

**BEFORE THE HEARING EXAMINER
City of Seattle**

In the Matter of the Appeal of	)	Hearing Examiner File:
SMART GROWTH SEATTLE	}	W-14-001
from a determination of non-significance	}	DPD MOTION TO DISMISS
by the Director, Department of Planning and	}	
<u>Development</u>	)	

The Department of Planning and Development (DPD) respectfully requests that the Hearing Examiner (Examiner) dismiss the appellants' challenge to the Determination of Non-Significance (DNS) because the appellant Smart Growth Seattle failed to comment on the DNS. A copy of the DNS decision, the public notice that ran in DPD's Land Use Information Bulletin (LUIB), and the signed declaration of Geoffrey Wentlandt, Senior Urban Planner, are attached to this motion. SEPA review of legislative proposals is required if those proposals "... contain standards controlling use or modification of the environment," per Seattle Municipal Code (SMC) Section 25.05.704.B.2.a. DPD does not dispute that the proposed legislation required SEPA review and public notice but contends that the appeal by Smart Growth Seattle is fatally defective for lack of compliance with the requirements of SMC Section 25.05.545.B, since neither the appellant party nor any of its members or representatives filed a public comment during the public comment period for which notice was provided in the LUIB and as is required by Section 25.05.510 and SMC Chapter 23.76. Under Section 25.05.545.B, failure to comment, where there was an opportunity to do so, precludes administrative or judicial challenge of the SEPA determination. Accordingly this appeal should be dismissed.

Argument

On May 29, 2014, DPD issued a DNS for the Legislation.¹ Also on May 29, 2014, DPD published a Notice of Environmental Determination (Notice) stating that the legislation is unlikely to have a probable significant adverse impact on the environment and noting that DPD had issued a DNS. DPD published the Notice in the DPD on-line Land Use Information Bulletin (LUIB) and the Seattle Daily Journal of Commerce, and announced the notice via the DPD Twitter account and Facebook page, on May 29, 2014. The Notice invited comments from the public regarding the DNS and stated that public comment should be submitted to DPD no later than June 12, 2014. The Notice stated that

¹ Exhibit A to Wentlandt Decl. (Determination of Non Significance or DNS).

comments should be sent to Geoffrey Wentlandt, at DPD.² Declaration of Geoffrey Wentlandt, attached. DPD received six comment letters or e-mails regarding the DNS but did not receive a DNS comment letter or e-mail from the appellant organization Smart Growth Seattle, its Director Roger Valdez.³

The appeal by Smart Growth Seattle is therefore barred because failure to comment on a DNS is “construed as lack of objection to the environmental analysis.”⁴ This provision is found in both the City’s SEPA regulations and in the state SEPA Rules.⁵ The Hearing Examiner has specifically addressed this provision in at least one decision. Further, the Washington Supreme Court and at least two state agencies have interpreted it to bar any SEPA appeal under “backbone” SEPA principles.

The City’s SEPA regulations on the effect of an individual’s failure to comment provide:

SMC 25.05.545 and WAC 197-11-545 provide in pertinent part as follows:

(1) **Consulted agencies.** If a consulted agency does not respond with written comments within the time periods for commenting on environmental documents, the lead agency may assume that the consulted agency has no information relating to the potential impact of the proposal as it relates to the consulted agency's jurisdiction or special expertise. Any consulted agency that fails to submit substantive information to the lead agency in response to a draft EIS is thereafter barred from alleging any defects in the lead agency's compliance with Part Four of these rules.

(2) **Other agencies and the public.** Lack of comment by other agencies or members of the public on environmental documents, within the time periods specified by these rules, shall be construed as lack of objection to the environmental analysis, if the requirements of WAC 197-11-510 are met.

Having been given an opportunity to comment on the subject DNS, Smart Growth Seattle’s failure to comment is considered “lack of objection to the environmental analysis.” The effect of this failure to comment on the DNS is to bar appeal of the DNS to the Hearing Examiner, just as a failure to comment on a draft environmental impact statement would.⁶

The Hearing Examiner has previously applied Section 25.05.545.B to bar an appeal where the appellant has not commented on the SEPA document.⁷

² Exhibit B to Wentlandt Decl. (Notice in Land Use Information Bulletin).

