



DEVELOPMENT SERVICES DEPARTMENT
 ENVIRONMENTAL COORDINATOR
 450 110th Ave NE
 BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Tom Cross, Stanbrooke Custom Homes

LOCATION OF PROPOSAL: 3933 151st Avenue SE

DESCRIPTION OF PROPOSAL: Modification of steep slopes critical areas associated with the construction of a single-family residence.

FILE NUMBERS: 13-121540-LO **PLANNER:** Reilly Pittman

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on **4/24/2014**
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.

[Handwritten Signature]
 Environmental Coordinator

4/10/2014
 Date

OTHERS TO RECEIVE THIS DOCUMENT:

- State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
- State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
- Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
- Attorney General ecyolyef@atg.wa.gov
- Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us



**City of Bellevue
Development Services Department
Land Use Staff Report**

Proposal Name: Jabbarzadeh Residence

Proposal Address: 3933 151st Avenue SE

Proposal Description: Critical Areas Land Use Permit to construct a new single family residence that will permanently modify portions of a property located within an overlapping 50-foot top-of-slope buffer and a 75-foot toe-of-slope setback from steep slope critical areas and install mitigation planting.

File Number: 13-121540-LO

Applicant: Tom Cross, Stanbrooke Custom Homes

Decisions Included Critical Areas Land Use Permit
(Process II. 20.30P)

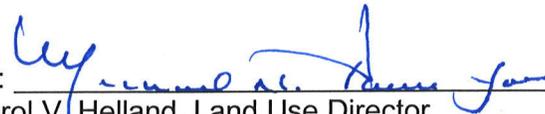
Planner: Reilly Pittman, Land Use Planner

**State Environmental Policy Act
Threshold Determination:** **Determination of Non-Significance**



Carol V. Helland, Environmental Coordinator
Development Services Department

Director's Decision: **Approval with Conditions**
Michael A. Brennan, Director
Development Services Department

By: 

Carol V. Helland, Land Use Director

Application Date: July 25, 2013
Notice of Application Date: August 8, 2013
Decision Publication Date: April 10, 2014
Project Appeal Deadline: April 24, 2014

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Appeal of the decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

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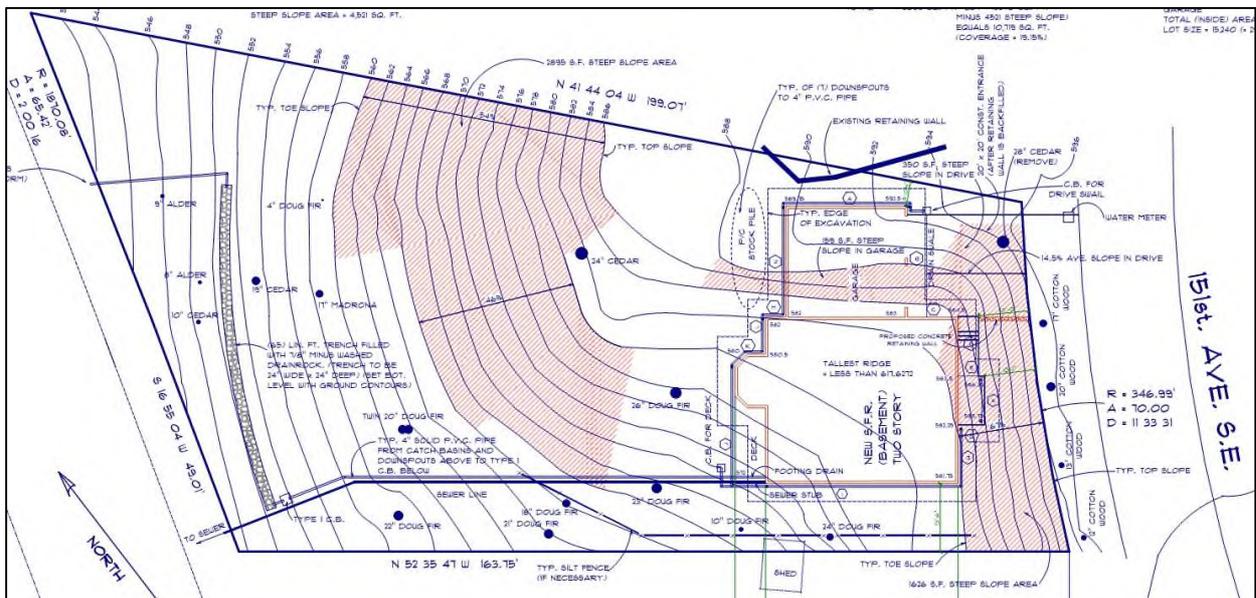
Attachments

