



**City of Bellevue  
Development Services Department  
Land Use Division**

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Proposal Name: Woxland Deck Remodel

Proposal Address: 4505 172<sup>nd</sup> Avenue SE

Proposal Description: Proposal to remove an existing wood staircase and replace with a 218 sq. ft. wood deck and stairs and a 16 sq. ft. concrete landing pad in a Critical Areas Steep Slope Buffer. Mitigation will include 600 sq. ft. of native landscape plantings.

File Number: 08-132157-LO

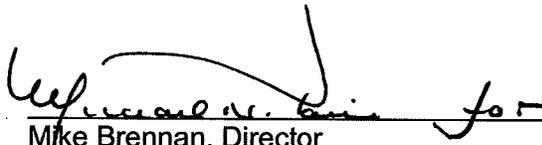
Applicant: The Showplace, Inc.  
Frank Neel

Decisions Included: Critical Areas Land Use Permit  
(Process II. LUC 20.25H.145)

Planner: Sally Nichols

State Environmental Policy Act  
Threshold Determination: **Exempt per WAC 197-11-800**

Director's Decision: **Approval with Conditions**

  
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Mike Brennan, Director  
Development Services Department

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Application Date: August 29, 2008  
Application Publication Date: September 18, 2008  
Decision Publication Date: October 16, 2008  
Project Appeal Deadline: October 30, 2008

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6864. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City Clerk's Office by 5 PM on the date noted for appeal of the decision.

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### Attachment:

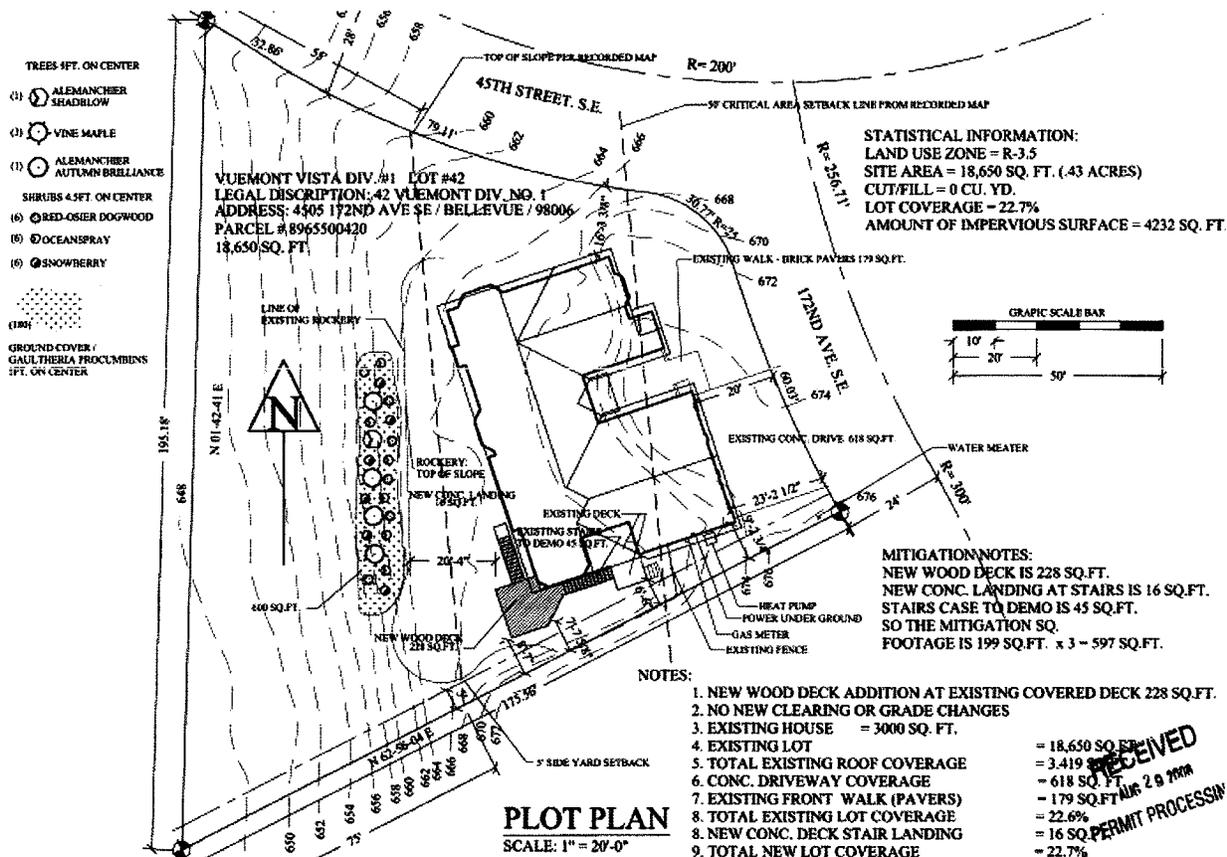
1. Site Plan and Mitigation Landscape Plan (Plot Plan)

**I. PROJECT DESCRIPTION**

The applicant is requesting approval of a Critical Areas Land Use Permit to modify a critical areas buffer. The associated proposal project will remove an existing wood stair case and replace it with a new wood deck extension, staircase, and concrete landing pad. A large portion of the existing deck was removed and replaced with building square footage during a recent kitchen remodel/addition. The new deck will replace this lost section of deck by extending the existing deck further to the west towards the rear yard. The deck will extend approximately ten (10) feet westward from the southwest corner of the existing house into the 50 foot critical area buffer and it will lie approximately 20 feet back from the existing top-of-slope of a steep slope critical area (slopes with a grade of 40% or greater – Land Use Code 20.25H.120). The new construction, minus the existing staircase, will equal an additional 200 square feet of impervious surface.