³ Wentlandt Decl.

⁴ SMC Section 25.05.545.B.

⁵ See SMC 25.05.545.B and WAC 197-11-545(2).

⁶ See R. L. Settle, *The Washington State Environmental Policy Act*, § 14.01[10] p. 14-77.

⁷ R. L. Settle, *The Washington State Environmental Policy Act*, (“Settle”) § 19.01[1] at 19-6, citing *In the matter of the Appeal of the Institute for Transportation and the Environment*, Hearing Examiner File No. MUP-91-079(W), Findings and Decisions of the Hearing Examiner. In that appeal the applicant filed a motion

The Washington State Supreme Court and state agencies have also held that failure to comment precludes an appeal. The Washington Supreme Court precluded consideration of a SEPA appeal by a county that failed to comment on the environmental analysis. *Kitsap County v. State Department of Natural Resources*, 99 Wn.2d 386, 662 P.2d 381 (1983).⁸ The court explained the importance of the comment requirement:

The SEPA guidelines were structured in such a way as to require consulted agencies to participate in the SEPA process at a time when their participation is meaningful and contributes to the environmental assessment at the earliest possible opportunity. Where the objection to an EIS is saved until the parties receive an unfavorable decision, the purposes of SEPA are frustrated.⁹

The Pollution Control Hearing Board has excluded SEPA appeals by individuals who did not provide comment during the local government's SEPA comment period. In *Spokane Rock Products Inc. v. Spokane County Air Pollution Control Authority*, Pollution Control Hearing Board 05-127 (2006), the Board rejected an appeal where the individual appellants filed comments only after the close of the public comment period. After citing WAC 197-11-545(2) on effect of "members of the public" not submitting public comment, the PCHB observed that, although *Kitsap County v. DNR* relied on subsection (1) of the WAC pertaining to "requested agencies," *the policy reflected in the two sections is the same*. The Board found the policies articulated by *Kitsap* apply to both an EIS and an MDNS,¹⁰ are "bedrock principals in interpreting SEPA, and apply equally to consulted agencies, other agencies or the public."¹¹ The Board noted that principles of waiver and exhaustion could apply to failure to use public comment periods:

The very language of WAC 197-11-545(2) that "lack of comment" shall be construed as "lack of objection" to the environmental analysis assumes that a comment period is part of an available administrative process that should be utilized by interested members of the public.¹²

The Shoreline Hearing Board endorsed the PCHB's determination. In *Brown v. Snohomish County*, SHB 06-035, the Board cited *Spokane Rock* to dismiss an appeal where the appellant admitted he had not timely filed SEPA comments.

to dismiss based on SMC 25.05.545, because the appellant failed to comment on the environmental document at issue (an EIS), and the Examiner granted that motion.

⁸ The court considered WAC 197-10-545, which contained the same language later codified in WAC 197 11-545(1).

⁹ *Kitsap*, 99 Wn.2d at 391.

¹⁰ The Board was concerned, it appears, that the "effect of no comment" rule was found in the EIS procedure section, even though it refers to "environmental documents" generally. See Order p. 7. That is not an issue under the City's code, where SMC 25.05.545 is in Subtitle V, Commenting, which applies to all SEPA activities.

¹¹ *Spokane Rock Products Inc.*, Pollution Control Hearing Board 05-127 at p. 8.

¹² *Spokane Rock Products Inc.*, Pollution Control Hearing Board 05-127 at p. 10.

The PCHB and SHB sit in the same position as the City Hearing Examiner when hearing appeals of DPD decisions with SEPA components, and the language the SHB and PCHB are construing is identical to the provision in SMC 25.05.545.B. Like the appellants dismissed in *Kitsap County*, *Spokane Rock*, and *Brown*, Smart Growth Seattle should be barred from pursuing this appeal because it had “no objection” to the environmental analysis.

The City's “effect of no comment” provision cannot be treated as surplusage or a nullity. The state SEPA Rules contain the same provision, WAC 197-11-545(2), and it must be included in the City's SEPA code.¹³ The City must give it effect and that effect should be the same as the court and state agencies give it, so SEPA is applied consistently, which is a goal of the SEPA Rules.

Conclusion

For the reasons stated above, the subject appeal by Smart Growth Seattle should be dismissed.

