

**FINDINGS AND DECISION OF THE HEARING EXAMINER
FOR THE CITY OF SEATTLE**

In the Matter of the Appeal of

Hearing Examiner File:
W-16-003

CITIZENS FOR LIVABILITY IN BALLARD

From a Determination of Adequacy of the
Final Environmental Impact Statement on proposed
amendments to the Seattle Comprehensive Plan

Introduction

The Director of the Department of Construction and Inspections issued a Determination of Adequacy on a Final Environmental Impact Statement issued by the Seattle Office of Planning and Community Development (OPCD) regarding proposed amendments to the Seattle Comprehensive Plan. The Appellant timely filed an appeal of the determination.

The appeal hearing was held on August 16 and 17, 2016, before the undersigned Deputy Hearing Examiner. Parties represented at the proceeding were: the Appellant Citizens for Livability in Ballard, by Steven Cohn, Joseph Wert and Kirk Robbins; and OPCD, by James Haney and J. Zachary Lell, attorneys at law. The record was held open through August 26, 2016, for receipt of additional information concerning OPCD's exhibit 54, and for submission of closing statements. The record was closed after receipt of the information concerning OPCD Ex. 54, received on August 24, 2016, and the parties' statements (received on August 26, 2016).

For purposes of this decision, all section numbers refer to the Seattle Municipal Code (SMC or Code) unless otherwise indicated. After considering the evidence in the record, the Examiner enters the following findings of fact, conclusions and decision on this appeal.

Findings of Fact

1. In May 2016, the Mayor issued his recommendations for the Seattle 2035 Comprehensive Plan; OPCD Ex. 3. The Plan states that "Forecasts suggest that over the next 20 years, Seattle will need to accommodate 70,000 additional housing units, 120,000 more residents, and 115,000 additional jobs;" OPCD Ex. 3 at 13. The Plan's "principal purpose...is to provide policies that guide the development of the city in the context of regional growth management;" OPCD Ex. 3 at 16. A number of changes to the existing comprehensive plan are proposed, including increased attention to race and social equity in the City, a goal of building on transit, a growth strategy element that consolidates policies formerly in the Urban Village and Urban Design Elements, and other changes that are summarized in the Director's Report on the Mayor's Recommended Comprehensive Plan; OPCD Ex. 4. Also included with the Director's Report is a "Policy Crosswalk" which compares the current Comprehensive Plan with the Mayor's Recommended Comprehensive Plan.

Findings and Decision of the Hearing Examiner

W-16-003

Page 2 of 11

2. The Draft Environmental Impact Statement (DEIS) for Seattle 2035 was issued on May 4, 2015 and is shown at DEIS.
3. On May 5, 2016, the Office of Planning and Community Development (OPCD) issued the Final Environmental Impact Statement (FEIS) for the Seattle Comprehensive Plan Update; FEIS. The FEIS incorporates the DEIS and adds to the analysis contained in the DEIS.
4. The FEIS and DEIS identify five alternatives, each of which assumes the same level of total growth, i.e., the growth forecasts of 70,000 housing units and 115,000 jobs in the next 20 years, which are allocated to the City by the Washington State Office of Financial Management. The alternatives “evaluate differing levels of growth emphases that may occur in various areas of the city, and with differing levels of resulting land use intensities. Each alternative emphasizes different patterns of projected future growth amount and intensity among the urban centers, urban villages and transit-related areas.” FEIS at 1-4. In the FEIS, a sensitivity analysis was conducted which assumed 100,000 housing units proportionally distributed between the Preferred Alternative’s distribution within and outside of urban centers and villages; OPCD 20 at 3.1-29.
5. Alternative 1 is a no-action alternative which would plan for continuing the City’s existing growth policies associated with the urban village strategy and continuation of assumed trends distributing growth among all of the urban centers and villages. Alternative 2 would guide more growth to the existing urban centers: Downtown, First/Capitol Hill, University District, Northgate, South Lake Union and Uptown. Alternative 3 would guide growth to urban villages near light rail stations and a new urban village at 130th Street and I-, with possible reconfiguration of the Mount Baker and 23rd & Union-Jackson urban villages near the I-90 East Link Station. Alternative 4 would guide growth to urban villages near transit, which would include areas covered by Alternative 3 as well as urban villages that currently have very good bus service. Alternative 5, the preferred alternative, would guide growth toward urban villages with light rail transit stations or very good bus service, similar to Alternative 4, but reduces the amount of estimated future growth to be guided toward urban villages where the City’s Equity Analysis showed a high risk of displacement and low access to opportunity. Under Alternative 5, similar to 3 and 4, expansions of some urban village boundaries and the designation of the new urban village at NE 130th Street and I-5 are assumed.
6. The Seattle 2035 proposal includes modification of the Future Land Use Map (FLUM) as described in the FEIS at 2-4: *“In urban villages, potentially replace the generalized land use designations with a single designation for each type of urban village (Residential, Hub and Urban Center). The single designation would be accompanied by policies that describe the types and intensities of uses allowed in each type of village. This change is intended to provide greater flexibility in defining the planned development pattern in each type of urban village and indicate limits to the most intense growth.”*
7. Seattle 2035 includes amendments that would eliminate or revise certain policies from the existing Comprehensive Plan, as well as adding new policies. Existing Policies LU59 and

