CRITERIA COMPLIANCE NARRATIVE

PREPARED FOR PERMIT CAO24-008

Prepared by DeForest Architects, PLLC with references to the Critical Area Study prepared by Geotech Consultants, INC. – responses to MICC sections are in blue.

19.07.090 - Critical area reviews.

B. *Critical area review 2*.

1. The purpose of a critical area review 2 is to review critical area studies and mitigation plans in support of proposed buffer averaging and reduction of wetland and watercourse buffers.

2. *Review timing and sequence*.

a. When development and/or activity within a wetland, watercourse, fish and wildlife habitat conservation area or buffer associated with these critical area types is proposed, a critical area review 2 is required to be reviewed and approved prior to construction authorization.

b. When development and/or activity is proposed on a site containing only geologically hazardous areas, an applicant has the option of either:

i. Applying for a critical area review 2 in advance of construction permits, using the procedures required for a Type 3 land use review; or

We are applying for a critical area review 2 in advance of construction permits (with concurrent review), using the procedures required for a Type 3 land use review.

19.07.160 - Geologically hazardous areas.

B. General review requirements. Alteration within geologically hazardous areas or associated buffers is required to meet the standards in this section, unless the scope of work is exempt pursuant to section 19.07.120, exemptions, or a critical area review 1 approval has been obtained pursuant to section 19.07.090(A).

1. When an alteration within a landslide hazard area, seismic hazard area or buffer associated with those hazards is proposed, the applicant must submit a critical area study concluding that the proposal can effectively mitigate risks of the hazard. The study shall recommend appropriate design and development measures to mitigate such hazards. The code official may waive the requirement for a critical area study and the requirements of subsections (B)(2) and (B)(3) of this section when he or she determines that the proposed

development is minor in nature and will not increase the risk of landslide, erosion, or harm from seismic activity, or that the development site does not meet the definition of a geologically hazardous area.

A critical area study has been created by Geotech Consultants, Inc. and included in our permit submittal.

2. Alteration of landslide hazard areas and seismic hazard areas and associated buffers may occur if the critical area study documents find that the proposed alteration:

a. Will not adversely impact other critical areas;

b. Will not adversely impact the subject property or adjacent properties;

c. Will mitigate impacts to the geologically hazardous area consistent with best available science to the maximum extent reasonably possible such that the site is determined to be safe; and

d. Includes the landscaping of all disturbed areas outside of building footprints and installation of hardscape prior to final inspection.

The critical area study submitted found that the proposed project will not adversely impact other critical areas, the subject property or adjacent properties and that the project will mitigate impacts to geologically hazardous areas. The critical area study covers all landscaping and hardscape areas.

3. Alteration of landslide hazard areas, seismic hazard areas and associated buffers may occur if the conditions listed in subsection (B)(2) of this section are satisfied and the geotechnical professional provides a statement of risk matching one of the following:

a. An evaluation of site-specific subsurface conditions demonstrates that the proposed development is not located in a landslide hazard area or seismic hazard area;

b. The landslide hazard area or seismic hazard area will be modified or the development has been designed so that the risk to the site and adjacent property is eliminated or mitigated such that the site is determined to be safe;

c. Construction practices are proposed for the alteration that would render the development as safe as if it were not located in a geologically hazardous area and do not adversely impact adjacent properties; or

d. The development is so minor as not to pose a threat to the public health, safety and welfare.

The project's geotechnical professional has provided the following statement within the critical area study (see page 4) "The construction practices proposed in this report

for the alteration would render the development as safe as if it were not located in a geologically hazardous area and do not adversely impact adjacent properties."

C. Development standards—Landslide hazard areas. Development is allowed within landslide hazard areas and associated buffers, when the following standards are met:

1. A critical area study shall be required for any alteration of a landslide hazard area or associated buffer;

A critical area study has been created by Geotech Consultants, Inc. and included in our permit submittal.

2. Buffers shall be applied as follows. When more than one condition applies to a site, the largest buffer shall be applied:

a. Steep slopes. Buffer widths shall be equal to the height of a steep slope, but not more than 75 feet, and applied to the top and toe of slopes;

b. Shallow landslide hazard areas shall have minimum 25-foot buffers applied in all directions; and

c. Deep-seated landslide hazard areas shall have 75-foot buffers applied in all directions.

(From Page 3 & 4 of our Critical Area Study) "The ground surface in, and around, the planned development area is gently sloped. The native silt soils underlying the site are not susceptible to instability on this gently-sloped ground. The development area is set back from any steep areas located on properties to the east that may be susceptible to ground movement. The stability of the gently-inclined ground on, and around, the site will not be adversely affected by the shallow excavations needed for the new development. No buffer or other mitigation measures are required to address the Potential Landslide Hazard mapping of the site."

