

APPELLANT INFORMATION

1. Appellants

Counts Unit Properly Please
Eastlake Community Council
Morgantown Community Association
Reasonable Density Seattle
Roosevelt Neighborhood Alliance
Seattle Community Council Federation
Seattle Neighbors Encouraging Reasonable Density (SeattleNERD)
Gary Friedman, Roosevelt Neighborhood
Greg Hill, Wallingford Neighborhood
Dennis Saxman, Capitol Hill

2. Authorized Representative

Dennis Saxman
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DECISION BEING APPEALED:

- 1. Decision appealed:** City of Seattle Determination of Nonsignificance by the Department of Planning and Development (DPD) for land use code text amendments for micro-housing and congregate residences (undated, but published in Land Use Bulletin on October 7, 2013) and SEPA Checklist for the same. (Copies attached.)
- 2. Property Address:** All zones that allow multi-family residential uses in City of Seattle
- 3. Elements of decision being appealed:** Adequacy of analysis underlying the Threshold Determination, including the SEPA Checklist, resulting in the Determination of Nonsignificance. Failure to comply with the requirements of Seattle Municipal Code §25.05.330 by failing to consider (1) whether the same proposal may have a significant adverse impact in one location but not in another location; (2) the absolute quantitative effects of the proposal, which may result in a significant adverse impact regardless of the nature of the existing environment; and (3) whether several marginal impacts when considered together may result in a significant adverse impact. The DPD's balancing of the beneficial aspects of the proposal against the proposal's adverse impacts violates the Seattle Municipal Code.

APPEAL INFORMATION:

1. Appellants' Interests in the Decision:

Eastlake Community Council's official members include people who live in Seattle's Eastlake neighborhood, own property there, or work there. All will be affected in some significant and negative way by the proposed legislation. Among the impacts they face from the proposed legislation, and which are not sufficiently addressed in the DNS, are prospective difficulties in parking (for example, affecting the economic survival of businesses), traffic congestion, and pedestrian and bicycle safety.

Count Units Properly Please (CUPP) is an Eastlake Neighborhood group founded in reaction to the corruption of the zoning code to justify over-crowded, sub-standard rental housing. We are negatively impacted with unpredictable density, housing that does not qualify for Section 8 inspection, turnover/maintenance parking impacts, height, bulk, scale, planning and safety issues, plus the undermining of tenant protections, that are ignored or inadequately addressed by the DPD. The Eastlake Neighborhood has three of these projects under construction or review (MUPs #6310638, #3014488, #3014137) with more likely on the way.

The Morgan Community Association (MoCA) is a grassroots association of residents, business persons, property owners and other people who have a stake in the future of our neighborhood. In 1994, the Morgan Junction neighborhood was designated a residential urban village and directed to provide an additional 300 housing units by 2014. By 1999, we had prepared our own neighborhood plan, which includes Land Use Policy 2.3 that states: "*Land use changes that take effect automatically, unless a neighborhood plan provides otherwise, shall not take effect in Morgan Junction.*" Despite this policy, Morgan Junction has been adversely impacted by the city-wide elimination of parking requirements in specific overlay zones. The lack of planning around the parking elimination coupled with transit reductions and failing level of service (LOS) at Morgan Junction intersections is further exacerbated by the micro-housing DNS limitations.

As the organizer of Reasonable Density Seattle, I have been following and researching Seattle's micro-housing issue for nearly a year and a half. I reside on Capitol Hill where the majority of these buildings are being constructed. I and several neighbors formed the group Reasonable Density Seattle to explore these buildings and to educate neighbors about them. We are, and will continue to be, impacted by the increase of population that

micro-housing developments bring to our neighborhood. We are concerned with how this dramatic increase in residents will impact the current infrastructure of our neighborhood and how the resultant upgrades to this infrastructure will be carried out and paid for. This increase in residents will also impact our neighborhood through an increase in noise generated by greater pedestrian traffic. Parking is also a concern because our streets are already at capacity and therefore cannot absorb more parked cars. We are concerned that the incentives provided to the developers of these types of buildings, through poorly written Land Use Codes and imprecise Director Rules, will lead to even more of these buildings being built in our area which will further aggravate the above concerns. We feel that the DPD has failed to neither investigate thoroughly the impact these buildings have on a neighborhood, nor provide adequate rules defining them.