LU60 would be eliminated, and the FEIS describes these policies as “redundant” as similar criteria are contained in the Code rezone criteria of SMC 23.34. FEIS at 1-21.

8. LU59 currently states:

Permit upzones of land designated single-family and meeting single family rezone criteria, only when all of the following conditions are met:

- *The land is within an urban center or urban village boundary.*
- *The rezone is provided for in an adopted neighborhood plan*
- *The rezone is to a low-scale single-family, multifamily or mixed-use zone, compatible with single-family areas.*
- *The rezone procedures are followed.*

9. LU60 currently states:

Apply small lot single-family zones to single-family property meeting single-family rezone criteria only when all of the following conditions are met:

- *The land is within an urban center or urban village boundary.*
- *The rezone is provided for in adopted neighborhood plan.*
- *The rezone procedures are followed.*

10. UVG4 in the existing Plan would be eliminated. UVG4 in the current Plan states: *“Direct the greatest share of future development to centers and urban villages and reduce the potential for dispersed growth along arterials and in other areas not conducive to walking, transit use, and cohesive community development.”*

11. GS G3 is proposed, which states: *“Accommodate a majority of the city’s expected growth in urban centers and urban villages and a majority of employment growth in urban centers...”* OPCD Ex. 3 at 29.

12. UVG8 would also be eliminated. UVG8 currently states: *“Maximize the benefit of public investment in infrastructure and services, and deliver those services more equitably by focusing new infrastructure and services, as well as maintenance and improvements to existing infrastructure and services, in areas expecting to see additional growth, and by focusing growth in areas with sufficient infrastructure and services to support that growth.”*

13. Proposed GS 2.2 provides: *“Encourage investments and activities in urban centers and urban villages that will enable those areas to flourish as compact mixed-use neighborhoods designed to accommodate the majority of the city’s new jobs and housing.”* OPCD Ex. 3 at 25.

14. Policy LU11 is also proposed to be eliminated. It currently states: *“In order to maintain the character of Seattle’s neighborhoods and retain existing affordable housing, discourage the demolition of residences and displacement of residents, while supporting redevelopment that enhances its community and furthers the goals of this Plan.”*

15. At hearing, OPCD witnesses Hauger and Clowers noted that the proposed plan addresses displacement concerns. Proposed policies H 5.6, H 5.9, H 5.10, and LU 2.7, among others, were

Findings and Decision of the Hearing Examiner

W-16-003

Page 4 of 11

identified as addressing displacement. H 5.6 calls for increased housing choice and opportunity for extremely low- and very low-income households; H 5.9 calls for strategies will reduce the potential for displacement of marginalized populations; H 5.10 calls for encouraging rental-housing owners to preserve, rehabilitate, or redevelop their properties to limit housing displacement; OPCD Ex. 3 at 101. LU 2.7 calls for reviewing future legislative rezones to determine risk of increasing displacement of residents, especially marginalized populations, and the businesses and institutions that serve them. OPCD Ex. 3 at 42.

16. Policy LU95 is proposed to be replaced by policy LU8.11. LU95 states “*Use moderate-density multifamily zones in multifamily areas to provide additional housing opportunities*” by encouraging infill and new development at “*moderate densities.*” LU8.11 states: “*Use midrise multifamily zones to provide greater concentrations of housing in urban villages and urban centers.*”

17. The proposal would revise policies that address off-street parking. According to OPCD, existing goals LUG4, LUG6, LUG7 and Policy LU49 were edited and revised to “become new policies LU 6.1, 6.2 and 6.3.” OPCD Ex. 49 at p. 61.

