



Memorandum

Date: October 24, 2008
To: City of Sammamish Planning Commission
From: Kamuron Gurol, Community Development Director
Re: Deliberations: Public Review Draft Shoreline Master Program Update

Background: As requested by the Planning Commission, the staff have prepared a packet which presents the comments received since the publication of the Public Review Draft Shoreline Master Program Update on September 25, 2008. These comments have come to us in the form of emails, phone calls, comment forms, hand-delivery, and verbal testimony at the October 16, 2008 Public Hearing with the Planning Commission. As additional comments are received, we will make additions or amendments to this packet after the hearing scheduled for October 30th.

Format: This packet is organized so that the Commission can view the comments in the *Public Review Draft – Comment Matrix Post-Publication* by subject (ie. docks, water quality, etc.) or number (ie. PD-1, PD-2, etc) and then refer to the actual comments included in the packet. The comment number is indicated at the top of each comment page. Some citizens provided quantities of information that are too large to attach to this packet, so those materials are filed at City Hall, also by the comment number found in the matrix. Discussion items that will need more consideration by the Commission are indicated with an asterisk in the right hand column. [I have yet to do this].

Summary of Comments: The Planning Commission and Staff received a total of 57 comments from 20 people (five of which were planning commissioners). There appeared to be an even distribution of comments across the following topics, however the issues of dock size/numbers and property values appeared to be a concern of a higher number of people. The following provides a list of the comment types in the order in which they were received, not in the order of their frequency or importance. The number of 'ticks' indicates their frequency:

- 1) Want Higher Lake Health or More Application of LID II
- 2) Wants a Better Process III
- 3) Impervious Surface Requirements Too Strict II
- 4) Shoreline Docks and Moorage Facilities Sizes and Number Too Strict IIIII
- 5) Clarify Materials allowed for Fill/Beaches/Mitigation II
- 6) Bulkhead Requirements too Strict I
- 7) Reduce Lot Width Requirements I
- 8) Language Edit IIII
- 9) Responsibility of CIA Requirement Costs II
- 10) Tree Retention Requirements too Strict I
- 11) Non-Conforming Use Requirements too Strict I
- 12) Dock Chemicals Requirements I
- 13) Accessory Structures in the Buffer Requirements Clarification II
- 14) Property Rights and Values, Wants Reduced Regulation IIIII
- 15) Tree Retention Requirements not Strict Enough I
- 16) Fence Height Unreasonable I
- 17) Designation Change Request II
- 18) Pleased with the Process II

Process: Staff recommend that the Commission review these comments and consider discussion items for the November 6th deliberations.

PUBLIC REVIEW DRAFT —COMMENT MATRIX POST-PUBLICATION CITY OF SAMMAMISH SHORELINE MASTER PROGRAM UPDATE

This document includes all public comments on the Public Review Draft of the City of Sammamish Shoreline Master Program Update
This matrix of comments is a working document regularly being amended and corrected. Comments are welcome. Answers being sought. Blanks being filled.

Comments

Number, Date & Item	Name and Issue	Public Comment	Staff or Consultant Response (not required)	Staff Recommendation (not required)
PD-1 9/25/2008 Email Comment form	Barbara Sherrill Lake Health	I operate the kayak/small boat rental at Lake Sammamish State Park. As you will see from my response on your survey and I very concerned about the health of Lake Sammamish. Also, I would very much like to have more destinations for paddlers on the Lake and am looking forward to seeing how plans develop in that direction.	<i>These concerns listed are also primary goals of the SMP (as well as required by State guidelines), with public access and lake health a high priority. The SMP will be evaluated so that the program as a whole achieves "no net loss" of ecological function..</i>	
PD-2 9/25/2008	George Toskey Process	The newly posted SMP draft eliminates several of the concerns that I have voiced at the Planning Commission meetings. Congratulations!		
PD-2 9/26/2008	George Toskey Impervious surfaces Water quality	I continue to be concerned about the reduced impervious surface proposal of 40% for shoreline residential and even less for small parcels. If you remember, it was the "testimony" by ESA Adolfson that really upset me when the claim was made that storm water from lakeside residences was polluted. One of the leaf gutter companies is claiming that roof water is potable with a secondary filter. Roof water is the biggest impervious surface runoff from shoreline residences.	<i>Impervious surfaces cause increased stormwater runoff, decreased infiltration, and may contribute to degradation of aquatic habitat. Runoff from impervious surfaces can carry pollutants such as nitrogen, phosphorus and metals to the lakes. Impervious surfaces include roof, driveway, patios and other hard surfaces.</i>	
PD-3 10/02/2008	David Douglas Process	I continue to get the impression that the SMP's are being thrown together from a strictly DOE and environmental position and there is no practical approach or consultation with those who actually do the work or protection of private property rights being considered even though it is required by the legislature.	<i>Mr. Douglas' participation is appreciated.</i>	
PD-4 10/02/2008	David Douglas Boat Launch and Rails	Will existing launch ramps, rails and piers located on the same property be allowed to be maintained and repaired as a shoreline exemption as long as there is no change in	<i>This is a policy decision whether launch ramps and rails shall be allowed to be maintained and repaired. Staff agree that canopies, which don't have a</i>	*

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		use and there is no change is size, location or configuration as allowed under the WAC?	<p><i>significant impact on the overall over-water-area, ought to be allowed to be repaired. This allowance fits with allowances already included in the code for other non-conforming structures. Ramps and their rails have higher shoreline impacts and the commission may decide to phase them out. See Comment PD-7 to read sections 25.08.020(2) and 25.09.020(2) the SMP.</i></p> <p><i>Piles are addressed separately, in section 28.08.020(k) (i) When the repair and/or replacement involves ten percent (10%) or less of the dock/pier area or ten percent (10%) or less of the number of pilings, no change in dock materials is required.</i></p>	
PD-4 10/02/2008	David Douglas Docks etc.	<ol style="list-style-type: none"> 1) A blanket policy requiring the use of non-treated and non-toxic materials is unreasonable; 2) Requiring a property owner to also substantiate that commercial moorage, joint-use or shared moorage, and/or mooring buoys is not available or feasible. 3) Providing a maximum water depth similar or pier length similar to other jurisdictions would benefit property owner and best serve all parties and cause less conflict. 4) Please clarify adequate spacing between docks since the 15 feet side property setback proposed in (1)(e) will place new piers a minimum of 30 feet from one another. 	<ol style="list-style-type: none"> 1) <i>Staff recommends that ‘non-treated materials’ be replaced with ‘materials approved by WDFW and the Corps’. Deferring to whatever the state and or feds allow is appropriate and would go a long way towards addressing the concerns of some waterfront property owners. This would not pose any increased harm to the lake. See also Comment PD-18.</i> 2) <i>According to the Guidelines, cities are required to require joint use moorage in certain circumstances: “Where new piers or docks are allowed, master programs should contain provisions to require new residential development of two or more dwellings to provide joint use or community dock facilities, when feasible, rather than allow individual docks for each residence. (WAC 173-2- p. 51).</i> 3) <i>The Commission can consider allowing for a minimum water depth as a measurement for</i> 	

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			<p><i>dock length allowance. It may be appropriate to revise the standard to indicate that dock lengths would be based on a minimum depth at the end of the dock, but that no dock shall be longer than the adjacent two docks unless required to achieve this depth. (See Comment PD-19)</i></p> <p>4) <i>This is not a change from the existing regulation, however we can clarify that the focus of this regulation is not related to whether the regulation will create a 30 ft. distance from the nearest dock but that docks are allowed to be that close to the adjoining property line.</i></p> <p>5)</p>	
PD-4 10/02/2008	David Douglas Erosion	Consider the use of spawning mix as a way of controlling erosion.	<i>Staff need to consult with the Dept. of Ecology.</i>	
PD-4 10/02/2008	David Douglas Erosion	A replacement bulkhead installed in the same footprint or behind an existing functioning bulkhead in a more environmentally friendly manner will essentially result in a “net gain of ecological functions”. the cost for geotechnical analysis is high, asking a professional geotechnical engineer to wage a 3 year guess into the future based on the present and past may prove difficult.	<i>Staff intend to respond to Mr. Douglas’ comment after consultation with the Dept. of Ecology.</i>	
PD-5 10/02/08	Susan Gerend Subdivision lot width	I understand that the rest of the city has a minimum width for new lots of 30 ft. Lakefront properties I believe had a minimum of 80 ft. which is now being considered to be reduced to 60 ft. wide. This will not help the 65 or so Pine Lake owners with frontage on their lots, of less than 60 ft. I would recommend another look at the maps of waterfront lots on these two lakes, especially Pine Lake, where I’m familiar with these properties. A 50 foot wide lot minimum would be a fairer dimension for these narrow, long lots.	<p><i>This is a policy decision for the commission. Decreasing the limit to 60 feet would add 23 more potentially subdividable parcels (between both lakes), and decreasing to 50 feet would add 34 more (both lakes) potentially subdividable parcels. This is a difference of 11 affected parcels.</i></p> <p><i>As the Commission deliberates this decision, staff recommends consideration of the Beaver Lake Management Plan. Allowing an increased number of buildable lots would need to be considered in light of</i></p>	*

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			<i>its impacts on managing the amount of impervious surface in the watershed as well as the impacts of increased numbers of residences and the impacts of residential uses on water quality.</i>	
PD-6 10/02/08	George Toskey Water quality-roof runoff	<p>I understand the problems with storm water containing pollutants. I want to know the scientific basis no claiming that water collected from lakeside roofs is polluted.</p> <p>There is no nitrogen, phosphorus or metals in water collected from roofs. These pollutants enter storm water after it reaches the ground where the polluting substances exist.</p> <p>Why not require infiltration systems with filtered driveway catch basins to really solve the perceived runoff problem? This will make sense to the lakeside home owners. Reducing the imperious surface requirement looks like a taking of property rights.</p> <p>Let me describe how this works: The roof water is drained into 4-inch PCV piping installed on the sides of the residence. These pipes are connected to a perforated tightline across the lakeside of the residence. A 4-inch PCV overflow pipe is extended toward Lake Sammamish and terminated immediately on the shoreline at OHWM. A system like this infiltrates the water even though it is not polluted. Driveways should be required to have catch basins with filters that drain into the same tightline.</p>	<i>This question will require further investigation by staff.</i>	
PD-7 10/2/2008 Oral communication PC meeting	Comm. Klier Docks Reconstruction and Expansion	Additional allowance for existing docks. Suggested that an allowance be provided for dock reconfiguration or addition involving an area equal to no more than ten percent (10%) of the area of the existing dock.	<p><i>Agreed. This allowance fits with allowances already included in the code for other non-conforming structures; staff recommend that this allowance be added to the Draft SMP sections 25.08.020(2) and 25.09.020(2) as follows:</i></p> <p><i>(l) Normal maintenance and repair of existing moorage canopies or similar moorage coverage structures located waterward of the</i></p>	

