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BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In the Matter of the Appeal of the:

**QUEEN ANNE COMMUNITY
COUNCIL**

of the Final Environmental Impact
Statement for the Citywide Implementation
of ADU-FEIS.

Hearing Examiner File W-18-009

PART 2

EXHIBIT A TO THE
DECLARATION OF TADAS KISIELIUS
IN SUPPORT OF SEATTLE CITY
COUNCIL'S MOTION FOR PARTIAL
DISMISSAL

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

A. Background

1. Name of proposed project, if applicable:

Land Use Code Amendments: Backyard Cottages & Accessory Dwelling Units

2. Name of applicant:

City of Seattle

3. Address and phone number of applicant and contact person:

City of Seattle Office of Planning and Community Development

700 5th Avenue

Seattle, Washington 98104

Contact: Nick Welch, Senior Planner

(206) 684-8203

4. Date checklist prepared:

May 16, 2016

5. Agency requesting checklist:

City of Seattle Office of Planning and Community Development

6. Proposed timing or schedule (including phasing, if applicable):

The proposed code changes may be considered by the City Council in June 2016.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

- Removing Barriers to Backyard Cottages: DPD Report and Analysis (October 2015)
- Removing Barriers to Backyard Cottages & Accessory Dwelling Units: Summary of Public Input (March 2016)

- Removing Barriers to Backyard Cottages & Accessory Dwelling Units: Director's Report (May 2016)
- Backyard Cottages Annual Report (December 2014)
- Backyard Cottages Annual Report (April 2011)

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None. This is a non-project action that affects multiple parcels in single-family zones across Seattle. No other proposal would directly affect this area.

10. List any government approvals or permits that will be needed for your proposal, if known.

The proposed amendments will require approval by the City Council and the Mayor.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This is a non-project proposal. This proposal would amend various provisions of the Land Use Code related to attached accessory dwelling units and detached accessory dwelling units, also called backyard cottages. The proposal would:

- modify development standards for siting, designing, and constructing accessory dwelling units and backyard cottages;
- remove the requirement for one off-street parking space when an accessory dwelling unit or backyard cottage is established;
- allow an accessory dwelling unit and a backyard cottage on the same lot; and
- require owner-occupancy for a period of 12 months after an accessory dwelling unit and/or backyard cottage is established.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposal is a non-project action that would affect multiple parcels in single-family zones throughout Seattle.

B. Environmental Elements

1. Earth

a. General description of the site:

Not applicable. This is a non-project action that affects multiple parcels in Single-family zones throughout Seattle. Refer to the Director's Report for more information about the specific locations of current attached and detached accessory dwelling units and lots eligible for their creation.

b. What is the steepest slope on the site (approximate percent slope)?

Not applicable. This is a non-project action that affects multiple parcels in single-family zones throughout Seattle. Detached accessory dwelling units are not allowed in steep slope areas pursuant to the Environmentally Critical Areas regulations contained in Section 25.09.180 of the Seattle Municipal Code.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Not applicable. This is a non-project action that affects multiple parcels in the City of Seattle.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Not applicable. This is a non-project action that affects multiple parcels in the City of Seattle.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable. This is a non-project action that affects multiple parcels in the City of Seattle. The proposal would not directly result in filling, excavation, or grading.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable. This is a non-project action that affects multiple parcels in the City of Seattle. The proposal would not directly result in clearing, construction, or use.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable. This is a non-project action that affects multiple parcels in the City of Seattle. The proposal would not directly result in creation of any impervious surfaces.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable. This is a non-project action that affects multiple parcels in the City of Seattle.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable. This is a non-project action that affects multiple parcels in the City of Seattle. The proposal will not directly result in emissions to the air.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable. This is a non-project action that affects multiple parcels in the City of Seattle.

c. **Proposed measures to reduce or control emissions or other impacts to air, if any:**

Not applicable. This is a non-project action that affects multiple parcels in the City of Seattle.

3. Water

a. **Surface Water:**

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Not applicable. This is a non-project action that affects multiple parcels in the City of Seattle.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable. This is a non-project action that affects multiple parcels in the City of Seattle.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable. The proposal is a non-project action that affects multiple parcels in the City of Seattle.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Not applicable. This is a non-project action. Parcels located in a floodplain are regulated by the City's Environmentally Critical Areas regulations in Chapter 25.09 of the Seattle Municipal Code.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable. The proposal is a non-project action affecting multiple parcels throughout the City of Seattle

b. **Ground Water:**

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable.