D. Development standards—Seismic hazard areas. When development is proposed within a seismic hazard area:

1. A critical area study shall be required and shall include an evaluation by a qualified professional for seismic engineering and design, a determination of the magnitude of seismic settling that could occur during a seismic event, and a demonstration that the risk associated with the proposed alteration is within acceptable limits or that appropriate construction methods are provided to mitigate the risk of seismic settlement such that there will be no significant impact to life, health, safety, and property.

A critical area study has been created by Geotech Consultants, Inc. and included in our permit submittal.

2.Identification of seismic hazard areas. Seismic hazard areas shall be identified by a qualified professional who references and interprets information in the U.S. Geological Survey Active Faults Database, performs on-site evaluations, or applies other techniques according to best available science.

3.When development is proposed on a site with an active fault, the follow provisions shall apply:

a. A 50-foot minimum buffer shall be applied from latest Quaternary, Holocene, or historical fault rupture traces as identified by the United States Geological Survey or Washington Geological Survey map databases or by site investigations by licensed geologic professionals with specialized knowledge of fault trenching studies; or

b. Mitigation sequencing shall be incorporated into the development proposal as recommended based on geotechnical analysis by a qualified professional to prevent increased risk of harm to life and/or property.

(From Page 3 of our Critical Area Study) "The silt soils underlying the site are not susceptible to seismic liquefaction. This is due to the massive, fine-grained nature of the silt, combined with the lack of a shallow groundwater table within the looser silt soils. The foundations for the new construction will also bear on these non-liquefiable soils. No additional mitigation is required to address the mapped Seismic Hazard."

E. Development standards—Erosion hazard areas.

1. All development proposals shall demonstrate compliance with chapter 15.09, storm water management program.

2. No development or activity within an erosion hazard area may create a net increase in geological instability on or off site.

(From Page 4 of our Critical Area Study) "The site disturbance for the proposed development will be limited, will occur primarily on gently-sloped ground, and will be set well back from Lake Washington. The mapped Erosion Hazard can be mitigated by implementing proper temporary erosion control measures that will depend heavily on the weather conditions that are encountered. We anticipate that a silt fence will be needed around the downslope sides of any work areas. Existing ground cover and landscaping should be left in place wherever possible to minimize the amount of exposed soil. Small soil stockpiles should be covered with plastic during wet weather. Soil and mud should not be tracked onto the adjoining streets, and silty water must be prevented from traveling off the site. In wet conditions, it will be important to cover areas of bare soil with materials such as mulch, straw, hog fuel, gravel, or plastic sheeting to prevent them from eroding and causing silty runoff. As with any construction project, it can be necessary to periodically maintain or modify temporary erosion control measures to address specific site and weather conditions."

F. Development standards—Additional criteria for specific activities.

1. Trail building within geologically hazardous areas shall be subject to the following:

a. Trail surfaces shall be constructed of pervious materials and may not be wider than five feet; and

b. Trails shall be located to minimize the need for tree removal.

Proposed trail surfaces will be constructed of pervious materials and not wider than five feet. The proposed trails will not require tree removal.

2.Land clearing, grading, filling, and foundation work within: (a) an erosion hazard area, when 2,000 square feet or more of site disturbance is proposed, and/or (b) a landslide hazard area are not permitted between October 1 and April 1.

a. The code official may grant a waiver to this seasonal development limitation if the applicant provides a critical area study for the site concluding that:

i. Geotechnical slope stability concerns, erosion and sedimentation impacts can be effectively controlled on site consistent with adopted storm water standards; and

ii. The proposed construction work will not subject people or property, including areas off site, to an increased risk of associated impacts.

b. As a condition of the waiver, the code official may require erosion control measures, restoration plans, an indemnification, a release agreement and/or performance bond.

c. If site activities result in erosion impacts or threaten water quality standards, the city may suspend further work on the site and/or require remedial action.

d. Failure to comply with the conditions of an approved waiver shall subject the applicant to code compliance pursuant to chapter 6.10, code compliance, including but not limited to civil penalties and permit suspension.

We have applied for a wet season waiver – see permit DEV24-005.

19.07.170 - Fish and wildlife habitat conservation areas.

19.07.180 - Watercourses.

19.07.190 - Wetlands.

The project location is not mapped as containing any fish/wildlife habitat conservation areas, watercourses, or wetlands.