



City of Seattle

Office of Hearing Examiner

Ryan P. Vancil, Hearing Examiner

Susan Drummond, Deputy Hearing Examiner

February 18, 2025

Tracy Stanton
tstanton@me.com

Re: Untimely Appeal of One Seattle Plan Final EIS

Dear Ms. Stanton:

On February 13, 2025, you filed an appeal with our office regarding the City of Seattle's **One Seattle Plan Final EIS**.

Seattle Municipal Code ("SMC") 25.05.680 governs notice of appeal filing deadlines regarding an appeal of a Final EIS decisions, and provides the following:

An appeal shall be commenced by filing of a notice of appeal with the Office of the Hearing Examiner no later than 5 p.m. the fourteenth day following the filing of the decision in the SEPA Public Information Center or publication of the decision in the City official newspaper.

SMC 25.05.680.A.2.b.

Hearing Examiner Rule of Practice and Procedure 5.01 requires:

An appeal shall comply with the Rules and with the requirements established in the Code under which the appeal is filed. Where an appeal fails to meet these requirements, the appeal may be dismissed as determined by the Examiner. . . .

To be timely, the Office must receive an appeal in the Office during regular business hours no later than the last day of the appeal period. . . . Appeals filed after regular business hours are deemed filed on the next business day. If using the U.S. Postal Service, as mail service can be delayed, parties are encouraged to mail well before the deadline.

HER 5.01(b).



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Further, HER 3.03 provides in relevant part:

An appeal shall comply with the Rules and with the requirements established in the Code under which the appeal is filed. Where an appeal fails to meet these requirements, the appeal may be dismissed as determined by the Examiner.

Documents are deemed filed with the Examiner when the Office receives them. Documents filed on non-business days, or outside regular business hours, are deemed filed on the next business day.

HER 3.03 (a) and (b).

The appeal deadline for appealing this decision was **February 13, 2025, at 5:00 p.m.** You sent an email copy of your appeal at 4:54 p.m.; email appeals are not accepted. Your appeal was timestamped in the Hearing Examiner portal at **5:14 p.m.** Because this was after the 5 p.m. deadline, your appeal will not be accepted.

Sincerely,

/s/ Ryan Vancil
Ryan Vancil
Hearing Examiner



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**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies of the attached **UNTIMELY APPEAL LETTER** to each person listed below, or on the attached mailing list in the manner indicated.

Party	Method of Service
Appellant Tracy Stanton tstanton@me.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Department, Office of Planning and Community Development Michael Hubner Michael.Hubner@seattle.gov Jim Holmes Jim.Holmes@seattle.gov PCD_CompPlan_EIS@seattle.gov	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger

Dated: February 18, 2025

/s/ Angela Oberhansly
Angela Oberhansly, Legal Assistant