



City of Seattle

Gregory J. Nickels, Mayor

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**Department of Planning and Development**

Diane M. Sugimura, Director

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

**Application Number:** 3007816  
**Applicant Name:** Paul Meyer for the Port of Seattle  
**Address of Proposal:** 2201 Alaskan Way

**SUMMARY OF PROPOSED ACTION**

Land Use Application to construct a 901 square foot exterior canopy over the east side of the Pier 66 Cruise Ship Terminal Building adjacent to Alaskan Way. An Addendum to the Central Waterfront Project Environmental Impact Statement was prepared by the Port of Seattle.

The following approvals are required:

**Shoreline Substantial Development Permit:** to allow the construction of an overhead canopy in an Urban Harborfront (UH) Shoreline environment (SMC 23.60.020);

**Shoreline Variance:** to exceed maximum allowed lot coverage of the upland portion of a waterfront parcel (SMC 23.60.694);

**SEPA – for conditioning only** – Chapter 25.05, Seattle Municipal Code.

**SEPA DETERMINATION:** [ ] Exempt [ ] DNS [ ] MDNS [X] EIS<sup>1</sup>  
[ ] DNS with conditions  
[ ] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

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<sup>1</sup> Addendum prepared by the Port of Seattle.

## **BACKGROUND DATA**

### **Site Location and Description**

The site is located at the Pier 66 Cruise Ship Terminal Building, also known as the Bell Street Pier. The 7.11 acre site is bounded by Elliott Bay to the west, Alaskan Way to the east, submerged Battery Street right-of-way to the north, and the submerged Virginia Street right-of-way to the south. The dry land lot area for the Bell Street Pier is 85,560 square feet and the submerged land area is 388,515. The dry land portion of the site is the filled area behind the bulkhead on which the main building is situated.

The subject site is zoned Downtown Harborfront with a general height limit of 45 feet (DH 1/45). This zoning designation continues north and south of the site, west of Alaskan Way. East of Alaskan Way, zoning increases to DH 2-65 and DH 2-85. The site is also within the Shoreline District, specifically the Urban Harborfront Environment (UH), which extends south of the site from Jackson Street north along Elliott Bay to Bay Street.

The building footprint is 72,936 square feet in area and currently accommodates a number of uses including a conference center, a maritime exhibition center, public meeting space, retail uses, and homeport cruise ship services, operations, and exhibition space. Additional improvements to the site include a 14,000 square foot eating and drinking establishment, a public access area, a public marina, an outdoor concourse, pier area for moorage and operational support for larger cruise ships. Improvements in front of the main building, adjacent to Alaskan Way, include an area for onsite circulation of passenger vehicles, buses, taxis, and trucks for cruise passenger loading and unloading.

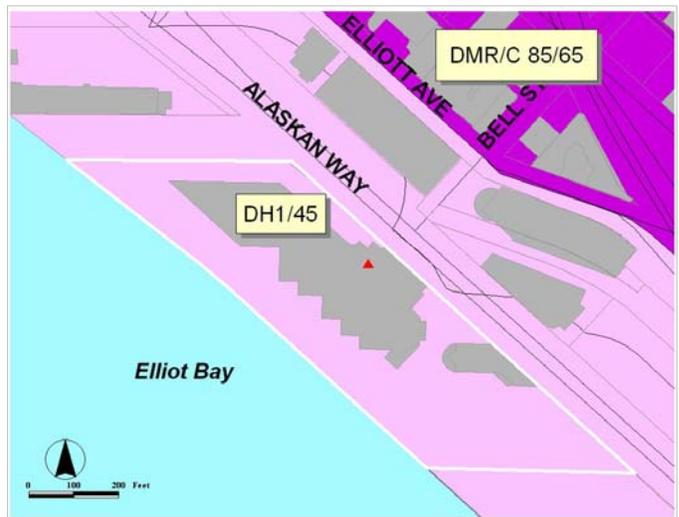
Alaskan Way is classified as a 60 foot wide principal arterial with a roadway width of 48 feet. The arterial is fully improved with curbs, sidewalks, and gutters. East of this right-of-way are rail lines under management and service of the Union Pacific and Burlington Northern Santa Fe railways. Development north and south of the site includes the Edgewater Inn hotel, and Piers 62, 63, and the Seattle Aquarium, all of which are operated and maintained by the Seattle Parks and Recreation Department.

