



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

**Project Number:** 3035079-LU  
**Applicant Name:** Shaun Novion - Novion Group  
**Address of Proposal:** 9020 15<sup>th</sup> Ave SW

**SUMMARY OF PROPOSAL**

Land Use Application to allow six, 2-story single family residences. Parking for six vehicles proposed. Existing building to be demolished.

The following approval is required:

**SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)**

**SEPA DETERMINATION:**

Determination of Non-Significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts

**SITE AND VICINITY**

Site Zone: Residential Small Lot [RSL (M)]

Zoning Pattern: The site is within an RSL area which serves as a transitional zone between Single Family [SF] 5000, located one-half block to the north and east, and Low Rise Residential Commercial LR3 RC (M), located one-half block to the west and LR 2 (M) one half block to the south.



Environmentally Critical Areas: None mapped.

Site Description: The project site is a 13,506 square foot lot with its frontage facing west onto 15<sup>th</sup> Ave SW. The rectangular lot located mid-block between SW Henderson and SW Barton Streets, has no alley access. The ground level slopes down 2-3' from the level of the sidewalk along the frontage but the rest of the lot is relatively flat. There is currently a small one-story residence and a storage shed on the site.

Vicinity Description: The project site is in a fully developed single family residential neighborhood. The neighboring structures are predominantly small scale, older 1- to 1-1/2 story wood frame structures without distinctive architectural style.

This block and the blocks to the west (toward the Delridge Way SW arterial and transit corridor) were rezoned in 2019.

#### PUBLIC COMMENT:

The public comment period ended on January 22, 2020. No comments were received.

### **I. 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 (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 10/28/2019. 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.

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, 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 an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

Under such limitations/circumstances, 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 storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases

in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: 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 the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise, air quality, greenhouse gas, construction traffic and parking impacts, environmental health, as well as mitigation.

### *Greenhouse Gas Emissions*

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

### *Construction Impacts - Parking and Traffic*

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic. The closure of the West Seattle Bridge was considered in the assessment of traffic impacts.

However, the amount of excavation and size of construction will result in a small and temporary increase in truck trips and demand for on-street parking. Any closures of the public right of way will require review and permitting by Seattle Department of Transportation. Additional mitigation is not warranted per SMC 25.05.675.B.

### *Construction Impacts - Noise*

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends and legal holidays in Single Family zones.

If extended construction hours are needed to address an emergency, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

The limitations stipulated in the Noise Ordinance are sufficient to mitigate noise impacts and no additional SEPA conditioning is necessary to mitigate noise impacts per SMC 25.05.675.B.

### *Environmental Health*

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition.

The City acknowledges PSCAA's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination. No further mitigation under SEPA Policies 25.05.675.F is warranted for asbestos impacts.

Should lead be identified on the site, there is a potential for impacts to environmental health. Lead is a pollutant regulated by laws administered by the U. S. Environmental Protection Agency (EPA), including the [Toxic Substances Control Act \(TSCA\)](#), [Residential Lead-Based Paint Hazard Reduction Act of 1992](#) (Title X), [Clean Air Act \(CAA\)](#), [Clean Water Act \(CWA\)](#), [Safe Drinking Water Act \(SDWA\)](#), [Resource Conservation and Recovery Act \(RCRA\)](#), and [Comprehensive Environmental Response, Compensation, and Liability Act \(CERCLA\)](#) among others. The EPA further authorized the Washington State Department of Commerce to administer two regulatory programs in Washington State: the Renovation, Repair and Painting Program (RRP) and the Lead-Based Paint Activities Program (Abatement). These regulations protect the public from hazards of improperly conducted lead-based paint activities and renovations. No further mitigation under SEPA Policies 25.05.675.F is warranted for lead impacts.

### Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including greenhouse gas emissions; parking; potential blockage of designated sites from the Scenic Routes nearby; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas, historic resources, height bulk and scale, parking, and traffic warrant further analysis.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

### Historic Preservation

The existing structure on site is more than 50 years old. The structure was reviewed for potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the 102-year old structure on site is unlikely to qualify for historic landmark status (Landmarks Preservation Board letters, reference number LPB 240/20). Per the Overview policies in SMC 25.05.665.D, the existing City Codes, and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

### Height, Bulk, and Scale

Section 25.05.675.G describes SEPA policies for height, bulk, and scale. The proposal was not subject to design review. The site is neither on the edge of another zone nor do the proposed two-story structures create bulk and scale issues with nearby properties.

The Overview policies in SMC 25.05.665.D, the existing City Codes, and regulations to mitigate impacts to height bulk and scale are presumed to be sufficient, and additional mitigation is not warranted under SMC 25.05.675.G.

Parking

The proposed development includes six residential units with six off-street vehicular parking spaces. King County Right Sized Parking Calculator indicates a peak demand for approximately 6 vehicles from the proposed development. Peak residential demand typically occurs overnight. The traffic and parking analysis noted that the peak parking demand for this development is 6 vehicles. The number of proposed parking spaces accommodates all of the anticipated parking demand, and no additional mitigation is warranted per SMC 25.05.675.M.

Transportation

The Institute of Transportation Engineers estimates that the project is expected to generate a net total of 57 daily vehicle trips, with 6 net new PM Peak Hour trips and 5 AM Peak hour trips. The additional trips are expected to distribute on various roadways near the project site including SW Henderson St and SW Barton St and would have minimal impact on levels of service at nearby intersections and on the overall transportation system. The closure of the West Seattle Bridge was considered in the assessment of traffic impacts. The SDCI Transportation Planner reviewed the information and determined that no mitigation is warranted per SMC 25.05.675.R.

**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).
- Mitigated 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

Theresa Neylon, Land Use Planner  
Seattle Department of Construction and Inspections

Date: January 11, 2021

TN:drm

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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 SDCI 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.