Entered this 7th day of July, 2014.



William K. Mills, Land Use Planner Supervisor
Department of Planning and Development

Attachments: Declaration of Geoffrey Wentlandt and Exhibits A and B

cc. Nancy Bainbridge Rogers, for appellant Smart Growth Seattle

¹³ RCW 43.21C.110 and .120 (1) and (2).

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8 BEFORE THE HEARING EXAMINER
9 CITY OF SEATTLE

10 In the Matter of the Appeals of:) Hearing Examiner File:
11) **W-14-001**
12)
13 **ROGER VALDEZ AND SMART GROWTH SEATTLE.**)
14) DECLARATION OF GEOFFREY
15) WENTLANDT IN SUPPORT OF THE
16) CITY'S MOTION TO DISMISS THE
17) APPEAL OF ROGER VALDEZ AND
18) SMART GROWTH SEATTLE
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23)

24 I, GEOFFREY WENTLANDT, declare under penalty of perjury under the laws of the State of
25 Washington the following is true and correct:

- 26 1. I am a STRATEGIC ADVISOR I for the City of Seattle Department of Planning
27 and Development (DPD) with job duties commonly referred to as SENIOR
28 PLANNER. I am the lead planner responsible for preparing proposed legislation
29 to amend certain development regulations in lowrise zones. I am over the age of
30 eighteen years and am competent to testify to the matters set forth herein.
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32 2. On May 29, 2014, DPD issued the Determination of Non Significance (DNS) for

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DECLARATION OF GEOFFREY WENTLANDT IN SUPPORT OF
CITY'S MOTION TO DISMISS THE APPEAL OF ROGER VALDEZ AND
SMART GROWTH SEATTLE

1 the proposed legislation. Also on May 29, 2014, DPD published a Notice of
2 Environmental Determination (Notice) stating that the legislation is unlikely to
3 have a probable significant adverse impact on the environment and noting that
4 DPD had issued a DNS. Exhibits A and B, which are true and correct copies of
5 the DNS and the Notice, respectively, are attached to this declaration.

6 3. DPD published the Notice in DPD's on-line Land Use Information Bulletin
7 (LUIB) and the Seattle Daily Journal of Commerce, and announced the notice via
8 the DPD Twitter account and Facebook page, on May 29, 2014. The Notice
9 invited comments from the public regarding the DNS and stated that public
10 comment should be submitted to DPD no later than June 12, 2014. The Notice
11 stated that comments should be sent to me, Geoffrey Wentlandt, at DPD. See
12 Exhibit B.

13 4. DPD received 6 comment letters or e-mails regarding the DNS but did not receive
14 a DNS comment letter or e-mail from the appellant organization Smart Growth
15 Seattle or its Director Roger Valdez.

16
17 DATED this 7 day of July, 2014.

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20 Geoffrey Wentlandt
21 City of Seattle DPD
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**CITY OF SEATTLE
DETERMINATION OF NON-SIGNIFICANCE BY
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Applicant Name: The Department of Planning and Development

Address of Proposal: All lowrise multi-family zoned areas in the City of Seattle

SUMMARY OF PROPOSED ACTION

The proposal is to amend the Land Use Code with a set of adjustments to Lowrise multi-family zoning standards. The Land Use Code changes are intended to bring development outcomes more in line with the expected development outcomes at the time of a 2010 major update to the city's Lowrise multi-family zoning code. For all Lowrise multi-family zones (Lowrise 1 (LR1), Lowrise 2 (LR2), and Lowrise 3 (LR3)), the proposed code amendments would modify certain exceptions to building height limits; modify certain exemptions from the calculation of maximum floor area ratio (FAR); and modify rounding practices for density limits in lowrise zones. The code amendments would also add a side setback requirement for rowhouse development and add a density limit for rowhouses in the Lowrise 1 zone.

The following approval is required:

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

The proposed code amendments would accomplish the following:

- Eliminate a height allowance of up to an additional four feet above the base height limit for apartment housing type developments that include a partially below grade story.
- Eliminate a floor area exemption from the floor area ratio (FAR) calculation for the portion of buildings in a partially below grade story for apartment type developments.
- Add a new height control to limit the maximum street-facing façade height for development on sloping sites to 44 feet in a 40 foot maximum height Lowrise zone, and 34 feet in a 30 foot maximum height Lowrise zone.