### **Proposal Description**

The proposal is for the construction of a 901 square foot canopy above a portion of sidewalk adjacent to Alaskan Way. The overhead canopy will serve as weather protection for cruise ship passenger embarkation and debarkation.



**Figure 2.** Site Map.



**Figure 2.** Zoning Map.

The proposed canopy will project 10.6 feet over the sidewalk adjacent to Alaskan Way and will extend approximately 63 feet in length from north to south, including a portion that will extend farther to the north and west along the building's east façade. The design of the canopy will be in the form of a functional maritime expression, with steel components and glass used to admit daylight, similar to the existing bus parking area canopy. The steel structure and roofing panel would be painted to match the project standard green color.

The proposal includes a request for a variance from the development standards for the UH Shoreline Environment. Pursuant to SMC 23.60.694, structures may not occupy more than 50 percent of the dry land of any lot. The applicant requests an increase in the total dryland lot coverage of 1.3 percent (the exterior canopy). The proposal would increase the area of dryland coverage from 69,073 to 69,974 square feet, for a coverage of 81.78 percent. This amount is already well over the requirement of 50 percent of the dry land of any lot, as stated above, and exists due to previously approved variance requests (1993, 2000).

#### Public Comment

No public comments related to this land use application were offered during the comment period, which ended on October 5, 2007.

#### **ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT**

Section 23.60.020, Seattle Municipal Code (SMC), requires that a substantial development permit be obtained prior to the undertaking of any substantial development within a shoreline environment. Section 23.60.030, SMC, includes criteria for evaluating a shoreline permit. The development must be consistent with:

- A. *The policies and procedures of [Chapter 90.58 RCW](#) ;*
- B. *The regulations of this chapter, [Chapter 23.60 SMC](#), and;*
- C. *The provisions of [Chapter 173-27 WAC](#).*

Conditions may be attached to the approval of a permit as necessary to assure consistency of the proposed development with the Seattle Shoreline Master Program and the Shoreline Management Act.

#### **A. The Policies and Procedures of [Chapter 90.58 RCW](#)**

Chapter 90.58 of the Revised Code of Washington (RCW) is known as the Shoreline Management Act of 1971 (SMA). It is the policy of the state to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. The policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary incidental rights. Permitted uses in the shorelines shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water.

The Shoreline Management Act provides definitions and concepts, and gives primary responsibility for initiating and administering the regulatory program of the SMA to local governments. The Department of Ecology is to primarily operate in a supportive and review capacity, with emphasis on insuring

compliance with the policy and provisions of the SMA. As a result of this Act, the City of Seattle adopted the Seattle Shoreline Master Program, codified in the Seattle Municipal Code, Chapter 23.60. Development on the shorelines of the state is not to be undertaken unless it is consistent with the policies and provisions of the SMA, and with the local master program. The SMA sets out procedures, such as public notice and appeal requirements, and penalties for violating its provisions.

Per SMC 23.60.936, “Shorelands” or “shoreland areas” means those lands extending landward for two hundred (200) feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred (200) feet from such floodways; and all wetlands and river deltas associated with the streams, lakes and tidal waters which are subject to the provisions of this title; the same to be designated as to location by the Department of Ecology.

The proposal to construct a 901 square foot canopy accessory to an existing cruise ship passenger terminal facility would be consistent with the policies and procedures of Chapter 90.58 RCW. The proposed use would promote water dependent and water related uses at the pier, the shoreline ecology would not be affected, and no interference with waterborne traffic would result. The proposed use can be accomplished in a manner that is consistent with RCW 90.58 and City of Seattle shoreline policies. Consistency with Seattle shoreline regulations is discussed in more detail below.

**B. [The Regulations of SMC Chapter 23.60](#)**

Chapter 23.60 of the Seattle Municipal Code is known as the Seattle Shoreline Master Program (SSMP). In evaluating requests for substantial development permits, the Director must determine that a proposed use meets the approval criteria set forth in SMC 23.60.030. Development standards of the shoreline environment and underlying zone must be considered, and a determination made as to any special requirements (shoreline conditional use, shoreline variance, or shoreline special use permit) or conditioning that is necessary to protect and enhance the shorelines area (SMC 23.60.064).

