



**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:** 3019073  
**Applicant Name:** Scott Holsapple  
**Address of Proposal:** 3700 E. Valley Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow vegetation of a 17,055 sq. ft. area in an environmentally critical area. Project includes Vegetation Restoration Plan.

The following approval is required:

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

**SEPA DETERMINATION**

Determination of Non-Significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

**BACKGROUND INFORMATION**

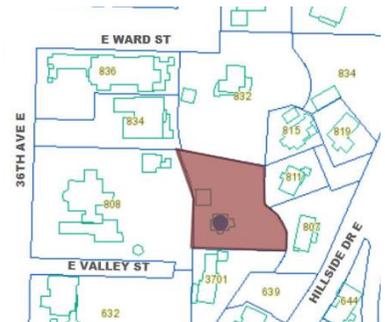
**Location:** The site is an interior lot, located between 36<sup>th</sup> Ave E and Hillside Drive E, at the east terminus of E Valley Street.

**Zoning:** Single Family 7200 (SF7200)

**Parcel size:** 25,366 square feet

**Existing Uses:** Single family residential

**Environmental Critical Areas:** Steep slope, potential slope, known landslide area.



## **PROPOSAL DESCRIPTION:**

The proposal will remove invasive vegetation on a private residential property and install native vegetation. The applicant has provided a detailed plan set identifying the area of work, topography and environmentally critical areas, erosion measure, and plant schedule.

**Public Comment:** The public comment period ended on February 25, 2015. DPD received no comment letters.

## **ANALYSIS – SEPA**

The proposal site is located in an environmentally critical area, as noted above. 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 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 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 on November 17, 2014. The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant; reviewed 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 considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision. 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.

City codes and/or ordinances apply to the proposal and will provide mitigation for short and or/long term impacts. Applicable codes may include the following: *Stormwater Code* (SMC 22.800-808); *Grading Code* (SMC 22.170), *Street Use Ordinance* (SMC Title 15), *Seattle Building Code*; *Regulations for Environmentally Critical Areas* (SMC 25.09); and *Noise Control Ordinance* (SMC 25.08).

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 (SMC 25.05.665) 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. 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 Impacts

The applicant has submitted an Environmentally Critical Area revegetation plan conforming to requirement in SMC 25.09.320. The Regulations for Environmentally Critical Areas, with a stated purpose of avoiding adverse environmental impacts, regulate all activities on sites with ECAs. The applicant submitted a vegetation restoration plan prepared by Scott Holsapple, RLA of Scott Holsapple Design, dated December 10, 2014.

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).

The revegetation plans for the proposal have 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, and to ensure that the proposal complies with the Stormwater Code and Grading Code.

Site preparation for planting native vegetation is expected to cause minimal temporary impacts of the identified environmentally critical areas. This activity may expose soil, leading to increased soil erosion and sedimentation until the new vegetation is adequately established on site. However, installation of erosion control measures, such as jute erosion netting and coir logs, will mitigate the risk of adverse environmental impacts from soil erosion. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

### Long-term Impacts

Long-term impacts from the vegetation removal activities are anticipated to be limited to temporary loss of non-vegetative cover. After clearing invasive species, there will be an increased potential for erosion until new vegetation is established. However, all applicable temporary and permanent erosion and sedimentation control best management practices, as specified in the approved plans, will be employed to ensure that erosion potential is minimized until new vegetation cover is established. After the revegetation and other site work are completed, the potential for long-term significant adverse environmental impacts is not expected. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment. No further SEPA conditioning is warranted (SMC 23.05.665).

### **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 requirement of the State Environmental Policy Act (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 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 OF APPROVAL**

None.

Signature: retagonzales-cumnertrubby for \_\_\_\_\_ Date: May 18, 2015  
Katy Haima, Land Use Planner  
Department of Planning and Development

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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](mailto:prc@seattle.gov) or to our message line at 206-684-8467.