



City of Seattle
Edward B. Murray, 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: 3010208
Applicant Name: Cassie Hibbert
Address of Proposal: 2155 N Northlake Way

SUMMARY OF PROPOSED ACTION

Shoreline Substantial Development permit to allow construction of a new 8,378 sq. ft. pier with an attached 2,284 sq. ft. finger pier (existing finger pier to be demolished). Project includes a new 1,192 sq. ft. floating pier and a 4,180 sq. ft. boat house for vessel repair on the south property line. Parking for 76 vehicles to be provided on site.

The following Master Use Permit components area required:

Shoreline Substantial Development Permit: to allow development in the Urban Maritime (UM) Shoreline Environment. SMC 23.60

SEPA Environmental Review – Seattle Municipal Code Section 25.05

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

Background and Proposal

The subject site is located on a waterfront parcel along N. Northlake Way between N. 34th St and N 35th St. The site is zoned Industrial Buffer with a height limit of 45 feet for non-industrial uses (IB U/45) and is within an Urban Maritime (UM) shoreline environment. The site has an area of 206,000 square feet, of which about 89,000 square feet is submerged.

The proposal is for the construction of a 8,378 square-foot pier and a new 2,284 square-foot pier for commercial moorage. Project includes demolition of an existing 1,762 square-foot floating pier and associated piles. Forty-nine (49) treated wood piles associated with the existing wharf, four (4) steel piles associated with the exiting pier, and 42 additional treated piles and seven steel piles in seven dolphins located near the western property line will be removed. The new pier surface is proposed to be impervious concrete in order to accommodate vehicles and equipment used to access and maintain the moored vessels. The deck will be designed to collect and convey stormwater to the upland area where a water quality treatment facility will be located.

A 4,180 square foot boathouse and associated 1,104 square foot pier will be moved from its current location on the Ship Canal to this site and used for vessel repair and maintenance. A new ramp and new float section will connect to the relocated float for access to the boathouse. The new ramp and float have an area of 688 square feet and will be grated for light penetration to the water below. The existing solid surface of all sections of the boathouse pier will be removed and replaced with a grated surface as well.

An area of about 9 feet by 22 feet (with 15 feet of trench) will be excavated in the existing asphalt parking lot as needed to install a new water quality treatment vault.

The piers will be used for loading and off-loading cargo, nets, gear and other supplies for Emerald Landing's Aleutian Spray Fisheries current fleet, which consists of eight ships ranging in size from 113 feet to 300 feet in length. No fueling or septic pumping will take place at the piers. These ships are currently moored at five different locations in the Lake Union/Ship Canal area. The project will allow consolidation of moorage and operations at this Northlake Way site. The project also includes compensatory habitat mitigation actions, described in more detail below and in the application, to address the negative impacts of the increase in overwater coverage that will result from this project.

Public Comment:

The initial public comment period began on June 25, 2009 and ended on July 24, 2009. The project was revised with a new notice beginning on June 12, 2014 and ending on July 11, 2014. A third notice occurred due to revised sign language. This notice began on June 23, 2014 and ended on July 22, 2014. Public comment was received and is contained in the DPD file for this application.

ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT

The entire proposed project area is within the Shoreline District and the Urban Maritime (UM) Shoreline Environment. The Shoreline Master Program (SMP), Chapter 23.60 of the Seattle Municipal Code, regulates use and development in the City's Shoreline District in order to implement the policy and provisions of the Shoreline Management Act of 1971 and the Shoreline Goals and Policies.

The SMP requires that a shoreline permit be obtained prior to the undertaking of any substantial development within a Shoreline Environment. SMC 23.60.030 includes criteria for evaluating a shoreline permit. 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 Shoreline Management Act.

