



**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3001298  
**Applicant Name:** Terry Wilson for Cramer NW  
**Address of Proposal:** 2820 27<sup>th</sup> Avenue West

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into two parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 5,078 sq. ft. and B) 5,001 sq. ft. The existing single family residence is to remain and the existing detached garage to be removed.

The following approval is required:

**Short Subdivision** - to divide one parcel into two parcels of land.  
(Seattle Municipal Code Chapter 23.24.040)

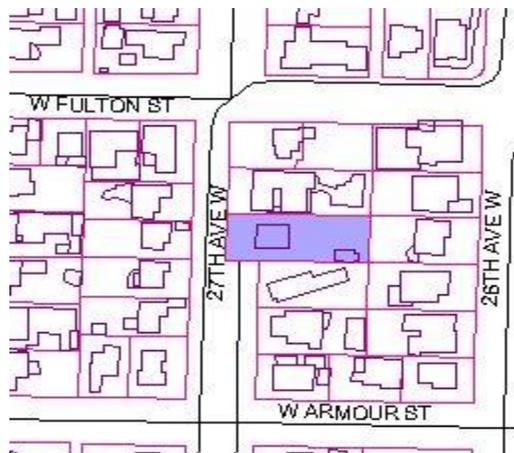
**SEPA – Environmental Determination** – Chapter 25.05, Seattle Municipal Code.

**SEPA DETERMINATION:** [ ] Exempt [X] DNS [ ] MDNS [ ] EIS  
[ ] DNS with conditions  
[ ] DNS involving non-exempt grading or demolition, or  
involving another agency with jurisdiction.

**BACKGROUND DATA**

Site Description and Area Development

The site is located in a single-family (SF5000) zone. The site is located on 27<sup>th</sup> Avenue West between West Fulton Street and West Armour Street. The applicant proposes to subdivide one parcel into two parcels of land. There is no alley in this block. Zoning in the immediate vicinity is Single family 5000 (SF 5000).



### Proposal Description

Land Use Application to subdivide one parcel into two parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 5,078 sq. ft. and B) 5,001 sq. ft. The existing single family residence is to remain and the existing detached garage to be removed.

### Public Comments

Four comment letters were received during the official public comment period which ended August 19, 2009. The comments pointed out concerns for increased parking and traffic in the area due to a new lot; concerns on view protection and steep slope and drainage issues. Increased density in a single family zone was also mentioned.

### **ANALYSIS - SHORT SUBDIVISION**

SMC Section 23.24.040 provides that the director shall use the following criteria to determine whether to grant, condition, or deny a short plat application:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection, as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Whether the proposed division of land is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit Subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing; and*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Based upon information provided by the applicant; review and approval of access, drainage and zoning within the Department of Planning and Development (DPD), the review and approval from the Seattle Water Department (SWD), Seattle Fire Department (SFD), and Seattle City Light; and review by the Land Use Planner, the following findings are made with respect to the criteria cited above:

1. The intent of the land use code is to provide additional housing opportunities in neighborhoods where it is desirable to limit development to infill projects. The proposed short plat conforms to the applicable zoning and land use codes. The project will conform to all development standards of the Single-family 5000 zoning district.

2. Vehicular access to the building site will be from 27<sup>th</sup> Avenue West. The Seattle Fire Department has approved this proposed short plat with conditions listed below. Parcels located on private access easements should place an address identification sign near the intersection of the access easement with the public road for ease of identification of the property, especially in the event of an emergency. In order to assure that the maintenance responsibility of the private access is clear, the applicant/responsible party will be required to attach an easement maintenance agreement to the final short plat. Seattle City Light requires an overhead/underground easement on the portion of the property described as ingress, egress and utility easement. These requirements will be included as a condition of the final short plat to assure continued access for vehicles, utilities and fire protection.
3. This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle and availability of service is assured subject to standard conditions of utility extension. The project has received a Water Availability Certificate 2009-0382. The storm water drainage system to be incorporated into the new building sites will be reviewed for compliance with the applicable provision of the Storm water, Grading and Drainage control code by the DPD Access and Drainage Review Section upon application for building permits. There are no recommended drainage or sewer conditions prior to recording of the short plat. A standard drainage control plan will be required at time of building permit application using standard plans and methods.
4. The public use and interests are served by permitting the proposed division of land. The proposal meets all applicable criteria for approval of a short plat as discussed under Criteria 1, 2, and 3 of this analysis.
5. This site is in an environmentally critical area as defined in SMC 25.09.100; ECA review is required. This project is a short plat, creating two lots from one lot. Based on a review of the submitted information and the City GIS system, DPD has concluded that the project qualifies for the criteria established in the Critical Areas Regulations, SMC 25.09.180 B2b. Consequently, the ECA Steep Slope Development Standards in SMC 25.09.180B.1 are waived for the development associated with DPD Application number 3001298. For this reason, as ECA Steep Slope Area Variance will not be required for this project. All other ECA Submittal, General, and landslide-Hazard, and development standards still apply.
6. This subdivision is designed to maximize the retention of existing trees.
7. Conformance to the provisions of Section 23.24.045, Unit Subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing;

The project is not a unit lot subdivision proposal.

8. The lot is a single-family zoned lot, but there are not multiple dwelling units on the lot.

### Summary

The lots to be created by this short subdivision will meet all minimum standards of the zone set forth in the Land Use Code, and are consistent with applicable policy guidelines. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions.

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision and Unit Lot subdivision is **CONDITIONALLY GRANTED**.

### **ANALYSIS - SEPA**

Due to the presence of the small steep slope environmentally critical areas, the application is subject to SEPA review. SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical areas (ECA) regulations in SMC 25.09; and 2) evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review included identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 29, 2009. The information in the checklist, supplemental information provided by the applicant (soils report), project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### **Short-term Impacts**

The following temporary or construction-related impacts to the environmentally critical area are expected: 1) temporary soil erosion, 2) increased vibration from construction operations and equipment; 3) Noise/construction impacts. Impacts 1, 2 and 3 are temporary and/or minor in scope (SMC 25.05.794).

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.

The Building Code provides for construction measures and life safety issues. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

#### Construction impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

#### Earth/Soils

The ECA Ordinance requires submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with landslide potential and/or a history of unstable soil conditions. The applicant has submitted a Geotechnical Investigation to the geotechnical reviewer for this project exemption. The construction plans, including shoring of excavations as needed and erosion control techniques will receive separate review by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized; therefore, no additional conditioning is warranted pursuant to SEPA policies.

#### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces, and loss of plant and animal habitat.

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the ECA Ordinance, the Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies.

**DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

**CONDITIONS - SHORT SUBDIVISION**

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. The lot areas of each parcel shall be shown on the recording documents.
2. Add the City Light Easement language to the face of the plat.
3. Enlarge the typeface, use boldface type, underline or otherwise highlight the following on the face of the plat: *“The unit lot is not a separate buildable lot. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.”*
4. Add an easement or covenant to the final plat to allow for proper posting of address signage for Parcel B.

Prior to Issuance of any Building Permit

5. The owner(s) and/or responsible party(s) shall attach a copy of the recorded short plat to any future building plans.

**CONDITIONS - SEPA**

None.

Signature: \_\_\_\_\_ (signature on file)  
Holly J. Godard, Land Use Planner  
Department of Planning and Development

Date: August 2, 2010

HJG:bg