



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

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

Application Number: 3009553
Applicant Name: Gretchen Reynolds for Kevin Vanderzanden
Address of Proposal: 2420 Westlake Avenue North

SUMMARY OF PROPOSED ACTION

Shoreline Substantial Development Application to allow a 1,525 sq. ft. two-story floating home with rooftop deck in an environmentally critical area. Existing 522 sq. ft. floating home to be demolished. Existing 940 sq. ft. float to remain.

The following approvals are required:

Shoreline Substantial Development Permit – To allow an expansion of a floating home in an Urban Stable (US) Shoreline Environment. - (SMC 23.60.600.A)

SEPA – Environmental Determination – (Chapter 25.05 SMC)

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

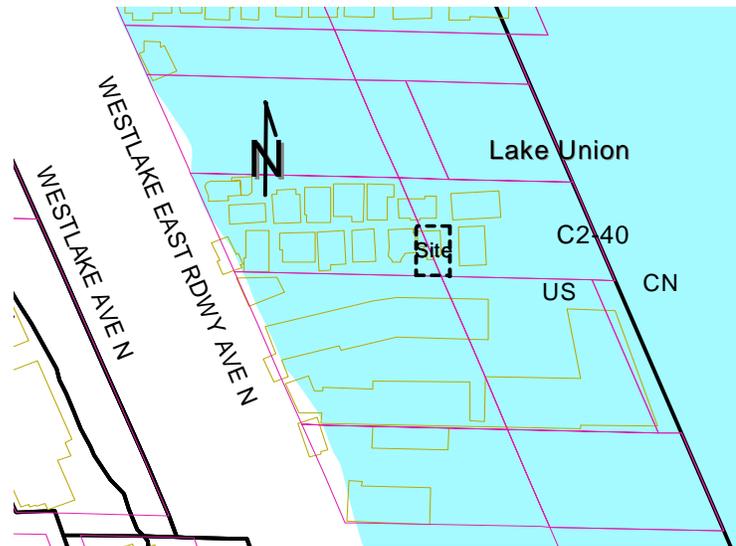
BACKGROUND DATA

Existing Conditions

The subject site is located on Lake Union in an Urban Stable (US) shoreline environment in a Commercial zone with a 40' height limit (C2-40). The site is located on Westlake Ave N., between the McGraw Street and the Wheeler Street rights of way. The existing floating home is located on a nonconforming moorage and the floating home site is partially located within Department of Natural Resource submerged lands. DPD has determined that the proposed expansion shall be reviewed under current standards for floating homes allowed at nonconforming floating home moorages (SMC 23.60.196.C). The use of floating home is an administrative conditional use in the C2-40 zone; however the expansion of an existing floating home does not require an Administrative Conditional Use Permit.

The existing float area for the subject floating home is a rectangular shape with a total area of 940 square feet. The current float and approximately 522 square foot one-story floating home are located on the west side of Lake Union.

No parking spaces are currently provided for this site, and no additional parking spaces are proposed.



Area Development

The floating home is located six moorage slots off the Westlake East Roadway Ave N on a dock which has 15 floating homes. There are floating homes to the north, east and west of the site. Commercial space is located in buildings to the south, facing the parking area on Westlake East Roadway Ave N. Boat moorage is located to the south of the site over water. Commercial and multi-family structures are located to the west across Westlake Ave N.

Proposal

The applicant proposes to demolish the existing 522 square foot house and construct a new 1,525 square foot home on the existing float at this site. All demolition and construction would occur on-site; due to the location of the floating home and adjacent floating homes and structures (other floating homes would need to be removed to clear a passage for towing away the subject property floating home). The height of the proposed residence would be 18' above the water line with an additional 36" high open railing for a rooftop deck. The total water coverage including eave overhangs and decks would remain at 940 square feet, confined within the perimeter of the existing float.

Public Comment

Notice of the proposal was issued on October 16, 2008. The Muckleshoot Tribe submitted public comments noting concerns with lighting fixture effects on salmonid populations.

ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

Substantial Development Permit Required

Section 23.60.030 of the Seattle Municipal Code provides criteria for review of a shoreline substantial development permit and reads: A substantial development permit shall be issued only when the development proposed is consistent with:

- A. *The policies and procedures of Chapter 90.58 RCW;*
- B. *The regulations of this Chapter; 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 RCW is known as the Shoreline Management Act of 1971. 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. This policy contemplates protecting against effects to public health, the land use and its vegetation and wild life, and the waters of the state and their aquatic life, while protecting public right to navigation and corollary incidental rights. Permitted uses in the shoreline shall be designed and conducted in a manner to minimize, insofar as possible, 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 Act to local governments. The Department of Ecology is to primarily act in a supportive and review capacity, with primary emphasis on insuring compliance with the policy and provisions of the Act. As a result of this Act, the City of Seattle adopted a local shoreline master program, codified in the Seattle Municipal Code at 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 Act, and with the local master program. The Act sets out procedures, such as public notice and appeal requirements, and penalties for violating its provisions. As the following analysis will demonstrate, the subject proposal is consistent with the procedures outlined in RCW 90.58.

B. **THE REGULATIONS OF CHAPTER 23.60**

The regulations of SMC, Section 23.60.064 require that the proposed use(s): 1) conform to all applicable development standards of both the shoreline environment and underlying zoning; 2) are permitted in the shoreline environment and the underlying zoning district and 3) satisfy the criteria of shoreline variance, conditional use, and/or special use permits as may be required.

SMC 23.60.004 - Shoreline Policies

The Shoreline Goals and Policies which are part of the Seattle Comprehensive Plan's Land Use Element and the purpose and locational criteria for each shoreline environment designation contained in SMC 23.60.220 must be considered in making all discretionary decisions in the shoreline district.

The policies support and encourage the establishment of water dependent uses. Floating homes, because of their historic role in Seattle, are designated as a water dependent use but the increase of floating home moorages or the increase in use of the shoreline or water area by floating homes is not necessarily encouraged. The intent is to recognize the existing floating home community in Lake Union and Portage Bay, while protecting natural areas, preserving public access to the shoreline, and preventing the displacement of water dependent commercial and manufacturing

uses by floating homes. Areas with substantial concentrations of existing floating homes are designated to preserve residential uses. The proposal site is located in an area designated as Urban Stable. This designation is listed in the Seattle Municipal Code and referenced in the Comprehensive Plan and is intended to provide opportunities for a variety of water-dependent recreational uses and allow some non-water dependent commercial uses. Floating home moorage is allowed as a conditional use meeting certain conditions. The proposal is to replace an existing floating home at an existing floating home moorage location. Therefore, the proposed project would conform to the policies of the comprehensive plan and would be consistent with the purpose of the US designation.

Development Standards

The applicant proposes to demolish the existing float and home and build a new expanded float and residence. This activity is permitted outright in SMC 23.60.600 governing the US shoreline environment. The proposed action is therefore subject to:

1. *General development standards for all shoreline environments (SSMP 23.60.152);*
2. *Development standards for nonconforming floating home moorages (SSMP 23.60.196.C);*
3. *Development standards for uses in the US environment (SSMP 23.60.600);*
4. *Development standards for Commercial zones (SMC 23.47A).*

1. General Development Standards for all Shoreline Environments (SSMP 23.60.152)

There are 18 (23.60.152 A – R) general development standards that apply to all development and uses in all shoreline environments. 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. These measures are required to prevent degradation of land and water. These general development standards state, in part, that all shoreline development and uses must: D) not release oil, chemicals or other hazardous materials onto or into the water; E) minimize and control any increase in surface water runoff so that receiving water quality and shoreline properties are not adversely affected; H) All shoreline developments and uses shall be located, designed, constructed and managed to avoid disturbance, minimize adverse impacts and protect fish and wildlife habitat conservation areas including, but not limited to, spawning, nesting, rearing and habitat areas, commercial and recreational shellfish areas, kelp and eel grass beds, and migratory routes. Where avoidance of adverse impacts is not practicable, project mitigation measures relating the type, quantity and extent of mitigation to the protection of species and habitat functions may be approved by the Director in consultation with state resource management agencies and federally recognized tribes; I) All shoreline developments and uses shall be located, designed, constructed and managed to minimize interference with or adverse impacts to beneficial natural shoreline processes such as water circulation, littoral drift, sand movement, erosion and accretion; J) be located, designed, constructed, and managed in a manner that minimizes adverse impact to surrounding land and water uses and is compatible with the affected area; and L) be located, constructed, and operated so as not to be a hazard to public health and safety.

