



**City of Seattle**  
Edward B. Murray, Mayor

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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:** 3020078  
**Applicant Name:** Tom Brown  
**Address of Proposal:** 6001 Beach Drive South

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a single family residence in an environmentally critical area. Surface parking for five vehicles to be provided. Existing single family residence to be removed.

The following approvals are required:

**SEPA - Environmental Determination - Chapter 25.05 SMC**

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS

DNS with conditions

DNS involving non-exempt grading or demolition,  
or involving another agency with jurisdiction.

**BACKGROUND DATA**

Location and Proposal Summary:

The subject site is located at 6001 Beach Drive South on the shoreline of Puget Sound. The underlying zoning for this property is Single Family 5000 (SF 5000). The dry land portion of the subject property is located in the Urban Residential (UR) Shoreline Environment. The submerged portion of this site is located in the Conservancy Recreation (CR) Shoreline Environment. The subject site includes Environmental Critical Areas due to steep slope areas and potential landslide areas. Landslides have been known to occur at or near the subject site.

The proposal is to remove an existing two-story single family residence (3,140 square feet) and construct a new 10,914-square-foot single family residence with garage and surface parking. The project includes removal of a number of mature trees, extensive landscaping and hardscaping and an increase in impervious surface area of approximately 2,127 square feet within 100 feet of the shoreline. No work is proposed waterward of Ordinary High Water. The proposed tree removal and impervious surface increase triggers habitat mitigation requirements in the Shoreline Master Program and Environmental Critical Area Ordinance (SMC 25.09), which the applicant proposes to address by native vegetation planting as shown in detailed landscape plans submitted by applicant.

The project received a shoreline exemption approval as consistent with SMC 23.60.020.C.6, therefore a Shoreline Substantial Development Permit was not required. The project was vested to the previous Shoreline Master Program (SMC 23.60) due to a complete building permit application submitted prior to implementation of the current Shoreline Master Program (SMC 23.60A). The project was reviewed by DPD land use planners and found consistent with applicable use and development standards in the previous Shoreline Master Program.

#### Public Comment

No public comments were received during the public comment period that ended on May 13, 2015.

#### ANALYSIS – SEPA

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 dated April 16, 2015. The information in the checklist 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 and any additional information in the file. As indicated in the annotated checklist, this action will result in adverse impacts to the environment. A discussion of likely adverse impacts and how they may be appropriately mitigated follows below.

The SEPA Overview Policy (SMC 25.05.665.D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, 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 an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,” subject to some limitations. Under such limitations/circumstances (SMC

25.05.665D.1) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and stormwater runoff, erosion, emissions from construction vehicles, increase particulate levels, increase noise levels, and an increase in traffic and parking due to construction-related vehicles. The proposed construction work will take place adjacent to the waters of Puget Sound, which poses some potential risk of erosion and water quality impacts due to disturbance of soils and vegetation near the shoreline environment. The project also includes work in Environmental Critical Areas due to presence of steep slopes and potential slide area.

The construction plans, including shoring of excavations as needed and erosion control techniques, will receive separate review by DPD geotechnical engineers. Any additional information needed to show conformance with applicable ordinances and codes (ECA ordinance, the Stormwater Code, Grading Code, Building Code) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized; therefore, no additional conditioning is warranted pursuant to SEPA policies.

### Long-term Impacts

Chinook salmon, a species listed as threatened under the Endangered Species Act (ESA) in March 1999, are known to inhabit Puget Sound including the proposed project area. Under the City of Seattle's Environmental Policies and Procedures 25.05.675 N (2) it states in part: *A high priority shall also be given to meeting the needs of state and federal threatened, endangered, and sensitive species of both plants and animals.*

As provided by SMC 25.05.660, and 25.05.675 N 2 c, the lead agency may specify mitigation. The applicant has included mitigation measures in the project to offset the impacts of the proposed work including the increased surface water runoff due to increased impervious surface area and loss of vegetation and the loss of habitat due to tree removal, and DPD has imposed conditions on this project. These mitigation measures and conditions include:

- Planting of 3,929 square feet of native vegetation, including 18 trees, as shown in on detailed landscape plans in submitted plan sets (Sheets L 7.0 and L 7.1).
- Implementation of tree protection measures during staging and construction to protect designated tree from damage to root zones to ensure long-term survival.

The proposed native vegetation at this location, in particular the trees and other vegetation adjacent to the bulkhead, will increase the allochthonous input of insects and detritus to the nearshore environment providing food for juvenile salmonids and nutrients for other aquatic organisms.

The proposal includes the removal of several trees, plus ground cover and shrubs. The Land Use and ECA Code development standards require the planting of trees and revegetation with the development proposal. The proposal has been reviewed for those requirements (and others) and

has been found to comply. Based on the above, the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations and no further conditioning is necessary.

### **CONCLUSION – SEPA**

The Department of Planning and Development has reviewed 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 the checklist and this analysis, this action will result in probable adverse impacts to the environment. However, the mitigation measures described above and conditions placed on the proposal will provide adequate mitigation and therefore the impacts are not expected to be significant.

### **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 43.21.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 significant adverse impacts upon the environment. An EIS is not required under RCW 43.21C.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).

### **CONDITIONS – SEPA**

#### *During Construction*

1. Implement tree protection measures for protection of root zone for Tree 345 (Big Leaf Maple) as documented in report submitted by Brian Gilles, Consulting Arborist, dated Oct. 22, 2015.
2. Implement approved Best Management Practices for construction activities for protection of shoreline habitat and erosion control measures.
3. Implement approved native vegetation planting plan for mitigation of project impacts.

#### *For the Life of the Project*

4. No pesticides, herbicides, or chemical fertilizers shall be used within 50 feet of the shoreline.

5. Maintain the mitigation plants as shown on approved landscape plans and replace any dead plants with same species or similar native species.

Ben Perkowski, Land Use Planner  
Department of Planning and Development

Date: December 10, 2015

BP:bg

Perkowski/3020078draft.docx

### **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.