



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

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

Application Number: 3016900
Applicant Name: Thomas Woldendorp, Site Survey & Mapping Inc.
Address of Proposal: 3912 S Brandon Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 5,309 sq. ft. and B) 3,881 sq. ft. Existing structure to remain.

The following approvals are required:

Short Subdivision – to create two parcels of land. (SMC Chapter 23.24)

SEPA – Environmental Determination (SMC Chapter 25.05)

BACKGROUND DATA

Zoning: Lowrise Two (LR2).
Uses on Site: Existing single family to remain.

Site Characteristics:

The subject property includes one parcel containing approximately 9,190 square feet. The rectangular lot fronts on S Brandon Street to the south. There are property lines shared with abutting residential properties to the north, east and west. The site and properties to the west are zoned Lowrise Two (LR2). Properties to the east and north are zoning Single Family (SF5000). The site slopes down from S Brandon Street approximately 24 feet toward the northeast corner of the lot.

The site is mapped as an Environmentally Critical Area (ECA) Steep Slope along the east property line. The site has received a limited steep slope exemption (Exemption provided under DPD Project #3016900), so that it is exempt from the development standards for steep slopes.

However, all other ECA submittal, general and landslide-hazard development standards still apply.

Proposal Description:

The applicant proposes to subdivide the property into two lots for future redevelopment.

Public Comment:

Multiple written comments were received during the public comment period ending on June 25, 2014.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, **the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition, or deny a short plat:**

1. *Conformance to the applicable Land Use Code provisions, as modified by this chapter;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
3. *Adequacy of drainage, water supply and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of Section 25.09.240, Short subdivisions and subdivisions, in environmentally critical areas;*
6. *Whether the proposed division of land is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing; and*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD and other City Departments and review and analysis by the Land Use Planner, the above criteria have been met. The short subdivision meets all minimum standards or applicable exceptions set forth in the Land Use Code. This short subdivision will provide pedestrian and vehicular access (including emergency vehicles), and public and private utilities. Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposed short subdivision and associated Environmentally Critical Area exemption comply with SMC 25.09.240. The proposed division of land is designed to maximize the retention of existing trees. Future building permit application will be subject to the tree ordinance regulation of SMC 25.11. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION – SHORT SUBDIVISION

The proposed Short Subdivision is **GRANTED**.

ANALYSIS – SEPA

The proposal site is located in a mapped environmentally critical area (ECA) due to steep slopes. However, the subject site has received a limited exemption from the standards for steep slope development on April 22, 2014. The property is still subject to all other ECA standards and is regulated as a potential landslide site. 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. 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 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 dated February 16, 2014. A geotechnical report dated April 22, 2014, was submitted. The information in the checklist, the geotechnical report, 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 plat documents 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.

Earth

The ECA Ordinance and Directors Rule (DR) 18-2011 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in landslide

prone areas. Pursuant to this requirement the applicant submitted a geotechnical report (Gary A Flowers, PLLC, April 22, 2014).

Future construction plans, including shoring of excavations as needed and erosion control techniques will be reviewed by DPD at time of building permit application. The applicant will also be required to provide a Construction Stormwater Control Plan and a Post Construction Soil Management Plan.

The Drainage Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The Drainage Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

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.

DECISION

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 (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 43.21.030(2) (c).

CONDITIONS:

None required.

Signature: _____ (signature on file) _____ Date: September 4, 2014
Lindsay King, Senior Land Use Planner
Department of Planning and Development

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