In order to obtain a shoreline substantial development permit, the applicant must show that the proposal is consistent with the shoreline policies established in SMC 23.60.004; meets development standards for all shoreline environment established in SMC 23.60.152, as well as the criteria and development standards for the shoreline environment in which the site is located (SMC 23.49.300); any applicable special approval criteria (SMC 23.60.036); and the development standards for specific uses.

The proposed Urban Harborfront site is classified as a waterfront lot (SMC 23.60.924) on Elliott Bay, designated as a Shoreline of Statewide Significance (SMC 23.60.936). The passenger terminal is a water-dependent use and therefore is allowed outright in the Urban Harborfront (UH) shoreline environment (SMC 23.60.660).

**SMC 23.60.004 - Shoreline District Goals and Policies**

The Shoreline District Goals and Policies are part of the Seattle Comprehensive Plan’s Land Use Element. The purpose and location criteria for each shoreline environment designation contained in SMC 23.60.220, such as the Urban Harborfront (UH) environment, must be considered in making all discretionary decisions in the shoreline district. The shoreline policies support the establishment of passenger terminals along the central waterfront. The [Seattle Comprehensive Plan Toward a Sustainable Seattle, Land Use Element, Section C-4 Shorelines](#), states in part: *In conformance with the*

*goals of the State Shoreline Management Act, the Seattle Shoreline Master Program accommodates a variety of functions and activities unique to shoreline areas, especially water-dependent businesses and shoreline recreation activities, and protects and enhances public access, natural areas, and views of the water. Policy LU257-6 further adds: **Passenger Terminal:** Maintain and expand the opportunity for residents and visitors for convenient travel by ship to local and distant ports. Encourage more passenger-only ferry and cruise ships on the Central Waterfront.*

Seattle Municipal Code 23.60.220 C8 encourages economically viable water-dependent uses to meet the needs of waterborne commerce, and to facilitate the revitalization of Downtown's waterfront. The proposed canopy addition to the Pier 66 Cruise Terminal Building would improve passenger throughput for large cruise vessels, and allow the existing passenger terminal to operate more efficiently and safely. This in turn furthers the goals and objectives for development of Seattle's Central Waterfront.

#### SMC 23.60.064 - Procedures for Obtaining Shoreline Substantial Development Permits

SMC 23.60.064 provides authority for conditioning of shoreline substantial development permits as necessary to carry out the spirit and purpose of and assure compliance with the Seattle Shoreline Code, Chapter 23.60, and with RCW 90.58.020 for allowing variances to proposals that do not meet the development standards.

In evaluating whether a development which requires a substantial development permit, conditional use permit, variance permit or special use authorization meets the applicable criteria, the Director shall determine that:

1. The use is not prohibited in the shoreline environment and in the underlying zone;
2. The development meets the general development standards and any applicable specific development standards set forth in **SMC 23.60.152**; the development meets the development standards for the shoreline environment in which it is located, **SMC 23.60.690**; and the development meets the development standards of the underlying zoning **SMC 23.49.302**, except where a variance from a specific standard has been applied for, and;
3. If the development or use requires a conditional use, variance, or special use approval, the project meets the criteria for the same established in SMC Sections 23.60.034, **23.60.036**, or 23.60.032, respectively (discussed in more detail below).

If the development or use is a permitted use and meets all the applicable criteria and standards, or if it can be conditioned to meet the applicable criteria and standards, the Director shall grant the permit or authorization (SMC 23.60.064).

#### SMC 23.60.152 - Applicable Development Standards

The applicant proposes to add a 901 square foot canopy addition to the current cruise ship terminal building. Due to operational changes and the need to facilitate better passenger flow through the facility, the security screening operation will be relocated to the Hospitality Corridor on the first floor of the Pier 66 Cruise Terminal Building. This change will require that at peak volumes during disembarkation and embarkation the passenger queuing lines at Pier 66 will extend outside the building. The improvements will not only keep waiting passengers and their luggage covered during inclement weather, but will also keep pedestrians out of vehicle lanes and reduce interference with non-passenger pedestrian flow along the sidewalk.

