



ADMINISTRATIVE ORDER #301156

INTERPRETATION OF DEVELOPMENT CODE

CODE SECTION: 20.40.140 Permitted Uses

Request for Clarification of whether a dechlorination facility for sewage treatment, in association with the Brightwater sewage treatment facility proposed by King County, is an allowed use in the RB – Regional Business, or CB, Community Business zones. The proposal is for a below ground shaft to convey air from the tunnel to a surface odor control facility. The facility would consist of a single stage facility of about 1,000 square feet with an associated 400 square foot electrical building. The adjacent dechlorination facility would be approximately 28 feet by 40 feet (1,200 square feet) and about 18 feet high. Sodium bisulfite would be stored on site and used to dechlorinate treated wastewater.

FINDINGS:

Shoreline Municipal Code

(S.M.C.) Section 20.40.110.G, Use Tables: “For the purposes of this Code, in most instances only broad use classifications, that share similar characteristics are listed in the use tables. Where separate regulations or permit process are necessary, uses are classified further. Some uses are identified with a detailed description provided in a referenced North American Industrial Classification System (NAICS) number. (This system classifies land uses by categories and provides sub-classification for more detailed associated uses.) In case of a question as to the inclusion or exclusion of a particular proposed use, which is not identified in these tables, the use shall not be permitted unless allowed through a Code interpretation applying the criteria for Unlisted Use found in the Index of Supplemental Use Criteria...”

S.M.C. 20.40.140, under **Government**, lists “Utility Facility” and its NAICS classification sector (number) of 221. A Utility Facility is conditionally permitted in the residential zones and permitted outright in the commercial and industrial zones.

NAICS

Sector 22 – Utilities: “The Utilities sector comprises establishments engaged in the provision of the following utility services: electric power, natural gas, steam supply, water supply, and sewage removal. Within this sector, the specific activities associated with the utility services provided vary by utility: electric power includes generation, transmission, and distribution; natural gas includes distribution; steam supply includes provision and/or distribution; water supply includes treatment and distribution; and sewage removal includes collection, treatment, and disposal of waste through sewer systems and sewage treatment facilities. (*emphasis added*).

221320 Sewage Treatment Facilities: “This industry comprises establishments primarily engaged in operation sewer systems or sewage treatment facilities that collect, treat, and dispose of waste.”

State Environmental Policy Act (SEPA):

King County is in the process of conducting environmental review for the Brightwater sewage treatment facility. They have issued a Draft Environmental Impact Statement (DEIS). The DEIS originally proposed locations for the dechlorination facility in residential areas. This proposal is for different locations, located in commercial zones.

The following are two excerpts from the City’s response to the Brightwater DEIS. This letter is dated December 19, 2002:

“Issue or Impact to be addressed: For both effluent pipeline proposals (the 228th and 195th corridor alignments) routed to the Richmond Beach area, references are made to siting of a permanent dechlorination building, approximately 30 feet by 75 feet, located on 0.5 acres. It would have a chlorine monitoring and control system, sodium bisulfite storage, metering system, and mixing box.

Presumably, it would also need routine access, security system, fencing, parking, lighting, etc. It is unclear where this facility will be located, but it is likely that it will be located on the Richmond Beach portal site or in an upstream portal site located within the City of Shoreline.

Recommended Mitigation Measures: It should be subject to further review and approval by the City and subject to further mitigation consideration. The dechlorination facility should be located underground if feasible. If it cannot be located underground, the city will require a Special Use Permit be obtained to address siting, aesthetics, safety, lighting, etc.”

“Issue or Impact to be addressed: The siting of dechlorination facility (sites 19,23, & 27) all within or adjacent to City of Shoreline may pose high risk in the event of an accident

to residential areas. Sensitivity is needed in siting this facility to zoning and risks posed to public health and safety.

Recommended Mitigation Measures: It is recommended that any dechlorination facilities not be constructed at portal sites that encompass or that are adjacent to streams, wetlands, and/or significant vegetation areas and associated wildlife habitat.”

DECISION:

Based on the project description submitted with this application, and based upon the findings above, a dechlorination facility is a Utility Facility.

Although the use is permitted in the Regional and Community Business zones, due to the proposed change in location from Portal 22 or 23 to the vicinity of Portal 7, through the EIS process, the City expects the opportunity to comment on the proposed new locations for the dechlorination facility and recommend mitigation.

If the project action, including associated facilities within the City of Shoreline, exceeds categorical exemption thresholds as outlined in S.M.C. 20.30.560, project specific SEPA review will be required by the City of Shoreline.

original signed by Tim Stewart 07/09/03

Director's Signature

Date