Appellant Roosevelt Neighbors' Alliance, is not opposed to micro housing in general, as we recognize it plays an important role within the housing infrastructure. However, within the U District, it is primarily utilized as student housing, taking on the characteristics of dorm rooms. The recently released University District Livability Partnership identified the area south of 45th for all student targeted housing, while areas north of 45th focused on attracting families. Defining micro-housing south of 45th will preserve the development capacity north of 45th for housing geared towards families. The only way to ensure that this occurs would be to codify this delineation.

We would also like to express our concern that the current definition DPD is suggesting doesn't accurately encompass all of the micro housing being built. We would suggest modifying the language to include studio units without a range but with a sink/refrigerator/food prep area in the bedroom/studio. Currently housing meeting this description is being built within single family zones, which is contrary to the intent of the code.

From a personal perspective, we have had two micro housing units built within our single family zoned neighborhood within the past year. With a 3 month old child at home, my wife and I have concerns that our single family neighborhood is being allowed to change into a multi-family/student dorm zone contrary to published public consensus. If the intent of DPD is to remove zoning limitations or to change our zoning to multi family, then we would request that they definitively do so to allow our investment to appreciate in the same manner as these developers.

The Seattle Community Council Federation is a Washington non-profit corporation incorporated in 1948. Since that time, as a coalition of community councils and other neighborhood organizations, the SCCF has advocated for the conservation and improvement of the quality of life for all residents of the City of Seattle. Members of the

SCCF are residents of lowrise zones in the City of Seattle. Lowrise 1 and lowrise 2 zones are discussed in the DNS.

SeattleNERD members include 77+ houses and 3 condos in the neighborhood of 32nd Ave. SW (SW Andover and SW Genesee Streets between the West Seattle Bridge and SW Avalon Way and 32nd Ave. SW- a Single Family 5000 Zone bordering a MR Zone). There are significant unmitigated adverse impacts that this SEPA checklist fails to address with respect to all Micro-housing projects and this legislation. Plain and simple, the adverse impacts upon the areas of traffic, parking, noise, transportation systems, utilities, infrastructure, health, housing and safety will be 4 to 6 times higher than the comparable multifamily housing within the same footprint. Further, a DNS position for this legislation ignores the clear reality of the negative that these projects have created for the last two years. We now have a 56 unit six and half story Micro-house building up against our single family neighborhood.

Appellant Gary Friedman has been a long-time resident of the Roosevelt/University area, He has been and will continue to be negatively impacted by the proliferation of micro-housing projects and resulting dramatically increasing density. My primary concerns with DPD's proposed rules are: 1.) that they are based on only one format of micro-housing design to the exclusion of other formats that are clearly micro-housing in nature; 2.) that they are based on the presumption that only one person will occupy each 'micro' unit sleeping room which is not the case with multiple-occupancy 'micro-dormitory' rooms being designed and exclusively marketed in my area to students; 3.) that consequently the environmental, safety, parking and other impacts of micro-housing are being under-projected; and 4.) that they are erroneously being encouraged on the pretext of 'affordability' when they are actually reducing affordability as they are causing nearby rental prices to be increased due to their substantially higher per square footage rates (and thereby driving low income renters, families, fixed-income seniors, etc. out of the area). While I am not opposed to micro-housing, I believe that it should be properly defined and controlled, and that micro-housing buildings should be prohibited in and adjacent to single family zoned areas.