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			<i>ordinary high water mark shall be allowed, provided that maintenance and repair does not expand the area of coverage and does not increase shading on the lake surface.</i>	
PD-8 10/2/2008 Oral communication PC meeting	Comm. Klier Dock Maintenance	Additional allowance for existing docks. Suggested that we provide an allowance for normal maintenance and repair of existing covered moorage.	<i>Agreed. This allowance fits with allowances already included in the code for other non-conforming structures; staff recommend that this allowance be added to the Draft SMP sections 25.08.020(2) and 25.09.020(2) as follows: (1) Normal maintenance and repair of existing moorage canopies or similar moorage coverage structures located waterward of the ordinary high water mark shall be allowed, provided that maintenance and repair does not expand the area of coverage and does not increase shading on the lake surface.</i>	
PD-9 10/2/2008 Oral communication PC meeting	Comm. Bump Public Access Requirement – Non-substantial edit	25.04.040(3) – Public Access policies (pg. 21): Commissioner made comment on this regulation, regarding reference to relevant sections of code. Response and resolution provided during PC meeting. However, during discussion, the use of 'shall' as apposed to 'should' was noted within this regulation.	<i>Agreed. Like all policy language, 'should' needs to be used instead of 'shall' (which is used for regulatory language). Policy 25.04.040(3) could be modified accordingly.</i>	
PD-10 10/2/2008 Oral communication PC meeting	Comm. Amidei Non-conformance -- edit	25.10.100(1)(c)(i) – Non-conforming structures (pg. 64): Regulation should be revised to include the 50% level, which is currently excluded by language that says "less than 50%" and language that says "greater than 51%".	<i>Agreed. Change could be made to 25.10.100(1)(c)(i) to include the 50% level.</i>	
PD-11 10/2/2008 Oral communication PC meeting	Comm. Tiliacos Critical Areas Edit for Clarity	25.08.010(2)(b) – Lake Samm Critical Areas and Environmental Protection (pg. 32): Included the actual buffer standards from the CAO, as well as including by reference; the intent is to ensure ease of use by citizens.	<i>Agreed. Buffer standards for Lake Sammamish in the CAO will be included in the SMP, exactly as how they occur in the CAO. The reference to the CAO sections will be maintained in order to account for any future changes to the CAO (ensuring that the adoption by reference in the CAO will be kept up to</i>	

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			<p><i>date with CAO changes). Buffer standards from CAO are as follows: (These were not directly copied into this file due to its length. Please refer to the CAO.)</i></p>	
<p>PD-12 10/2/2008 Oral communication PC meeting</p>	<p>Comm. Tiliacos Critical Areas-- CIA requirement</p>	<p>25.08.010(2)(d) – Lake Samm Critical Areas and Environmental Protection (pg. 32): Place the responsibility of examining cumulative impacts on the City, as apposed to be placed on individual citizens seeking a shoreline permit.</p>	<p><i>25.08.010(2)(d) could be changed to make it optional: Prior to approving a new use or development, or verifying that a proposed use/development is exempt as defined by WAC 173-27-040, the Director <u>may</u> require the applicant instruct the City planning staff to identify and evaluate the cumulative impacts of similar developments to assure that the no net loss standards of this Program are achieved.</i></p> <p><i>MP will be undertaking a programmatic environmental review, or Cumulative Impacts Assessment, on the program as a whole. This 'CIA' addresses most foreseeable environmental impacts upon the implementation of the program.</i></p>	<p>*</p>
<p>PD-13 10/2/2008 Oral communication PC meeting</p>	<p>Comm. Tiliacos Critical Areas—CIA requirement</p>	<p>25.09.010(2)(e) – Pine and Beaver Lakes Critical Areas and Environmental Protection (pg. 47): Place the responsibility of examining cumulative impacts on the City, as opposed to be placed on individual citizens seeking a shoreline permit (same as change for Lake Sammamish).</p>	<p><i>25.08.010(2)(d) could be changed to make it optional: Prior to approving a new use or development, or verifying that a proposed use/development is exempt as defined by WAC 173-27-040, the Director <u>may</u> require the applicant instruct the City planning staff to identify and evaluate the cumulative impacts of similar developments to assure that the no net loss standards of this Program are achieved.</i></p> <p><i>Overall, the SMP will be undertaking a programmatic environmental review, or Cumulative Impacts Assessment, on the program as a whole. This 'CIA' addresses most foreseeable environmental impacts upon the implementation of the program.</i></p>	<p>*</p>

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PD-14 10/2/2008 Oral communication PC meeting	Comm. Tiliacos Edit, non-substantial	25.09.020(2)(c)(iv) – Lake Sammamish Shoreline Modification Regulations (pg 51): Change language to indicate no wider than 50% of the shoreline frontage as apposed to the lot width	<i>Agreed that this will improve clarity. 25.09.020(2)(c)(iv) could be changed accordingly</i>	
PD-15 10/2/2008 Oral communication PC meeting	Comm. Amidei Critical Areas—tree retention	25.09.010(2)(c)(i) Pine and Beaver Lake Critical Areas and Environmental Protection (pg. 47): Concern over enforcing the tree retention standards that are contained in SMC 21A.35.240; the PC expressed that requiring tree replacement at a 4:1 or 8:1 level would be excessive. They suggested that the replacement ratio be in the range of 1:1 to 2:1.	<i>The regulation could be changed to read the following with the understanding that the requirements for the tree retention percentages do not change: 'The applicant/property owner compensates for the additional twenty percent (20%) tree removal by replacing the felled trees at a 2:1 ratio for all trees over 20 inches in diameter at breast height and at a 1:1 ratio for all other significant trees.' See also Comm. Amidei's suggested language in Comment PD-39.</i>	*
PD-16 10/2/2008 Oral communication PC meeting	Pam Teglovich Non-conforming uses	Non-conforming uses: Citizen was concerned that the non-conforming uses standards would make it difficult, if not impossible, to maintain their existing home (which is non-conforming to the proposed SMP) under the proposed SMP non-conforming uses standards.	<i>Staff will clarify that maintenance or repair of non-conforming structures is allowed, provided that the maintenance/repair does not increase the extent of non-conformity by encroaching upon or extending into areas where new construction or use would not be allowed. (25.10.100(1)(a)). In addition, staff will edit the language of 25.10.100(1) to distinguish between normal maintenance and repair and 'voluntary remodel, reconstruction, or renovation'.</i>	
PD-17 10/2/2008 Handout PC meeting	David Douglas Subjects vary	Handouts submitted and filed under PD-17 at City Hall.	<i>Staff intend to respond to Mr. Douglas' comments after consultation with the Dept of Ecology.</i>	
PD-18 10/2/2008 Oral communication	David Douglas Docks etc. - toxicity	Handouts submitted and filed under PD-17. Copies given to planning Commissioners. Standard indicating that all docks should be constructed of non-treated materials could create a significant hardship on shoreline property owners.	<i>Staff recommends that 'non-treated materials' be replaced with 'materials approved by WDFW and the Corps'. Deferring to whatever the state and or feds allow is appropriate and would go a long way</i>	*

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PC meeting		In addition, there are WDFW- and Corps-approved treated wood products, which have been shown to not have negative effects on the environment.	<i>towards addressing the concerns of some waterfront property owners. This would not pose any increased harm to the lake.</i>	
PD-19 10/2/2008 Oral communication PC meeting	David Douglas Dock length	Dock length standard: Basing allowed dock length on the length of the two closest adjacent docks could create a situation in which property owners are not able to construct a dock into deep enough water. Also noted that no other jurisdiction with Lake Sammamish or Lake Washington shoreline frontage has this type of regulatory system... all others establish a maximum length or a standard based on water depth.	<i>Staff suggests that it may be appropriate to revise the standard to indicate that dock lengths would be based on a minimum depth at the end of the dock, but that no dock shall be longer than the adjacent two docks unless required to achieve this depth.</i>	*
PD-20 10/2/2008 Oral communication PC meeting	David Douglas Docks -- canopies	The use of boat canopies: Moorage canopies should be allowed when translucent materials are used. These canopies are allowed by all WRIA jurisdictions outside of Seattle and Kirkland, and are allowed by WDFW and the Corps.	<i>Agreed, and staff recommend making this change to the language.</i>	
PD-21 10/2/2008 Oral communication PC meeting	David Douglas Docks -- lifts	Regulating jet ski/other personal watercraft lifts as boat lifts: are these lifts regulated the same, and if so it is unreasonable to allow only one total lift. People should be allowed to have a boat lift and jet ski lift, at a minimum.	<i>Not recommended. In keeping with the no-net-loss principle, allowing more than one lift per dock would lead to the proliferation of lifts, which do have an environmental impact. Currently the City Code does not distinguish between one kind of lift and another.</i>	
PD-22 10/2/2008 Oral communication PC meeting	George Toskey Impervious surfaces	Comment on regulations establishing impervious surface limits that are more restrictive than those currently required by the zoning code. Issues included: creating a more stringent standard for shoreline environments than those required for other places in the City, and not understanding the scientific rationale for the proposed standards, given that most impervious coverage from residential lots does not pollute stormwater.	<i>Staff recommend no change to the draft, however some more discussion on this needs to take place. The impervious surface limits are a low impact development technique that provides a mechanism for controlling the scale of lakeshore development and balancing it with other goals such as maintaining ecological functions and preserving views. By limiting the amount of impervious surface, the city is encouraging more vegetated space and infiltration area throughout the shoreline environment, not just within the shoreline buffer. The standards are not being proposed based on an assumption that roof</i>	*

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			<i>runoff is polluted; at the same time there may be other strategies available for achieving the basic goals as the comment suggested.</i>	
PD-23 10/2/2008	Mary Jo Kahler Process	Comment on the apparent inequity of how the SMP will apply to and affect residential property owners on the City's shorelines versus how it will apply to and affect City projects and the development of City infrastructure. Example provided had to do with recent proposed improvements to SE 20th Street, which, in the opinion of the commenter, show little attempt by the City to minimize impervious cover and/or provide high levels of treatment to stormwater, some of which flows into Pine Lake.	<i>No change recommended. Staff notes that the city will be required to follow rules for stormwater treatment and retention to mitigate the effects of new impervious surface, but that increases in impervious surfaces for roads are warranted when the road improvements are necessary to maintain the health and safety of the traveling public which includes both motorized and non-motorized users. In the case of the SE 20th Street sidewalk, a shoreline permit will be required due to a portion of the project being located within shoreline jurisdiction. However, the project scope has not yet been finalized. One of the goals of the project is to provide non-motorized improvements while minimizing impact to the environment and character of the roadway. All improvement will comply with water quality standards. At this time the project is still actively gathering public input. (L.P, Public Works)</i>	*
PD-39 10/03/2008	Richard Amidei Buffer – tree retention	This comment relates to Comment PD-15, above. After last night's meeting, I thought more about how to resolve the issue of tree replacement that would be less punitive and more "ecological". A suggestion for your consideration may be language for 25.09.010 (2)(c)(i) as follows: The applicant/property owner compensates for the additional twenty percent (20%) tree removal by replacing the felled trees on a 1 for 1 basis. The size of the replacement trees shall be in accordance with the requirements of SMC 21A.35.240. If after the 1 for 1	<i>See staff response in PD-15.</i>	

