



City of Seattle

---

Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
Diane M. Sugimura, Director

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

Application Number: 2409032  
Applicant Name: Robert Hardy  
Address of Proposal: 1534 32<sup>nd</sup> Avenue South

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into two parcels of land in an environmental critical area. Proposed parcel sizes are: A) 5,126 square feet and B) 14,864 square feet. The existing structures are to remain.

The following approval is required:

**Short Subdivision** – To create two parcels of land in an environmental critical area.  
(Chapter 23.24, Seattle Municipal Code)

**SEPA** – Environmental Determination. (Chapter 25.05, Seattle Municipal Code)

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

**BACKGROUND DATA**

Zoning: Single Family Residential 5000

Date of Site Visit: October 22, 2005

Uses on Site: One single family residence.

Substantive Site Characteristics:

This 19,817 square foot subject site is an irregularly shaped lot that fronts on 32<sup>nd</sup> Avenue South and backs to 33<sup>rd</sup> Avenue South. Its general location is south of South Atlantic Street and north of South Massachusetts Street. The surrounding zoning is Single Family Residential 5000, and the uses are single family residences.

The site is characterized by a hilly topography. The western portion of the site generally slopes downwards from north to south. The eastern portion of the site, specifically the eastern 25 feet of the site, contains a steep slope that slopes downwards from west to east. The site is located in a mapped environmentally critical area due to a potential landslide area and the steep slope on the eastern portion of the site.

There is an existing single family residence and detached carport on the site, as well as a pool and shed. Vegetation on the site is that of typical residential landscaping.

Proposal Description:

The applicant proposes to subdivide one parcel with a total area of 19,817 square feet into two parcels with the following areas: Parcel A – 5,126 square feet and Parcel B – 14,864 square feet. Parcel A is proposed to be located in the northwest portion of the original lot and Parcel B is proposed to be located in the eastern portion of the original lot. Vehicular access to the existing house located on proposed Parcel B will be via a 25 foot wide extension of Parcel B located south of proposed Parcel A, which will connect with 32<sup>nd</sup> Avenue South. Vehicular access to proposed Parcel A will be directly off of 32<sup>nd</sup> Avenue South. Pedestrian access to both proposed lots will be directly off of 32<sup>nd</sup> Avenue South.

The subject of this analysis and decision is limited to the subdivision of land.

Public Comment:

The comment period for this proposal ended on August 17, 2005. During this period, one written comment letter related to this project was received.

**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 July 21, 2005. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

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 certain limitations or circumstances (SMC 25.05.665 D 1-7), mitigation can be considered. A more detailed discussion of some of the potential impacts from this short plat follows.

#### Short-Term Impacts

Although there is currently no plan for development of proposed Parcel A, it is assumed that this currently undeveloped parcel will be developed in the future. The following temporary construction-related impacts are expected if proposed Parcel A is developed in the future: decreased air quality due to increased dust and other suspended particulates from building activities; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel; blockage of streets by construction vehicles/activities; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and non-renewable resources.

Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project, such as: the Noise Ordinance, the Critical Areas Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation, and further mitigation by imposing specific conditions is not necessary for these impacts.

#### Long-Term Impacts

If proposed Parcel A is to be developed in the future, long-term or use-related impacts will be anticipated. These impacts could include the following: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of single family residences and will be mitigated by the City’s adopted codes and/or ordinances. Specifically these include: the Stormwater, Grading, and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); the Land Use Code (minimum lot area, vehicle access to parking); and the Seattle Energy Code (long-term energy consumption). Earth-related impacts may result in the long-term and are mitigated by the Critical Areas Ordinance. An analysis of impacts associated with specific SEPA policies follows.

#### Earth

A geotechnical report for the subject property entitled “Evaluation of Geologic and Slope Stability Conditions” was submitted with the subdivision application. This report concluded that the site is entirely underlain by Vashon till and that “the site is stable and that no part of the subject property meets the city of Seattle criteria for a landslide-prone area or a potential landslide area.” The report also concluded that no adverse impacts would result from exempting the steep slope area from the City of Seattle’s steep slope regulations. The site was subsequently granted a limited exemption to the City’s ECA Steep Slope Development Standards in November of 2004.

Plants and Animals

The site currently contains deciduous and evergreen trees, shrubs, and grass. None of this vegetation is planned to be removed with the proposed subdivision. If proposed Parcel A is developed in the future, some of this vegetation will be removed and/or altered. However, the portion of the site with the densest vegetation is along the steep slope, where future development will not take place. Animals that have been observed on the site include various birds. Since no development is currently being proposed, the existing habitat being provided for these species will continue to be provided. Any future development on the site may reduce the amount of habitat provided for animal species in the area; however, the steep slope, where the majority of the site's habitat is provided, will most likely not be developed in the future. Therefore, it is expected that most of the existing bird and wildlife habitat would be preserved in the steep slope critical area on this site and no mitigation of plant and animal impacts will be required.

Traffic and Parking

The Land Use Code requires each house to have at least one off-street parking space. The existing driveway will be retained with the proposed subdivision, so the existing house on proposed Parcel B will meet this requirement. If proposed Parcel A is developed in the future, this parcel will be required to provide at least one off-street parking space as well. The Institute of Transportation Engineers (ITE) Manual estimates that a single family residence generates approximately ten vehicle trips per day. The ten additional trips per day that would be generated if proposed Parcel A is developed in the future will not be a significant increase to the total number of vehicle trips along 32<sup>nd</sup> Avenue South. For these reasons, no mitigation of parking or traffic impacts is warranted.

Summary

In conclusion, not many adverse effects on the environment are anticipated as a direct impact of the proposed subdivision, although several adverse effects on the environment are anticipated if proposed Parcel A is developed in the future. However, specific impacts identified in the foregoing analysis have been mitigated by existing codes and ordinances, per adopted City policies. Furthermore, per SMC 25.05.908, the scope of this environmental review is also limited to evaluating and mitigating adverse impacts to the environmentally critical areas. Therefore, no additional SEPA conditions have been imposed on this short plat.

**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.

[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 43.21C.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.

### **CONDITIONS – SEPA**

None.

### **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;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
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 SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas; and*
6. *Is designed to maximize the retention of existing trees.*

### **Summary - Short Subdivision**

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Departments (SFD), Seattle City Light, the Building Plans Examiner, the Drainage Section of DPD, and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision.

The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions set forth in the Land Use Code and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). 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 proposal site is located in an environmentally critical area; therefore SMC 25.09.240 is applicable; however SEPA review resulted in a determination of non-significance. The proposed plat takes the site's existing topography into account and the steep slope will remain on the currently developed lot (Parcel B), while the new undeveloped lot being created (Parcel A) will not contain any slopes steep enough to be considered an environmentally critical area. The proposed plat maximizes the retention of existing trees. 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.