18. LU 6.1 states: “*Establish parking requirements where appropriate for both single-occupant vehicles and their alternatives at levels that further this Plan’s goal to increase the use of public transit, car pools, walking, and bicycles as alternatives to the use of single-occupant vehicles.*” LU 6.2 provides: “*Modify residential parking regulations, where parking is required, to recognize differences in the likely auto use and ownership of intended occupants of new developments, such as projects provided for low-income, elderly, or disabled residents.*” LU 6.3 states: “*Rely on market forces to determine the amount of parking provided in areas of the city that are well-served by transit, such as urban centers and urban villages.*”

19. The FEIS and DEIS evaluated the transportation-related impacts of each alternative. The FEIS also included a separate sensitivity analysis which assumed 100,000 housing units, rather than the 70,000 units assumed in the DEIS.

20. To measure congestion and levels of service, the screenline methodology was used. The LOS standard in the form of volume-to-capacity (v/c) ratio was evaluated for each of the 28 screenlines during the PM peak hour. The results are summarized in Table 3.7-6 of the DEIS and Table 3.1-5 of the FEIS. The FEIS and DEIS ultimately concluded that under all of the alternatives, no auto, freight (on city arterials), or transit impacts were expected as all screenlines for each alternative were projected to meet the LOS standard for the PM peak hour.

21. As to parking, the DEIS notes that on-street parking deficiency is expected under all alternatives, and a probable significant adverse parking impact was identified for all alternatives; FEIS at 3.1-41, DEIS at 1-22. The parking impacts are anticipated to be reduced to a less-than-significant level by implementing various mitigation strategies, so that “parking demand/supply would reach a new equilibrium as some people shift to other transportation options.” FEIS at 3.1-42.

22. Under the sensitivity analysis scenario of 100,000 housing units, the v/c ratio for Screenline 5.11 (Ship Canal-Ballard Bridge Screenline) would achieve 1.21, exceeding the northbound 1.20 LOS standard. The FEIS noted that the mitigation strategies identified for the Ballard Bridge would be expected to reduce auto volumes so that LOS standards would be met; FEIS at 3.1-42.

23. At hearing, OPCD's transportation experts, Mr. O'Neill and Mr. Breiland, noted that the screenline methodology was appropriate for measuring the impacts of growth on traffic congestion on a city-wide basis. Both experts stated that an intersection-level analysis, as is utilized in the review of new development projects or in sub-area plans, was not feasible as a means of measuring the impacts of overall Citywide growth on traffic congestion.

24. OPCD's expert Mr. Shaw, who is a transportation planner for SDCI, noted that the use of intersection LOS analysis would continue to be utilized for SEPA review of proposed projects.

25. At hearing, Mr. O'Neill and Mr. Breiland noted that the state Department of Commerce had indicated that it wanted to see transportation levels of service measured according to multimodal capacity, not merely vehicle capacity. The DEIS and FEIS include a "mode share" analysis which compares existing and forecast mode shares in eight sectors of the City under all alternatives; FEIS at 3.1-23, DEIS Figures 3.7-17-3.7-24.

26. Page UV-A3 in Urban Village Element Appendix to the 2005 Comprehensive Plan (OPCD Ex. 1) lists several goals for open space and recreation facilities. The goals include quantitative targets City-wide and in the urban villages, e.g., "One acre of Village Open space per 1,000 households" in Hub Urban Villages. The same parks and open space goals are identified in the Seattle Parks and Recreation 2011 Development Plan; OPCD Ex. 35.

27. The proposed amendments remove the current language which mirrors language from the current Parks and Recreation Development Plan, and would replace it with Policy P1.2, which states "*Provide a variety of parks and open space to serve the city's growing population consistent with the priorities and level-of-service standards identified in the City's Park Development Plan.*" OPCD Ex. 3 at 135.

28. The testimony of OPCD and Parks Department staff at hearing indicated that the intention of the change was to have the Comprehensive Plan language reflect the Park Development Plan goals, rather than identifying specific standards that would have to be amended if the Park Development Plan were amended. The Park Development Plan is scheduled to be amended in 2017.

