



City of Seattle
Edward 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: 3010775
Applicant Name: Greg Diener
Address of Proposal: 1904 SW Dawson Street

SUMMARY OF PROPOSAL

Project Description

Land Use Application to allow grading of 40 cu. yds. of material in an environmentally critical area and remove existing retaining wall (20 cu. yds. of cut; 20 cu. yds. of fill).

The following approval is required:

SEPA Environmental Threshold Determination (Seattle Municipal Code (SMC) 25.05)

SEPA DETERMINATION

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

Zoning: Single Family 7200 (SF7200)

Parcel Size: 15,400 square feet

Existing Uses: Commercial Structure

Environmentally Critical Areas: Steep Slope, Riparian Corridor

SITE AND VICINITY

Surrounding Development

The subject site is on Southwest Dawson Street between 21st Avenue Southwest and 18th Avenue Southwest. Adjacent to the east is the Puget Creek and Puget Park. The site abuts SF 7200 to the north and east, and SF 5000 to the west and south. The site contains a commercial structure constructed in the late 1950's. This use is a nonconforming use in the SF 7200 zoning district. Existing surrounding development consists of single family structures with the West Duwamish Greenbelt Puget Park to the east.



Project Proposal

The scope of the project includes: removal of an existing concrete wall, removal of an existing chain link fence, repaving the existing parking and maneuvering areas, and installation of 1,494 square feet of new vegetation. The repaving is within the riparian management area; all other work is within both the riparian management area and the steep slope area.

Public Comment

The public comment period ended on November 20, 2013 after a request for an extension of the comment period. Multiple comments were received expressing concern related to the environmentally critical areas.

ANALYSIS – SEPA (WAC 97-11 and SMC 25.05)

The proposal site is located in an environmentally critical area (ECA). Proposals located in landslide prone areas (i.e. known landslide areas, potential landslide areas, and steep slopes), wetlands, and fish and wildlife habitat conservation areas may require environmental review (SMC 25.05.908); thus, this application is not exempt from SEPA review; however, the scope of environmental review of projects within these critical areas is limited documenting whether the proposal is consistent with the City's ECA regulations (SMC 25.09), and evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations (SMC 25.09). This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The Department of Planning and Development (DPD) has analyzed and annotated the environmental checklist submitted by the project applicant. The project plans and any additional information in the file and any pertinent comments which may have been received regarding this proposed action have been reviewed and considered. As indicated in the checklist, 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 25.05.665) 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 *SEPA 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 (SMC 25.05.665).

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

Temporary or construction-related impacts on the environmentally critical area are anticipated. Examples of impacts may include: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and/or vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and/or an increase in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

LONG TERM IMPACTS

Potential long term impacts anticipated by this proposal may be stormwater and erosion potential or stability of the site. Several adopted city code and/or ordinances, such as the *Stormwater Code* (SMC 22.800-808) or the *Grading Code* (SMC 22.170) provide mitigation for the identified impacts. Compliance with all applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning or mitigation is warranted.

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 requirement of the State Environmental Policy Act (Revised Code of Washington (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 Environmental Impact Statement (EIS) is not required under RCW 43.21.030(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).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the *Optional DNS Process* in WAC 197-11-355 and *Early Review DNS Process* in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS

None.

Signature: _____ (signature on file) Date: August 18, 2014
Carly Guillory, Land Use Planner
Department of Planning and Development

CG:drm

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