Construction material such as wood used in the aquatic environment poses a risk of introducing toxins into the environment through the leaching of chemicals used to preserve the material.

Common chemicals used to preserve wood are copper, zinc, and arsenic. In high levels copper can negatively impact aquatic organisms. Additionally, an inherent risk that exists when humans live over the water is the potential for debris and other deleterious material to enter the aquatic environment. Therefore to ensure conformance with these general development standards, no treated wood shall be allowed in decking material, if treated wood is used in other structural elements of the floating home it shall meet or exceed the Western Wood Preservers Standards for use of treated wood in the aquatic environment and Best Management Practices shall be required of the owners living in the new houseboat that prevent debris and other deleterious material from entering the water, as conditioned below.

Other impacts could result from maintenance and repair of the structure. The existing float will require periodic maintenance to seal the material in the water. The sealant can potentially enter the water column when this maintenance is performed.

As a condition of approval, the project shall include Best Management Practices:

1. All deleterious material entering the water during the proposed work this material shall be removed immediately and disposed of appropriately. Any sinking debris entering the water shall be entered in a log and retrieved by a diver after construction.
2. An emergency containment plan is required for all toxic material kept on site, including on-site containment equipment and trained personnel.
3. No treated wood shall be used in any decking material.
4. If treated wood is proposed for other structures, this wood shall be professionally treated and completely cured using the Best Management Practices developed by the Western Wood Preservers Institute (<http://www.wwpinstitute.org/>) before this wood is used for this project.
5. The owner(s), builder(s), or responsible party(s) shall follow the BMPs developed to prevent debris and other deleterious material from entering the water during demolition and construction.
 - a. If floating debris enters the water during the proposed work this debris shall be removed immediately and stored until it can be disposed of at an appropriate upland facility.
 - b. If heavy (sinking) debris enters the water during the proposed work the location of the debris shall be documented in a log that is kept on site for the duration of the construction work. When construction is complete a diver shall retrieve all debris that has entered the water and sunk during the proposed work.
6. No treated wood shall be used in the decking material.
7. If treated wood is proposed for other structures, this wood shall be professionally treated and completely cured using the Best Management Practices developed by the Western Wood Preservers Institute (<http://www.wwpinstitute.org/>) before this wood is used for this project.
8. Equipment for the transportation, storage, handling and application of oil, chemicals, or other hazardous materials shall be maintained in a safe and leak-proof condition to prevent release of this material into the water. This equipment shall be checked daily for evidence of leaks, if evidence of a leak is found, the leak shall be contained and further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected.

9. Standard Best Management Practices (BMPs) (such as using secondary receptacle containers when handling toxic material so that any spilled material is contained in the second receptacle rather than entering the water and using toxic material so that none of this material enters the water) shall be used to ensure that no petroleum products, other toxic substances, including household chemicals, herbicides pesticides, chemical fertilizers, miscellaneous debris and/or other deleterious materials are allowed to enter or leach into the water.
10. No in-water repair or maintenance to the exterior of the floating home is allowed below the surface of the water if such repair or maintenance involves toxic chemicals.

The proposed demolition and construction of the proposed float and floating home are consistent with the general standards for development within the shoreline area. General development standards (SSMP 23.60.152) state that Best Management Practices shall be followed for any development in the shoreline environment. These measures are required to prevent contamination of land or water. The Stormwater, Grading and Drainage Control Code (SMC 22.800) places considerable emphasis on improving water quality. To ensure conformance with the standards in SMC 23.60.157, the proponent will be required to notify contractors and subcontractors of the required Best Management Practices listed, as a condition of approval.