A. THE POLICIES AND PROCEDURES OF CHAPTER 90.58.RCW

The State of Washington Shoreline policies (RCW Chapter 90.58) provide for the control of pollution and prevention of damage to the natural environment, and for the protection of the resources and ecology of the shoreline over the long term. 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 Shoreline Management Act of 1971 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 that also incorporates the provisions of Chapter 173.27 WAC. 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 policies of the Act regarding preferences for uses in the Shoreline District are articulated in RCW 90.58.020. The cargo terminal and commercial moorage uses proposed for this project are established uses at this site and are water dependent uses to facilitate the operation of the Aleutian Spray Fisheries fleet of ships. This proposal is consistent with the policies of the RCW Chapter 90.58.

B. THE REGULATIONS OF CHAPTER 23.60

Chapter 23.60 of the Seattle Municipal Code is known as the “Seattle Shoreline Master Program.” 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 as well as any conditioning that may be 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, and meet development standards for all shoreline environments established in SMC 23.60.152 as well as the criteria and development standards for the shoreline environment in which the site is located.

Each of these elements is evaluated below in the order they are listed in the Shoreline Master Program. The shoreline designation for the area of this project within the Shoreline District is the Urban Maritime (UM) Shoreline Environment.

SMC 23.60.004 - Shoreline Policies

The purpose of the UM Shoreline Environment as described in SMC 23.60.220.C.9 is to preserve areas for water-dependent and water-related uses while still providing some views of the water from adjacent streets and upland residential streets. Public access shall be second in priority to water-dependent uses unless provided on street ends, parks or other public lands.

The proposed uses are consistent with these goals.

In the City of Seattle's Comprehensive Plan, LU257 describes City-wide objectives for water-dependent businesses and industries, including cargo handling facilities, ship and boat repairs, moorage and to maintain a "critical mass of support services including boat building and repair, moorage, fish processors, and supply houses to permit Seattle fishermen to continue to service and have a home-port for their vessels in Seattle waters." LU269 describes area objectives for different shoreline locations throughout Seattle, including Lake Union (the location of this proposal and use), and promotes development that retains "the working character of Lake Union by reserving those areas of the lake's shorelines that are suitable for water-dependent uses for the use of marine businesses" and "prohibit new residential uses on industrial shorelines."

The proposed commercial moorage and cargo terminal use is a water dependent use consistent with the goals and policies mentioned above. The proposed project includes mitigation for the impacts to migrating salmonids due to the increase in overwater coverage.

SMC 23.60.064 - Procedures for Obtaining Shoreline Substantial Development Permit

This application has followed the procedural requirements for a Master Use Permit as specified in subsection A of SMC 23.60.064. This section also 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.

SMC 23.60.064.C. In evaluating whether a development that 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 proposed use is not prohibited in the shoreline environment(s) and underlying zone(s) in which it would be located.

The proposed project is not a prohibited use in the Urban Maritime Shoreline Environment. The proposed uses for this project are the same as the established cargo terminal and commercial moorage uses. The project uses are consistent with cargo terminal and commercial moorage uses permitted outright in the UM Shoreline Environment pursuant to SMC 23.60.720.B. The proposed project is not prohibited in the underlying zone either.

2. The development meets all applicable development standards of both the shoreline environment and underlying zone.

The conformance of the project with the general development standards and development standards in the shoreline environment in which the project is located is discussed below.

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 Section 23.60.034, 23.60.036 or 23.60.032, respectively.*

The proposal does not require a shoreline conditional use, variance or special use approval.

Shoreline Development Standards

The project is located in the Urban Maritime Shoreline Environment. Pursuant to the Seattle Shoreline Master Plan, the proposed action is subject to the:

1. general development standards (SMC 23.60.152);
2. development standards for uses in the UM Shoreline Environment (SMC 23.60.720).