29. The DEIS and FEIS identified and analyzed the impacts of the growth alternatives on parks and open space. The FEIS concluded that over the next 20 years of growth, the distribution of parkland would not meet the proximity goals identified in the Park Development Plan, although future improvements in the system and the offering of different types of services could address this shortage. The FEIS also concluded that open space goals in the Park

Findings and Decision of the Hearing Examiner

W-16-003

Page 6 of 11

Development Plan would not be met, although shortages could be alleviated through the acquisition of additional land, although cost and availability of land would be an obstacle.

30. The DEIS and FEIS analyzed the proposal's impacts on parking, and concluded that under all alternatives, including the no-action alternative, there would be probable significant adverse impacts on parking. Mitigation measures were also identified that would reduce the impacts over the long-term, assuming a "new equilibrium" was reached as drivers shifted to other modes or to using off-street parking facilities; OPCD 20 at 3.2-17.

31. SMC 25.05.440.D.2 states:

Reasonable alternatives shall include actions that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation.

- a. The word "reasonable" is intended to limit the number and range of alternatives, as well as the amount of detailed analysis for each alternative.*
- b. The "no-action" alternative shall be evaluated and compared to other alternatives.*
- c. Reasonable alternatives may be those over which an agency with jurisdiction has authority to control impacts either directly, or indirectly through requirement of mitigation measures.*

32. SMC 25.05.442 provides:

A. The lead agency shall have more flexibility in preparing EIS's on nonproject proposals, because there is normally less detailed information available on their environmental impacts and on any subsequent project proposals. The EIS may be combined with other planning documents.

B. The lead agency shall discuss impacts and alternatives in the level of detail appropriate to the scope of the nonproject proposal and to the level of planning for the proposal. Alternatives should be emphasized. In particular, agencies are encouraged to describe the proposal in terms of alternative means of accomplishing a stated objective (see Section 25.05.060 C). Alternatives including the proposed action should be analyzed at a roughly comparable level of detail, sufficient to evaluate their comparative merits (this does not require devoting the same number of pages in an EIS to each alternative).

C. If the nonproject proposal concerns a specific geographic area, site specific analyses are not required, but may be included for areas of specific concern. The EIS should identify subsequent actions that would be undertaken by other agencies as a result of the nonproject proposal, such as transportation and utility systems.

D. The EIS's discussion of alternatives for a comprehensive plan, community plan, or other areawide zoning or for shoreline or land use plans shall be limited to a general discussion of the impacts of alternate proposals for policies contained in such plans, for land use or shoreline designations, and for implementation measures. The lead agency is not required under SEPA to examine all conceivable policies, designations, or implementation measures but should cover a range of such topics. The EIS content may be limited to a discussion of alternatives which have been formally proposed or which are, while not formally proposed, reasonably related to the proposed plan.

Conclusions

1. The Hearing Examiner has jurisdiction over this matter pursuant to SMC 25.05.680. The appeal of an EIS is to be considered de novo, but the Hearing Examiner must give substantial weight to the agency's determination of adequacy, and reviews the EIS under the "rule of reason." Under the rule of reason, an EIS must present decisionmakers with a reasonably thorough discussion of the significant aspects of the probable environmental consequences of the agency's decision; *Glasser v. City of Seattle*, 139 Wash.App 728, 740, 162 P.3d 1134, 1140 (2007).
2. Prior to hearing, certain issues were dismissed from the appeal by order of the Hearing Examiner. In its appeal statement and again in its closing statement, Citizens for Livability in Ballard (CLB) references RCW 36.70A as a basis for its claims. To the extent CLB claims that the FEIS or the proposed plan amendments are not consistent with RCW 36.70A, those claims have not been considered in this decision, since they are outside the Hearing Examiner's jurisdiction.
3. The issues remaining in this appeal may be summarized as: whether the FEIS is inadequate because (1) it fails to provide alternatives required by SEPA; (2) it does not address the impacts of certain proposed policy changes; and (3) it inaccurately analyzes the proposal's impacts on transportation and parking.
4. CLB argues that the FEIS is inadequate for using alternatives based on the five different growth scenarios, and that it should have included an analysis of alternatives to the policy proposals in the Comprehensive Plan.
5. An EIS must present a discussion of alternatives; reasonable alternatives include actions that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation. The word "reasonable" is intended to limit the number and range of alternatives, as well as the amount of detailed analysis for each alternative. SMC 25.05.440.D.2.
6. The FEIS identified five alternatives which assume the same level of growth (70,000 households and 115,000 new jobs) but distribute the growth differently under each alternative.