1. Project Plans – Enclosed
2. Restoration Planting Plan – Enclosed
3. Geotech Report and Mitigation and Monitoring Plan – In File
4. Application materials – In File

I. Proposal Description

The applicant proposes to construct a new single-family residence and associated improvements that will be within the 50-foot top-of-slope buffer and the 75-foot toe-of-slope setback which overlap on this site. Driveway access is proposed through a steep slope critical area which spans the available street access on 151st Avenue SE. This proposal requires approval of a Critical Areas Land Use Permit to allow the driveway construction and a critical areas report to allow the buffer and setback modification. See Figure 1 below for a site plan showing the proposal.

Figure 1



II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description

The project site is located at 3933 151st Avenue SE in the Eastgate subarea of the City. Other developed single-family zoned properties are located adjacent to the property and a parcel zoned professional office is across 150th Avenue SE. The property has street frontage on 151st Avenue SE and 150th Avenue SE but access is only proposed to connect to 151st Avenue due to the steep slopes being located between on the western portion of the property that fronts on 150th Avenue SE. The property generally slopes from east to west and slopes steeply down from 151st Avenue SE where the road slope qualifies as a steep slope critical area. The site flattens out a bit and then slopes downward again toward 150th Avenue SE. The house has been located on the flatter, eastern portion of the site to avoid the most significant slope and vegetation. See Figure 2 for existing site condition.

Figure 2



B. Zoning

The property is zoned R-5, single-family residential and the proposed single family use is allowed in this zone.

C. Land Use Context

The property has a Comprehensive plan Land Use Designation of SF-H (Single Family High Density).

D. Critical Areas On-Site and Regulations

i. Geologic Hazard Areas

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City

and its residents. Several of Bellevue's remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provide a water source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The R-5 zoning dimensional requirements found in LUC 20.20.010 are generally met by the proposed house. The house has used the front setback reduction allowed by LUC 20.25H.040, which allows a front setback of ten feet. In order to allow access to the site the driveway is supported by fill and a retaining wall. The wall exceeds 30 inches within a setback. Per LUC 20.20.025, a retaining wall or rockery may be allowed to exceed 30 inches in a front setback, provide there is no alternative to placement or height. In this case, there is no feasible alternative as the driveway on this site will cross through a steep slope critical area. If a wall was not use a large of amount of fill would be placed. The use of a taller retaining wall is preferable to fill placement to facilitate access to the house. The plans submitted generally demonstrate conformance with zoning dimensional standards, however conformance will be verified during building permit review.

B. Critical Areas Requirements LUC 20.25H:

The City of Bellevue Land Use Code Critical Areas Overlay District (LUC 20.25H) establishes performance standards and procedures that apply to development on any site which contains in whole or in part any portion designated as critical area, critical area buffer or structure setback from a critical area or buffer. The proposed driveway is an allowed use in LUC 20.25H.055 provided there is no feasible alternative and that performance standards are met. The modification of the 50-foot top-of-slope buffer and 75-foot structure setback that overlap requires a critical areas report. The project is subject to the following requirements and standards found in LUC 20.25H.

i. Consistency with LUC 20.25H.055

New or expanded facilities and systems are allowed within the critical area or critical area buffer only where no technically feasible alternative with less impact on the critical area or critical area buffer exists. A determination of technically feasible alternatives will consider:

- 1. The location of existing infrastructure;**
- 2. The function or objective of the proposed new or expanded facility or system;**
- 3. Demonstration that no alternative location or configuration outside of the critical area or critical area buffer achieves the stated function or objective, including construction of new or expanded facilities or systems outside of the critical area;**