- Place a 30 percent coverage limit on how much of a rooftop may be covered by clerestory architectural features.
- Require the area of unenclosed exterior stairs, hallways and breezeways to be included as chargeable floor area in FAR calculations.
- Include the floor area of loft spaces that are less than full ceiling heights in the FAR calculation.
- Add a side setback requirement for rowhouse developments that are next to other types of housing.
- Change the rounding up threshold for the density limits in Lowrise zones from 0.5 to 0.85.
- Add a density limit of one dwelling unit per 1,600 square feet of lot area for rowhouse development on small lots in the Lowrise 1 zone.

Public Comment

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed text changes during future Council hearings. DPD has considered public comment in several public forums and discussions on the topic during recent months including a citywide community meeting on Capitol Hill on January 14th, 2014, a meeting with the Eastlake Community Council on March 18, 2014, a meeting with the Congress of Residential Architects (CoRA) in January of 2014, and several other meetings as described in the Director's Report prepared for the proposed legislation.

ANALYSIS - SEPA

This proposal is an adoption of legislation and is defined as a non-project action. The disclosure of the potential impacts from this proposal was made in an environmental checklist submitted by the proponent, dated May 8, 2014. The information in the checklist, a copy of the proposed code changes, the Director's Report and Recommendation, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision.

This is a substantive change to the Land Use Code, to adjust certain development standards in the Lowrise multi-family zones. This amendment may result in potential impacts and warrants further discussion.

ELEMENTS OF THE ENVIRONMENT

Adoption of the proposed Land Use Code amendments would result in no immediate adverse short-term impacts because the adoption would be a non-project action. The discussion below evaluates the potential long-term impacts that might conceivably result from differences in future development patterns due to the proposed amendments.

Natural Environment

Earth, Air, Water, Plants and Animals, Energy, Natural Resources, Environmentally Sensitive Areas, Noise, Releases of Toxic or Hazardous Materials

The proposed changes would result in no direct impacts, and are unlikely to result in significant indirect or cumulative adverse impacts related to earth, air, water, plants/animals, fisheries, energy, natural resources, sensitive areas, noise, or releases of toxic/hazardous substances. At the non-project stage, it is not possible to meaningfully assess the potential impacts on the natural environment from these modifications, in the absence of a known proposed Lowrise multi-family development project. Development of specific projects on individual sites is subject to the City's existing regulations, such as the Stormwater, Grading and Drainage Ordinance, the Environmentally Critical Areas Ordinance, and Noise Ordinance, and will be subject to environmental review (if they meet or exceed thresholds for environmental review).

The potential locations and sizes of proposed development in Lowrise multi-family zones would not be significantly altered by the proposal, and the proposal does not alter any procedures or regulations related to natural environment protections. New Lowrise multi-family development in the form of townhouses, rowhouses, or apartment projects are allowed under existing regulations and will continue to be allowed under the proposed code changes in Lowrise 1, Lowrise 2 and Lowrise 3 multi-family zoned areas throughout the city. Lowrise zones are located in areas of the city designated for multi-family residential development on the City's Comprehensive Plan Future Land Use map. About half of Lowrise multi-family zoned lands are in designated Urban Villages and Urban Centers in the city's comprehensive plan, with the other half being most commonly located along arterial roadways. These are areas typically characterized by a high level of existing development and urbanization. Therefore additional development of Lowrise multi-family housing in these zones is not expected to have a disproportionate impact on elements of the natural environment.

Built Environment

Land & Shoreline Use, Height/Bulk/Scale, Transportation, Public Services and Utilities

The changes are not expected to significantly alter the scale or quantity of new multi-family developments that would otherwise be allowed in the absence of the proposed Land Use Code changes. Lowrise multi-family housing in a variety of formats would continue to be allowed to be built in the Lowrise 1, Lowrise 2, and Lowrise 3 zones. The proposal would be most likely to affect the built environment for two types of development that can occur in the Lowrise zone: 1) apartment developments most commonly located in the LR3 zone, but also allowed in LR2 and LR1 zone; and 2) townhouse and rowhouse development in the LR1 zone. The proposed code changes could result in minor alterations to the height/bulk/scale or specific configurations of new developments in these areas compared with the development that would occur in the absence of the proposed code adjustments.

