



**City of Seattle**

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**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:** 3014784  
**Applicant Name:** Andrew Novion  
**Address of Proposal:** 3418 NW Market Street

**SUMMARY OF PROPOSAL**

Land Use Application to allow five, 3-story single family dwelling units. Surface parking for five vehicles to be provided. Existing single family to be demolished. Review includes future unit lot subdivision.\*

The following approvals are required:

**SEPA Environmental Threshold Determination - (SMC Chapter 25.05)**

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

\*Proposal includes future unit lot subdivision.

**SITE AND VICINITY**

**Site Location:** The site is located at the end of NW Market Street between 34<sup>th</sup> Avenue NW to the east and the Burlington Northern Railroad to the west. NW Market Street is a dead end street ending at the subject parcel.

**Zoning:** Lowrise 1 (LR1)

Environmentally Critical Areas: The west portion the site is located within a Steep Slope Critical Area. (Ref. ECA Exemption completed under DPD project 6350557.)

Parcel Size: 7,207 square feet.

Existing Use: Residential.

Public Comment: The Notice of Application comment period ended on May 1, 2013. One written comment was received during the comment period.

## **ANALYSIS - SEPA**

The proposal is to establish five single family residential units in an Environmentally Critical Area, thus the application is not exempt from SEPA review. 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) because the proposed project is located in a lowrise zone and exceeds the unit threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 12, 2013 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with 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, including site survey, and any additional information in the file, including the January 22, 2013 Geotechnical Evaluation prepared by Dennis M. Bruce, P.E.; and, reviewed the proposal for consistency with ECA regulations. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant. Codes and development regulations applicable to this proposed project, including the Environmentally Critical Areas Ordinance, Tree Protection Ordinance, Seattle Building Code, Stormwater Code, and Grading Code will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

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 environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) 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; decreased air quality due to suspended particulates from demolition, grading and clearing and hydrocarbon emissions from

construction vehicles and equipment; temporary soil erosion; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; increases in carbon dioxide and other greenhouse gas emissions and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, some impacts warrant further discussion.

The following temporary or construction-related impacts on the environmentally critical area 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).

#### Earth / Soils

The ECA Ordinance and Director's Rule ([DR 33-2006](#)) require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in steep slope areas. Pursuant to this requirement the applicant submitted a geotechnical engineering study prepared Dennis M. Bruce, P.E. dated January 22, 2013. The study has been reviewed and approved by DPD's geotechnical experts, who will require what is needed for the proposed work to proceed without undue risk to the property or to adjacent properties.

No additional conditioning is warranted pursuant to SEPA policies.

#### Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials 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 relatively minor contribution of greenhouse gas emissions from this project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

#### Long Term Impacts

Long term or use-related impacts on the environmentally critical area are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by

impervious surfaces; loss of plant and animal habitat. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

No additional conditioning is warranted pursuant to SEPA policies.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to 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.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

**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 43.21C), including the requirement to inform the public 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 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.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment and complies with ECA regulations. 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.

**CONDITIONS - SEPA**

None required.

Signature: \_\_\_\_\_ (signature on file) Date: September 9, 2013  
Lindsay King, Senior Land Use Planner  
Department of Planning and Development