Appellant Greg Hill is concerned with the fire and other public safety aspects of this new form of housing, and has frequently presented public testimony on the hazards he believes they represent at public hearings on micro-housing. As the DPD does not use all of the code requirements (limitations) in approving projects there would be a public service impact under SEPA affecting police and fire in our communities. The usurping of the on-street parking supply has a significant impact on locally-owned businesses that depend on the public parking supply for customers producing an economic impact on small locally-owned businesses. the pedestrian environment suffered from illegally parked vehicles, where vehicles are routinely parked on crosswalks and sidewalks creating unobserved and unexpected points for conflict between cars and vehicles. This

loss of pedestrian realm results in impacts to public safety, transportation. Third, cars are routinely parked on planting strips where the trees and planting are destroyed which results in impacts to the Environment Health. All of these impacts affect him as a resident of the Wallingford neighborhood. There is also a congregate boarding house in Wallingford named the 4516 Meridian.

Appellant Dennis Saxman lives in a zone and neighborhood which has been heavily impacted by micro-housing projects. The greatest concentration and number of micro-housing projects are on Capitol Hill where he has lived for approximately 17 years. He is a member of the Capitol Hill Community Council which passed a resolution calling for a moratorium on micro-housing project. He has performed substantial research on micro-housing issues, and has been a persistent advocate for increased and consistent regulation of micro-housing projects. He has participated in groups lobbying Councilmembers for changes in this area, and has attended and participated in all major meetings regarding micro-housing, including at a panel discussion attended by Councilmembers, where he presented, along with other neighborhood residents, substantial research and data on micro-housing issues. Appellant lives in affordable housing and the proliferation of micro-housing is impacting overall affordability on the hill in ways that negatively affect Appellant.

2. Appellants' Objections to the Decision:

The Appellants object to the DPD's audacious disregard of the requirements of SEPA and the policy that informs SEPA. Its conclusion that the 2,842 units created by the 59 existing, under construction, and proposed micro-housing projects will have no significant environmental impacts, all under the color of this being a nonproject action, would be laughable, did it not have such tragic consequences for Seattle's natural and built environments.

The DPD Failed to Follow the Appropriate Standards When It Issued its Determination of Nonsignificance:

SEPA requires an EIS to be "prepared on proposals for legislation and other major actions having a probable significant, adverse environmental impact." Generally, the procedural requirements of SEPA, which are merely designed to provide full environmental information, should be invoked whenever more than a moderate effect on the quality of the environment is a reasonable probability.

The DPD Used Standards Other Than Those Established By Statute, Case law And Regulations:

In contrast with the clarity of standards established under law, the DPD uses a variety of adjectives to modify the word impact/s: disproportionate, potential, short-term, long-term, no direct, cumulative adverse, significant indirect, significant adverse environmental, cumulative... on the built environment, minimal. The DPD never uses the typical adjective: probable, which is shorthand for the rule that an EIS should be prepared whenever more than a moderate effect on the quality of the environment is a reasonable probability.

The DPD Did Not Make Its Threshold Determination Based Upon Information Reasonably Sufficient To Evaluate The Environmental Impact Of The Proposal:

There is a paucity of substantial evidence and critical analysis of specific probable impacts behind the conclusory assertions of the SEPA Checklist and the DNS. They show no extensive review, consideration, or evaluation of specific probable impacts based on substantial evidence. There is little in the documents that could be characterized as reasoning, explanation, or a finding of fact. In some cases, for example, the failure to acknowledge that there are a number of completed and leased projects and a large number of projects under construction, constitutes a misrepresentation on which the DNS is partially based.

The DPD Did Not Give Adequate Consideration To The Policy Behind SEPA:

The DPD has not given adequate consideration to the policy behind SEPA to provide consideration of environmental factors at the earliest possible stage to allow decisions to be based on complete disclosure of environmental consequences.