The following general standards are applicable to the potential impacts of the proposed canopy addition. They require that all shoreline activity be designed, constructed, and operated in an environmentally sound manner consistent with the Shoreline Master Program and with best management practices for the specific use or activity. All shoreline development and uses must:

1. Protect the quality and quantity of surface and ground water on and adjacent to the lot and shall adhere to the guidelines, policies, standards and regulations of applicable water quality management programs and regulatory agencies. Best management practices shall be required;
2. Locate, design, construct, and manage the development and use in a manner that minimizes adverse impacts to surrounding land and water uses and is compatible with the affected area; and
3. Locate, construct, and operate shoreline development so as not to be a hazard to public health and safety.

The proposed work has been determined to be consistent with the general standards for development within the shoreline area. General development standards state that Best Management Practices shall be followed for any development in the shoreline environment (SMC 23.60.152). These measures are required to prevent contamination of land or water. The Stormwater, Grading and Drainage Control Code places considerable emphasis on improving water quality (SMC 22.800). To ensure conformance with the standards in SMC 23.60.152, the proponent will be required to notify contractors and subcontractors of these requirements.

#### SMC 23.60.690 - Development Standards for the UH Environment

The development standards set forth in the Urban Harborfront (UH) Environment relate to height, lot coverage, side setbacks, views, moorage, public access, and historic character (SMC 23.60.690). Development standards relevant to this land use application are discussed below.

#### *SMC 23.60.694 – Lot coverage in the UH Environment*

##### *A. Waterfront Lots.*

1. *Structures, including floats and piers, shall not occupy more than fifty (50) percent of the submerged land of any lot;*
2. *Structures shall not occupy more than fifty (50) percent of the dry land of any lot.*

The dry land lot area for the Bell Street Pier project proposal is 85,560 square feet and the submerged land area is 388,515 square feet. The dry land portion of the site is the filled area behind the bulkhead on which the main building is situated. There are no changes proposed to the submerged land coverage.

The applicant proposes to increase the dryland lot coverage an additional 1.3 percent 69,073 to 69,974 square feet, for a total dryland lot coverage area of 81.78 percent lot coverage; see Analysis – Shoreline Variance section. On two other occasions a variance request to exceed maximum allowed lot coverage of the dryland portion of a waterfront parcel was granted at this location. In 1993 the Port of Seattle applied for a variance for the construction of the mixed use cruise terminal and exhibition hall that would cover 62,993 square feet, equivalent to 74 percent, of the dryland portion of the lot (Project No. 9203932), and in 2000 the Port of Seattle requested increased lot coverage attributable to a new entry addition and canopies along Alaskan Way (Project No. 9904491).

The Director found, in both instances, that the variance requests were warranted and necessary to provide adequate separation and clear delineation of cruise ship terminal staging and other operations. Further discussion regarding the variance request for this land use application is provided in more detail below.

*SMC 23.60.698 – View corridors in the UH Environment.*

**B. View Corridors.**

The Central Waterfront Project site provides required view corridors and no changes are proposed with this proposal. The view corridor requirements for the pier-side development are met.

**SMC 23.49.302 - Development Standards for the Downtown Harborfront 1 Zone**

*SMC 23.49.302 – Downtown Harborfront 1, General Provisions*

*All uses shall meet the development standards of the Seattle Shoreline Master Program. Please refer to the shoreline variance section below.*

**C. The Provisions of Chapter 173-27 WAC**

Chapter 173-27 of the Washington Administrative Code (WAC) establishes basic rules for the permit system to be adopted by local governments, pursuant to the language of RCW 90.58. It provides the framework for permits to be administered by local governments, including time requirements of permits, revisions to permits, notice of application, formats for permits, and provisions for review by the state's Department of Ecology (DOE). Since DOE has approved the Seattle Shoreline Master Program, consistency with the criteria and procedures of SMC Chapter 23.60 is also consistent with WAC 173-27 and RCW 90.58.

**SMC 23.60.036 – Criteria for Shoreline Variances**

Section 23.60.036 of the Seattle Municipal Code provides criteria for review of a shoreline variance and reads: *In specific cases the Director with approval of DOE may authorize variances from certain requirements of this chapter if the request complies with WAC 173-27-170, as now constituted or hereafter amended.*

**Washington Administrative Code 173-27-170** explains the purpose and review criteria for granting a variance permit. The purpose of a variance permit is strictly limited to granting relief from specific bulk, dimensional or performance standards set forth in the applicable master program where there are extraordinary circumstances relating to the physical character or configuration of property such that the strict implementation of the master program will impose unnecessary hardships on the applicant or thwart the policies set forth in RCW 90.58.020.