For apartment developments, the proposed code changes could result in minor reductions in the total height of new developments as well as reductions in the total floor area contained in new buildings. For building height, this is due to the proposed amendments removing the code allowance for up to four feet of additional height if a building includes a partially below grade story. A new standard limiting the maximum façade height for facades at the downhill sides of slopes could also reduce total allowable building height. Buildable floor area could be reduced because under the proposed adjustments, floor area contained in a partially below grade story would be counted against chargeable FAR. Exterior corridors and breezeways will also be counted in the FAR calculation under the proposed adjustments, which could reduce the overall amount of floor area that could be constructed. Taken together these adjustments would have the effect of reducing height/bulk/scale for specific types of development by modest amounts. For certain specific types of development (particularly apartment type developments in urban centers and urban villages) buildable floor area could be reduced by as much as 20 percent, and height could be reduced by 4 feet or more depending on a site's slope. The result would be potential reduction of height/bulk/scale impacts on adjacent sites associated with new development. Compared with development that could occur under existing regulation, development under the proposal will have moderately reduced impacts with respect to shadowing and incongruities of scale with adjacent existing development.

In the Lowrise 1 zone, the proposal will lead to minor reductions in the amount of allowable density of housing in new development for certain housing types – particularly rowhouses and townhouses. This is due to changes in density rounding practices. Additionally, for rowhouses, the proposal would add a side yard setback standard not currently in the code. In many cases, for rowhouses and townhouses this could result in the allowable number of housing units on a commonly platted 5,000 square foot lot to be reduced from 4 to 3. The result would be potential reduction of the intensity of use occurring on sites in the LR1 zone, which could reduce built environment impacts on adjacent sites.

The changes stemming from the code adjustment described above could also result in very minor reductions to impacts on the transportation network, public services and utilities associated with new development. The minor reductions in allowable height, buildable floor area, or density would have the effect of reducing the increment of vehicle transportation, utility load, or public service demand stemming from new development by very small amounts. This would occur because there could be very minor reductions to the number of persons living in a development or vehicle trips generated, compared to the slightly larger development that could occur in the absence of the proposed adjustments.

The above described minor reductions in buildable floor area, allowable height or density, could conceivably result in impacts to the overall supply of new housing in the city, which could have very minor effects on housing affordability over a long period of time. Any such effect would be very small due to the limited nature of the proposed code adjustments, and would not be realized in the short term.

Further, when the amount of development capacity stemming from the proposed legislation is compared to expected capacity that was evaluated at the time of the major 2010 amendments to the Lowrise regulations, the proposed changes bring potential buildable floor areas and density levels back in line with amounts that were expected and evaluated at the time of the 2010 updates and should not be viewed as a reduction in development capacity that would deviate from adopted plans or policies.

The proposed Ordinance only directly affects specific types of development, particularly in the Lowrise 3 zone for apartments within urban villages and centers, and for rowhouse/townhouse development in the LR1 zone. When put in context of all development that could occur, the magnitude of the proposed changes on cumulative development capacity in the LR zones is small. Accordingly, the proposed changes would continue to allow and encourage land uses compatible with the existing Comprehensive Plan and neighborhood plans.

None of the above described potential minor effects of the proposed legislation would result in significant adverse environmental or cumulative impacts on the built environment when compared with development that could occur in the absence of the proposed legislation. Without a specific project proposal, it is not feasible to quantify the specific levels of impact on a citywide basis of these proposed regulations. Future projects developed pursuant to the provisions of the proposal will require permits, review and project approvals as provided for in the Seattle Municipal Code and will be subject to environmental review (if they meet or exceed thresholds for environmental review).

Conclusion

The proposed code amendments to adjust development standards for the Lowrise multi-family zones are expected to have minimal impacts on both the natural and the built environment. The proposed regulations do not substantially alter the size, scale or location of Lowrise residential development that could be built when compared with existing regulations. The proposed changes may result in minor alterations to the height/bulk/scale or specific configurations of new apartment developments primarily in Lowrise 3 zones and townhouse or rowhouse development in Lowrise 1 zones when compared with the development that would occur in the absence of the proposed code adjustments. These changes are not expected to have significant adverse impacts. In addition, the existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, and the City's SEPA ordinance, will address impacts during review of development proposals on a project-specific basis.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist, code amendment, 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.

