <ul style="list-style-type: none"> ○ Max size = 250 s.f. ○ Walkway: width = 4' and length = 100' ○ No moorage platform ○ Floating docks permitted • Shoreline stabilization <ul style="list-style-type: none"> ○ When legally established, may be maintained and repaired ○ New stabilization allowed when located outside floodplain and need demonstrated </div>	<p>Comments above apply. In addition -</p> <ul style="list-style-type: none"> - Most parcels will be limited by a floodplain level that has been coerced artificially higher! - Trees will be prone to decay and must be replaced at a ratio of 3:1. Meanwhile, homeowners accept the risk of them falling. <p>These limits are unacceptable, especially since Phantom Lake harbors no endangered species of fish. Unlike other lakes, PL docks are limited to 250 s.f. including the walkway.</p> <p>Stabilization design will require geotechnical studies and engineering design.</p>

City Display	WSSA Critique
<p>Ordinary High Water Mark (OHWM)</p>  <p>How is the OHWM used?</p> <ul style="list-style-type: none"> • To determine the extent of shoreline jurisdiction • To determine the location for shoreline armoring Note: City requires a site-specific determination by a qualified professional • To determine the extent of a structure setback Note: On Lake Sammamish, an applicant chooses to use either: <ol style="list-style-type: none"> 1. Standard elevation of 31.8 feet (NAVD 88) 2. Site-specific determination by a qualified professional <p>Lake Sammamish OHWM Study</p> <ul style="list-style-type: none"> • Study conducted at the request of citizens • Focused to establish standard elevation from which to measure structure setbacks • Used statistical verification to aid decision <ul style="list-style-type: none"> ○ Ensures with 95% confidence that the shoreline setback for any proposed development would not be measured from a point waterward of the true (physical/biological) OHWM for that specific site 	<p>This diagram attempts to say that the OHWM is identified by a change from water tolerant vegetation to plants that cannot survive in wet conditions.</p> <p>“Jurisdiction” is everything 200 ft upland from the OHWM</p> <p>This discussion is for Lake Sammamish.</p> <p>An elevation of 31.8 feet is not justified as described elsewhere.</p> <p>The City study is no longer valid since it’s been shown the lake water level has not been managed as stipulated by the Corps of Engineers. 30.6 ft is their standard</p> <p>This “statistical trickery’s” end result, as shown below, is an additional shift of the OHWM higher on properties by 10 or more feet.</p>
	<p>WSSA’s diagram on the left depicts how an arbitrary OHWM (some 1.4 ft above valid levels) would force applicants to build 10, 15, or more feet away from shore than is necessary.</p>

City Display	WSSA Critique
Newport Shores – Residential Canal	
	<p>Stipulating a 25 ft setback, rather than the 50 ft on other lakes, has not been justified. Properties on the other lakes with bulkheads face even harsher conditions than this neighborhood and should not be regulated differently. All shorelines should carry the same setbacks. No substantive information has justified otherwise.</p>
<ul style="list-style-type: none"> • Shoreline structure setback = 25' <ul style="list-style-type: none"> ○ Vegetation Conservation Area = 35% of 25' setback area ○ Development allowed in remaining 65% of the 25' structure setback <ul style="list-style-type: none"> » City-wide tree preservation standard applies » Retain all significant trees in setback • Setback reduction <ul style="list-style-type: none"> ○ Variance only • Docks <ul style="list-style-type: none"> ○ Max size = 100 s.f. ○ Length = 10' from bulkhead ○ Walkways prohibited ○ Grated surface ○ Mitigation options 	