4. **Whether the cost of avoiding disturbance is substantially disproportionate as compared to the environmental impact of proposed disturbance; and**
5. **The ability of both permanent and temporary disturbance to be mitigated.**

The steep slope spans the entire street frontage available to this property from 151st Avenue SE. There is no feasible alternative to avoid the steep slope and provide access onto this property from the street. Avoidance could potentially involve obtaining access from an adjacent property however the cost of doing so is disproportionate to the cost of building an individual access onto the property from the street frontage. The impacts to this site and critical areas are contained on the east portion of the property while the west portion is left unchanged and restored with vegetation as part of this proposal. Any methods of providing access to this property will result in disturbance of the slope adjacent to the road. The cost and feasibility of spanning the slope with a bridge access created a more costly alternative that did not provide a result with substantially less impact on the slope.

If the applicant demonstrates that no technically feasible alternative with less impact on the critical area or critical area buffer exists, then the applicant shall comply with the following:

1. **Location and design shall result in the least impacts on the critical area or critical area buffer.**
The proposal retains the most significant vegetation and slope on the site. The proposed driveway is impacting the road embankment slope.
2. **Disturbance of the critical area and critical area buffer, including disturbance of vegetation and soils, shall be minimized.**
The project avoids vegetation and soil disturbance on most of the site.
3. **Disturbance shall not occur in habitat used for salmonid rearing or spawning or by any species of local importance unless no other technically feasible location exists.**
Not applicable.
4. **Any crossing over of a wetland or stream shall be designed to minimize critical area and critical area buffer coverage and critical area and critical area buffer disturbance, for example by use of bridge, boring, or open cut and perpendicular crossings, and shall be the minimum width necessary to accommodate the intended function or objective; provided, that the Director may require that the facility be designed to accommodate additional facilities where the likelihood of additional facilities exists, and one consolidated corridor would result in fewer impacts to the critical area or critical area buffer than multiple intrusions into the critical area or critical area buffer.**
Not applicable.

5. **All work shall be consistent with applicable City of Bellevue codes and standards.**

All work is consistent with City codes and standards.

6. **The facility or system shall not have a significant adverse impact on overall aquatic area flow peaks, duration or volume or flood storage capacity, or hydroperiod.**

The project is required to meet the current storm water and drainage codes.

7. **Associated parking and other support functions, including, for example, mechanical equipment and maintenance sheds, must be located outside critical area or critical area buffer except where no feasible alternative exists.**

Some utilities are proposed that will cross the slope and cause temporary disturbance, but there is no alternative. The proposed garage is not located on a steep slope.

8. **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 20.25H.210.**

The west portion of this property is being restored as mitigation for all site disturbances.

ii. Consistency with 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 requirement for long-term slope stability shall exclude designs that require regular and periodic maintenance to maintain their level of function.

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

The proposed house is located as far as possible to the east of the site to avoid modifications of the larger steep slope on the site. The proposed house has a tiered or stepped foundation to use the existing topography rather than alter it as much as possible

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

The only construction proposed on a steep slope is the driveway and most of this slope is avoided.

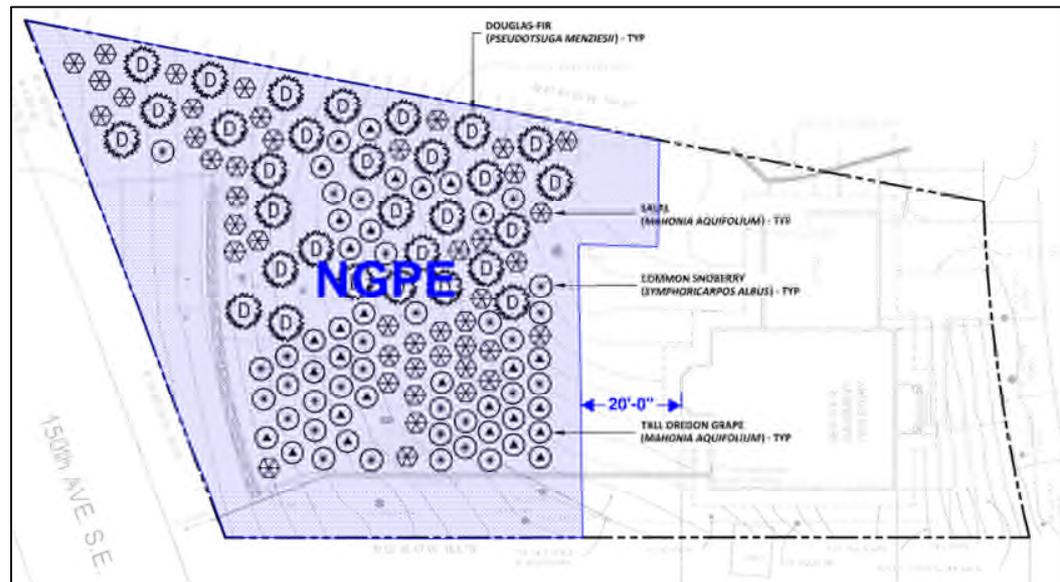
3. **The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties;**