- [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(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).

Signature: On File Date: 5/29/14
William K. Mills, Land Use Planner Supervisor
Department of Planning and Development



May 29, 2014

Seattle Department of Planning and Development

Land Use Information Bulletin

A Twice-Weekly Bulletin Announcing Land Use Applications, Decisions, Hearings, and Appeals
www.seattle.gov/dpd

NOTICE OF LAND USE CODE TEXT AMENDMENTS FOR LOWRISE MULTI-FAMILY ZONING CODE ADJUSTMENTS AND DETERMINATION OF NON-SIGNIFICANCE

Area: Address:

Project: Zone: Notice Date: 05/29/2014

Pursuant to SMC 25.05.340 and WAC 197-11-340

The Department of Planning and Development (DPD) is proposing to amend the Land Use Code with a set of adjustments to Lowrise multi-family zoning standards. The Land Use Code changes are intended to bring development outcomes more in line with the expected development outcomes at the time of the 2010 major update to the city's Lowrise multi-family zoning code.

Specific proposed development standard changes are:

- Eliminate a height allowance of up to an additional four feet above the base height limit for apartment housing type developments that include a partially below grade story.
- Eliminate a floor area exemption from the floor area ratio (FAR) calculation for the portion of buildings in a partially below grade story for apartment type developments.
- Add a new height control to limit the maximum street-facing façade height for development on sloping sites to 44 feet in a 40 foot maximum height Lowrise zone, and 34 feet in a 30 foot maximum height Lowrise zone.
- Place a 30 percent coverage limit on how much of a rooftop may be covered by clerestory architectural features.
- Require the area of unenclosed exterior stairs, hallways and breezeways to be included as chargeable floor area in FAR calculations.
- Include the floor area of loft spaces that are less than full ceiling heights in the FAR calculation.
- Add a side setback requirement for rowhouse developments that are next to other types of housing.
- Change the rounding up threshold for the density limits in Lowrise zones from 0.5 to 0.85.
- Add a density limits of one dwelling unit per 1,600 square feet of lot area for rowhouse development on small lots in the Lowrise 1 zone.

ENVIRONMENTAL DETERMINATION

After review of a completed environmental checklist and other information on file, DPD has determined that the amendments described above will not have a probable significant adverse environmental impact, and has issued a Determination of Non-Significance under the State Environmental Policy Act (no Environmental Impact Statement required).

HOW TO COMMENT

Comments regarding this DNS or potential environmental impacts may be submitted through **June 12, 2014**. Comments may be sent to:

City of Seattle, DPD
Attn: Geoffrey Wentlandt
PO Box 34019
Seattle WA 98124-4019
Geoffrey.Wentlandt@Seattle.gov

OR

Attn: Bill Mills
PO Box 34019
Seattle WA 98124-4019
William.Mills@Seattle.gov

HOW TO APPEAL

Appeals of the decision to issue a Determination of Non-Significance (DNS) must be submitted to the Office of the Hearing Examiner by 5:00 p.m. June 19, 2014. Appeals should be addressed to the Hearing Examiner and must be accompanied by a \$85.00 filing fee in a check payable to the City of Seattle. The appeal must be sent to:

City of Seattle
Hearing Examiner
PO Box 94729
Seattle WA 98124-4729

INFORMATION AVAILABLE

Copies of the DNS and the proposal may be obtained at the DPD Public Resource Center, 700 5th Avenue, Suite 2000 in the Seattle Municipal Tower. The DNS and proposal will be available on the City's website no later than May 29, 2014 at

<http://www.seattle.gov/dpd/codesrules/changestocode/lowrisecorrections/whatwhy/default.htm>

The Public Resource Center is open 8:00 a.m. to 4:00 p.m. on Monday, Wednesday, and Friday, and 10:30 a.m. to 4:00 p.m. on Tuesday and Thursday. Questions regarding the proposed amendments may be directed to Geoffrey Wentlandt at (206) 684-3586 or geoffrey.wentlandt@seattle.gov.