**ANALYSIS - SHORELINE VARIANCE**

(1) *Variance permits should be granted in circumstances where denial of the permit would result in a thwarting of the policy enumerated in RCW 90.58.020. In all instances the applicant must*

*demonstrate that extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect.*

RCW 90.58.020 prioritizes, amongst other uses, ports, public access to shorelines of the state and marine dependent industrial and commercial developments. Appropriate shoreline uses are allowed if development reduces and minimizes adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life.

The size of the site is constrained, in part, because Elliott Bay exists due west of the project site and Alaskan Way right-of-way lies immediately east of the property, representing a limited developable building envelope. The public interest will be protected in that the proposed improvement will increase pedestrian safety during passenger loading and unloading, will keep pedestrians out of vehicle lanes and vehicle drop-off.

*(2) Variance permits for development and/or uses that will be located landward of the ordinary high water mark (OHWM), as defined in RCW 90.58.030 (2)(b), and/or landward of any wetland as defined in RCW 90.58.030 (2)(h), may be authorized provided the applicant can demonstrate all of the following:*

*(a) That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes, or significantly interferes with, reasonable use of the property;*

The primary approved use of the property is for operation of a marine passenger terminal for cruise ship homeporting in Seattle. The Port of Seattle, through this land use application, is seeking to efficiently and safely move passengers through security screening to the waiting ship. The project design maintains separation between queuing passengers and vehicle traffic, and provides passengers and their luggage coverage during inclement weather, which in turn speeds passenger flow through the security screening process.

The Port of Seattle maintains that the shoreline regulation which requires no more than 50 percent of lot coverage of the dry land portion of the site would interfere with the continued use of the facility as a fully functioning cruise ship terminal. The current variance request is necessary to accommodate a modern terminal facility that efficiently separates embarking and disembarking activities, including separated passenger waiting areas, baggage handling capabilities, and provisioning operations. Strict application of the bulk, dimensional or performance standards set forth in the master program would interfere with a reasonable use of the site and would require significant re-design of the project leading to possible view obstruction, interference with the public spaces along the pier, necessitate additional development over submerged lands, and compromise the availability of the working apron.

*(b) That the hardship described in (a) of this subsection is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;*

As described in the original variance application in 1993 (Project No. 9203932) and again in 2000 (Project No. 9904491), the hardship described above is not due to the applicant's own actions, nor from deed restrictions. The project is constrained by a code requirement to retain 50 percent of the dryland area unencumbered by structures. Pier 66 is unique in that the dryland available for construction was created by the filling activity undertaken by the City of Seattle at the turn of the 20<sup>th</sup> century. Any

dryland that was available years ago that functioned as a shoreline environment has not existed for decades. The only land now available on which to construct this proposal is all fill and has been historically 100 percent impervious surfaces.

The dryland coverage requirements in the shoreline policies differ in percentage depending on the shoreline environment. Generally, the permitted dryland lot coverage increases as the intensity of use increases, and availability of shorelines for habitat function decreases (e.g., the coverage for residential environments (UR) is 35 percent, for industrial uses (UG and UI) it is 100 percent).

Pier 66 is unique in that the dryland pier area has never provided a habitat function nor performed as an estuary or wetland; it has been impervious surface from the day it was filled by the City of Seattle. The only habitat function has been located in the submerged areas along the bulkhead edges, which would remain “as-is” with this proposal.

*(c) That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shoreline environment;*

There will be no new negative effects to the aquatic environment, no changes in parking, no changes to public access, no impacts to view corridors, and no changes in building height. The proposed design is compatible with other permitted activities in the area and the existing terminal facility and would not cause adverse effect to adjacent properties or the shoreline environment. The existing main building is an approved development that includes retail space, a marine passenger terminal, and conference center/exhibit space. Previous land use approvals associated with the Central Waterfront Project, originating in the 1980s, and the introduction of cruise ship uses at the terminal building anticipated, evaluated, and mitigated adverse impacts to the shoreline environment, and directly sought to achieve the objectives of the comprehensive plan and shoreline master plan.