1. SMC 23.60.152 - General Development Standards for all Shoreline Environments

General standards for all uses and development in all shoreline environments are established in SMC Section 23.60.152. Generally, these standards 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, in order to have minimal impact on the shoreline environment. The following general development standards are relevant to the proposed project:

- *The location, design, construction and management of all shoreline developments and uses shall 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 such as paving and berming of drum storage areas, fugitive dust controls and other good housekeeping measures to prevent contamination of land or water shall be required.*
- *Solid and liquid wastes and untreated effluents shall not enter any bodies of water or be discharged onto the land.*
- *The release of oil, chemicals or other hazardous materials onto or into the water shall be prohibited. Equipment for the transportation, storage, handling or application of such materials shall be maintained in a safe and leakproof condition. If there is evidence of leakage, the further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected.*
- *All shoreline developments and uses shall minimize any increases in surface runoff, and control, treat and release surface water runoff so that receiving water quality and shore properties and features are not adversely affected. Control measures may include, but are not limited to, dikes, catch basins or settling ponds, interceptor drains and planted buffers.*

- *All shoreline developments and uses shall utilize permeable surfacing where practicable to minimize surface water accumulation and runoff.*
- *All shoreline developments and uses shall control erosion during project construction and operation.*
- *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.*
- *All shoreline developments and uses shall be located, designed, constructed and managed in a manner that minimizes adverse impacts to surrounding land and water uses and is compatible with the affected area.*
- *All shoreline development shall be located, constructed and operated so as not to be a hazard to public health and safety.*
- *All development activities shall be located and designed to minimize or prevent the need for shoreline defense and stabilization measures and flood protection works such as bulkheads, other bank stabilization, landfills, levees, dikes, groins, jetties or substantial site regrades.*
- *All debris, overburden and other waste materials from construction shall be disposed of in such a way as to prevent their entry by erosion from drainage, high water, or other means into any water body.*

Best Management Practices for the removal of overwater and in-water structures and construction of the new overwater structures are contained in the application material, SEPA Checklist, Biological Evaluation and shown on Sheet S1 in the submitted plans. Implementation of these BMPs as proposed by the applicant and conditioned in this decision will provide sufficient protection of the aquatic and shoreline habitat consistent with these general development standards during construction of this project.

This project is proposed to occur in the aquatic and shoreline environment of Lake Union that provides habitat for Chinook salmon. The project site serves as a migration corridor as well as potentially rearing area for juvenile Chinook salmon from the Cedar River and other water bodies in Water Resource Inventory Area 8. Additionally, predators of juvenile Chinook are known to inhabit areas under overwater structures and may use these areas as cover while preying on juvenile Chinook. Overwater coverage reduces the amount and quality of natural habitat of juvenile Chinook salmon and provides habitat for predator species of juvenile Chinook.

The project proponent has agreed to a mitigation plan based on the proposed impacts of the project (summarized in a Mitigation Proposal dated July 7, 2014, with amendment dated July 30, 2014) that includes the removal of existing overwater coverage, removal of in-water structures, and removal of man-made submerged debris at the subject site and at other locations in Lake Union and Ship Canal. Submerged debris in the nearshore environment of Lake Union is known to provide habitat for predators of migrating salmon in this area. The removal of this debris and in-water structures along the shoreline will improve habitat conditions for migrating salmonids and adequately mitigate for the project's impacts.

As proposed and as conditioned below, the project complies with the above shoreline development standards.

Operational BMPs for the use of these piers and vessel repair boathouse are contained in the application material, SEPA Checklist, and Biological Evaluation. All vessel repair activities conducted at the boathouse shall be conducted consistent with applicable regulations from the Department of Ecology for the protection of water quality, including those specifically for boat repair activities conducted overwater and adjacent to the water.

As proposed and as conditioned below, the project complies with the above shoreline development standards.

SMC 23.60.720 - Development Standards in the UM Environment

The development standards set forth in the Urban Maritime Shoreline Environment relate to height, maximum size limits, lot coverage, view corridors, regulated public access, and location of uses (SMC 23.60.720). The proposed development has been reviewed and is consistent with these development standards, where applicable.

