

**ATTACHMENT TO APPEAL OF DNS
FOR LAND USE CODE AMENDMENTS REGULATING AND DOWNZONING
MOBILE HOME PARKS**

Page 1, Question 1: Appellants

Appellants are the Bella Bee Limited Liability Co., the owner of the Bella-B mobile home park, and Yacov Sinai, its Governor (collectively, the “Appellants”).

Page 2, Question 1: What is your interest in the decision? (State how you are affected by it.)

The Appellants own the Bella-B mobile home park (“Park”), one of only two mobile home parks in the City of Seattle (“City”) that are impacted by the proposed legislation (“Proposal”). The Proposal consists of land use code amendments regulating and downzoning mobile home parks that: 1) strictly limit the uses that are permitted on the property on which the Park is located (“Property”); 2) downzone the Property from NC1-55(M) to NC1-40; 3) increase the amount of setbacks and other regulations (including but not limited to open space requirements) that will make it more difficult to replace existing mobile homes and will make it more difficult to continue to run the Park long term; 4) place density limitations for mobile homes on the Property such that the Appellants will be unable to add any more mobile homes on the Property, reducing the amount of affordable mobile home park housing that can be placed on the Property. The Proposal does nothing to ensure housing stability for tenants, encourages neglect or demolition rather than renovation of existing mobile homes due to the new regulations, reduces the number of mobile homes that will be available for affordable housing, and reduces the availability of housing. These are significant adverse impacts to the built environment, including land use, housing and aesthetics, relationship to existing land use plans and policies, and transportation. These impacts will harm Appellants. Appellants’ interests are ones the City was required to consider in issuing the Determination of Nonsignificance (“DNS”), particularly because the rezone is specifically targeted to only two mobile home parks, which are adjacent to each other, totalling 11 acres, in the entire City. Judgment in Appellants’ favor would redress the harm to Appellants.

Page 2, Question 2: What are your objections to the decision? (List and describe what you believe to be the errors, omissions, or other problems with this decision.)

The City failed to comply with the requirements of the State Environmental Policy Act (“SEPA”). The DNS, attached as Exhibit A to this appeal, is based on insufficient information—the environmental checklist upon which the DNS relies failed to analyze the impacts of the legislation on the Property owned by Appellant, whose interests the City was required to consider. The DNS contains inaccurate information, which errors are more specifically stated in the Appellant’s SEPA comment letter which is attached as Exhibit B to this appeal. The proposal will have significant adverse impacts in the areas of Land Use, Housing, Aesthetics, Relationship to Existing Plans and Policies, and Transportation. These impacts are more specifically stated in the SEPA comment letter, but for example, there will be a probable significant adverse housing impact as the legislation is likely to lead to displacement of on-site families (which was not analyzed by the checklist). Finally, there was insufficient public notice related to the SEPA DNS, including but not limited to compliance with WAC 197-11-510. The

specific errors in the decision are identified in Appellants' comment letter on the DNS, which is attached and incorporated by reference as if fully set forth herein.

Page 2, Question 3: What relief do you want? (Specify what you want the Examiner to do: reverse the decision, modify conditions, etc.)

Appellants request that the Hearing Examiner reverse the DNS and order the City to: (1) provide additional public notice to affected stakeholders and opportunity to comment; (2) prepare an adequate Checklist; and (3) either (a) prepare an EIS addressing the significant adverse environmental impacts of the Proposal or (b) make modifications to the Proposal or adopt mitigation measures to eliminate these significant adverse environmental impacts.