4. Plants

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

Not applicable. The proposal is a non-project action affecting multiple parcels in the Seattle. A variety of vegetation can be found throughout Seattle.

b. What kind and amount of vegetation will be removed or altered?

Not applicable. The proposal is a non-project action affecting multiple parcels throughout Seattle.

c. List threatened and endangered species known to be on or near the site.

None known. This is a non-project action affecting multiple parcels throughout Seattle.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

- e. **List all noxious weeds and invasive species known to be on or near the site.**

Not applicable. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

5. **Animals**

- a. **List any birds and other animals which have been observed on or near the site or are known to be on or near the site.**

Not applicable. The proposal is a non-project action affecting multiple parcels in the City of Seattle. A variety of birds and animals can be found throughout Seattle.

- b. **List any threatened and endangered species known to be on or near the site.**

Not applicable.

- c. **Is the site part of a migration route? If so, explain.**

Not applicable. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

- d. **Proposed measures to preserve or enhance wildlife, if any:**

Not applicable. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

- e. **List any invasive animal species known to be on or near the site.**

Not applicable. This is a non-project action affecting multiple parcels throughout Seattle.

6. **Energy and Natural Resources**

- a. **What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

Not applicable. This is a non-project action affecting multiple parcels throughout Seattle.

- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout Seattle.

- c. **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

Not applicable. This is a non-project action affecting multiple parcels throughout Seattle.

7. **Environmental Health**

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout Seattle.

- 1) Describe any known or possible contamination at the site from present or past uses.

Not applicable.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.

- 4) Describe special emergency services that might be required.

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.

- 3) Proposed measures to reduce or control noise impacts, if any:

Not applicable.

8. Land and Shoreline Use

- a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle. Detached accessory structures are not allowed on lots within 200 feet of a shoreline.

- b. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of**

the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Agriculture was a historic use of some parcels with the City of Seattle.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:
No.
- c. **Describe any structures on the site.**
Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.
- d. **Will any structures be demolished? If so, what?**
Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.
- e. **What is the current zoning classification of the site?**
This proposal is a non-project action affecting parcels throughout Seattle zoned for single-family use.
- f. **What is the current comprehensive plan designation of the site?**
Not applicable. The proposed amendments affect parcels throughout the City of Seattle.
- g. **If applicable, what is the current shoreline master program designation of the site?**
This proposal is a non-project action affecting multiple parcels in Seattle. Detached accessory dwelling units are not permitted in the Shoreline District.
- h. **Has any part of the site been classified as a critical area by the city or county? If so, specify.**
This non-project action may affect some parcels within or containing environmentally critical areas. The proposal would not alter the regulations for environmentally critical areas set out in Chapter 25.09 of the Seattle Municipal Code.
- i. **Approximately how many people would reside or work in the completed project?**
Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.
- j. **Approximately how many people would the completed project displace?**
Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.
- k. **Proposed measures to avoid or reduce displacement impacts, if any: _**
Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.
- l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**
Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.

- m. **Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

9. Housing

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

- c. **Proposed measures to reduce or control housing impacts, if any:**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

10. Aesthetics

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

- b. **What views in the immediate vicinity would be altered or obstructed?**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

- c. **Proposed measures to reduce or control aesthetic impacts, if any:**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

11. Light and Glare

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

- c. **What existing off-site sources of light or glare may affect your proposal?**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

- d. **Proposed measures to reduce or control light and glare impacts, if any:**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle. The proposal would remove the existing requirement for one off-street parking space when an attached or detached accessory dwelling unit is established.

- d. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

No.

- e. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle. However, some of the parcels that will be affected by the proposed regulations are or will be in the immediate vicinity of water or rail transportation.

- f. **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

This proposal is a non-project action affecting multiple parcels in Seattle.

- g. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

No.

- h. **Proposed measures to reduce or control transportation impacts, if any:**

None.

15. Public Services

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

Not applicable. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle. The proposal is not likely to result in significant increase in demand for public services because no change is proposed to the existing maximum household size limit for a single-family lot.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

None.

16. Utilities

- a. **Circle utilities currently available at the site:**

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle.

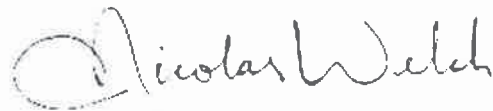
- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

Not applicable. This proposal is a non-project action affecting multiple parcels in Seattle. No utilities or construction activities are proposed.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:



Nick Welch
Senior Planner
City of Seattle
Office of Planning and Community Development

Date Submitted: May 16, 2016

D. Supplemental sheet for nonproject actions

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

Overall, this non-project proposal would not result in any direct impacts to water or air; production, storage, or release of toxic or hazardous substances; or production noise because it does not directly propose development.