The Critical Areas Land Use Permit is being considered because the area where the new deck is proposed to be located, within the critical area buffer, is already in a disturbed condition and is currently maintained as lawn. In addition, the steep slope critical area is also in a disturbed condition and mitigation for the proposed project will result in an improved slope condition via the planting of approximately 600 square feet of new native vegetation using native species recommended in the City of Bellevue Critical Areas Handbook. In addition, as conditioned, mitigation will also include the removal of existing English Ivy along the top of the slope.

**Site Plan and Mitigation Landscape Plan**



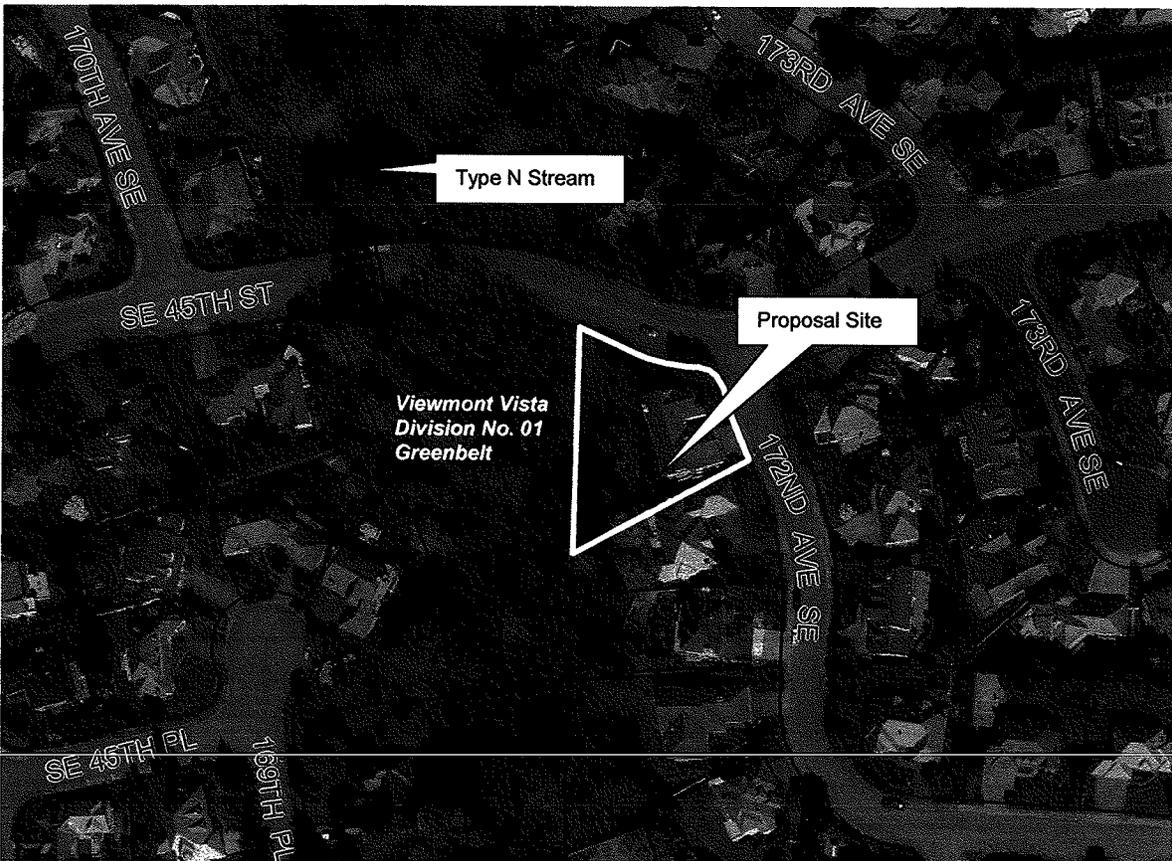
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## II. SITE DESCRIPTION, CONTEXT, and CRITICAL AREAS

### A. Site Description

The proposal property is located on the corner lot at the intersection of 45<sup>th</sup> Street SE and 172<sup>nd</sup> Avenue SE. The existing home, which fronts on 172<sup>nd</sup> Avenue SE, occupies approximately 3,095 square feet (including decks greater than 30 inches in height) in the eastern portion of the 18,650 square foot lot. The site is located within the Newcastle Subarea with a Comprehensive Plan Designation of Single-Family Medium (SF-M). It lies within the Sky Mountain Subdivision No. 8106250736.