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		<p>replacement, the total number of healthy trees, at least 1.5 inches in diameter and 8 feet in height, is less than 12 (or another appropriate quantity) per acre, then applicant/property owner shall be required to plant additional trees. The total number of trees required on a parcel smaller, or larger, than 1 acre shall be adjusted on a pro rata basis. The additional trees so planted shall be at least 1.5 inches in diameter and 8 feet tall.</p> <p>You will need to wordsmith the language but the idea is to require the replacement of the trees and to have at least a minimum number of ecologically appropriate trees on the parcel.</p>		
PD-24 10/14/2008 email	Don Barrett Process	I have gone over the cited on- line documents and can not find the public comment forms. Can you supply me with the on-line location of these "Public Comment forms"?	<i>Staff has attached the public comment form which is on the web page and has advised Mr. Toskey that it can be either printed out and mailed in, or completed digitally and emailed back.</i>	
PD-25 10/14/2008	Brian Regan Accessory structures	I noticed on the Power Point summary for the draft SMP, you can build a 150-sf structure, up to 8 feet high, within the shoreline buffer. What are the current limitations for new structures to be built within the CAO buffer on Pine Lake?	<i>There are currently no CAO buffers on Pine Lake. However, there are 20 ft shoreline setbacks from the Ordinary High Water Mark on Pine Lake and a 50 foot setback. City Code (25.20.090 Residential development – Accessory Structures) which this SMP will eventually replace (Chapter 25) states that accessory structures are allowed within the setback if they meet the same criteria as you mention. So basically the difference is that what was once called a setback is now a buffer, which means that there will be more attention to retaining existing vegetation within that 50 ft area.</i>	
PD-26 10/14/08 email	Mary Jo Kahler Process	At the previous meeting some of us came away believing we had heard that both the meetings on the 16th and the 30th would cover the same material so that we only needed to attend one. Will there be anything on the Thursday agenda that will pertain to Pine Lake?	<i>The meeting on October 30th is a continuation of the hearing on October 16.</i>	

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PD-27 10/15/08 Emailed Public Comment form Ref para 4 (g) page 42;	Donald Barrett Property Rights and Impervious Surface Requirements	How can the City justify taking 15% of the width of a landowners property without paying them some form of compensation? I see nothing wrong with the normal five (5) foot buffer on either side of ones residence. After all the house owners have to be able to access the sides of their homes and in the case of emergencies, Fire and Aid personnel have to be able to be able to readily access the rear of a home. It appears that you are getting around have to u se the term “view or sight corridor” by arbitrarily using a percentage of the property width, rather than the old five (5) foot buffer. The 35-foot height limit on the homes does not keep the public from viewing the lake. I would like to see the wording changed back to the old standard five (5) foot side yard setback.	<p><i>This is a “bulk” of structures issue, and allows for variation in structure placement, allowing continuation of existing public views from public property.</i></p> <p><i>Note: Shoreline regulations have been in existence since 1971, and other land regulations have been affecting Lake Sammamish Properties since long before that.</i></p>	
PD-27 10/15/08 Emailed public comment form Ref para (2)(c) page 42:	Donald Barrett Property Rights and Impervious Surface Requirements	I am very concerned about (2)(c): What was the rational for reducing the size of a residence I might build in the Urban Conservancy Environment? Why just because my property is located in this zone am I being penalized? I should have the same rights as everyone else. When I purchased the land many, many years ago, there were no restrictions what so ever on where or how I could build. I do not favor going completely back to those days, only that the imposition of the reduction from a 55% to a 30% impervious surface seems totally unfair.	<p><i>See previous Barrett comment with same date above.</i></p>	
PD-28 10/16/08 Hearing	Beth Nelson Property Rights	Representative of parents property family since 1870’s – remaining property is 275’lk Sam waterfront – concerns over property value reduction – general concerns – restriction of use – little vacant land – want to use property to maximum as others have	<p><i>Ms. Nelson has been in discussions with the City for a few years now. She is interested in selling her property for at least market value but prefers it to remain in open space or recreational use. The City made efforts to assist her in finding land-purchasing groups like the Trust for Public Lands. The City and County have met with her about the possibility of purchasing her property for public use, however the price of the land has been viewed as prohibitive.</i></p> <p><i>The proposed SMP would have few changes to</i></p>	

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			<i>the existing regulations on the property.</i>	
PD-29 10/16/08 Hearing	Dwight Martin Designation Change Request	Handout filed under PD42 – Draft SMP designates as urban conservancy, believes should be other – ¼ acre – doesn't understand why lot is designated as conservancy – and thinks should be shoreline residential as thinks neighbors should be – would restrict dock building – would be non-conforming in this designation	<p><i>This is a policy issue. Arguments can be made on both sides. The existing parcel is/has been Conservancy since the SMP went into effect. The impervious surface limits are the main regulations that would affect his property, however it is recently built, so those would likely not affect the property.</i></p> <p><i>Staff also suggest that we also honor another request of similar nature, however this one is from SR to UC. Alan Anderson explained after the meeting on 10/16 that his property is currently half UC and half SR. (He testified on this issue at a previous commission meeting). The proposed SMP designates the whole stretch from UC to SR, and he wants the whole stretch to turn to conservancy. This request has scientific justification for the following reasons: 1) it's the head of land that narrows the neck between the middle and northern Beaver Lake and is therefore very much a part of the lake, 2) It contains wetlands. 3) It's in the King County PBRS program as well, so it meets those qualifications, 4) It is large enough to have its own designation. 5) Changing the designation to UC would have a public benefit and provide more points on the "no net loss" scale.</i></p>	*
PD-42 10/16/08 Hearing handout	Dwight Martin Hearing Handout	Handout scanned and filed – available at city or on website.		
PD-30 10/16/08 Hearing	Dick Whitten	Commendation on progress – Pine and B lakes 1) p 47. 80% of trees being retained should be restriction in limbing – 2) buffer area active use area restriction makes very small area for boats or tables	<p><i>1. City could add limits on limbing if desired existing in definitions.</i></p> <p><i>2 & 3: The accessory structure is allowed to be outside the active use area so it does not take up the</i></p>	*

**PUBLIC REVIEW DRAFT —COMMENT MATRIX POST-PUBLICATION
CITY OF SAMMAMISH SHORELINE MASTER PROGRAM UPDATE**

Number, Date & Item	Name and Issue	Public Comment	Staff or Consultant Response (not required)	Staff Recommendation (not required)
		<p>3) would like change from 150' to 200' for accessory usage – this would use all the possible active use area – **</p> <p>4) p 57 fence of 4' will be jumped by dogs</p> <p>5) 5 – public access requirement amounts to appropriation</p> <p>6) impervious surface LID techniques should perhaps be mandatory</p> <p>** The concern with #3 is to whether an accessory structure is allowed in addition to the 200 sq ft active use area. For example, if your structure is 150 square feet, there isn't much left for access, or other active use.</p>	<p><i>whole area, see below: (25.08.030 (1)(h)(ii))</i> <i>“Water-oriented accessory structures, excluding accessory dwelling units, in any portion [emphasis added] of the shoreline buffer and setback provided that accessory structures are prohibited in, on or over water pursuant to SMC 25.08.030(1)(e) and that the maximum total footprint is one hundred fifty (150) square feet or less and no structure exceeds eight (8) feet in height above existing average grade level. Accessory structures shall not be located within wetlands or streams.”</i> <i>Note: The setback (or proposed buffer) area for these smaller lakes is larger than on Lake Samm.: 50 feet without flexibility to reduce.</i></p> <p><i>4. Policy issue for the Commission to discuss.</i></p> <p><i>5. The Guidelines state that “New multiunit residential development, including the subdivision of land for more than four parcels, should provide community and/or public access in conformance to the local government's public access planning and this chapter.” (WAC 173-26 p. 70) SMP 25.09.010 3(a) states “The City shall not require public access for any single-family residential development involving fewer than four (4) lots/dwelling units, or for any use/development accessory to a single-family residential development involving fewer than four (4) lots/dwelling units.”</i></p> <p><i>6. The recently adopted LID is currently not mandatory, and is not currently proposed to be mandatory in the Draft SMP. Whether the commission would like to recommend this as it relates to the SMP could be discussed.</i></p>	

**PUBLIC REVIEW DRAFT —COMMENT MATRIX POST-PUBLICATION
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Number, Date & Item	Name and Issue	Public Comment	Staff or Consultant Response (not required)	Staff Recommendation (not required)
PD-31 10/16/08 Hearing	Gary Smith Designation Change Request	Handout submitted and filed under PD41 - Neighbor of Dwight Martin – agrees with Mr. Martin on misapplication of conservancy designation –shoreline residential would be more appropriate designation for lots owned as similar to other residential areas on map	<i>See Comment PD-38 for situation as described in relation to nearby Dwight Martin property.</i>	
PD-41 10/16/08 Hearing Handout	Gary Smith Designations- Conservancy	Hand out related to the above testimony in PD-31.	<i>See files for hand outs.</i>	
PD-32 10/16/08 Hearing	Thomas Harsh Language Construction	Thank PC for serving – read document – formerly commercial real estate development – controlling of real estate – appalled at ways of eroding rights of property owners in name of environmentalism – permits – concern over wordage such as “exemptions shall be construed narrowly” as “narrowly” and “precise” and “feasible” are subjective terms– finds document scary -	The language about narrow construction is from RCW 90.58.900. The provisions on permits and exemptions are similarly dictated by the state law (RCW 90.580 and WAC 173-27) and not subject to city discretion. The items mentioned by Mr. Harsh are not related to the proposed SMP changes. (Also, no commercial development is allowed on the shoreline since there is no commercial zoning).	
PD-33 10/16/08 Hearing	Susan Gerend Subdivision Lot Widths	Pine Lake realtor and resident – many pine lake homes have frontages less than 60 feet – does not think new MLW is fair – thinks the minimum lot width should be smaller – homeowners may not realize importance of SMP which may affect profitability of their property in the future	<i>This is a policy decision for the commission. Decreasing the limit to 60 feet would add 23 more potentially subdividable parcels (between both lakes), and decreasing to 50 feet would add 34 more (both lakes) potentially subdividable parcels. This is a difference of 11 affected parcels.</i> <i>As the Commission deliberates this decision, staff recommends consideration of the Beaver Lake Management Plan. Allowing an increased number of buildable lots would need to be considered in light of its impacts on managing the amount of impervious surface in the watershed as well as the impacts of increased numbers of residences and the impacts of residential uses on water quality.</i>	*
PD-34 10/16/08 Hearing	Greg Marts Property Rights and Process	Property on lake but doesn't know address – compelled to come because somebody from government is always taking something from me – bik way took land away –	<i>More education could be done to remind citizens that 1) an SMP has been in place in the City since 1971,</i>	