The applicant and owner shall be required to notify contractors and subcontractors of these requirements, as a condition of approval.

In order to protect salmonids from potential predators, the project shall include a condition of approval to require all exterior lighting to include full shielding to prevent light spillage beyond the perimeter of the float, and shall use low-wattage light bulbs.

2. Development Standards for Nonconforming Floating Home Moorages (SSMP 23.60.196.C)

There are two sets of development standards for floating homes; conforming and nonconforming moorages. The subject moorage is nonconforming. The remodeling, replacement, or rebuilding of a nonconforming floating home moorage is permitted subject to the provisions set forth in SMC 23.60.196.C. The floating home moorage is located on Washington State Lake Union shore lands, and the applicant has indicated they hold a lease from Washington State (DNR lease #264, per SMC 23.60.193.A.2). The existing views of the water from other moorage tenants will not be blocked, subject to conditions listed below (SMC 23.60.196.A3). This floating home moorage site is considered pre-existing for the purposes of the Seattle Shoreline Master Program because the float has an assigned King County Assessor's (KCA) No. (KCA #264). The KCA established it as a pre-existing use at the established moorage in Lake Union as of the effective date of this Chapter (SMC 23.60.196.A4). A moorage plan was submitted with this application and is on file with the Department of Planning and Development (SMC 23.60.196 A6).

Nonconforming Floating Home Requirements:

	Code Provision	Required	Existing	Proposed
Water Coverage	23.60.196.C.1.a	Total float area shall not be increased	Existing 940 square foot float	Existing 940 square foot float to be reused and not increased
Height	23.60.196.C.1.b	18 feet maximum height from water level; additional 36" height for open railings	14'	18' maximum height above water; additional 18" open railing
Setback	23.60.196.C.1.c	6' between adjacent floating home walls	6' to the east 6' to the west	6' to the east 6' to the west
Setback	23.60.196.C.1.d	Minimum 3' to the site line	More than 3' to the south site line (nearest site line)	More than 3' to the south site line (nearest site line)
Open Water	23.60.196.C.1.e	Structure shall not extend beyond edges of float	No part of structure extends beyond edges of float	No part of structure extends beyond edges of float
Accessory Floats	23.60.196.C.1.f	Accessory floats may not be expanded; no new accessory floats	No accessory floats	No accessory floats
View corridors	23.60.196.C.1.g	Existing nonconformities to view corridors shall not be expanded	N/A	No change

The proposed floating home meets the requirements of SMC 23.60.196.A and 23.60.196.C.

The proposed project is consistent with the development standards for nonconforming structures in the US shoreline environment. Therefore, the proposed project is consistent with the standards for the US shoreline environment.

3. Development Standards for US Shoreline Environments (SSMP 23.60.600 – 23.60.642)

The development standards set forth in the Urban Stable Shoreline Environment relate to height, maximum size of uses, lot coverage, view corridors, public access, and permitted areas of development. The subject site is nonconforming and therefore subject to the development standards set forth in the specific floating home standards for nonconforming floating home moorages. Please refer to the previous section for these requirements.

4. General Development Standards for Commercial Zone Uses (23.47A SMC)

SMC 23.47A.004.Chart A states that residential uses are permitted as a Conditional Use in C2 zones. DPD has determined that existing floating homes may be expanded or replaced without constituting an expansion of that residential impact on a commercial zone. Therefore, the

floating home is considered an existing legally nonconforming use and the expanded residence does not require a new Conditional Use approval.

The existing floating homes at this moorage do not have designated required off-street parking spaces. No additional floating homes are proposed at this moorage. Therefore, no off-street parking will be required for this project.

C. THE PROVISIONS OF CHAPTER 173-27 WAC

Chapter 173-27 of the WAC sets forth permit requirements for development in shoreline environments and gives the authority for administering the permit system to local governments. The State acts in a review capacity. The Seattle Municipal Code Section 23.60 (Shoreline Development) and the RCW 90.58 incorporates the policies of the WAC by reference. These policies have been addressed in the foregoing analysis and have fulfilled the intent of WAC 173-27.