The project geotechnical engineer (Batterman Geotechnical Consulting) reviewed the proposal and provided recommendations. The geotech found that the proposed development “will not have any impact on the neighboring properties.” The Land Use Code requires applicants to record a hold harmless agreement for any approvals to modify steep slopes and buffers. A hold harmless agreement is required to be recorded prior to building permit issuance. **See Conditions of Approval in Section X of this report.**

- 4. The use of retaining walls that allow the 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 wall;**
There is some regarding proposed around the house footprint to meet the grades. A retaining wall is proposed to support the driveway and avoids alteration of the slope adjacent to the road.
- 5. Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer;**
The only impervious surface proposed in a steep slope is the driveway that connects to 151st Avenue SE.
- 6. 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 this criteria;**
No retention other than the driveway wall is proposed on the site. The proposed house will provide slope stability to the slope adjacent to the road.
- 7. 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;**
The house is providing retention of the slope adjacent to the road and is located at the toe of this slope.
- 8. On slopes in excess of 40 percent, use of pole-type construction which conforms to the 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 to minimize topographic modification;**
The proposed foundation is stepped to follow the bearing surface as pole construction was found not practicable.
- 9. On slopes in excess of 40 percent, piled deck support structures are required where technically feasible for parking or garages over fill-based**

area and the remaining vegetation is protected into the future the area is required to be placed into a Native Growth Protection Easement per LUC 20.25H.030, as conceptually shown below as figure 4. This NGPE contains the western steep slope critical area, remaining top-of-slope buffer, and the setback from the toe of the slope.

Figure 4



A NGPE shall be created, using the form provided by the City and recorded prior to building permit issuance. The boundary of the NGPE at the top of the slope may be 20 feet or closer from the edge of the house foundation. The boundary can also be configured to allow for ease of surveying. The easement will include allowance for repair and maintenance of the proposed private utilities provided that any temporary disturbance is restored. **See Conditions of Approval in Section X of this report.**

iii. Consistency with LUC 20.25H.140 and LUC 20.25H.145

Modification of a top-of-slope buffer and a toe-of-slope setback requires a critical areas report as part of the application for a Critical Area Land Use Permit. The applicant has obtained the services of a qualified geotechnical engineering company to study the site and document the observed conditions. Staff has reviewed the following documents:

- Geotech Report dated May 22, 2013 prepared by Batterman Geotechnical Consultants
- Supplemental geotech letter dated November 19, 2013

This geotechnical analysis finds that the proposal does not have an adverse impact on existing slope stability and will improve stability of the slope adjacent to the road. The geotech provided a statement that no buffers or setback were needed from the slope on the site, but most of the steep slopes are being avoided by the proposal with the exception of the driveway access that must

cross the slope adjacent to the road.

Planting on the slope related to the soldier pile wall construction has already been completed. The proposed 2,100 square feet of planting area is to migration the 375 square feet of the buffer impact from the fire pit. The planting is required to be maintained and monitored with the existing planting already guaranteed by an installation and maintenance surety. The installation surety will be released after planting installation and the maintenance surety will be released after the three-year monitoring, assuming restoration has been successful. The monitoring plan can be found in the conditions of approval at the end of this report. **See Conditions of Approval in Section X of this report.**

IV. Public Notice and Comment

Application Date:	July 25, 2013
Public Notice (500 feet):	August 8, 2013
Minimum Comment Period:	August 22, 2013

The Notice of Application for this project was published the City of Bellevue Weekly Permit Bulletin on August 8, 2013. It was mailed to property owners within 500 feet of the project site. Comments were received from one neighboring property owner regarding retention of the existing trees and construction on the steep slope.