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Number, Date & Item	Name and Issue	Public Comment	Staff or Consultant Response (not required)	Staff Recommendation (not required)
		hasn't read document – just enough to know something is being taken away.	<i>all cities are required to comply with the new state guidelines.</i>	
PD-35 10/16/08 Hearing	Comm. Scott Hamilton Process and Education	We need the public to bring factual comparisons or examples of laws from other cities that will help guide commissioners.	<i>This was his request of the citizens. Staff have been providing to the commissioners at meetings examples of other jurisdictions' SMPs, however we can provide these again if requested.</i>	
PD-36 10/16/08 Hearing	Comm. Tiliacos Process	This is a legal processed mandated for the city to do – specifics about changes differing from past regs would be helpful.	<i>We are preparing two charts for the commission to review: one showing existing regulations and one showing proposed regulations.</i>	
PD-27 10/16/08 Hearing	Don Barrett	Photos submitted and filed with comment form under PD27 See Comments PD-24 and PD-27	<i>The Staff are looking into assisting Mr. Barrett regarding issues with his stream.</i>	
PD-37a 10/16/08 Email (see also PD-37b,c,d)	George Toskey Impervious Surface Requirements Process	<p>I believe that the City of Sammamish owes the planning commissioners copies of the SMP updates drawn up by the other cities on Lake Sammamish. This is not a citizen responsibility.</p> <p>I know that Redmond has submitted its update. I also know that there was nothing in the update about impervious surface deductions. Further, there is nothing in the state guidelines about impervious surface reductions. As I have stated numerous times, the impervious surface deductions are absolutely unjustifiable.</p> <p>The City of Sammamish owes the commissioners more than just the biased testimony of a hired consultant.</p>	<p><i>We have supplied the commissioners with examples of SMPs at past meetings, open houses, etc. The idea of the commissioner was likely in reference to specific examples of language regarding specific topics.</i></p> <p><i>Comments related to impervious surface are noted..</i></p> <p><i>In terms of adopted plans, the only Dept of Ecology-approved master programs in western WA are Whatcom, Port Townsend and Marysville (see below). A few others have been approved locally but no others have been approved by the state. In those cases, the impervious surface limits are in the zoning codes.</i></p> <p><i>Email communication from David Radabaugh of the Dept. of Ecology lists examples of impervious surface regulations from various jurisdictions of the state:</i></p> <p><i>1) Whatcom County set the limit at 10% or</i></p>	*

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			<p><i>2,500 sq ft, whichever is greater, for their two most rural designations - Resource, and Conservancy. Otherwise, their SMP references the underlying zoning code since it varies by use and projects must also meet the following SMP provisions.</i></p> <p><i>2) Redmond restricts impervious surface to 10% coverage in the natural and conservancy environments and 60% for residential and high intensity use shorelines. They also has some narrative restrictions under recreation and parking.</i></p> <p><i>3) City of Port Townsend SMP sets limits of imperviousness and limits the %imperviousness by slope of the respective lot or area being developed. Best available science (May, Booth, Karr etc.) basically reports ecosystem degradation at over 10% impervious surface in the watershed as a whole. See Sections 5.7 and 5.8 and the table on page 22 a table of % imperviousness by slope of the land.</i></p> <p><i>Entire Ecology email is filed with this comment.</i></p>	
PD-37b 10/16/08 Email (see also PD-37a,c,d)	George Toskey City/State Coordination	<p>1) I was surprised by the comment by Scott Hamilton about other SMPs. This set the tone for my message below because the local governments should be looking at one another's SMPs.</p> <p>If the state were in the business of saving money (which it is not), a draft would have been provided for each local government to edit. The draft would have been pre-approved by Ecology and then each SMP could have been judged by the changes. With changes easily tracked in Word, the total savings would have been in the millions.</p>	<p>1) <i>See related responses to Comments above.</i></p> <p>2) <i>Staff provided Mr. Toskey with two documents that provide the City with guidance on how to write an SMP: The State Guidelines and The SMP Checklist. There are many more.</i></p>	

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PD-37c 10/16/08 Email (see also PD-37a,b,d)	George Toskey City/State Coordination	<p>I was wrong about Redmond not having an impervious surface limit for shoreline residential. It is 60%.</p> <p>This is exactly the same as the impervious limit for residences built in zoning districts R3 - R5 everywhere in Redmond.</p> <p>I will not be able to attend the meeting on the 30th. Please see that this information reaches Scott Hamilton, in particular.</p>	<i>Comment noted.</i>	
PD-38 10/17/08 email	Gary and Patricia Smith	<p>It is proposed that our property and that Mr. and Mrs. Martin's be designated Urban Conservancy, while the houses to our south with the exact same use as our properties are proposed to be designated Shoreline Residential.</p> <p>Please explain why this is being proposed this way.</p> <p>If you continue to think that our properties should be designated as Urban Conservancy, please explain why a number of properties currently designated as "Conservancy" along the Lake are being proposed to be re-designated under the SMP updates to "Shoreline Residential", but our are not.</p>	<p><i>This is a policy issue. Arguments can be made on both sides. The existing parcel is/has been Conservancy since the SMP went into effect. The impervious surface limits are the main regulations that would affect his property, however it is recently built, so those would likely not affect the property.</i></p> <p><i>Staff also suggest that we also honor another request of similar nature, however this one is from SR to UC. Alan Anderson explained after the meeting on 10/16 that his property is currently half UC and half SR. (He testified on this issue at a previous commission meeting). The proposed SMP designates the whole stretch from UC to SR, and he wants the whole stretch to turn to conservancy. This request has scientific justification for the following reasons: 1) it's the head of land that narrows the neck between the middle and northern Beaver Lake and is therefore very much a part of the lake, 2) It contains wetlands. 3) It's in the King County PBRS program as well, so it meets those qualifications, 4) It is large enough to have its own designation. 5) Changing the designation to UC would have a public benefit and provide more points on the "no net loss" scale.</i></p>	*

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PD-40 10/17/08 Email	Dwight K. Martin Procedure	I don't recall seeing a notice about the public hearing last night. Are notices sent to all of the property owner on the lake? Am I on your mailing list?	<i>All property owners on all three lakes and associated wetlands were mailed a letter announcing the hearings the week before the meetings began. The notice was also published in the City Newsletter, and in the papers. Your letter was returned undeliverable from your Redmond address. Since you raised the issue, we have corrected your mailing address on our forms and future mailings should get to you.</i>	
PD-40 10/17/08 Email	Dwight K. Martin Procedure	The public hearing timeline is short, I am sorry that more people did not speak last night. As the planning commission and council deliberate on the plan will there be additional public comment allowed at those meetings?	<i>There is an additional public hearing session at the Planning Commission meeting on October 30th. Once the commission has completed its deliberations and recommendation to the City Council, public comment and formal hearing opportunities will also be available.</i>	
PD-43 10/18/08 Email	Dwight K. Martin Procedure	Is the Draft SMP available in a MS Word format? If so could you email that to me? It would help me review and comment on it. I would also like copies of the existing shoreline plan and the critical areas ordinance in Word.	<i>What we request of the public is that you use the attached form for public comments. This is the easiest for us so that we can stay organized. It is possible to copy off of a PDF file if the copying of certain sections isn't too large. Make sure to reference sections and page numbers.</i>	
PD-45 10/20/08 email	Staff Document clarification	Suggestion to move the 200' dock rule the docks section rather than in the residential use section for each lake (p. 42 and p. 57). If someone is to build a house or expansion, they'll go to the residential section, and if they build a dock, they go to the dock section. MV for R	<i>It's fine to put it in the dock section. It doesn't need to be in both.</i>	
PD-47 10/20/08	Alisa Bieber State Dept. of Fish and Wildlife Dock size	p. 36 2(b)(i) limits the size of a recreation dock or pier to 3,000 sq ft. Do you intend for that to be square footage of pier or total overwater coverage (pier plus walkways plus floats plus boat covers etc)? Note: I would probably recommend [defining]	<i>p. 36 2 (b) (i): We are referring only to dock or pier size.</i> <i>p. 51 This is a policy decision. The limit could be clarified to apply to overwater coverage.</i>	*

**PUBLIC REVIEW DRAFT —COMMENT MATRIX POST-PUBLICATION
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		<p>overwater coverage, possibly minus moorage covers. It depends how complex you want to make it. I have one application coming from a different city that has a (private) pier of around 1,400 sq ft but overwater coverage of 3,000. pier, float, or ramp are all relatively similar from a fish perspective. Moorage covers, since they're so high up, may have less of an impact, although it is very hard to tease out from studies.</p> <p>p. 51 2(c)(ii) states that docks and piers shall be the minimum size required to provide for moorage. How will this size be determined? Will you check the size boat that the family has? It seems like a difficult guideline to follow.</p>	<p><i>Size is limited by the length of docks on either side.</i></p>	
<p>PD-47 10/20/08</p>	<p>Alisa Bieber State Dept. of Fish and Wildlife Dock number</p>	<p>p. 36.2(f) states that each lot may have one dock, one lift and one float. Are jetski lifts included as lifts, or is it just boatlifts? Does the float provision include the large blowup trampolines that people put out, or just permanent structures?</p>	<p><i>p. 36. 2(f). This is referring to only one of each is allowed, and jetski lifts are considered lifts. Staff recommends that the commission consider whether they'd like to include blow up trampolines in this category of floats, or whether floats only refers to permanent structures.</i></p>	
<p>PD-47 10/20/08</p>	<p>Alisa Bieber State Dept. of Fish and Wildlife Dock repair</p>	<p>p. 37 2 (k) talks about the repair and replacement of docks. I've seen a lot of projects recently where pilings are spliced, not replaced. It may be helpful to be explicit that this type of repair counts towards the percentages listed.</p> <p>Pile splicing: people cut off the pile above the mudline somewhere, put a new pile on top and connect them either by "sleeving"--slipping a steel pipe sleeve over it and bolting it in place or "corbeling"--using steel plates bolted into both new wooden pile top and old. I can send you drawings of each if you're interested.</p>	<p><i>p. 37 Staff recommends that the commission clarify what's considered a repair, and whether that includes splicing of piles.</i></p> <p><i>The SMP dock repair language is on page 37 in the draft.</i></p> <p><i>This is how the language appears in the document. With regard to grating, the City has elected to not require that on the smaller upland lakes due to the absence of salmon in those lakes.</i></p>	<p>*</p>