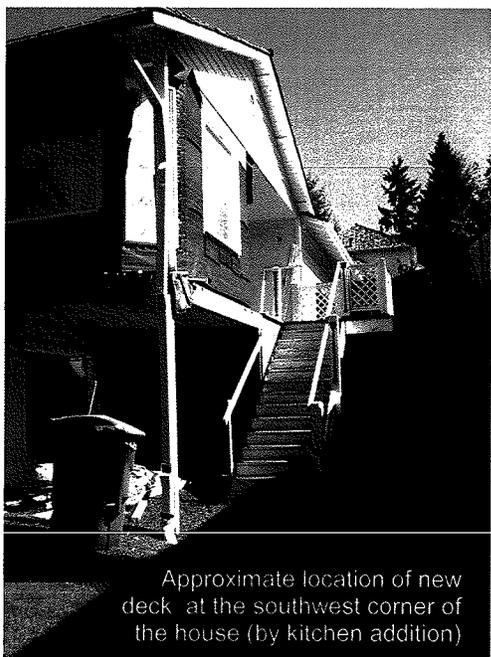
Vicinity Map



A steep slope with a grade of 40 percent or greater is located on the western portion (rear yard) of the lot, occupying approximately 2,700 square feet. The slope is steepest within the top 25 feet of the slope, and then gradually becomes gentler as it slopes toward the existing Viewmont Vista Division No. 01 Open Area Greenbelt. Currently, there is a low rock wall and ornamental planting bed within the critical areas buffer, along the top of the slope. The remaining portion of the buffer extends up to the house and is predominantly lawn with some foundation plantings. The critical area slope has been left unmaintained and is generally covered with wild grasses (see photographs below). There also is a small section along the southern top of the slope that contains English Ivy, which is beginning to spread within the critical area and climb into existing trees.

The critical area buffer that will be minimally disturbed by the new post footings for the deck is currently in a degraded condition. Because no solid foundation will be required, the new deck will require the removal of a small amount of the lawn area. No trees, shrubs or native vegetation are proposed to be removed. Specifically, the new addition will require only four (4) isolated deck footings, each 12-inches x 12-inches, set at a depth of 36 inches to protect against frost and erosion. There will also be a 16 square foot concrete landing pad at the bottom of the new stairs. The deck surface itself will be decking material with spacing between each board, thereby allowing water to penetrate to the ground below. The area underneath the deck will remain pervious, covered either with lawn, groundcover, bark or crushed rock.

Lastly, a Type N, non-fish bearing stream runs through the Vuemont Vista Greenbelt. However, none of the work proposed with this deck expansion project will take place within the 25-foot critical area stream buffer and the 25-foot critical area structure setback associated with this stream. Vegetation restoration that is proposed as mitigation for reducing the critical areas buffer will also serve to enhance the ecological function of this stream ecosystem.



Approximate location of new deck at the southwest corner of the house (by kitchen addition)



Critical Area Buffer along the top-of-slope

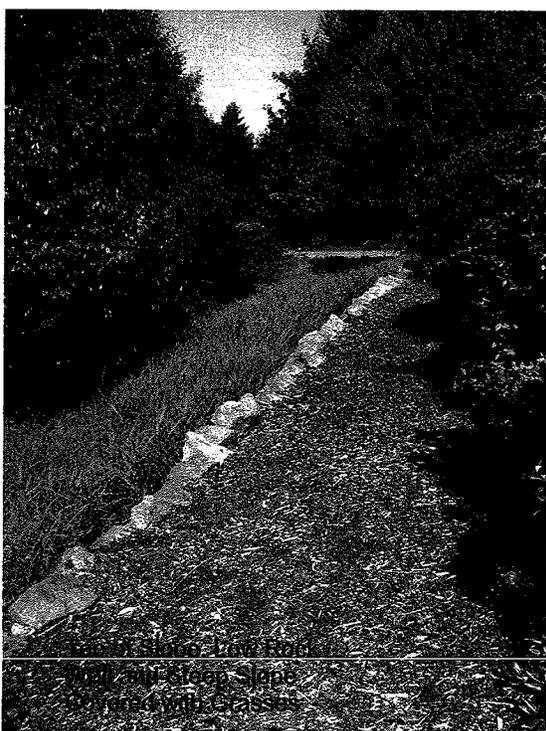
## B. Land Use Context

The property is in a medium density single-family residential comprehensive planning district. It is surrounded by similar single-family residential properties. The Vuemont Vista Greenbelt, which lies along the entire rear property line, is also zoned R-3.5, a single family residential land use. Because this property lies on a corner lot, it has two front setbacks, but has an orientation onto 172<sup>nd</sup> Avenue SE similar to other properties on the block.

**C. Critical Areas Functions and Values – Steep Slopes**

Protecting steep slopes and managing vegetation maintains slope stability, protects lakes, streams and wetlands, and enhances fish and wildlife habitat. The application of comprehensive plan policies and land use codes help to achieve and support land use and development practices that are compatible with Bellevue’s environment. Steep slopes greater than 40 percent are designated critical areas and are often unstable. The burden to establish adequate long term measures that protect the public health, safety and welfare when considering development near steep slopes must be placed on the property owner.

An analysis of this site was completed by Geotech Consultants, Inc., dated July 31, 2008. This report is available for public viewing in the project file at City Hall. The report analyzed the proposal and probable impacts to the critical slope in accordance with the requirements of Land Use Code (LUC) Section 20.25H. Geotech Consultants, Inc. conducted a shallow, hand-excavated test hole on the western edge of the proposed deck location and reviewed information in their files regarding geologic information in the immediate vicinity of the site.