V. Summary of Technical Reviews

A. Clearing and Grading

The Clearing and Grading Division of the Development Services Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development and has approved the application.

VI. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

A. Earth, Air, and Water

Earth disturbance will result from construction due to fill placement for the driveway and earth movement for the house. Erosion and sedimentation control requirements and BMPs will be reviewed and required by the Clearing and Grading Department as part of the development permit.

B. Plants and Animals

A majority of the trees on the site are proposed to be retained and are found on the western portion that will be placed into a NGPE. Removal of 2 trees is proposed to allow for the house construction, additional trees in the area of the house may be found to be hazardous to remain due to construction. 30 Douglas fir trees are to be installed in the western area of the property along with numerous shrubs as mitigation.

C. Noise

Any noise generated is regulated by Chapter 9.18 BCC. **See Section X for a related condition of approval.**

VII. Changes to Proposal Due to Staff Review

The plans were changed to reduce the amount of fill proposed outside of the footprint. The house was moved closer to the street access along with other reconfigurations to limit fill and meet height requirements.

VIII. Decision Criteria

A. 20.25H.255.B Critical Areas Report Decision Criteria

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 net gain in overall critical area or critical area buffer functions;**

The western slope has been degraded as a result of past clearing and lacks a coniferous overstory. The proposed native planting of the slope will increase the amount of coniferous trees on the slope and install an understory that is lacking.

- 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;**

The most important critical area function for the slopes on this site which are slope stability and erosion control are improved by the addition of evergreen trees that will grow over time and add coverage 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;**

As the site is not developed currently there will be an increase of impervious surface to achieve the single family use the site is allowed and qualifies for. The storm water quality of the site in general will be improved by the addition of evergreen trees and a shrub layer to augment the existing vegetation on the slope. The site is required to

meet current utility code requirements and proposes a dispersal trench to filter water back into the site soils at the toe of the steep slope.

4. Adequate resources to ensure completion of any required restoration, mitigation and monitoring efforts;

A maintenance bond will be required to be posted for the proposed mitigation planting to ensure that the planting is maintained and monitored for the 5 year monitoring period.

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

The modifications and performance measures in this proposal are not detrimental to the functions and values of the steep slope.

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

The proposed single family development is consistent with the adjacent uses which are single family in this land use district.

B. 20.30P.140 Critical Area Land Use Permit Decision Criteria – Decision Criteria

The Director may approve, or approve with modifications an application for a Critical Area Land Use Permit if:

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

The applicant must obtain required development permits. See Conditions of Approval in Section X of this report.

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.

The project has minimized to the maximum extent possible the impact to the steep slopes and vegetation on the site. There is minimal tree removal proposed and the only steep slope impact is for the driveway and some temporary impact for utility line construction. The western portion of the site will be improved with mitigation planting that will add vegetation to this slope and increase the amount of coniferous tree coverage on the site.

3. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable.

As discussed in Section III of this report, the applicable performance standards of LUC Section 20.25H are being met.

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

The proposed activity will not impact public facilities.

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

The proposal includes a mitigation planting plan and monitoring plan. **See Conditions of Approval in Section X of this report.**

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

As discussed in 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, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the modification of the steep slope adjacent to 151st Avenue SE for construction of a driveway and the reduction of the 50-foot top-of-slope buffer and 75-foot toe of slope setback to construct a single family residence, utilities, and associated improvements. **Approval of this Critical Areas Land Use Permit does not constitute a permit for construction. A building permit, clear and grade permit, and/or utility permit is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards.**

Note- Expiration of Approval: In accordance with LUC 20.30P.150 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 the approval.