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		<p>For replacement or reconfigured structures, how will you deal with proposed size increases? WDFW requires grating on all new decking. Will you be requiring grating as well?</p>	<p><i>Staff will discuss with the commission whether they would like to have dock grating language be included in the Lake Sammamish regulations. Although it is already a Dept of Fish and Wildlife requirement, some cities are including it in their SMP regulations, including Bellevue.</i></p>	
<p>PD-47 10/20/08</p>	<p>Alisa Bieber State Dept. of Fish and Wildlife Bulkheads – primary uses, determination of need, geotech report</p>	<p>p. 40 (4)(i) deals with replacement bulkheads and shoreline stabilization. Is there a definition of "primary uses" somewhere else? How will people demonstrate the need for a bulkhead rather than a bioengineered structure? Will they need a geotech report like is needed for new bulkheads?</p>	<p><i>Agreed. 1) The definition of primary use can easily be added to the definitions section. [This is the structure(s) on a residential lot that is primarily used as living space, ie. the home]. 2) Language can be added clarifying that the demonstration of need for either a bulkhead or bioengineered structure would be determined on a site specific basis with the review including supporting materials from a geotechnical expert.</i></p>	
<p>PD-48 10/21/08</p>	<p>Kokanee work group (KWG) Habitat – Lake Samm Kokanee</p>	<p>SMP Input – Several group members suggested that the Kokanee Working Group (KWG) should provide input into ongoing Shoreline Master Program processes, primarily to ensure that they are aware of the dire condition of the Lake Sammamish kokanee population and the basic habitat needs (e.g. spawning habitat in several streams and along portions of the lake shoreline) of kokanee that the SMPs could influence. The KWG could also highlight data gaps relating to habitat that the SMP update processes could help address. I will draft a letter and circulate it to the KWG for review. The timeline for this is tight – we probably need to get even a general letter out in the next week or so to meet the nearer term SMP work in one of more jurisdictions.</p>	<p><i>The goals and intent of the SMP include guiding development and alteration of the shoreline so as to reduce impacts on salmon habitat. In coordination with the CAO, this should be the effect of the SMP. Comments from the Kokanee work group are appreciated.</i></p>	

PDI_Sherrill_.txt

-----Original Message-----

From: Barbara Sherrill

Sent: Wednesday, September 24, 2008 2:15 PM

To: Maren Van Nostrand

Subject: Public Comment Form Shoreline Master Program Update

Hello,

My name is Barbara Sherrill and I operate the kayak/small boat rental at Lake Sammamish State Park. As you will see from my response on your survey and I very concerned about the health of Lake Sammamish. Also, I would very much like to have more destinations for paddlers on the Lake and am looking forward to seeing how plans develop in that direction.

Thanks,

Barb

Barbara Sherrill
Retail/Office Manager

"Everything the kayaker needs and nothing you don't"



PUBLIC COMMENT FORM SHORELINE MASTER PROGRAM UPDATE

We welcome your input as we update our Shoreline Master Program (SMP). Please respond to the questions and drop your form in the comment box or mail to the address listed on the back.

- 1) Please number from 1-6 what you would like to see for Sammamish Shorelines (1 being highest priority):

- 3 Promote public water access
6 Protect functioning shoreline habitats
4 Restore degraded shoreline habitats
1 Prevent nutrient and pathogen pollution caused by human and animal waste
2 Prevent harm from stormwater runoff
5 Provide education and incentives to the public toward accomplishing the above goals

Comments: Creating a healthy lake for people to swim and animals to flourish should be the 1st priority.

- 2) Would you like to volunteer in the Shoreline Master Program Update Process?

Yes No

How would you like to participate?

- Attend meetings
 Review draft materials
 Help with postings for public events
 Be added to mailing list for announcements, meetings and open houses
 Other _____

- 3) Are you aware of a specific area within the shoreline planning jurisdiction of the City that has good potential for restoration of shoreline ecology, or specific shoreline issues of which we should be aware? YES

- 4) Do you own shoreline property and if so, on which lake? NO

If you would like to be on the mailing list, please fill in the following information.

You may also email comments to: Maren Van Nostrand: mvannostrand@ci.sammamish.wa.us

Name: Barbara Sherrill

Address: 11801 188th Ave SE City Issaquah

Zip 98027 Phone: 206 527 1825 Email: barb@kayakacademy.com

-----Original Message-----

From: George Toskey
Sent: Monday, September 29, 2008 8:23 PM
To: Maren Van Nostrand
Subject: SMP Draft Posted on 9/26

Maren,

The newly posted SMP draft eliminates several of the concerns that I have voiced at the Planning Commission meetings. Congratulations!

However, I continue to be concerned about the reduced imperious surface proposal of 40% for shoreline residential and even less for small parcels. What is the scientific basis for this reduction from 55%?

If you remember, it was the "testimony" by ESA Adolfson that really upset me when the claim was made that storm water from lakeside residences was polluted. One of the leaf gutter companies is claiming that roof water is potable with a secondary filter. Roof water is the biggest imperious surface runoff from shoreline residences.

Where can I find my comments in the public record that ended with "just plain crap?"

We are almost there, thank goodness.

Regards,
George

-----Original Message-----

From: Daved
Sent: Thursday, October 02, 2008 1:58 PM
To: Maren Van Nostrand
Subject: RE: SMP REVIEW COMMENTS

Hi Maren,

Yes, whenever someone gets time but with the understanding that the process is moving forward pretty quickly.

I just wanted them to be a part of the public record and for the SMP to not move forward before they have been adequately addressed and considered. I continue to get the impression that the SMP's are being thrown together from a strictly DOE and environmental position and there is no practical approach or consultation with those who actually do the work or protection of private property rights being considered even though it is required by the legislature.

I didn't see any specific regulations in regard to actual pier size, width, etc... Did I miss something or did you choose to leave it pretty general?

Thanks,
Dave

From: David N. Douglas, Waterfront Construction, Inc.
To: Maren Van Nostrand, City of Sammamish

October 2, 2008

Re: REVIEW AND COMMENTS ON THE CITY OF SAMMAMISH DRAFT SMP
FOR THE PLANNING COMMISSION MEETING OF OCTOBER 2, 2008

Hi Maren,

I have reviewed the Draft SMP and have the following comments to be made a part of public record. I plan to attend the Planning Commission meeting this evening but wanted to get these to you so commission members might receive them prior to the meeting and they can be available to the attendees.

25.08.020 Lake Sammamish Shoreline Modification Regulations

(1) Boat Launch and Rails

(a) Will existing launch ramps, rails and piers located on the same property be allowed to be maintained and repaired under as a shoreline exemption as long as there is no change in use and there is no change in size, location or configuration as allowed under the WAC?

(2) Docks, Piers, Floats, Boat Lifts and Mooring Buoys

(a) A blanket policy requiring the use of non-treated and non-toxic materials is unreasonable and poses a greater cost, accelerated deterioration and contradicts the International Residential and Building Codes and other literature. This is further discussed on the following pages.

(c)(i) Single family residences are considered a water-dependent use and piers a permitted use under all state and federal regulations. While requiring an applicant to demonstrate a need for moorage is reasonable aligns with legislative guidelines in WAC 173-26-231 (Shoreline Modifications) and can be easily met, requiring a property owner to also substantiate that commercial moorage, joint-use or shared moorage, and/or mooring buoys are not available or feasible. This additional language is not included in the WAC and should not be used as additional criteria to be met for a private property owner to receive approval for a pier. Requiring a person to justify a permitted use accessory to a preferred use is impractical and unreasonable.

(c)(ii) This regulation is very vague and the extreme high water level is not listed. Minimum size required is a relative description and could be arbitrarily challenged by the city without cause. In the regulation following (c)(iii) this is contradicted by only allowing a pier to extend no further waterward than the average of the 2 adjacent piers.

(c)(iii) This regulation is problematic in several ways based on the location of the pier in proximity to the next adjacent pier. If the next adjacent piers are hundreds of feet away the topography is probably much different. If the proposed pier is located in a coved location it may take additional pier length to reach adequate water depth. This may work for or against a property owner and is too arbitrary to be fairly used as a guideline. Providing a maximum water depth similar or pier length similar to other jurisdictions would benefit property owner and best serve all parties and cause less conflict. In cases where the City recognizes a need to require a shorter length they should be required to provide supporting data to justify such an action. Please clarify adequate spacing between docks since the 15 foot side property setback proposed in (1)(e) will place new piers a minimum of 30 feet from one another.

(f) The Corps Regional General Permit-1 (RGP-1) allows 2 boatlifts per single family residential structure and unlimited at joint-use structures. Will the city consider aligning with this document? Is the City including jet-ski lifts and personal watercraft lifts in this regulation or will they be handled differently?

Is the 2nd sentence to be interpreted as only allowing 1 total lift even though there will be two or more owners? Will the City reconsider this inequitable restriction to allow each waterfront property owner or each waterfront and upland property owner to have one lift based on the total number of owners?

(g) The Corps RGP-1 allows for translucent canopy covers. Will the City consider allowing their property owners to also have these non impacting covers that typically connect directly to the pier or a boatlift?

(k) A blanket policy requiring the use of non-treated and non-toxic materials is unreasonable and poses a greater cost, accelerated deterioration and contradicts the International Residential (IRC) and Building Codes (IBC) and other literature. All state and federal agencies allow the use of wood preservatives tested and approved by the Western Wood Preservers Institute (WWPI). The most common preservative used in fresh water applications is ACZA (Chemonite), which Waterfront Construction uses exclusively. The 2006 International Building Code requires the use of treated wood in certain applications and in others it allows either pressure treated wood or a wood classified as naturally resistant to decay. These applications typically apply to upland development and do not specifically address overwater structures exposed to weather, waves or wake action, repeated wet-to-dry cycles, or total submersion for extended periods of time as is typical on Lake Sammamish every year or so. Because piers are required to have a fully grated surface, all structural members are exposed to weather so the IRC and IBC would apply.

I spoke with Ted LaDoux, Executive Director of WWPI, Vancouver, WA and also researched the institute website for information on treated wood. I described the typical overwater conditions experienced by piers on Lake Washington and Lake Sammamish and he estimated the use of treated wood for overwater structural components would last 30+ years but that untreated wood would be structurally sound 4 to 7 and possibly as

much as 10 years under less extreme conditions. He also questioned the scientific basis being used to in regard to the percentages of an existing structure being replaced and how it is connected to the use of treated materials. Please explain. There is also a 1995 Memorandum of Agreement (MOA) between WA Department of Fish and Wildlife, WA Department of Ecology and WWPI for the use of treated wood in aquatic areas. Under this agreement in which the Shoreline Management Act is listed as one of the main authorities the conditions will be implemented.