Based on this information, Geotech Consultants, Inc. concluded that constructing the deck at its proposed location is adequate if:

- 1) The proposal leaves a 20-foot wide buffer area between the deck and the top of the slope.
- 2) The deck footings are excavated down to dense soil a minimum of 18 inches.
- 3) The ground beneath the new deck is covered with either grass, groundcover, landscape bark or crushed rock to prevent soil erosion as a result of discharging concentrated water toward the slope.

**Refer to the discussion in Sections III and VIII of this report for analysis of critical areas and decision criteria.**

**III. CONSISTENCY WITH LAND USE CODE AND ZONING REQUIREMENTS**

**A. Zoning District Dimensional Requirements:**

The Dimensional requirements of this zoning district are as follows:

	<b>GENERAL ZONING &amp; SITE INFORMATION</b>
Zoning District	R-3.5
Comprehensive Plan Designation	SF-M (Single Family-Medium) within the Newcastle Subarea
Gross Site Area	18,650 SF

ITEM	REQ'D/ALLOWED and PROPOSED
Minimum Lot Area LUC 20.20.010	10,000 SF
Maximum Building Height LUC 20.20.010	<u>Required:</u> 30 FT <u>Proposed:</u> No Change
Maximum Lot Coverage for Structures LUC 20.20.010  Meets LUC requirements	35 % of 15,950 SF (lot area minus 2,700 SF of critical area) = 5,583 SF maximum allowed  <u>Existing:</u> 3,095 SF = 19% <u>Proposed:</u> 3,294 SF = 21%
Maximum Impervious Surface LUC 20.20.010  Meets LUC requirements	50% of 18,650 SF = 9,325 SF maximum allowed  <u>Existing:</u> 4,360 SF = 23.4% <u>Proposed:</u> 3,419 SF House + Roof 618 SF Driveway 178 SF Front Walkway 50 SF Existing Deck Outside Roofline 228 SF Proposed Deck & Stairs <u>16</u> SF Landing Pad 4,509 SF = 24% (Meets LUC Requirements)
Applicable Building Setbacks: LUC 20.20.010 <u>Side Yard</u> Meets LUC requirement <u>Rear Yard</u> <u>Front Yard</u>	Maximum Allowed: 5 FT Proposed: 7'-7 5/8 " to 8'-7"  Maximum Allowed: 25 FT ( <u>no changes proposed</u> ) Maximum Allowed: 20 FT ( <u>no changes proposed</u> ) Note: The existing front setback on 45 <sup>th</sup> Street SE is 16'-3 3/8". However, the proposed deck expansion does not affect this setback.

**B. Critical Areas Requirements – LUC 20.25H**

**1. LUC 20.25H.040 – Standards for Modifying Non-Critical Area Setbacks**

The proposal considered the allowed modifications to the general dimensional chart (LUC20.20.010) to the minimum distance allowed to reduce the amount of buffer to be modified. However, the eating and entertaining functions of the deck required it to be placed adjacent to the kitchen at the southwest corner of the house. In this location, the allowed modified side setback (only setback that would apply) of five feet is equal to the existing five foot side setback. The proposal deck does go right up to the five foot setback line because doing so would require removal of existing mature vegetation.

**2. LUC 20.25H.120.B – Geologic Hazard Area Buffers**

LUC 20.25H.120 designates steep slopes of 40 percent or greater that have a rise of at least 10 feet and exceed 1,000 square feet in area as critical areas. Steep slopes require a 50

foot wide critical area buffer, measured from the top-of-slope. The proposed deck will be located in this critical area buffer. Modifications to geologic hazard critical area buffers may be considered according to LUC 20.25H.120.B.3 as long as the modification meets the requirements of LUC 20.25H.125, which establishes criteria and performance standards for the modification of a critical area buffer associated with a geologic hazard area. The critical area buffer can only be modified with a critical areas report. Report requirements are found in LUC 20.25H.230.

**3. Consistency with Land Use Codes Critical Areas Performance Standards – Landslide Hazards and Steep Slopes: LUC 20.25H.125**

Development within a landslide hazard or steep slope critical area or the critical area buffers of such hazards shall incorporate the following additional performance standards in design of the development, as applicable. The requirements for long-term slope stability shall exclude designs that require regular and periodic maintenance to maintain their level of function.

**a. Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to the existing topography;**

*Finding:* The proposed deck expansion will be located within the critical area buffer that is currently covered with a level lawn area. No work will be done in the steep slope critical area and there will be no alteration of any existing contours. The excavation impacts for the deck footings will be minimal, requiring only four 12"x12"x36" deep footings holes. The applicant has also proposed to place a 16 square foot concrete pad at the bottom of the new stairs. This pad will require only minimal excavation by hand.

**b. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation;**

*Finding:* Based on the report by Geotech Consultants, Inc., dated July 31, 2008, the proposed addition will not impact local soil or slope stability to any significant degree due to the distance of the proposal project from the top of slope (approximately 20 feet) and the minimal amount of soil disturbance associated with the four post footings. In addition, water will still be able to penetrate through the decking, thereby allowing the stormwater function of the critical area buffer to remain. The proposed project will not require removal of any trees, shrubs, groundcover (other than lawn at the post hole locations and the landing pad) or native vegetation.

**c. The proposed development shall not result in a greater risk or a need for increased buffers on neighboring properties;**

*Finding:* The stability of adjacent critical areas will not be negatively impacted as a result of the deck expansion because all work will be away from the steep slope and will occur on level land that is already disturbed with lawn. There will be no need for increased protection measures on neighboring properties. In addition, all applicable City of Bellevue requirements for construction hours and noise will apply. Refer to Condition of Approval regarding construction hours and noise control in Section X of this report.