X. Conditions of Approval

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

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Savina Uzunow, 425-452-7860
Land Use Code- BCC Title 20	Reilly Pittman, 425-452-4350
Noise Control- BCC 9.18	Reilly Pittman, 425-452-2973

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

- 1. Building Permit:** Approval of this Critical Areas Land Use Permit does not constitute an approval of a development permit. Application for a building permit or other required permits must be submitted and approved. Plans submitted as part of either permit application shall be consistent with the activity permitted under this approval.

Authority: Land Use Code 20.30P.140

Reviewer: Reilly Pittman, Development Services Department

- 2. Mitigation Planting:** The proposed planting plan is considered to be conceptual. A final planting plan and schedule, including temporary irrigation, is required as part of the building permit application. Modifications to plant species and location may be considered if supply is limited or due to unforeseen circumstances. Inspection of the planting and temporary irrigation, after installation, is required by Land Use as part of the building permit inspection process.

Authority: Land Use Code 20.30P.140

Reviewer: Reilly Pittman, Development Services Department

- 3. Maintenance and Monitoring:** The planting area shall be maintained and monitored for 5 years as required by LUC 20.25H.220. Annual monitoring reports by a qualified professional are to be submitted to Land Use each of the five years. Photos from selected photo points shall be included in the monitoring reports to document the planting. The reports are required to document the success of the planting per the goals and standards in the restoration management plan in the project file.

Annual monitoring reports are to be submitted to Land Use each of the five years. The reports, along with a copy of the planting plan, can be sent to Reilly Pittman at rpittman@bellevuewa.gov or to the address below:

Environmental Planning Manager
Development Services Department
City of Bellevue
PO Box 90012
Bellevue, WA 98009-9012

Authority: Land Use Code 20.30P.140; 20.25H.220

Reviewer: Reilly Pittman, Development Services Department

- 4. Maintenance Assurance Device:** A maintenance bond is required that covers the estimate cost of plants and 5 years of monitoring which is equal to \$6,725.00. The bond is required to be held and renewed for a period of five years from the date of inspection by Land Use Staff. Release of bond maintenance is contingent upon receipt of documentation reporting successful establishment in compliance with the approved management plan. Land Use inspection of the planting after 5-years is also required. The bond shall be completed on a form provided by the City and is required to be submitted prior to building permit issuance.

Authority: Land Use Code 20.25H.220

Reviewer: Reilly Pittman, Development Services Department

- 5. Land Use Inspection:** Following installation of the mitigation planting the applicant shall contact Land Use staff to inspect the planting area prior to final building inspection.

Staff will need to find that the plants are in a healthy and growing condition. Land Use inspection is also required to release the maintenance bond at the end of the 5-year monitoring period. Release of the maintenance bond is contingent upon successful monitoring and maintenance and submittal of the annual monitoring reports.

Authority: Land Use Code 20.30P.140
Reviewer: Reilly Pittman, Development Services Department

- 6. Native Growth Protection Easement:** A native growth protection easement shall be recorded prior to building permit issuance on a form provided by the City along with a survey drawing of the easement. The easement area shall contain the western portion of the lot that is depicted in this report and comprises the steep slope and planting area. The utility lines proposed in the NGPE easement may be repaired and maintained as needed in the future, subject to City approval. The boundary of the NGPE shall be staked and flagged by the surveyor prior to Land Use inspection.

Authority: Land Use Code 20.25H.030
Reviewer: Reilly Pittman, Development Services Department

- 7. Hold Harmless Agreement:** The applicant shall submit a hold harmless agreement in a form approved by the City Attorney which releases the City from liability for any damage arising from the location of improvements within a critical area buffer in accordance with LUC 20.30P.170. The hold harmless agreement is required to be recorded with King County prior building permit issuance.

Authority: Land Use Code 20.30P.170
Reviewer: Reilly Pittman, Development Services Department

- 8. Tree Retention:** The plans submitted for the building permit shall depict at least 30 percent of the total diameter inches on the site are retained. The final alignment of the utility line that is within the required NGPE shall avoid trees in keeping with the plans reviewed under this approval.