Construction of attached accessory dwelling units and detached accessory dwelling units is already allowed on most single-family zoned lots. The proposal would increase by approximately 10 percent the number of single-family zoned lots where a detached accessory dwelling unit can be constructed by reducing the minimum lot size for detached accessory dwelling units. The proposal would also make it slightly easier to create accessory dwelling units by modifying development standards, modifying the existing owner-occupancy requirement, and removing the off-street parking requirement. Together, these changes could increase the production of attached and detached accessory dwelling units in Seattle. Construction activities associated with the creation of additional accessory dwelling units are not likely to result in significant adverse impacts on water or air

quality. Any development of accessory dwelling units will have to comply City regulations for management of stormwater runoff and other construction practices and requirements, including the Noise Control Ordinance.

Proposed measures to avoid or reduce such increases: None proposed.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

This non-project proposal would result in no direct impacts to plants, animals, fish and marine life because it does not directly propose development. The proposed amendments could result in an increase in the production of attached accessory dwelling units and detached accessory dwelling units, which could slightly affect habitats for plants, animals, fish, and marine life. While the proposed amendments modify some development standards for detached accessory dwelling units, no change is proposed to the overall lot coverage limit or yard requirements for single-family residential development that currently regulate the amount and area of a lot that can be covered with a structure. The locations where the proposal would have an effect are single-family zones in Seattle, which are already urbanized areas. Existing regulations including the stormwater and erosion control codes, the Shoreline Management Act, and the Environmentally Critical Areas Ordinance are anticipated to be sufficient to mitigate any impacts to plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life: None proposed.

3. How would the proposal be likely to deplete energy or natural resources?

This non-project proposal would result in no direct impacts to energy or natural resources because it does not directly propose development and is not likely to indirectly cause significant adverse depletion of energy or natural resources. To the extent that the proposed amendments result in an increase in the production of attached and detached accessory dwelling units, the proposal could, on certain single-family zoned lots, result in higher energy or resource use. The incremental difference in energy and resource use is not likely to be significant because new structures must comply with the Seattle Energy Code and other standards for energy efficiency, and because the proposal does not affect the maximum number of people that can live on a single-family zoned lot.

Proposed measures to protect or conserve energy and natural resources: None proposed.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

No significant impacts to environmentally sensitive areas or areas designated for government protection are likely to result from this non-project proposal because the proposed amendments would not alter the existing regulations for accessory dwelling units in environmentally critical areas. The proposed amendments would not alter the regulations for Environmentally Critical Areas as set out in Chapter 25.09 of the Seattle Municipal Code, which prohibit or limit development in sensitive areas such as wetlands, floodplains, fish and wildlife habitat conservation areas, and riparian corridors. Detached accessory dwelling units cannot be constructed on lots in the Shoreline District. The locations where the proposal would have an effect are single-family zones in Seattle, which are already urbanized areas.

The proposal is not likely to generate significant adverse impacts on historic landmarks, historic districts, or cultural resources. The proposed amendments would not alter the requirement that an attached accessory dwelling unit must be located within the allowable building envelope for a single-family house. Accordingly, a single-family house without an attached accessory dwelling unit and a single-family house with an attached accessory dwelling unit tend to be indistinguishable from the exterior. The proposed amendments make only minor modifications to the allowed scale and location of detached accessory dwelling units; these minor

modifications are not likely to result in detached accessory dwelling units that affect public views of historic or cultural sites.

Proposed measures to protect such resources or to avoid or reduce impacts: None proposed.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal would not result in any direct impacts to land and shoreline use because it is a non-project action. The proposal would not alter the existing prohibition on detached accessory dwelling units on lots entirely or partially within the Shoreline District.