**d. The use of retaining walls that allow maintenance of existing natural slope area is preferred over graded artificial slopes where graded slopes would result in increased disturbance as compared to use of retaining walls; and**

**Finding:** No grading other than the digging for the four post footings is proposed. No rockeries or retaining walls are proposed, and the existing low rock retaining wall will remain in place and will not be disturbed.

**e. Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer.**

**Finding:** The proposed deck expansion is the minimum necessary to achieve a functional eating and entertaining space. The applicant proposes to maintain the area underneath the deck with pervious materials, which will be either lawn, groundcover, landscape bark, or crushed rock. The total impervious surfaces for the entire site would increase by less than 1% and would remain well under the required maximum of 50%. Note: If the proposed deck is constructed with decking that is spaced one-eighth of an inch or greater, the deck will be exempted from the impervious surface calculations – LUC 20.20.460.D. **Refer to Section III of this report for dimensional requirements.**

**f. Where change in grade outside the building footprint is necessary, the site retention system should be stepped and regrading should be designed to minimize topographic modification. On slopes in excess of 40 percent, grading for yard area may be disallowed where inconsistent with the criteria;**

**Finding:** No work will be done on any sloped area of the site. The work being done will occur on land that is already graded and is relatively flat and no change of topography or retention of earth is required.

**g. Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately and away from the building wherever feasible. Freestanding retaining devices are only permitted when they cannot be designed as structural elements of the building foundation.**

**Finding:** The work will occur on land that is already graded and is relatively flat. No retention of earth is required and no building walls will be used for retention.

**h. On slopes in excess of 40 percent, use of pole type construction which conforms to existing topography is required where feasible. If pole-type construction is not technically feasible, the structure must be tiered to conform to the existing topography and minimize topographic modification;**

**Finding:** This standard is not applicable because no work will be done on any steep slopes.

**i. On slopes in excess of 40 percent, piled deck support structures are required where technically feasible for parking or garages over fill based construction types;**

**Finding:** This standard is not applicable because no work will be done on any steep slopes.

**j. Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC Section 25.25H.210.**

**Finding:** To mitigate for the disturbance within a critical area buffer associated with the proposed deck expansion, the applicant has proposed to restore approximately 600 square feet of critical area buffer with native vegetation. Plantings will replace invasive

grasses on the steep slope with native species as specified in the City of Bellevue Critical Areas Handbook. In addition, as conditioned, English Ivy will be removed from the critical area and replaced with native groundcover. Refer to the attached Site Plan and Mitigation Landscape Plan (also illustrated in Section 1 of this report) and Condition of Approval regarding English Ivy in Section X of this report.

The proposed landscape restoration will likely provide an increase in slope stability, improved stormwater infiltration, and more appropriate wildlife habitat within the critical area than is currently provided by the existing lawn area and wild grasses. Any impacts during planting will be mitigated by application of best management practices for temporary erosion and sedimentation controls and rainy season restrictions on clearing and grading. Refer to Condition of Approval regarding the rainy season restrictions in Section VIII of this report.

#### **4. Consistency with Critical Areas Report Submittal Requirements LUC 20.25H.230**

The applicant has supplied the applicable elements of a Critical Areas Report, prepared by Frank Neel of Showplace Inc., dated August 25, 2008. The report met the minimum requirements in LUC 20.25H.250, including a geotechnical report prepared by Geotech Consultants Inc., dated July 31, 2008. A list of the critical areas report requirements and items that have been waived, along with the critical areas report and geotechnical report, is available for public viewing in the project file at City Hall.

#### **5. Consistency with Critical Areas Report – Additional Provisions for Landslide Hazards and Steep Slopes**

a. LUC 20.25H.140: The Critical Areas Report for this proposal has included a site plan, topographic survey and geotechnical report (see 3. above). The geotech report concluded that the steep slope onsite is comprised of dense, glacially-compressed soils that have very high internal strength. There has been some modification of the slope due to grading associated with the home construction and some shallow movement or creep could occur. However, this would be the result of natural weathering of soils. The slope on this site is not excessively steep or tall and the planned deck constructions should not affect the stability of the slope given the following recommendations:

1. Leave the steep slope and the a minimum 20 foot buffer between the deck and the tope of slope undisturbed.
2. Excavate the deck footing down to dense soil.
3. Avoid discharging concentrated water toward the slope by leaving the ground under the deck a pervious surface of either lawn, landscape bark, crushed rock or native groundcovers.

b. LUC 20.25H.145: The project has been reviewed in accordance with the checklist for modification of buffers in geological hazard critical areas and critical area buffer. The proposal has been designed in accordance with the recommendations of the geotechnical report found in the Critical Areas Report (see 5.a above) to ensure that it will not compromise the slope stability. The proposed project will also not impact any adjacent critical areas, either on neighboring properties or in the Vuemont Vista Greenbelt. Mitigation for the proposed deck expansion with result in over 600 square feet of native plantings and the removal of noxious English Ivy, both of which will help to improve the overall condition of the steep slope critical area. These improvements will most likely provide an increase in slope stability, improved stormwater infiltration, and more appropriate wildlife habitat within the critical area than is currently provided by the existing lawn area in the buffer and wild grasses on the steep slope.