Authority: Land Use Code 20.20.900
Reviewer: Reilly Pittman, Development Services Department

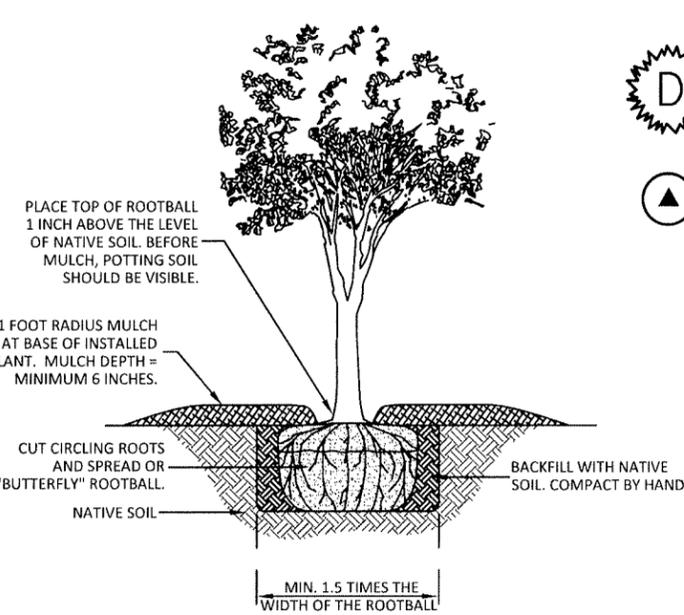
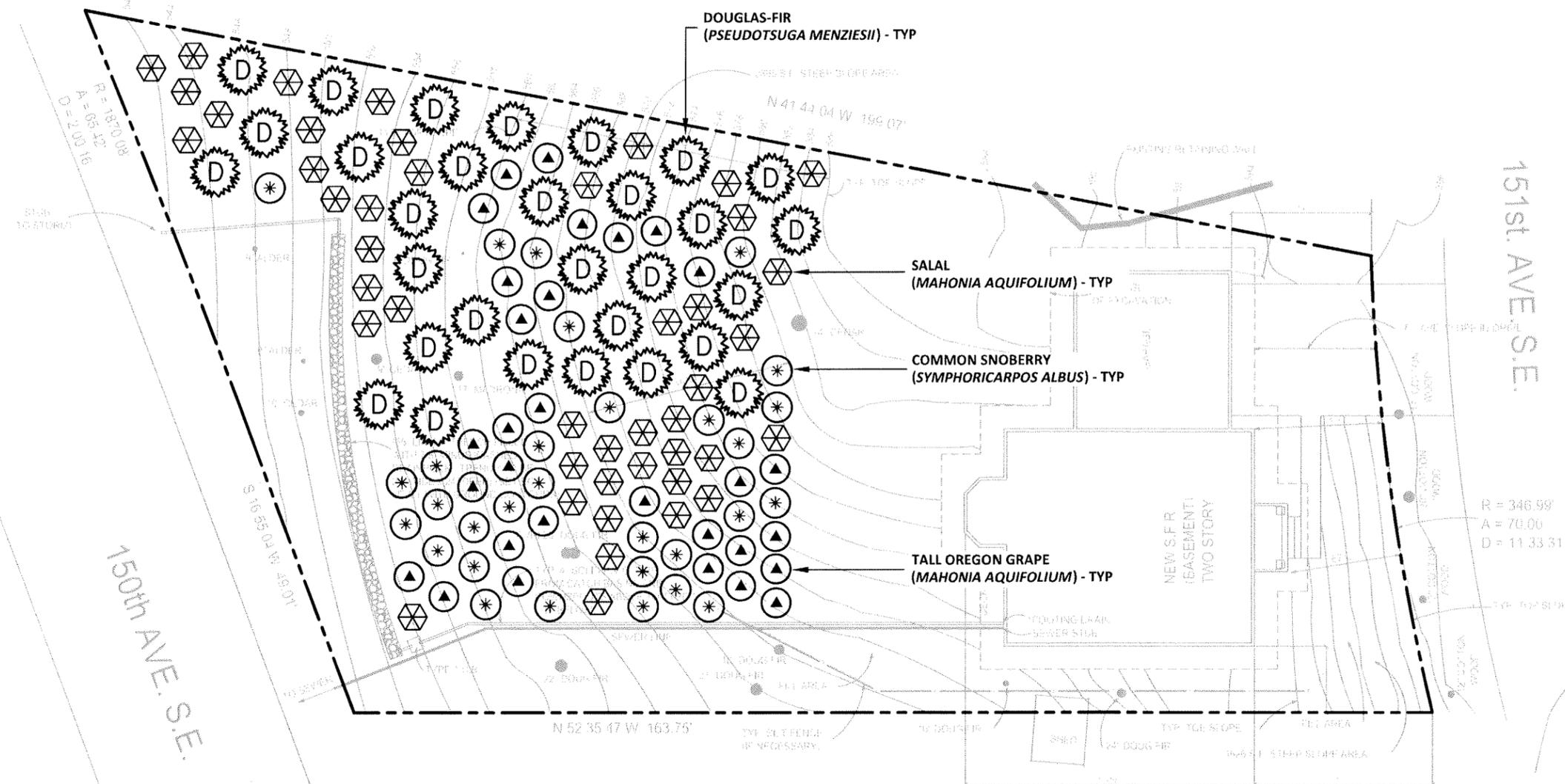
- 9. Noise Control:** Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit.