The DPD Gives Numerous Excuses as to Why a More Thorough Environmental Impact Analysis is not Required:

The DPD gives 12 general excuses for concluding an EIS is not needed: (1) this is a nonproject action; (2) the type of development proposed by this legislation is no different from development that would occur in the absence of the proposed legislation; (3) the zones in which it is currently predominantly located would allow for similar developments, although acknowledging that the proposal “may result in potential impacts and merits further discussion;” (4) at the non-project stage, it is not possible to meaningfully assess the potential impacts on the natural and built environment from these modifications, in the absence of a known proposed micro-housing or congregate residence project; (5) that such housing would not substantially alter what could be built under existing regulations, this despite the assertion at the beginning of the DNS that the DNS covers a new format of this type of housing; (6) that existing codes and ordinances will address impacts of the proposed Code amendments; (7) that projects built under the

proposed Code amendments would not “significantly alter the scale or quantity of new multi-family development that would otherwise be allowed in the absence of the proposed land use code changes;”(8) that since impacts will be considered at the project level, that it is not necessary to consider them now; (9) there are very few projects in LR1 and LR2 zones under the current regulation; (10) projects will be made subject to Design Review and/or Environmental Review; (11) that the proposed Code amendments will have minimal impact; and (12) the DPD can use its discretion to mitigate any adverse impacts. The Appellants object to all of these excuses. They do not constitute an environmental analysis of the proposed Code amendments.

Appellants Object to the DPD Failure to Consider Numerous Probable Impacts – Some Particular to Micro-Housing and Others Based on the SEPA Checklist:

Impacts Particular to Micro-Housing

The failure to consider any of the environmental impacts of the 2,842 units created by the 59 existing, under construction, and proposed micro-housing projects. Numbers which are only likely to increase.

The failure to consider environmental impacts created by the fact that in many urban centers and villages there is considerable variation in the height, bulk and scale of development from one sub area to another and that a high percentage of the projects that have been built or are under construction have resulted from the destruction of single-family housing and its replacement by developments that are out of character with the existing architectural context of the subarea.

The failure to fully discuss potential environmental impacts of the DPD’s recognition that the proposal might not provide for predictability about the allowed density limit, or could lead to a level of density inappropriate for some of the lower density lowrise zones.

The environmental impacts of the failure to consider the creativity of developers as to form, a creativity that as has been repeatedly observed and commented on by DPD staff. Current and proposed micro-housing projects are designed in a variety of configurations, with a wide range as to the number of residents in a project, which despite their variety are all referred to as micro-housing or congregate residences. A lack of clarity in the proposed Code amendments’ definitions only exacerbates this situation.

The DPD fails to consider cumulative environmental impacts that are likely to be increased by the concentration of micro-housing in particular neighborhoods.

The DPD fails to consider the environmental impact of continued lax regulation on the profitability of micro-housing and its encouragement. This could skew the development market in unanticipated directions not intended by Seattle's Comprehensive Plan

The DPD fails to consider the environmental impacts of the increased discretion provided to the DPD by the proposed legislation— a discretion that the DPD frequently interprets broadly and has repeatedly used to waive statutory and regulatory requirements designed to mitigate environmental impacts.

The DPD fails to consider the environmental impacts of rezones, upzones and other land use changes that might allow for the spread of micro-housing and congregate residences to zones other than where it is currently located or proposed to be located.

Environmental Factors Listed on the SEPA Checklist and Factors Similar to Them

Environmental Factors, including the Following, were not Evaluated to Such an Extent as to Constitute Prima Facie Compliance with SEPA Procedural Requirements.

The DPD failed either to consider at all, or inadequately considered, the following probable environmental impacts:

1. The ability of the Seattle Fire Department to fight fires in projects consisting of two or three buildings which are built very close to one another and to existing buildings.
2. Increased pedestrian traffic.
3. Increased demand on public, private and commercial communal gathering areas.
4. Increased bicycle traffic.
5. Increased vehicular traffic.
6. Increased demand on water, sewer, electrical and other utility services, and garbage services.
7. Shadow impacts on adjacent properties and on the neighborhood overall.
8. Noise impacts on adjacent properties and on the neighborhood overall.
9. Privacy impacts on adjacent properties.
10. Increased water runoff and its impacts on Puget Sound and the region.
11. A decrease in the amount of green space and the resulting impacts.
12. The environmental impacts of what are known to be inadequate provision for parking, such as traffic congestion, increased consumption of fossil fuels, increased pollution resulting from cars circling neighborhoods trying to find a parking place.
13. Impact on public health resulting from a large number of residents living in such compact housing.
14. The impacts of the proposal on global climate change.