The proposed uses for this project in the UM Environment are described in more detail above and are consistent with cargo terminal and commercial moorage uses, which are permitted outright in the UM Shoreline Environment pursuant to SMC 23.60.720 B.

C. THE PROVISIONS OF CHAPTER 173-27 WAC

Chapter 173-27 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) 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.

DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

The proposed shoreline substantial development permit is **CONDITIONALLY GRANTED.**

SEPA ANALYSIS

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 May 22, 2014). The SEPA Checklist included a Traffic and Parking Analysis (dated May 22, 2014) from Heffron Transportation. The Department of Planning and Development has analyzed the environmental checklists submitted by the project applicant; reviewed the project plans, any additional information in the file and comments that have been received regarding this proposed action. This action may result in adverse impacts to the environment. However, due to their temporary nature or limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.554D) 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.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

Short-term Impacts

The following temporary or construction-related impacts are expected: temporary increase in noise levels, increase in water turbidity levels, increased levels of fugitive dust and fumes from the construction equipment, disturbance of shorelines and displacement of some fish wildlife species due to increased water turbidity levels and increased noise from the construction activities. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794). Although not significant, these impacts are adverse and, in some cases, mitigation may be warranted.

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). In addition Federal and State regulations and permitting authority (Section 10 Permit, 404 Permit from the Army Corps and HPA permit from Washington Department of Fish and Wildlife) are effective to control short-term impacts on water quality. Compliance with these codes and/or ordinances will lessen the environmental impacts of the proposed project.

The proposed construction work includes removal and installation of in-water structures. With the proposed work taking place in and adjacent to Lake Union, there is potential for debris and other deleterious material to enter the water during this proposed work. Best management practices (BMPs) will be employed to decrease the probability of debris or other deleterious material from entering the water during the proposed work. In-water construction activity will be restricted to in-water work windows established by the Washington Department of Fish and Wildlife and documented in the Hydraulic Project Approval for this project.

Construction material and equipment pose some potential danger of water and near shore contamination and shoreline erosion. The contamination from spills could lead to both water quality and aquatic habitat damage. In order to be prepared to provide a fast and effective response to spills or other actions which cause new contaminants to be introduced into the shoreline environment, it is necessary to condition the project to require that prior to commencing construction a spill prevention and containment plan and procedures be developed and all necessary equipment be stocked on the site. It is also warranted to require the use of BMPs to minimize erosion along the shoreline caused by storage and staging construction material in this area.

Greenhouse Gas

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery; and the movement of vehicles — 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 increased contribution of greenhouse gas emissions from this project.

No further SEPA conditioning of potential short-term impacts appears to be warranted.

Long Term Impacts

Several adopted City codes and/or ordinances, including the Stormwater Code, Land Use Code, Shoreline Master Program, Environmental Critical Area Ordinance, Street Use Ordinance, Building Code, Noise Code, Grading Code, Street Use Ordinance, and Harbor Code, as well as regulations under the authority of Puget Sound Clean Air Agency, Army Corps of Engineers, Washington Department of Fish and Wildlife, Washington Department of Ecology, and U.S. Coast Guard are effective to address long-term or operational impacts of this proposal. Generally, compliance with these applicable regulations and ordinances is adequate to achieve sufficient mitigation of most long-term impacts, pursuant to SMC 25.05.665 D and E, except as noted below. However, due to the nature of the proposal, some of the potential impacts warrant further analysis.

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 take place in Lake Union which is part of the migration corridor of Chinook salmon from the Cedar River and the other water bodies in Water Resource Inventory Area 8.