In conversation with a reputable Structural Engineer, Jim Trueblood from B&T Engineering of Issaquah, who has vast experience in overwater applications, he stated that the density and softness of naturally treated wood (cedar) does not make it a good alternative as a structural component. In addition, Jim said if it were structurally sound, the cost and limited availability would be several times that of treated Douglas Fir, the most common wood used for pier construction. He said contacting a distributor such as Matthew Lumber and requesting 2" x 6" or large structural members of cedar would likely be met with laughter. The perimeter beams used for pier construction, which span up to 25 feet in order to satisfy state and federal regulatory agencies, are treated glued laminated Douglas Fir. There is no similar untreated beam available due to limited old growth forest and as stated earlier the life span would be much shorter if they were used.

In the case of pier repairs where the existing piles are being retained, the treated components will consist primarily of cap beams, stringers, joists and blocking, and nailers.

For new piers, our company uses steel piles but there may be some companies who still use conventional design. For those companies like ours who use steel piles, the main treated structural wood components of a pier are stringers, joists, and blocking all of which are typically located at the 28.5' elevation (18" above the Ordinary High Water Level of Lake Sammamish as required by the Corps of Engineers). This means they rarely come in contact with the water except during unusually high wave or wake activity or when the lake rises in the winter.

I am providing several full and partial documents including the MOA supporting the use of treated wood and clearing up the myths surrounding how bad preservatives are for fish and the environment. I am uncertain whether or not the City has the authority to require the use of untreated materials in the case of a pier repair or new pier or float, especially when it conflicts with other regulations or codes.

It is requested that the City conduct further research on this issue and explain where the rationale is based. It is also requested that this be removed from the City's Draft SMP. Untreated wood is not a component of any other SMP Update up to this point likely because current treated wood specifications greatly limit or eliminate any adverse impacts.

(3) Dredging, Filling, and Excavation

Spawning mix is currently a preferred way of controlling erosion and providing shallow nearshore habitat for migrating salmon and protection from predator fish. This is accepted at state and federal levels. Will the City consider including "Installation of Nearshore Fill to Provide Erosion Protection and Nearshore Fish Habitat" as a use that can be permitted through a Shoreline Exemption or alternative process under the SMP.

(4) Shoreline Stabilization

(b) How is the City addressing new or expanded hard structural shoreline stabilization that results in "no net loss of ecological functions" using DOE's definition? If a replacement bulkhead is installed in the same footprint or behind an existing functioning bulkhead in a more environmentally friendly manner it will essentially result in a "net gain of ecological functions".

In the June 2004 DOE publication entitled, "What Does No Net Loss Mean in the 2003 SMA Guidelines it states: "Thereby, to address all of these interests, the reasonable policy is that use and development that is appropriate and necessary is planned for and accommodated by assuring that the impacts of establishing uses or conducting development are identified and mitigated with a final result that is no worse than maintaining the current level of environmental resource productivity or "no net loss".

I have been waiting for a response from DOE since April 7, 2008 because the replacement of an existing bulkhead with a more fish friendly design appears to fit with this description since it would render **a final result that is no worse than maintaining the current level of environmental resource productivity, or "no net loss".**

(b)(iii) The cost for a geotechnical analysis can cost several thousand dollars for the property owner. Is there a Consultant or City Planner knowledgeable in these matters that could visit the site at no cost or for a nominal fee and state the City's position? In some cases this may be all that is needed to support a hard structural stabilization saving the property owner resources that can go toward the solution, whether hard or bioengineered. In other cases it will reinforce the need to hire a geotechnical engineer who will understand what the City is looking for on a site-by-site basis.

(c)(i) Please refer to (b) above in addressing "no net loss of ecological functions".

(c)(ii) Who will determine the minimum necessary and if determined by the professional engineer working on behalf of the property owner will it be challenged by the city?

(f) As noted above, the cost for geotechnical analysis is high and the report is asked to speculate by estimating time frames and erosion rates. Asking a professional geotechnical engineer to wage a 3 year guess into the future based on the present and past may prove difficult. Approving or denying shoreline stabilization based on presumption seems risky on behalf of all parties and may expose the City to legal action based on a single unusual storm event.

(i) and (5) Please see (b)(iii) and (f) above.

25.08.030 Lake Sammamish Use- specific Regulations

(2) Residential Use- Urban Conservancy Environment

(b) How many private property owners are prevented from having piers as a result of the 200 foot setback? Is this a taking of property rights that should be visited even though it may have been in the existing SMP?

25.09.020 Pine and Beaver Lake Shoreline Modification Regulations

All questions regarding regulations for Lake Sammamish are also extended to Pine and Beaver Lake Regulations.

Thank you for your attention to these concerns.

Respectfully,

David Douglas
Permit Coordinator
Waterfront Construction, Inc.

-----Original Message-----

From: Susan Gerend

Sent: Thursday, October 02, 2008 4:44 PM

To: Debbie Beadle; Maren Van Nostrand

Subject: RE: Shoreline Master Program

Hello Debbie and Maren!

I may not make it to tonight's meeting, but want to express my concern for the minimum width issue for our small private lakes, Pine and Beaver. Again, I understand that the rest of the city has a minimum width for new lots of 30 ft. Lakefront properties I believe had a minimum of 80 ft. which is now being considered to be reduced to 60 ft. wide. This will not help the 65 or so Pine Lake owners with frontage on their lots, of less than 60 ft. I would recommend another look at the maps of waterfront lots on these two lakes, especially Pine Lake, where I'm familiar with these properties. A 50 foot wide lot minimum, would be a fairer dimension for these narrow, long lots.

Thank you for entering my comments into your journal of citizen concerns.

Susan G

Susan Gerend, CRS,GRI,ASP.

Certified Residential Specialist

Windermere Real Estate East Inc.

-----Original Message-----

From: George Toskey
Sent: Thursday, October 02, 2008 4:55 PM
To: Maren Van Nostrand
Subject: RE: SMP Draft Posted on 9/26

Maren,

I understand the problems with storm water containing pollutants. I want to know the scientific basis no claiming that water collected from lakeside roofs is polluted.

There is no nitrogen, phosphorus or metals in water collected from roofs. These pollutants enter storm water after it reaches the ground where the polluting substances exist.

Why not require infiltration systems with filtered driveway catch basins to really solve the perceived runoff problem? This will make sense to the lakeside home owners. Reducing the imperious surface requirement looks like a taking of property rights.

Let me describe how this works:

The roof water is drained into 4-inch PCV piping installed on the sides of the residence. These pipes are connected to a perforated tightline across the lakeside of the residence. A 4-inch PCV overflow pipe is extended toward Lake Sammamish and terminated immediately on the shoreline at OHWM.

A system like this infiltrates the water even though it is not polluted.

Driveways should be required to have catch basins with filters that drain into the same tightline.

Regards,
George

PD-7
Through
PD-16

Oral comments taken at Planning Commission Meeting
October 2, 2008

Summarized in:

PUBLIC REVIEW DRAFT —COMMENT MATRIX POST-PUBLICATION
CITY OF SAMMAMISH SHORELINE MASTER PROGRAM UPDATE

PD-18
Through
PD-23

Oral comments taken at Planning Commission Hearing
October 16, 2008

Summarized in:

PUBLIC REVIEW DRAFT —COMMENT MATRIX POST-PUBLICATION
CITY OF SAMMAMISH SHORELINE MASTER PROGRAM UPDATE

PD24_Barrett_.txt

-----Original Message-----

From: Donald W Barrett
Sent: Tuesday, October 14, 2008 10:29 AM
To: Maren Van Nostrand
Subject: On-Line Public Comment Forms

Maren Van Nostrand
City of Sammamish

Maren,

In the latest letter from Kamuron Gurol, there is mentioned that "Public Comment forms" are available on-line for the public to file their written comments on-line. I have gone over the cited on-line documents and can not find the forms. Can you supply me with the on-line location of these "Public Comment forms"? Thanking you in advance,
Sincerely Don Barrett

-----Original Message-----

From:

Sent: Tuesday, October 14, 2008 12:47 PM

To: Maren Van Nostrand

Subject: Public Review Draft SMP

Hi Maren,

I noticed on the Power Point summary for the draft SMP, you can build a 150-sf structure, up to 8 feet high, within the shoreline buffer.

What are the current limitations for new structures to be built within the CAO buffer on Pine Lake?

Thanks much,

Brian Regan

PD26_Kahler_.txt

-----Original Message-----

From: Mary Jo Kahler

Sent: Tuesday, October 14, 2008 5:44 PM

To: Maren Van Nostrand

Subject: Agenda for Oct. 16th SMP Meeting

Hi, Maren,

Just wanted to clarify what part of the SMP will be up for discussion on Thursday.

At the previous meeting some of us came away believing we had heard that both the meetings on the 16th and the 30th would cover the same material so that we only needed

to attend one. Will there be anything on the Thursday agenda that will pertain to Pine Lake? Thanks for taking the time to respond. Mary Jo Kahler



Public Review Draft Shoreline Master Program Update Public Hearing Comment Form

Describe the comment or change you propose to the Public Review Draft Shoreline Master Program Update. Please include any alternative language or changes to the text, table or maps; attach pages as needed. Specify policy numbers and page numbers to ensure we understand your comment. This process will help guide the Planning Commission in making a recommendation to the City Council.

Date: 10/15/08

Name: Donald Barrett

Address: 2920 E Lk Sammamish Pkwy NE

City: Sammamish State: WA Zip: 98074

E-mail: [REDACTED]

Chapter	Page	Text Cite	Policy #	Action #
Comments:				
<p>Sept 2008 SMP update Ref para 4 (g) page 42;</p> <p>How can the City justify taking 15% of the width of a landowners property without paying them some form of compensation? I see nothing wrong with the normal five (5) foot buffer on either side of ones residence. After all the house owners have to be able to access the sides of their homes and in the case of emergencies, Fire and Aid personnel have to be able to be able to readily access the rear of a home. It appears that you are getting around have to u se the term "view or sight corridor" by arbitrarily using a percentage of the property width, rather than the old five (5) foot buffer. The 35-foot height limit on the homes does not keep the public from viewing the lake. I would like to see the wording changed back to the old standard five (5) foot side yard setback.</p> <p>Ref para (2)(c) page 42:</p> <p>I am very concerned about (2)(c): What was the rational for reducing the size of a residence I might build in the Urban Conservancy Environment? Why just because my property is located in this zone am I being penalized? I should have the same rights as everyone else. When I purchased the land many, many years ago, there were no restrictions what so ever on where or how I</p>				

could build. I do not favor going completely back to those days, only that the imposition of the reduction from a 55% to a 30% impervious surface seems totally unfair.