Summary

In conclusion, no additional adverse impacts to the lakebed or water quality are expected, subject to the conditions regarding Best Management Practices for construction and restrictions on treated wood products, as listed below. The proposed addition and alterations at this moorage site will be consistent with the provisions set forth by *90.58 RCW*, *173-27 WAC*, and Chapter 23.60 SMC also known as the Seattle Shoreline Master Program (SSMP), subject to the conditions listed at the end of this report.

DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

The Shoreline Substantial Development Permit is **CONDITIONALLY GRANTED** subject to the conditions listed at the end of this report.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 15, 2008. The information in the checklist 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 such limitations/circumstances (SMC 25.05.665 D1-7) 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 are expected: decreased air quality due to increased dust and other suspended air particulates during demolition and construction; increased noise and vibration from construction operations and equipment; and increased traffic and parking demand from construction personnel. These impacts are not considered significant because they are temporary and/or minor in scope.

Compliance with existing ordinances, such as the Street Use Ordinance and the Noise Ordinance will provide sufficient mitigation for most impacts. The other impacts not noted here as mitigated by codes or conditions are not sufficiently adverse to warrant further mitigation by conditioning. These impacts are not considered significant; however some of the impacts warrant further discussion and review.

Air Quality

Demolition of the existing floating home will create dust, leading to an increase in the level of suspended particulates in the air, which could be carried by winds out of the construction area. The Puget Sound Clean Air Agency (PSCAA regulation 9.15) requires that reasonable precautions be taken to avoid dust emissions. Demolition could require the use of heavy trucks or gasoline/diesel powered barges, and smaller equipment such as generators and compressors. These engines would emit air pollutants that would contribute slightly to the degradation of local air quality. Since the demolition activity would be of short duration, the associated impact is anticipated to be minor, and does not warrant mitigation under SEPA.

Construction Impacts

Construction activities include construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials. These activities 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 minor in scope and short in duration, and do not warrant mitigation under SEPA.

Noise

Demolition of existing floating home will be required. Additionally, as development proceeds, noise associated with construction of the new floating home could adversely affect the surrounding residential uses. Due to the proximity of neighboring residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. The hours of construction activity shall be limited to non-holiday weekdays from 7am to 6pm, with interior work allowed on Saturdays from 9am to 6pm once the shell of the structure is enclosed, as conditioned below.

Water Quality Impacts

No disturbance of the lakebed sediments is expected since all work will be done above water, with connections to utilities in the water column (water, sewer). There is the potential for debris to enter the water during demolition of the existing floating home and construction of the new floating home on site, therefore the project will be conditioned to include Best Management Practices (BMPs) to be employed during the demolition and construction of the floating home structures.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; and increased demand for public services and utilities.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which includes the Shoreline Master Program. 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, except as noted below.

Environmental Health

Operational activities, primarily the projects' increased energy consumption from a larger residence, are expected to result in increases in carbon dioxide and 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 and do not warrant mitigation under SEPA.

Height, Bulk, and Scale

The total height of the proposed floating home at eighteen feet (18 feet) will be the maximum allowed from the water surface. There is adequate separation between the floating home and the floating homes to the east, north, and west so solar access to those sites will not be obstructed. The appearance of bulk of the floating home will be reduced by design elements incorporated into the structure. There are a number of existing floating homes in the vicinity of a similar size and scale as the proposal. For these reasons, the proposed floating home will not be out of scale with other floating homes in the vicinity, and no adverse impacts are expected related to bulk and scale.

Plants and Animals

Chinook salmon, a species listed as threatened under the Endangered Species Act (ESA) in March 1999, are known to inhabit Lake Union including the proposed project area. Under the City of Seattle's Environmental Policies and Procedures 25.05.675 N (2) it states in part: A high priority shall also be given to meeting the needs of state and federal threatened, endangered, and sensitive species of both plants and animals.