Authority: Bellevue City Code 9.18
Reviewer: Reilly Pittman, Development Services Department

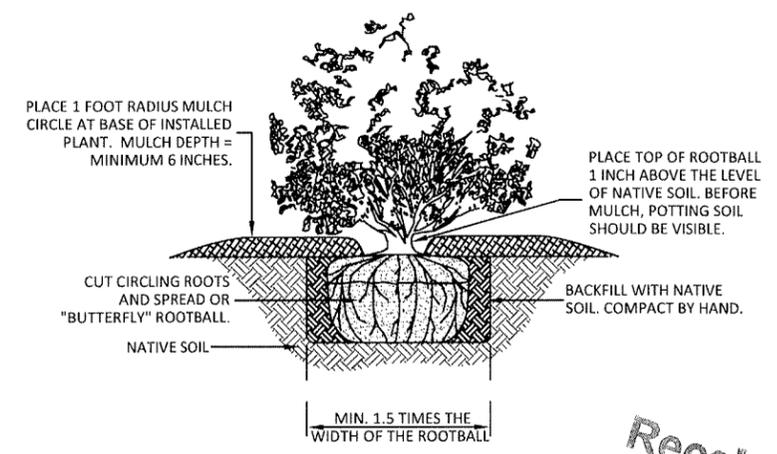
**CALL 2 WORKING DAYS
BEFORE YOU DIG
1-800-424-5555**

(UNDERGROUND UTILITY LOCATIONS SHOWN ARE APPROXIMATE)

UTILITY LOCATIONS AND CHARACTERISTICS SHOWN ON THESE DRAWINGS, IF ANY, ARE BASED ON THE FIELD LOCATION OF THE APPARENT SURFACE EVIDENCE OF EXISTING STRUCTURES. THE UNDERGROUND ROUTING AND CONDITION OF BURIED UTILITIES HAS NOT BEEN VERIFIED OR CONFIRMED. ADDITIONAL UTILITY LOCATION AND MAPPING MAY BE REQUIRED. FIELD LOCATE, VERIFY DEPTH OF, AND ADEQUATELY PROTECT ALL UTILITIES PRIOR TO THE START OF WORK.



COMMON NAME	SCIENTIFIC NAME	SIZE/FORM	QUANTITY	SPACING
DOUGLAS-FIR	<i>PSEUDOTSUGA MENZIESII</i>	2 GALLON CONTAINERIZED	30	AS SHOWN
SALAL	<i>GAULTHERIA SHALLON</i>	2 GALLON CONTAINERIZED	45	AS SHOWN
TALL OREGON GRAPE	<i>MAHONIA AQUIFOLIUM</i>	2 GALLON CONTAINERIZED	30	AS-SHOWN
COMMON SNOWBERRY	<i>SYMPHORICARPOS ALBUS</i>	2 GALLON CONTAINERIZED	30	AS SHOWN
135 - TOTAL				



**Jabarzedah Critical Area Enhancement Plan
3925 151st Avenue Southeast
Bellevue, Washington 98006**

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