#### IV. PUBLIC NOTICE AND COMMENT

Application Date: August 29, 2008  
Public Notice (500 feet): September 18, 2008  
Minimum Comment Period: October 2, 2008 (14 days)

The Notice of Application for this project was published in the City of Bellevue Land Use Bulletin on September 18, 2008. It was mailed to property owners within 500 feet of the project site. No public comments were received.

#### V. SUMMARY OF TECHNICAL REVIEWS

##### **Clearing and Grading:**

The Clearing and Grading Division of the Planning and Community Development Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards. The project does not meet the Clearing and Grading threshold of 50 or more cubic yards of cut and fill or over 1,000 square feet of disturbance to warrant a separate Clear and Grade permit (Clearing & Grading Code 23.76.025). Clearing and Grading approval will be included in the building (BR) permit.

#### VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The proposal is for the modification of a steep slope critical area buffer and mitigation resulting in the restoration of a portion of the critical area for the purposes of constructing a single family desk expansion. Pursuant to BCC 22.02.032 and WAC 197-11-800, the construction or location of a single family primary structure is "categorically exempt" from SEPA environmental review.

#### VII. CHANGES TO PROPOSAL AS A RESULT OF CITY REVIEW

There were no changes to the proposal due to thorough review during a pre-application conference.

#### VIII. DECISION CRITERIA

##### **A. Critical Areas Report Decision Criteria for Proposals to Reduce Regulated Critical Area Buffer – LUC 20.25H.255**

The Director may approve, or approve with modifications, a proposal to reduce the regulated critical area buffer on a site where the applicant demonstrates:

- 1. The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a new gain in overall critical area or critical area buffer functions;**

***Finding:*** A steep slope landscape restoration plan has been submitted with details for the removal of approximately 600 square feet of wild grasses on the steep slope critical area and replacement with native trees, shrubs and groundcovers. Plant species selected were as recommended in the City of Bellevue Critical Areas Handbook. As conditioned, the restoration plan will also include the removal of English Ivy from the

steep slope and the replacement with native groundcovers. The proposed native plantings will improve the function of the critical area and will most likely provide an increase in slope stability, improved stormwater infiltration, and more appropriate wildlife habitat within the critical area than is currently provided by the existing wild grasses on the steep slope. In addition, by improving the steep slope critical area, the new plantings will also contribute to the improved health of the stream critical area and critical area buffer, which lies outside of the proposal property to the west in the Vuemont Vista Greenbelt. Refer to the attached Site Plan and Mitigation Landscape Plan and Condition of Approval regarding English Ivy in Section X of this report.

**2. The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in the most important critical area or critical area buffer functions to the ecosystem in which they exist;**  
*Finding:* Refer to discussion in 1. above. The restoration measures will most likely improve the stormwater treatment, slope stability and habitat value functions of the slope.

**3. The proposal includes a net gain in stormwater quality function by the critical area buffer or by elements of the development proposal outside of the reduced regulated critical area buffer;**  
*Finding:* Stormwater quality function will be enhanced via the restoration of the critical area, which is currently covered with wild grasses and is therefore in a degraded condition. As conditioned, over 600 square feet of native plantings will help to improve the stormwater quality function and slope stability of the steep slope. This is especially important since runoff from this slope feeds directly into a non fish bearing stream within the Vuemont Vista Greenbelt.

**4. Adequate resources to ensure completion of any required restoration, mitigation and monitoring efforts;**  
*Finding:* A landscape restoration plan has been prepared. This plan will ensure that an overall net gain in critical area functions will result from the proposed project. Additionally, maintenance of the newly mitigated area will be maintained and monitored by the homeowners for a minimum of five years. The homeowner's maintenance responsibility is permitted given the well maintained condition of the proposal property. Furthermore, to ensure that the proposed plantings are installed and maintained correctly during the first year, the applicant will be required to post an Installation Assurance Device and a Maintenance Assurance Device prior to permit issuance. Refer to Conditions of Approval regarding Landscape Installation and Maintenance Security Device in Section X of this report.

**5. The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site; and**  
*Finding:* The work proposed within the critical area buffer will be performed in an area that is currently maintained as lawn and the disturbance will be limited to four post holes and a small concrete landing pad. Therefore, there would be virtually no change to the functions of the critical areas, either on or off site as a result of the deck expansion. The proposed enhancement of the steep slope critical area as a result of mitigation for reducing the critical areas buffer will most likely increase the function of the critical area by providing an increase in slope stability, improved stormwater infiltration, and more appropriate wildlife habitat within the critical area than is currently provided by the

existing lawn area, ornamental shrubs and wild grasses.

**6. The resulting development is compatible with other uses and development in the same land use district.**

**Finding:** The proposed steep slope buffer modification and resulting deck expansion will be compatible with adjacent properties and surrounding development within the same land use district (R-3.5). Adjacent properties contain single-family land uses and the Vermont Vista Greenbelt. Reductions in the property setbacks are not being requested. Therefore, the proposed deck will not be located any closer to adjacent properties than was envisioned through application of the dimensional requirements of the R-3.5 zone – LUC 20.20.010.

**B. Critical Areas Land Use Permit - LUC 20.30P**

The proposal, as conditioned below, meets the applicable regulations and decision criteria for a Critical Areas Land Use Permit pursuant to LUC Section 20.30.P.