This project is proposed to occur in the aquatic environment of Lake Union, which is habitat of chinook salmon. The project site serves as a migration corridor as well as rearing area for juvenile chinook salmon from the Cedar River and other water bodies in Water Resource Inventory Area 8.

Light sources can attract predators of juvenile salmon. In order to protect salmonids from potential predators, the project shall include a condition of approval to require all exterior lighting to include full shielding to prevent light spillage beyond the perimeter of the float, and shall use low-wattage light bulbs.

Summary

The Department of Planning and Development has reviewed the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist and this analysis, this action will result in probable adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

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 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- 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(2)(C).
- 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(2)(C).

SEPA AND SHORELINE CONDITIONS

The following conditions to be enforced during construction shall be posted at the site in a location on or near the property line that is visible and accessible to the public and to construction personnel from adjoining street right-of-way(s). The conditions will be affixed to placards prepared by DPD, to be issued along with the building permit set of plans. The placards shall remain posted on-site for the duration of the construction.

Prior to Issuance of a Master Use Permit

1. The final plan set shall include the note “light fixtures shall be shielded to avoid light spillage beyond the perimeter of the float and low wattage light bulbs to be used for any exterior lighting.”

Prior to Issuance of a Construction Permit

2. All work shall protect surface and ground water on and adjacent to the lot and reflect agencies' requirements.
3. Best Management Practices (BMPs) shall be followed. All deleterious material entering the water during the proposed work this material shall be removed immediately and disposed of appropriately. Any sinking debris entering the water shall be entered in a log and retrieved by a diver after construction.
4. An emergency containment plan is required for all toxic material kept on site, including on-site containment equipment and trained personnel.
5. No treated wood shall be used in any decking material.
6. If treated wood is proposed for other structures, this wood shall be professionally treated and completely cured using the Best Management Practices developed by the Western Wood Preservers Institute (<http://www.wwpinstitute.org/>) before this wood is used for this project.

During Demolition and Construction

7. The applicant shall notify in writing all contractors and sub-contractors that proposal is subject to the following conditions.
8. The owner(s), builder(s), or responsible party(s) shall follow the BMPs developed to prevent debris and other deleterious material from entering the water during demolition and construction.
 - c. If floating debris enters the water during the proposed work this debris shall be removed immediately and stored until it can be disposed of at an appropriate upland facility.
 - d. If heavy (sinking) debris enters the water during the proposed work the location of the debris shall be documented in a log that is kept on site for the duration of the construction work. When construction is complete a diver shall retrieve all debris that has entered the water and sunk during the proposed work.
9. No treated wood shall be used in the decking material.
10. If treated wood is proposed for other structures, this wood shall be professionally treated and completely cured using the Best Management Practices developed by the Western Wood Preservers Institute (<http://www.wwpinstitute.org/>) before this wood is used for this project.
11. Equipment for the transportation, storage, handling and application of oil, chemicals, or other hazardous materials shall be maintained in a safe and leak-proof condition to prevent release of this material into the water. This equipment shall be checked daily for evidence of leaks, if evidence of a leak is found, the leak shall be contained and further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected.

For the Life of the Project

12. Standard Best Management Practices (BMPs) (such as using secondary receptacle containers when handling toxic material so that any spilled material is contained in the second receptacle rather than entering the water and using toxic material so that none of this material enters the water) shall be used to ensure that no petroleum products, other

toxic substances, including household chemicals, herbicides pesticides, chemical fertilizers, miscellaneous debris and/or other deleterious materials are allowed to enter or leach into the water.

13. No in-water repair or maintenance to the exterior of the floating home is allowed below the surface of the water if such repair or maintenance involves toxic chemicals.
14. All exterior light fixtures shall be fully shielded to prevent light spillage beyond the perimeter of the float, and shall use low-wattage light bulbs.

SEPA CONDITIONS

15. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 am to 6 pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9 am and 6 pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noise generating activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov) when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Signature: _____ (signature on file) Date: January 15, 2009
Shelley Bolser AICP, Land Use Planner
Department of Planning and Development

SB:bg