In 1993 I was approached by the "Ten Million Salmon" organization about establishing a "remote site incubator" in a stream on my property. The unit required that I have an uninterrupted flow of 12 gpm of clear cool water. This required building a dam (eventually needed two dams as so much sand, silt, gravel and rock washed down every week or so). I received my "Hydraulic Project Approval" from the Wash. State Dept. of Fisheries for the construction of the dams and the work in the stream. The incubator consisted of two special plastic barrels plus the water pipes, valves, egg baskets and screens. 250,000 or more eggs are picked up at the Issaquah Fish Hatchery and place in trays in the barrel. The eggs are allowed to hatch and when they are hungry enough they exit the barrel through the overflow pipe into Lake Sammamish. These are the equivalent of wild salmon as they are not fed. I incubated salmon eggs until several years ago when Bradford Davis of your office said I would have to stop as the permit from the State was only good for six months. Rather than attempting to argue the point, I quit raising salmon.

Comment # _____
Staff Use only

Chapter	Page	Text Cite	Policy #	Action #

Comments:

*Planning Commission Public Hearing Dates:
 October 16th and 30th, 2008, 7:30-8:30 pm at*



DON BARRETT 10-16-08



DON BARRETT 10-16-08

> -----Original Message-----

> From: George Toskey

> Sent: Thu 10/16/2008 8:58 PM

> To: Maren Van Nostrand

> Subject: Other City's SMP Updates

>

> Maren,

>

> I believe that the City of Sammamish owes the planning commissioners

> copies of the SMP updates drawn up by the other cities on Lake

> Sammamish. This is not a citizen responsibility.

>

> I know that Redmond has submitted its update. I also know that there

> was nothing in the update about impervious surface deductions. Further,

> there is nothing in the state guidelines about impervious surface

> reductions. As I have stated numerous times, the impervious surface

> deductions are absolutely unjustifiable.

>

> The City of Sammamish owes the commissioners more than just the biased

> testimony of a hired consultant.

>

> Regards,

> George

>

>

PD37b Toskey_.txt

From: George Toskey
Sent: Friday, October 17, 2008 1:27 PM
To: Maren Van Nostrand
Subject: RE: Other City's SMP Updates

Maren,

Thank you very much.

I was surprised by the comment by Scott Hamilton about other SMPs. This set the tone for my message below because the local governments should be looking at one another's SMPs.

If the state were in the business of saving money (which it is not), a draft would have been provided for each local government to edit. The draft would have been pre-approved by Ecology and then each SMP could have been judged by the changes. With changes easily tracked in word, the total savings would have been in the millions.

Regards,
George

PD37c Toskey_.txt

From: George Toskey
Sent: Friday, October 17, 2008 3:47 PM
To: Maren Van Nostrand
Subject: RE: Other City's SMP Updates

Maren,

I was wrong about Redmond not having an impervious surface limit for shoreline residential. It is 60%.

This is exactly the same as the impervious limit for residences built in zoning districts R3 - R5 everywhere in Redmond.

I will not be able to attend the meeting on the 30th. Please see that this information reaches Scott Hamilton, in particular.

Thanks,
George

From: Radabaugh, David (ECY)
Sent: Friday, October 17, 2008 3:43 PM
To: Maren Van Nostrand; mclancy@adolfson.com
Cc: Tallent, Geoff (ECY); Wenger, Barry (ECY); Pater, David (ECY);
Burcar, Joe (ECY); Nightingale, Barbara (ECY)
Subject: RE: Impervious

Maren,

My co-workers have noted the following:

Whatcom County

Whatcom County set the limit at 10% or 2,500 sq ft, whichever is greater, for their two most rural designations - Resource, and Conservancy. Otherwise, their SMP references the underlying zoning code since it varies by use and projects must also meet the following SMP provisions.

23.90.09 SITE PLANNING

23.90.09.A Policies

1. Development and use should 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. This may be accomplished by minimizing the project footprint, the use of clustering and other appropriate design approaches.

2. Low impact and sustainable development practices such as rain gardens, and pervious surfacing methods including but not limited to, porous paving blocks, porous concrete and other similar materials, should be incorporated in developments where site conditions allow to maintain shoreline ecological functions and processes. Topographic modification, vegetation clearing, use of impervious surfaces and alteration of natural drainage or other features should be limited to the minimum necessary to accommodate approved uses and development. An engineering geologist should be consulted prior to using infiltration practices on shore bluffs.

23.90.09.B Regulations

4. Impervious surfacing for parking lot/space areas shall be minimized through the use of alternative surfaces where feasible, consistent with the May 2005 Low Impact Development Technical Guidance Manual for Puget Sound.

7. Stormwater infiltration systems shall be employed to mimic the natural infiltration and ground water interflow processes where appropriate.

Redmond

Redmond restricts impervious surface to 10% coverage in the natural and conservancy environments and 60% for residential and high intensity use shorelines. They also has some narrative

restrictions under recreation
and parking.

Port Townsend

City of Port Townsend SMP sets limits of imperviousness and limits the
%imperviousness by slope of the respective
lot or area being developed.

Best available science (May, Booth, Karr etc.) basically reports ecosystem
degradation at over 10% impervious
surface.

See sections 5.7 and 5.8 and the table on page 22 a table of % imperviousness by
slope of the land.

Let me know if there are more questions.

Dave R

PD38_Smith_.txt

From: IBA
Sent: Friday, October 17, 2008 12:15 PM
To: Maren Van Nostrand
Subject: Sammamish Shoreline Master Program

Ms. Van Nostrand:

Thanks for chatting with me briefly at the meeting last evening and thanks for your willingness to answer my question.

You heard and saw my comments last evening and the Google Earth pictures I handed out showing the use of our property (5011 E. Lake Sammamish Parkway NE) and that of Mr. and Mrs. Martin at the far north end of Lake Sammamish within the City of Sammamish, the natural area that runs about 0.6 miles starting south of our properties to the next group of houses on the Lake south of us, and the pictures of the use of their property which is effectively the exact same use as we have.

Yet, it is proposed that our property and that Mr. and Mrs. Martin's be designated Urban Conservancy, while the houses to our south with the exact same use as our properties are proposed to be designated Shoreline Residential.

Please explain why this is being proposed this way.

In responding, if you continue to think that our properties should be designated as Urban Conservancy, please explain how that is appropriate given the definitions of these two different designations:

Shoreline Residential Environment (SR). The purpose of the 'Shoreline Residential' environment is to accommodate residential development and accessory structures that are consistent with this Program. This designation shall apply to shorelines that do not meet the criteria for Urban Conservancy and that are characterized by single-family or multifamily residential development or are planned and platted for residential development.

Urban Conservancy Environment (UC). The purpose of the 'Urban Conservancy' environment is to protect and restore relatively undeveloped or unaltered shorelines to maintain open space, floodplains or habitat, while allowing a variety of compatible uses. This designation shall apply to shorelines that retain important ecological functions, even if partially altered. These shorelines are suitable for low intensity development, uses that are a combination of water-related or water-enjoyment uses, or uses that allow substantial numbers of people to enjoy the shoreline.

Also in responding, if you continue to think that our properties should be designated as Urban Conservancy, please explain why a number of properties currently designated as "Conservancy" along the Lake are being proposed to be re-designated under the SMP updates to "Shoreline Residential", but our are not.

Thank you for your response,

Gary and Patricia Smith

-----Original Message-----

From: Richard M. Amidei
Sent: Friday, October 03, 2008 12:15 PM
To: Maren Van Nostrand
Subject: SMP

Hello Maren

After last night's meeting, I thought more about how to resolve the issue of tree replacement that would be less punitive and more "ecological".

A suggestion for your consideration may be language for 25.09.010 (2)(c)(i) as follows:

The applicant/property owner compensates for the additional twenty percent (20%) tree removal by replacing the felled trees on a 1 for 1 basis. The size of the replacement trees shall be in accordance with the requirements of SMC 21A.35.240. If after the 1 for 1 replacement, the total number of healthy trees, at least 1.5 inches in diameter and 8 feet in height, is less than 12 (or another appropriate quantity) per acre, then applicant/property owner shall be required to plant additional trees. The total number of trees required on a parcel smaller, or larger, than 1 acre shall be adjusted on a pro rata basis. The additional trees so planted shall be at least 1.5 inches in diameter and 8 feet tall.

You will need to wordsmith the language but the idea is to require the replacement of the trees and to have at least a minimum number of ecologically appropriate trees on the parcel.

Dick Amidei

PD40_Martin.txt

From: Dwight K. Martin
Sent: Friday, October 17, 2008 5:33 PM
To: Maren Van Nostrand
Subject: Mailing list

Hi Maren,

I don't recall seeing a notice about the public hearing last night. Are notices sent to all of the property owner on the lake? Am I on your mailing list?

The public hearing timeline is short, I am sorry that more people did not speak last night. As the planning commission and council deliberate on the plan will there be additional public comment allowed at those meetings?

I will be out of town for the meeting on the 30th. I hope to spend some time in the document and send in more written comments.