**1. The proposal obtains all other permits required by the Land Use Code; and**

**Finding:** The applicant must obtain a single-family remodel building permit (BR) for the deck expansion, which will include a clearing and grading approval. All applicable permits will be applied for after approval of the proposed buffer modification.

**2. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer;**

**Finding:** The proposed addition will be built on post footings and will not include any additional grading. No additional rockeries or retaining walls are required to support the expansion.

**3. The proposal incorporates the performance standards of LUC 20.25H to maximum extent applicable, and;**

**Finding:** As discussed in Section III of this report, the proposal meets the performance standards and additional provisions for areas of geological hazards in LUC Sections 20.25H.125, 20.25H.140 and 145 .

**4. The proposal will be served by adequate public facilities including street, fire protection, and utilities; and;**

**Finding:** The proposed expansion will not impact any existing public facility service level.

**5. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; and**

**Finding:** As mitigation for the proposed addition, the applicant has proposed to restore approximately 600 square feet of Critical Areas Buffer with native vegetation. This additional planted area will likely provide increased slope stability, improved stormwater infiltration, and more appropriate wildlife habitat within the buffer. A landscape installation and maintenance assurance device will be required to be submitted prior to the issuance of any associated permits. **Refer to the attached Site Plan and Mitigation Landscape Plan (also shown in Section I of this report) and to Condition of Approval regarding the landscape installation and maintenance**

**security device in Section X of this report.**

**6. The proposal complies with other applicable requirements of this code.**

**Finding:** As discussed in Section III of this report, the proposal complies with all other applicable requirements of the Land Use Code.

**IX. CONCLUSION AND DECISION**

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, City Code and Standard compliance reviews, the Director does hereby approve with conditions the proposed deck expansion into the critical area buffer via a critical areas buffer modification. **Approval of this Critical Areas Land Use Permit does not constitute a permit for construction. A Building Permit that will include clearing and grading review is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards.**

**Note:** A Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Building Permit, or other necessary development permits within one year of the effective date of approval.

**X. CONDITIONS OF APPROVAL**

**The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:**

<b>Applicable Ordinances</b>	<b>Contact Person</b>
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
Land Use Code- BCC Title 20	Sally Nichols, 425-452-2727
Noise Control- BCC 9.18	Sally Nichols, 425-452-2727

**The following conditions are imposed under the Bellevue City Code referenced:**

- 1. Landscape Installation and Maintenance Security Device:**  
The applicant must submit a combined Landscape Installation and Maintenance Assurance Device in the amount of 100 percent of the costs of the restoration work; including labor and materials, based on an outline of costs submitted to the City by the applicant's landscape contractor. The security may be released after the vegetation has successfully been installed and maintained for a period of one year and inspected by the Land Use reviewer.

Authority: Land Use Code 20.30P.160, 20.40.490  
Reviewer: Sally Nichols, Land Use

**2. Rainy Season Restrictions:**

Due to the proximity to a steep slope, no clearing and grading activity may occur during the rainy season, which is defined as November 1 through April 30 without written authorization of the Department of Planning and Community Development. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A  
Reviewer: Sally Nichols, Land Use

**3. Noise Control:**

The proposal will be subject to normal construction hours of 7 a.m. to 6 p.m., Monday through Friday and 9 a.m. to 6 p.m. on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Upon written request to PCD, work hours may be extended to 10 p.m. if the criteria for extension of work hours as stated in BCC 9.18 can be met. Use of heavy equipment will be prohibited outside of normal construction hours.

Authority: Bellevue City Code 9.18  
Reviewer: Sally Nichols, Land Use

**4. English Ivy Removal:**

Applicant shall remove existing English Ivy along the top of the slope and replace it with *Gautheria procumbens* groundcover or approved alternative native groundcover.

