



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

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**Department of Construction and Inspections**  
Nathan Torgelson, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

**Application Number:** 3021443  
**Applicant Name:** Robert Humble, Hybrid Development, LLC  
**Address of Proposal:** 1541 Valentine Place South

**SUMMARY OF PROPOSAL**

Land Use Application to allow two, 3-story single family residences in an environmentally critical area. Parking for two vehicles to be provided. Existing structure to be demolished.

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:**

The site was granted relief from Steep Slope development standards by the SDCI (formerly DPD) Geotechnical Engineer on July 29, 2015.

*Environmentally Critical Areas (ECAs) review is required for building permit applications. Based on a review of the submitted information and the City GIS system, DPD concludes that the project appears to quality for the criteria established in the Critical Areas Regulations, SMC 25.09.180.B2b. Specifically, the City GIS system and the submitted information for the steep slope developmental allowance application demonstrated that steep slopes at and adjacent to the site appeared to have been created by previous legal grading activities associated with site development and street improvement. For this reason, DPD will waive the required ECA Steep Slope Variance associated with DPD Application No. 6478593. This approval is conditioned upon the approval of a subsequent building permit application for a design that demonstrates that the proposed development will be completely stabilized in accordance with provisions of the ECA Code and Grading Code. All other ECA Submittal, General, and Landslide-Hazard, and development standards still apply for this development. Please note that the site is also mapped as Liquefaction-Prone, which the preceding considerations do not directly address.*

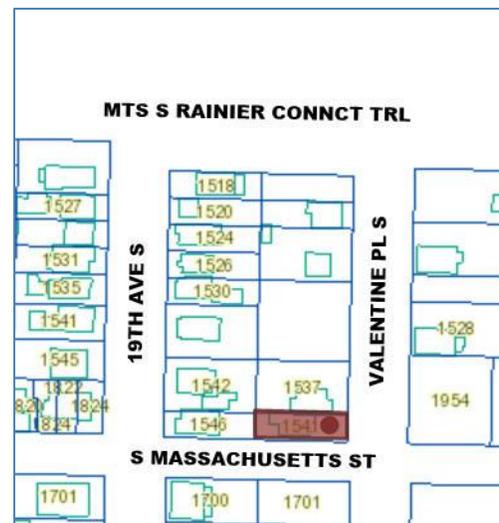
**SITE AND VICINITY**

Site Zone: Lowrise 2 (LR2)

Nearby Zones: North: LR2  
South: LR2  
West: Commercial One – 40-Foot Height Limit  
East: LR2

ECAs: Steep Slope and Liquefaction

Site Size: 3,000 square feet



**PUBLIC COMMENT:**

The public comment period ended on September 21, 2015. Comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to trees.

**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 dated 5/28/2015. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; 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.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and Regulations for Environmentally Critical Areas (SMC 25.09).

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.

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 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) 5-2016 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 engineering study (*Geotechnical Engineering Report*, PanGEO, July 31, 2015). The study has been reviewed and approved by SDCI’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. The existing Grading and Stormwater Codes will sufficiently mitigate adverse impacts to the ECAs. No additional conditioning is warranted pursuant to SEPA policies (SMC 25.05.675.D).

### 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 – 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).

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 – SEPA**

None.

Carly Guillory, Land Use Planner Date: August 8, 2016  
Seattle Department of Construction and Inspections

CG:bg

## **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 Seattle DCI within that three years or it will expire and be cancelled. (SMC 23-76-028)