Findings and Decision of the Hearing Examiner

W-16-003

Page 8 of 11

In a nonproject EIS for a comprehensive plan, EIS content may be limited to discussion of alternatives which have been formally proposed, or which are reasonably related to the proposed plan; SMC 25.05.442.D. In this case, the five alternatives have been formally proposed by the Mayor and OPCD as ways to achieve the overall growth targets.

7. CLB argues that the alternatives are designed to justify decisions that have already been made by OPCD or the Mayor. However, the City Council has not yet approved the Seattle 2035 amendments. CLB's objections appears to be based on its contention that other proposals should have been included and studied in the FEIS, but CLB cites no authority or facts to support this assertion. Instead, under SMC 25.05.442.D as noted above, in a nonproject EIS for a comprehensive plan, the EIS content may be limited to a discussion of alternatives which have been formally proposed. Here, OPCD's alternatives have been formally proposed by the Mayor and OPCD and are consistent with the requirements of SEPA.

8. CLB has also claimed that the FEIS does not identify alternatives that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation. However, the FEIS adequately discusses and analyzes the different potential impacts associated with each alternative, including an examination as to whether a given alternative may have lower or different environmental impacts than another alternative; see, e.g., comparison of GHG emissions in 3.2 of the DEIS. The relative differences as to different impacts associated with each alternative, to the extent those can be reasonably identified in a nonproject proposal, have been adequately addressed in the FEIS.

10. CLB's main objection to the alternatives analysis in the FEIS appears to be based on CLB's contention that the FEIS does not include alternatives to certain proposed policy changes. CLB argues that proposed changes to the FLUM, the parks and open space goals, parking requirements and the LOS standard used in the FEIS were not adequately analyzed and that alternatives to those proposed changes should have been included.

11. CLB cites no authority that would support its claim that a nonproject EIS for a comprehensive plan must include an alternative to all proposed policy language changes. As noted above, SEPA explicitly provides that "reasonable alternatives" are limited in number and range. The mere fact that no alternative has been proposed for each amendment, falls far short of showing an inadequacy in the FEIS.

12. However, CLB also argues that certain proposed policy amendments will have impacts which have not been analyzed, and that this renders the FEIS inadequate. The appeal identified amendments to the FLUM and policy changes concerning land use and urban villages, parks and open space, and parking, as having impacts that should have been evaluated in the FEIS.

13. The proposed amendments modify the FLUM, as described in the FEIS at 2-4. In urban villages, the proposal is to "potentially replace the generalized land use designations with a single designation for each type of urban village," the change "is intended to provide greater flexibility in defining the planned future development pattern in each type of urban village and indicate limits to the most intense growth." FEIS at 2-4. CLB argues that this modification

would lead to impacts that have not have been adequately discussed because the modification will lead to upzoning of parcels within the urban villages, and the upzones will lead to higher densities in villages. But the evidence falls far short of showing that the amended FLUM language itself will have such an impact. None of the expert witnesses at hearing agreed with CLB's assertion concerning the effect of the FLUM modification, and the language of the proposal does not support CLB's contention that upzones are an impact of the proposed FLUM language.

14. CLB also claims that the process for future expansion of the urban village boundaries (other than those identified in the proposal) should have been considered in the FEIS, but the FEIS properly considers the expansions that are actually part of the proposed amendments. No error was shown in this regard.

15. CLB's appeal claims that the proposed elimination of Policies LU59 and LU60 would allow the replacement of single family residential uses with other uses that would have more impacts. CLB also claims that the changes involving UVG4, UVG8, LU11 and LU95 have the potential to alter the density and character of urban villages, and that the impacts associated with this change should have been analyzed in the EIS. Again, the revisions themselves do not make any changes to the density within urban villages or change the level of public investments. As with the FLUM and policy changes discussed above, the evidence fails to show that the proposed language changes would likely cause the impacts CLB claims will occur (i.e., higher densities and therefore more impacts). The FEIS is not inadequate because it failed to address every possible (as opposed to probable) consequence of policy language changes.

16. CLB contends that the proposal eliminates quantitative goals for parks and open space, and that this will have impacts that have not been analyzed in the FEIS. The amendments would delete current language in UV-A3 and replace it with language that references the priorities and level of service standards in the City's Parks Development Plan. The evidence in this record fails to show that the proposed amendment would change the Parks Development Plan, which is subject to its own public review and amendment process. The FEIS was not required to analyze possible but as yet unknown future changes to the parks goals and open space priorities and level of service standards. The FEIS adequately analyzes the five growth alternatives with regard to impacts on parks and open space, including distribution and quantity.