Thanks,
Dwight K. Martin
Sammamish WA 98074

GARY SMITH
10-16-08 PD-41
PUBLIC HEARING HANDOUT



1



47°38'44.47" N 122°05'07.54" W

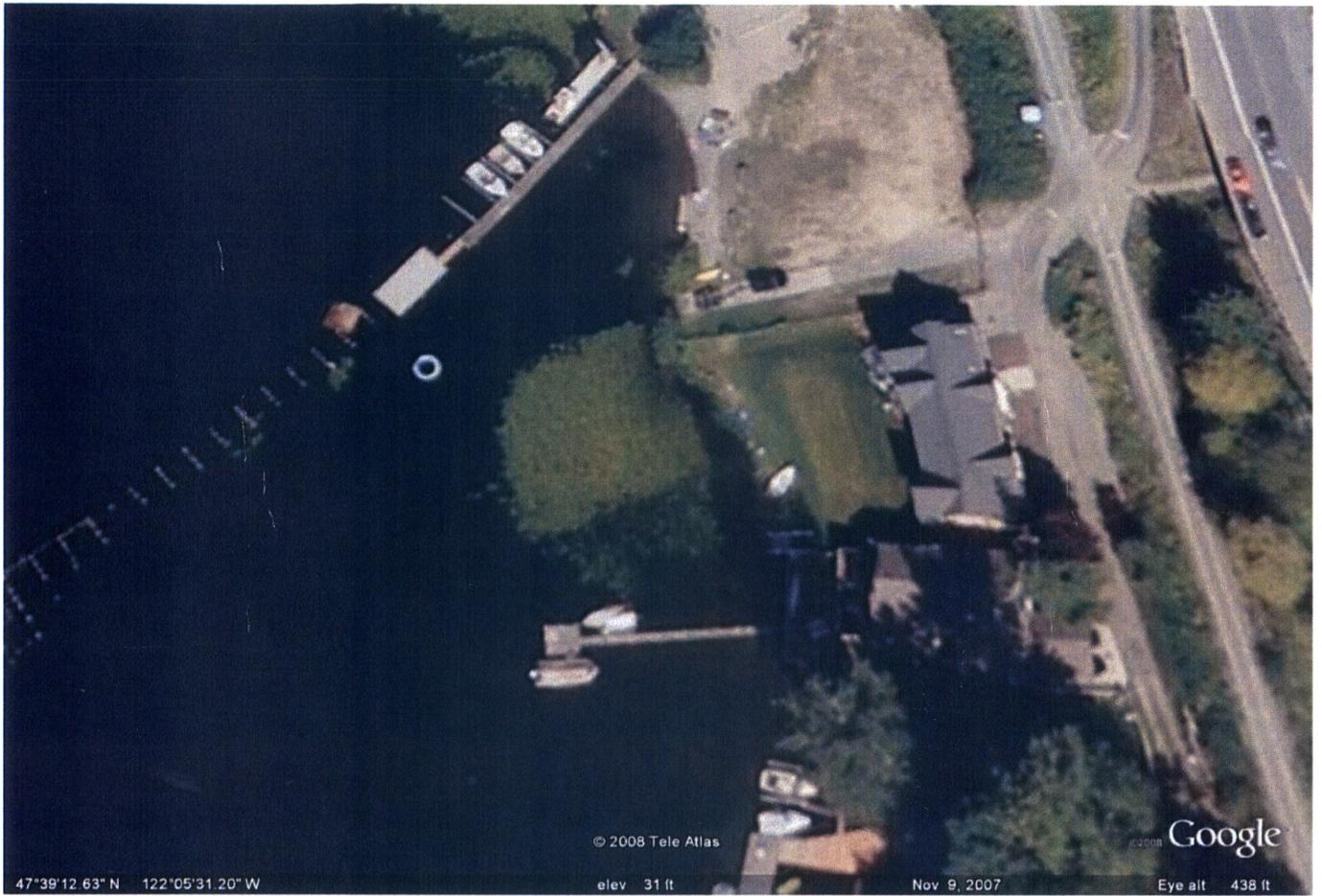
© 2008 Tele Atlas

elev 40 ft

Nov 9, 2007

Eye alt 450 ft

2



47°39'12.63" N 122°05'31.20" W

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elev 31 ft

Nov 9, 2007

Google

Eye alt 438 ft

3

To: City of Sammamish Planning Commission et al
From: Dwight K. Martin & Mary Martin
5101 E Lake Sammamish Pkwy NE
Sammamish WA 98074
Phone: 425-868-4217

PD-42
PUBLIC HEARING
HANDOUT

October 16, 2008

Dear Commissioners,

I live at the address above, which is the most northerly house on the east side of Lake Sammamish. After reviewing the definitions, I believe that the draft SMP incorrectly designates my property as Urban Conservancy (North Sammamish Map page 79 of SMP). I believe the correct designation for my property is Shoreline Residential.

The draft SMP states that the "Shoreline Residential" designation "shall apply to shorelines that Are characterized by single family or multi-family..... residential development." And that the purpose of this designation is to "accommodate residential development and accessory structures that are consistent with this program"(page 30 Draft SMP). I built my home in 2006 and it is in full compliance with the current codes. My lot area is about ¼ acre, only 90' by 100'. It is completely developed as a single family residence in an R-4 zone. There are no trees or distinct vegetation on my lot that would make you think of it as a conservation or conservancy environment. My shoreline is unremarkable, mostly grass with a mix of weeds. Prior to building my house this lot was used for parking and lake access. It has been cleared for decades. It was a part of the Raab farm, which is now the Dobbs Mill development. I am told that the site has been in continuous use since the late 1800s when the area was used as a saw mill, which is why we have hundreds of pilings just off our shore.

The "Urban Conservancy" designation is meant to "protect and restore relatively undeveloped or unaltered shorelines". It is specifically for "shorelines that retain important ecological functions..... and are suitable for low intensity development, uses that are a combination of water-related or water-enjoyment uses, or uses that allow substantial numbers of people to enjoy the shoreline" (page 30 Draft SMP). As stated above, my shoreline is completely developed. This designation would be appropriate for the city owned property to the south of us, but is completely inappropriate for my property, and that of my neighbors.

The Urban Conservancy designation restricts the use of my property in ways that the Shoreline Residential designation does not. It requires that docks be no closer than 200' apart. To fit a dock in between my two neighbors' docks I would need 400 feet, two hundred each way. My lot is only 90' wide and my neighbors all have docks, so it makes me the odd man out, no dock allowed. I am not sure why the 200' rule exists, but it is very restrictive on a lake where many lots are under 100' wide. Urban Conservancy would limit impervious surfaces to 30% of lot area. My lot is small, so 30% is not very much. I would become a non-conforming lot, where as I would be well within compliance with the Shoreline Residential designation.

Here is a picture of my house; Gary and Patty Smith are on the right:



Here is a picture of the property to the south of us, which is clearly different:



Please change the designation of our properties before approving this draft plan.

Thank you,

Dwight K. Martin

PD43_Martin_.txt

From: Dwight K. Martin
Sent: Saturday, October 18, 2008 8:01 AM
To: Maren Van Nostrand
Subject: Draft SMP in Word format?

Hi Maren,

Is the Draft SMP available in a MS Word format? If so could you email that to me? It would help me review and comment on it. I would also like copies of the existing shoreline plan and the critical areas ordinance in word.

Thanks,

Dwight

PD44_Duplicate.txt

From: Dwight K. Martin
Sent: Friday, October 17, 2008 5:33 PM
To: Maren Van Nostrand
Subject: Mailing list

Hi Maren,

I don't recall seeing a notice about the public hearing last night. Are notices sent to all of the property owner on the lake? Am I on your mailing list?

The public hearing timeline is short, I am sorry that more people did not speak last night.

As the planning commission and council deliberate on the plan will there be additional public comment allowed at those meetings?

I will be out of town for the meeting on the 30th. I hope to spend some time in the document and send in more written comments.

Thanks,

Dwight K. Martin

From: Maren Van Nostrand [mailto:mvannostrand@ci.sammamish.wa.us]
Sent: Monday, October 20, 2008 12:31 PM
To: Margaret Clancy
Cc: Rob Garwood; Susan Cezar
Subject: one big edit

Margaret,

Rob caught one fairly big edit in the SMP that I wanted to check with you about: He wants the 200' dock rule in the docks section rather than in the residential use section for each lake (p. 42 and p. 57). Does that make sense to you? Reasoning being that if someone is to build a house or expansion, they'll go to the residential section, and if they build a dock, they go to the dock section. I suppose we could also have it in both sections?

Maren Van Nostrand, Shoreline Policy
City of Sammamish
801 228th Avenue SE, Sammamish, WA 98075
425-295-0538

Please don't print this e-mail unless you really need to. Reduce, Reuse, Recycle.

PD46_Staff_structures in the buffer.txt

From: Maren Van Nostrand

Sent: Monday, October 20, 2008 2:55 PM

To: Kathy Curry; Becky Chaney; Susan Cezar; Kamuron Guro1; Rob Garwood

Subject: structures in the buffer

Kamuron, Susan, Rob, Becky, Margaret and Kathy:

On page 42 it says that accessory structures are allowed in the buffer and Rob and Kathy say that this is not allowed.

I will look back through my notes to find where this originated, unless one of you could tell me right off hand if you know?

Susan?

Structures accessory to residential development, other than fences, shall be sited outside (landward of) the shoreline buffer and building setback, except that the following

accessory structures may be allowed waterward of the buffer and setback without a shoreline variance when consistent with SMC 21A.50.352:

(ii) water-oriented accessory structures, excluding accessory dwelling units, in any portion of the shoreline buffer and setback provided that accessory structures are prohibited in, on or over water pursuant to SMC 25.08.030(1)(e) and that the maximum total footprint is one hundred fifty (150) square feet or less and no structure exceeds

eight (8) feet in height above existing average grade level. Accessory structures shall

not be located within wetlands or streams.

Maren Van Nostrand, Shoreline Policy

City of Sammamish

801 228th Avenue SE, Sammamish, WA 98075

425-295-0538

P Please don't print this e-mail unless you really need to. Reduce, Reuse, Recycle.

-----Original Message-----

From: Alisa Bieber [mailto:biebeajb@DFW.WA.GOV]

Sent: Monday, October 20, 2008 11:43 AM

To: Maren Van Nostrand

Subject: SMP update comments

Hi Maren,

I reviewing the draft update and wanted to offer a few comments.

2(b)(i) limits the size of a recreation dock or pier to 3,000 sq ft. Do you intend for that to be square footage of pier or total overwater coverage (pier plus walkways plus floats plus boat covers etc)?

2(c)(ii) states that docks and piers shall be the minimum size required to provide for moorage. How will this size be determined? Will you check the size boat that the family has? It seems like a difficult guideline to follow.

2(f) states that each lot may have one dock, one lift and one float. Are jetski lifts included as lifts, or is it just boatlifts? Does the float provision include the large blowup trampolines that people put out, or just permanent structures?

2 (k) talks about the repair and replacement of docks. I've seen a lot of projects recently where pilings are spliced, not replaced. It may be helpful to be explicit that this type of repair counts towards the percentages listed.

For replacement or reconfigured structures, how will you deal with proposed size increases? WDFW requires grating on all new decking. Will you be requiring grating as well?

(3) deals with dredging, filling and excavation. We routinely ask people to add up to 25 cubic yds of gravel ask mitigation for bulkhead repair or replacement. I couldn't tell how that would fit under the proposed SMP.

(4)(i) deals with replacement bulkheads and shoreline stabilization. Is there a definition of "primary uses" somewhere else? How will people demonstrate the need for a bulkhead rather than a bioengineered structure? Will they need a geotech report like is needed for new bulkheads?

thanks for the chance to comment.

Alisa J. Bieber
Area Habitat Biologist
Washington Department of Fish and Wildlife
Region Four, Issaquah Office
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Subject: 10/15 KWG Mtg Summary

Greetings All,

Thanks to all who attended and participated in the KWG meeting last week. I think we made some progress on several fronts. Here are the high points from our discussion:

- SMP Input - Several group members suggested that the KWG should provide input into ongoing Shoreline Master Program processes, primarily to ensure that they are aware of the dire condition of the Lake Sammamish kokanee population and the basic habitat needs (e.g., spawning habitat in several streams and along portions of the lake shoreline) of kokanee that the SMPs could influence. The KWG could also highlight data gaps relating to habitat that the SMP update processes could help address. I will draft a letter and circulate it to the KWG for review. The timeline for this is tight - we probably need to get even a general letter out in the next week or so to meet the nearer term SMP work in one or more jurisdictions.
- Kokanee Listing Petition - USFWS continues to work through the status review process. Stay tuned.

Please let me know if I have missed anything of importance.

Keep a look out for a future e-mail with date options for the next KWG meeting.

DSJ

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