The City of Seattle Comprehensive Plan includes several adopted goal and policies directing the City to address housing affordability and provide a diversity of housing options. The Comprehensive Plan also includes policies for land use in single-family areas. Among these goals and policies are the following:

- Goal HG4: "Achieve a mix of housing types that are attractive and affordable to a diversity of ages, incomes, household types, household sizes, and cultural backgrounds."
- Goal HG6: "Encourage and support accessible design and housing strategies that provide seniors the opportunity to remain in their own neighborhood as their housing needs change."
- Policy H18: "Promote methods of more efficiently using or adapting the city's housing stock to enable changing households to remain in the same home or neighborhood for many years. Strategies may include sharing homes, accessory units in single-family zones, housing designs that are easily augmented to accommodate children ("grow houses"), or other methods considered through neighborhood planning."
- Policy H20: "Promote and foster, where appropriate, innovating and non-traditional housing types such as co-housing, live/work housing and accessory dwelling units, as alternative means of accommodating residential growth and providing affordable housing options."
- Policy LU64: "In order to create attractive and affordable rental opportunities and provide greater flexibility for homeowners, permit accessory dwelling units in single-family zones, subject to regulations design to limit impacts and protect neighborhood character."

Furthermore, the proposed Seattle 2035 Comprehensive Plan Update currently under consideration by the City Council includes the following policies:

- Policy H 3.4 directing the City to "Promote use of customizable modular designs and other flexible housing concepts to allow for households' changing needs, including in areas zoned for single-family use."
- Policy LU 7.5 directing the City "Encourage accessory dwelling units and other housing types that are attractive and affordable to a broad range of households and incomes and that are compatible with the development pattern and building scale in single-family areas."

No change is proposed to the maximum household size limit that regulates the number of persons that can live on a single-family lot. Under the proposal, the existing household size limit of eight unrelated persons would continue to apply to a single-family lot, including any attached or detached accessory dwelling units on the lot. Therefore, the proposal is not likely to result in a higher population density in single-family zones than anticipated in previous legislation that allowed either an attached accessory dwelling unit or a detached accessory dwelling on a single-family lot. It is reasonable to assume, however, that on average the number of persons living on a single-family zoned lot with an attached and/or detached accessory dwelling unit is likely to be incrementally greater than those living on a single-family lot without an attached or detached accessory dwelling unit. This increment is considered in conjunction with the magnitude of any potential increase in

production of attached and detached accessory dwelling units and is not expected to significantly affect the overall population density in single-family zones citywide.

While the proposed amendments would not change the types of construction or uses allowed in single-family zones, the proposal could increase the production of attached and detached accessory dwelling units over amounts currently observed under existing regulations. Elements of the proposal that could increase production are:

- modification of certain development standards and requirements to make detached accessory dwelling units easier to permit and construct;
- modification of the owner-occupancy requirement such that the owner is required to live on site for a 12-month period instead of permanently;
- an increase in the number of lots eligible for a detached accessory dwelling unit by approximately 10 percent; and
- removal of the requirement for the creation of an off-street parking space when an attached or detached accessory dwelling unit is established.

Annual reports surveying current production of attached and detached dwelling units in Seattle suggest that, to date, approximately 1,050 attached accessory dwelling units and approximately 220 detached accessory dwelling units have been permitted and/or constructed through the end of 2015. Since 2010, the annual production rate for detached accessory dwelling units has averaged 34 units/year and only once exceeded 40 units in a single year. There are approximately 124,000 single-family zoned lots in Seattle in use for single-family residential development. Under current regulations, only one percent of single-family lots have added an attached or detached accessory dwelling unit. It would be speculative to project a specific increase in the production rate of accessory dwelling units resulting from this proposal. However, because the proposed amendments are incremental modifications of existing regulations, it is reasonable to assume that the production rate of attached and detached accessory dwelling units will be moderate and not constitute a dramatic or exponential shift from currently observed patterns.

For the purposes of analysis and discussion, OPCD considered a scenario in which as many as five percent of the approximately 75,000 single-family lots eligible for a detached accessory dwelling unit added an attached and/or detached accessory dwelling unit. If produced over a 20-year period, this quantity of new accessory dwelling units would translate to less than a sixfold increase over currently observed annual production rates. A production rate increase of this magnitude is greater than what can be reasonably expected as a result of this proposal — but even if realized would have only a minor effect on single-family zones as a whole. This theoretical less-than-sixfold production rate increase, which would result in less than 4,000 new accessory dwelling units in single-family zones citywide, remains consistent with the Seattle 2035 Comprehensive Plan Update, which estimates that of the 12 percent of the population and housing growth¹ expected in Seattle over the next 20 years will occur outside of urban centers and villages. The majority of single-family lots where attached and detached accessory dwelling units can be constructed are located outside urban centers and villages.