*(d) That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;*

The applicant is not asking for any additional property rights or privileges that are not enjoyed by other properties in the vicinity. Granting this variance will not grant a special privilege exclusively to the applicant. The addition of an exterior canopy along Alaskan Way does not change the current uses of the property, nor does it change other permitted uses associated with the approved development of the Pier 66 Cruise Ship Terminal Building.

*(e) That the variance requested is the minimum necessary to afford relief;*

The proposed canopy is the minimum necessary to provide a functional staging area for passengers entering and leaving the facility.

*(f) That the public interest will suffer no substantial detrimental effect.*

The public interest will not suffer any detrimental effect as a result of variance approval. The proposed external addition is a necessary programmatic design element that will ensure a comfortable, convenient, safe, and visible entry to the terminal. The proposal is consistent with shoreline policies,

and all other development requirements in the UH shoreline environment are met with the design of the project.

*(4) In the granting of all variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example if variances were granted to other developments and/or uses in the area where similar circumstances exist the total of the variances shall also remain consistent with the policies of RCW 90.58.020 and shall not cause substantial adverse effects to the shoreline environment.*

It is not anticipated that additional variances to exceed lot coverage would be granted to other developments in the area since Pier 66 is a unique site and no other sites in the area have similar circumstances. Cumulative impacts are constrained by lack of developable area related to shorelines; the Pier 66 complex is largely built-out, as are other waterfront properties.

No cumulative adverse impacts are anticipated from granting this variance request. The project as proposed is consistent with RCW 90.58.020 and supports the shoreline policies. The expanded and continued operation of the Cruise Ship Terminal is consistent with Central Waterfront Planning and would meet all the planning goals for the area. Thus, variance approval would advance both State and City shoreline policies.

### **ANALYSIS - SEPA**

Disclosure of the potential impacts from this project was made in the following documents: The Port of Seattle Addendum to the Central Waterfront Project EIS for Pier 66 (Bell Street Pier) Passenger Terminal Minor Interior Renovations and External Canopy, dated July 25, 2007; and Attachment C-1 of the Shoreline Substantial Development Permits and Special Uses permit application, dated August 1, 2007.

The Port of Seattle, as lead agency, issued an environmental analysis of the Port's overall Central Waterfront Project (CWP) in the Central Waterfront Project Draft Environmental Impact Statement (DEIS), in 1989; the Final EIS was published in 1991. Environmental impacts expected from the CWP projects were discussed in Alternatives B, C, and D of the EIS. Two addenda were added for Phase I and Phase II in 1999.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and 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 such limitations or circumstances mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

### **Short-term Impacts**

The following temporary or construction-related impacts are expected: temporary increase in noise levels, and increased levels of fugitive dust and fumes from the construction equipment.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Seattle Noise Ordinance (construction noise); and State Air Quality Codes

administered by the Puget Sound Air Pollution Control Agency (air quality). Compliance with these codes and/or ordinances will lessen the environmental impacts of the proposed project.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased light and glare, view impacts from the adjacent public rights-of-way and public parks; and increased energy consumption. These long-term impacts are mitigated by the City's adopted codes and/or ordinances. Specifically, these are Land Use Code (aesthetic impacts, height, setbacks, parking, views); Seattle's Shoreline Master Program (impacts to shoreline and water quality), and the Seattle Energy Code (long-term energy consumption). No mitigation under SEPA, for short term or long term impacts, is warranted.

Conclusion

The proposal to construct a 901 square foot canopy addition to the east side of the Pier 66 Cruise Ship Terminal Building adjacent to Alaskan Way conforms to the general and specific development standards for development in UH Shoreline Environments and with the policies and procedures of the WAC and the RCW. Because it has been established that the proposed use and development conforms to the regulations of Chapter 23.60, Seattle Municipal Code, the permit shall be approved.

**DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT**

The Shoreline Substantial Development permit is **GRANTED**.

**DECISION - SHORELINE VARIANCE**

The Shoreline Variance is **GRANTED**.

**CONDITIONS –SHORELINE SUBSTANTIAL DEVELOPMENT**

None.

**CONDITIONS – SHORELINE VARIANCE**

None.

**CONDITIONS – SEPA**

None.

Signature: \_\_\_\_\_ (signature on file) Date: November 1, 2007

Catherine McCoy, Land Use Planner  
Department of Planning and Development

CRM:lc