17. CLB claims that the EIS does not adequately address the proposal's impacts on parking. The DEIS and FEIS concluded that parking deficiencies would continue under all alternatives, but stated that no significant unavoidable adverse impacts to parking were anticipated; FEIS at 1-25. CLB largely relies on proposed policies LU6.1, LU6.2, and LU6.3, which it claims would shift private parking to the public streets. But the evidence at hearing and the language of the proposed policies do not support CLB's claim that the proposed policies will cause impacts to parking that have not been adequately analyzed in the FEIS. CLB argues that there is the potential for development projects to cause parking impacts that may not be mitigated by transit or RPZ areas, but these arguments rely on speculation as to the future impacts of development projects yet to be identified. The FEIS reasonably discusses parking impacts associated with the proposed Plan amendments.

Findings and Decision of the Hearing Examiner

W-16-003

Page 10 of 11

18. CLB also objects to the transportation LOS methodology employed in the FEIS. CLB argues that the screenline analysis is not appropriate for environmental analysis, and appears to argue that an intersection LOS should have been performed City-wide.

19. The DEIS and FEIS utilize the screenline methodology in order to forecast the increase in volume-to-capacity ratios for each of the roadways. The analyses disclose the increases in traffic volumes and congestion at all of the screenlines. CLB at hearing suggested that the screenline analysis does not accurately measure congestion in some locations, e.g., at the Ballard Bridge or the Montlake Bridge. CLB argues that the selected screenline locations indicate higher capacities than actually exist on those roadways, because of constraints at certain times or locations caused by merging or backed-up traffic. But CLB did not present evidence to quantify this assertion or to show that the use of the screenlines rendered the analysis unreasonable as a means of measuring the performance of the City's transportation system as a whole.

20. CLB points out that intersection LOS methodology has been utilized in some nonproject EISs, including those for subarea plans. But the evidence at hearing showed that performing intersection LOS measurements would not be feasible or reasonable for the purpose of analyzing impacts on a City-wide basis as part of a nonproject EIS.

21. As to the use of mode share LOS standard, CLB argues that mode share should have been presented as an alternative and its impacts analyzed. The mode share analysis is itself a measure of impacts of the growth alternatives on the City's transportation system and is not a proposal that needed to be presented as an alternative. CLB presumably disagrees that mode share should be considered when measuring LOS, but that is a philosophical disagreement; there is no showing that the FEIS is inadequate on account of its inclusion of a mode share analysis.

22. Much of CLB's appeal appears to be based on its concern that the proposed policies of Seattle 2035 set the stage for future Code or policy changes, which in turn will have impacts that CLB argues should be evaluated in an EIS. Certainly, the Plan is intended to "help make decisions about proposed ordinances, capital budgets, policies and programs," (OPCD Ex. 3 at 16) but those decisions have yet to be identified. At this stage, the impacts claimed by CLB are speculative in nature and are not borne out by the record.

23. The FEIS provides a reasonably thorough discussion of the significant aspects of the probable environmental impacts of the proposal, and the determination of adequacy should be affirmed.

Decision

The Director's Determination of Adequacy is affirmed.

Entered this 7th day of September, 2016.



Anne Watanabe
Deputy Hearing Examiner

Concerning Further Review

NOTE: It is the responsibility of the person seeking to appeal a Hearing Examiner decision to consult Code sections and other appropriate sources, to determine applicable rights and responsibilities.

The decision of the Hearing Examiner in this case is the final SEPA decision for the City of Seattle. Judicial review under SEPA must be of the decision on the underlying governmental action together with its accompanying environmental determination. Consult applicable local and state laws for further information.

The person seeking review must arrange for and initially bear the cost of preparing a verbatim transcript of the hearing. Instructions for preparation of the transcript are available from the Office of Hearing Examiner. Please direct all mail to: PO Box 94729, Seattle, Washington 98124-4729. Office address: 700 Fifth Avenue, Suite 4000. Telephone: (206) 684-0521.

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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 **Findings and Decision** to each person listed below, or on the attached mailing list, in the matter of **Citizens for Livability in Ballard**, Hearing Examiner Files: **W-16-003**, in the manner indicated.

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Dated: September 7, 2016

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