



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
DETERMINATION OF NON-SIGNIFICANCE BY
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3012277
Applicant Name: Elizabeth Maher
Address of Proposal: 539 23rd Ave S

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a two-story addition, containing six residential units, to an existing multifamily structure in an environmentally critical area (14 residential units total). Surface parking for three vehicles to be provided.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

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

BACKGROUND DATA

Zoning: Residential, Multifamily, Lowrise 2 (LR2).

Uses on Site: Existing multifamily residence.

Site Characteristics:

The subject property is a 10,000 square foot rectangular lot that fronts on 23rd Ave S to the east. The property is zoned Lowrise Two, Multifamily Residential (LR2). The site slopes gradually down from northeast to southwest. There is a mapped steep slope environmentally critical area (ECA) along the rear (west) property line, for which a limited exemption was granted by a DPD geotechnical engineer on June 25, 2012. The limited exemption granted relief from the specific development standards for steep slopes found in the Environmentally Critical Areas (ECA) Ordinance; however, the standards for landslide-hazard ECAs still apply.

Proposal Description:

The applicant proposes to construct a two-story addition, containing six residential units to an existing multifamily structure. Following construction, there will be a total of 14 units in the building. Vehicular and pedestrian access will be via 23rd Ave S. Parking for three vehicles will be provided.

Public Comment:

The comment period for this proposal ended on July 4, 2013. No comments were received.

ANALYSIS – SEPA

The proposal site is located in an environmentally critical area due to the potential for landslide, thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations.

Environmental review resulting in a Threshold Determination is required pursuant to the 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 and subsequently annotated by the Land Use Planner. The information in the checklist, supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed and annotated 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 this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and 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 Overview Policy states, in part, "*Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

Short-term Impacts

The following temporary or construction-related impacts are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