Clearly identified long-term impacts on juvenile Chinook salmon and the aquatic environment include the increase in over-water coverage for this project. Overwater coverage creates shading that provides hiding places for predators and forces juvenile salmon away from the near shore, where they are more susceptible to predation by larger fish; therefore, this decreases their survivability. As provided by SMC 25.05.350 A, when making a threshold determination the lead agency may consider mitigation measures that the agency or applicant will implement. These mitigation measures can be in the form of clarification of the proposal, changes to the proposal, or the project may be conditioned to include the mitigation measures. The applicant has included mitigation measures (more details are included in Mitigation Proposal submitted by applicant dated July 7, 2014, with amendment dated July 30, 2014) in the project to offset the impacts of the proposed work, including:

- Removal of existing overwater structures and associate piling.
- Removal of man-made submerged debris along property and at selected off-site locations totaling 8,880 square feet of submerged debris removal (per July 30, 2014, amendment to Mitigation Proposal).
- Boathouse pier and ramp will be fully grated for natural light penetration to water below.
- All pier lighting will be covered and directed down onto pier to minimize light spillage into water.

Each of these mitigation measures are believed to minimize impacts on juvenile salmon habitat at the site and improve the aquatic habitat for juvenile Chinook salmon and other species. Collectively these measures will reduce dark areas under the piers and eliminate large substrate in the shallow water habitat, which should in turn allow the juvenile salmon to remain in the shallow water during their migration and reduce the juvenile Chinooks' vulnerability to predation in the Lake Union environment.

Best Management Practices for the removal of overwater and in-water structures and construction of the new overwater structures are contained in the application material, SEPA Checklist, Biological Evaluation and shown on Sheet S1 in the submitted plans. Implementation of these BMPs as proposed by the applicant and conditioned in this decision will provide sufficient protection of the aquatic and shoreline habitat consistent with these general development standards during construction of this project.

This project is proposed to occur in the aquatic and shoreline environment of Lake Union that provides habitat for Chinook salmon. The project site serves as a migration corridor as well as potentially rearing area for juvenile Chinook salmon from the Cedar River and other water bodies in Water Resource Inventory Area 8. Additionally, predators of juvenile Chinook are known to inhabit areas under overwater structures and may use these areas as cover while preying on juvenile Chinook. Overwater coverage reduces the amount and quality of natural habitat of juvenile Chinook salmon and provides habitat for predator species of juvenile Chinook.

Operational BMPs for the use of these piers and vessel repair boathouse are contained in the application material, SEPA Checklist, and Biological Evaluation. All vessel repair activities conducted at the boathouse shall be conducted consistent with applicable regulations from the Department of Ecology for the protection of water quality, including those specifically for vessel repair activities conducted overwater and adjacent to the water.

As proposed and as conditioned below, the project complies with the above shoreline development standards.

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. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of 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.

SEPA AND SHORELINE CONDITIONS

Prior to building permit issuance

1. Provide Best Management Practices on building permit plans for protection of aquatic environment during removal of overwater and in-water structures and construction of piers and ramp, including Spill Prevention and Containment Plan.

During Construction

2. Best Management Practices for removal and construction activities in-water shall be implemented as shown on building permit plans and as approved by Washington Department of Fish and Wildlife and US Army Corps of Engineers.

Prior to building permit final

3. Complete implementation of approved Mitigation Proposal (dated July 7, 2014 and amended July 30, 2014), including removal of all proposed on-site and off-site submerged debris totaling at least 8,880 square of submerged debris removal.
4. Provide documentation to DPD (including photos of before and after conditions at removal locations) that Mitigation Proposal and submerged debris removal has been completed as approved in Mitigation Proposal dated July 7, 2014 and amended July 30, 2014.

Life of the Project

5. Maintain function of all pier and ramp grating by removing any debris or other material that would inhibit light passage through to the surface of the water.

6. All vessel repair activities at boathouse and at this facility must be conducted consistent with Washington Department of Ecology regulations and Best Management Practices for in-water and overwater vessel repair activities. Any debris or deleterious material that enters water during vessel repair activities shall be removed immediately. Any spills of potentially toxic material in Lake Union shall be reported immediately to Department of Ecology.

Signature: Denise R. Minnerly for Date: March 19, 2015
Ben Perkowski, Land Use Planner III
Department of Planning and Development

BP:drm

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.