Authority: LUC 20.25H.055.C.i.i  
Reviewer: Sally Nichols, Land Use

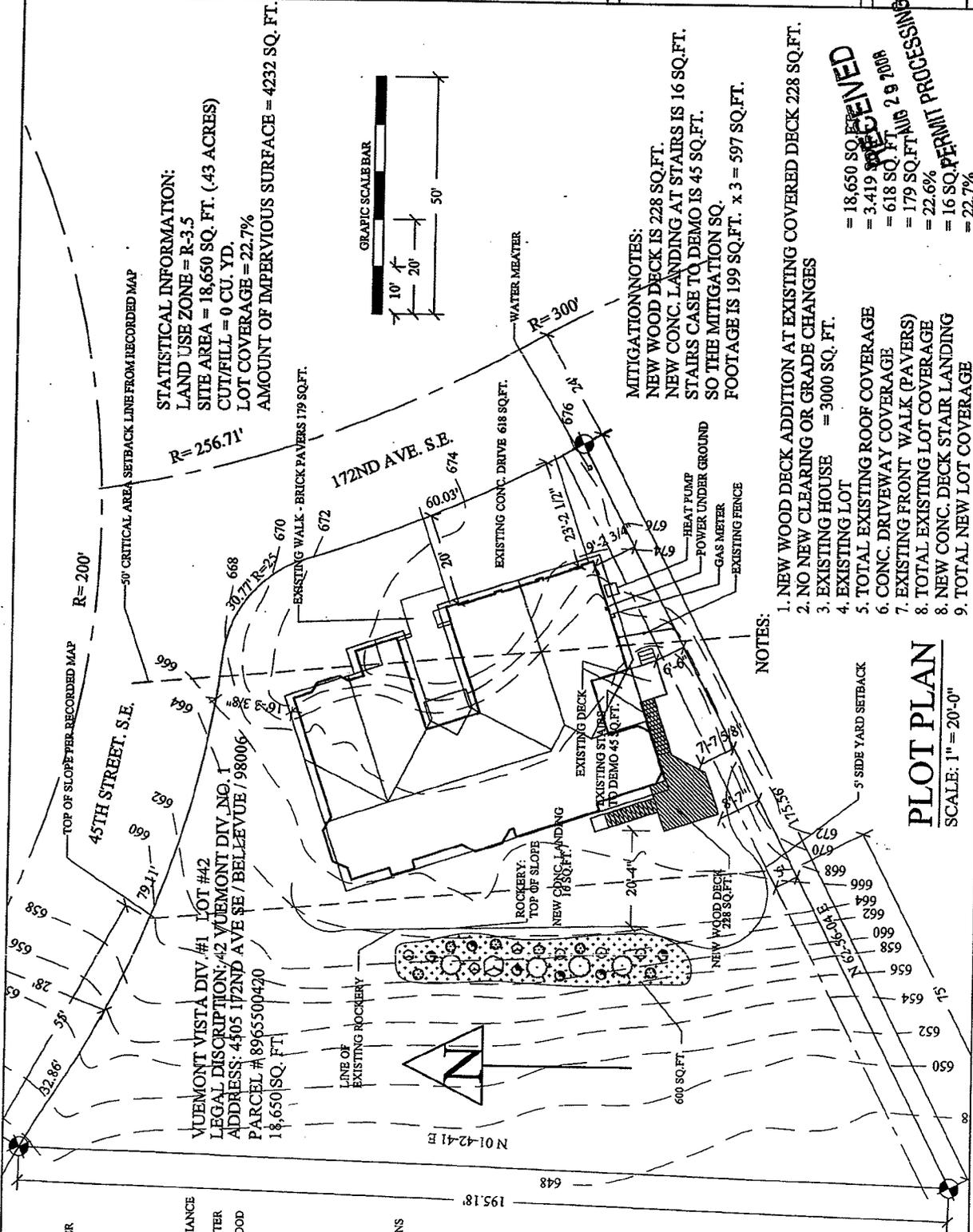
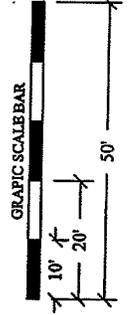
DATE	BY	DESCRIPTION
12/27/07	PLM	ORIGINAL
02/27/08	PLM	REVISED

**WOXLAND RESIDENCE**  
 4505 172ND AVE SE  
 BELLEVUE, 98006  
 425-644-1486

**Showplace**  
 DESIGN/REMODELING  
 1000 955  
 900 WALLINGFORD  
 BELLEVUE, WA 98007  
 (206) 835-9595

SHEET #  
**A2**  
 WOXLAND

**STATISTICAL INFORMATION:**  
 LAND USE ZONE = R-3.5  
 SITE AREA = 18,650 SQ. FT. (.43 ACRES)  
 CUT/FILL = 0 CU. YD.  
 LOT COVERAGE = 22.7%  
 AMOUNT OF IMPERVIOUS SURFACE = 4232 SQ. FT.



**MITIGATION NOTES:**  
 NEW WOOD DECK IS 228 SQ. FT.  
 NEW CONC. LANDING AT STAIRS IS 16 SQ. FT.  
 STAIRS CASE TO DEMO IS 45 SQ. FT.  
 SO THE MITIGATION SQ. FOOTAGE IS 199 SQ. FT. x 3 = 597 SQ. FT.

**NOTES:**

1. NEW WOOD DECK ADDITION AT EXISTING COVERED DECK 228 SQ. FT.
2. NO NEW CLEARING OR GRADE CHANGES
3. EXISTING HOUSE = 3000 SQ. FT.
4. EXISTING LOT
5. TOTAL EXISTING ROOF COVERAGE
6. CONC. DRIVEWAY COVERAGE
7. EXISTING FRONT WALK (PAVERS)
8. TOTAL EXISTING LOT COVERAGE
9. NEW CONC. DECK STAIR LANDING
9. TOTAL NEW LOT COVERAGE

**RECEIVED**  
 18,650 SQ. FT.  
 = 3.419 ACRES  
 = 618 SQ. FT. AUG 29 2008  
 = 179 SQ. FT. PERMIT PROCESSING  
 = 22.6%  
 = 16 SQ. FT. PERMIT PROCESSING  
 = 22.7%

**PLOT PLAN**  
 SCALE: 1" = 20'-0"

- TREES 9FT. ON CENTER
- (1) ALEMANCHIER SHADBLOW
  - (3) VINE MAPLE
  - (1) ALEMANCHIER AUTUMN BRILLIANCE
- SHRUBS 4.3FT. ON CENTER
- (6) RED-OSIER DOGWOOD
  - (6) OCEANSPRAY
  - (6) SNOWBERRY
- (180) GROUND COVER / GAULTHERIA PROCUMBENS 1FT. ON CENTER

**Site Plan and Mitigation Landscape Plan**