The proposal could result in changes to the height, bulk, and scale of detached accessory dwelling units constructed on lots zoned for single-family use. Slight increases to the maximum height limit and the maximum size of detached accessory dwelling units could result in structures that are incrementally closer to or appear visually larger from neighboring structures. However, the proposal would not alter the existing maximum lot coverage limit, which regulates the total amount of a single-family lot that can be covered with structures. Because the proposed change to the rear yard coverage limit applies only to one-story structures, it is not likely to have adverse impacts on the visibility of detached accessory dwelling units from neighboring structures, and

¹ 120,000 people and 70,000 housing units

it could encourage lower structures. Overall, the height, bulk, and scale of detached accessory dwelling units would continue to be compatible with existing goals and policies for single-family zones. The height limit for principal dwelling units in single-family zones is 35 feet. The proposal would increase the maximum height limit for detached accessory dwelling units over current standards by at most two feet; under the proposal, the maximum height limits would be 17, 23, and 25 feet for lots less than 30, between 30 and 50, and greater than 50 feet in width, respectively. This proposed increment of increase height would have at most minor additional impacts related to the scale or compatibility of new accessory structures in single-family zones when compared to redevelopment of principal dwelling units in single-family zones.

The proposed changes are not likely to result in adverse impacts to SEPA-protected views because these views are generally not located in single-family zones and because detached accessory dwelling units are located in the rear yard and subject to a lower maximum height limit than the maximum height limit for principal dwelling units on a single-family lot. Incremental increases in the shading of public places and the right-of-way could occur as a result of taller or larger detached accessory dwelling units created on lots where the rear yard abuts a public place or right-of-way.

There is some potential for attached or detached accessory dwelling units to be used for short-term rental purposes. Short-term rentals are currently allowed for any dwelling unit in single-family zones. This proposal would not significantly increase the prevalence of short-term rentals in single-family zones. The City is currently considering regulations that would limit the number of days that certain dwelling units could be rented on a short-term basis. Use of attached and detached accessory dwelling units for short-term rental purposes would not have greater impacts than the use of attached and detached accessory dwelling units for long-term rental purposes.

Proposed measures to avoid or reduce shoreline and land use impacts: Maintain existing prohibition on detached accessory dwelling units in the Shoreline District.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

This proposal is not likely to result in significant adverse impacts in the form of increased demands on transportation or public services and utilities.

The proposal does not alter the existing household size limit that regulates the number of people that can live on a single-family zoned lot. As discussed in question 5, any potential increase in the production of attached and detached accessory dwelling units resulting from the proposal is expected to be minor and is not expected to significantly alter the overall expected pattern or amount of growth. While the proposed changes may incrementally increase the rate of production of attached or detached accessory dwelling units, the proposal is not likely to increase this rate of production such that occupants of new attached or detached accessory dwelling units have an appreciable increase in the demand for transportation or public services or utilities.

The distribution of attached and detached accessory dwelling units permitted and constructed to date is illustrated in the Backyard Cottage Annual Reports (2011 and 2014), Removing Barriers to Backyard Cottages: DPD Report and Analysis (October 2015), and the Director's Report accompanying this proposal. These reports indicate that the distribution of accessory dwelling units is relatively even throughout the single-family zones in Seattle. There is no appreciable concentration of attached or detached accessory dwelling units in a single area, zone, or neighborhood. This distributed pattern of production of accessory dwelling units is likely to continue even if overall production of accessory dwelling units increases. The distributed nature of attached and detached accessory dwelling unit production further moderates any potential impacts to transportation systems, public services, and utilities because the proposal is not likely to result in a concentration of accessory dwelling units in a single area. Any localized adverse impacts on

transportation systems due to incremental vehicle or transit trips resulting from this proposal are negligible, as are any localized impacts on utility infrastructure such as water, drainage, sewer, or electrical services.

Minor adverse impacts could occur to the availability of on-street parking as a result of the proposed removal of the off-street parking requirement. These impacts could occur if the proposal results in the creation of attached or detached accessory dwelling units that do not have an off-street parking space and the occupants of those accessory dwelling units park a vehicle on the street. These impacts are not likely to be significant.

In some areas of Seattle the supply of on-street parking is abundant; in some areas where the supply of on-street parking is constrained, good transit service is available that allows some people not to own a vehicle. Furthermore, some single-family zoned lots already have multiple off-street parking spaces that could be available to occupants of accessory dwelling units, and some property owners who create accessory dwelling units could choose to add an off-street parking space despite no requirement to do so.

Proposed measures to reduce or respond to such demand(s): None proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal does not conflict with local, state, or federal laws or requirements for environmental protection.