Appeal of Determination of Nonsignificance on Proposed Micro-Housing Legislation

15. The contributions of increased density and overcrowded living conditions in compact units to overall crime.
16. The effect of counting only some of the units, rather than separately leased spaces, and its effect on lessening the amount of population growth recognized for planning purposes. This problem is only compounded by conflicting methods of counting units presently espoused by the DPD – a problem which the proposed amendments do not adequately address.
17. The effect of calling differently designed and configured projects by a common name, making it impossible to adequately evaluate the environmental impacts of projects overall.
18. The use of project labels/characterizations originally meant to apply to projects of much lower density and size, such as boarding house, congregate residence, rowhouse, townhouse, to projects of much greater size, scale and density.
19. The impact of insufficient and varying definitions of congregate residence.
20. The impact on Fire and Police services caused by the inconsistent application or failure to apply at all, existing Code provisions – which problem the proposed legislation does not resolve.
21. Increased fire hazards.
22. Impact on the pedestrian environment and local businesses from lack of provision of adequate parking.
23. Impacts on the environment and living conditions under which individuals with disabilities or the elderly are required to navigate their world, including availability of parking
24. Directly related to the previous item, the failure to provide elevators in five- to six-story buildings.
25. Failure to consider the impact of existing projects which have been exempted from Environmentally Critical Areas Act Steep slope requirements, and future projects which are likely to receive similar treatment.
26. Failure to consider the concentration of micro-housing projects in areas prone to landslide and earthquake risks.
27. Increase in impervious surfaces.
28. Increase in impacts due to future rezones of area that are not currently zoned multi-family residential to multi-family residential, thereby increasing the land area to which the proposed Code amendments would be applicable.
29. Increased runoff in neighborhoods where large numbers of these projects are concentrated.
30. Impacts on global climate change of the construction process.
31. Impact of uncontrolled or increased runoff, and impacts on groundwater and surface water.
32. Impacts on plants and other vegetation.

33. Impacts on birds and other animals.
34. Impact of increased energy demands for new construction, transit facilities and residents.
35. Impact of failure to consider potential mitigating factors listed in the SEPA Checklist.
36. Increase in environmental health hazards, including risk of exposure to toxic chemicals, risk of fire or explosion, spill or hazardous waste that could occur as a result of this proposal.
37. Displacement of existing residents.
38. Incompatibility of the proposal with existing land uses, architecture, and neighborhood plans.
39. Failure to have a reasonable, reality-based discussion of the impact on availability of affordable housing
40. Impact on increased vehicular use due to displacement of the poor to outlying areas.
41. Increased energy uses for entertainment and consumption purposes.
42. The alteration or obstruction of existing views.
43. Impacts of light and glare, including on safety and energy use.
44. Impact of availability of informal and non-commercial recreational spaces such as parks and other resident-friendly spaces.
45. Impacts on historical and cultural preservation.
46. Impacts on traffic and other transportation modes.
47. Failure to accurately evaluate whether the existing regulatory environment will adequately mitigate environmental impacts.
48. Increased hazard of single-exit buildings on residents and the neighborhoods.
49. Inaccurate counting of number of residents.
50. Impacts on official City walking and biking routes.
51. Increased environmental impacts due to changes in existing neighborhood contexts and environments.
52. Increased administrative discretion and new Director's Rules which may lessen the application of statutory or regulatory mitigation.
53. Lack of adequate bicycle storage.


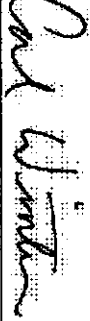
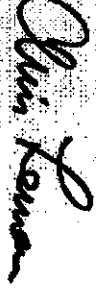



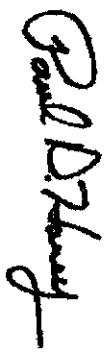

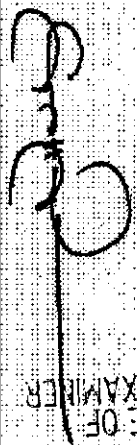
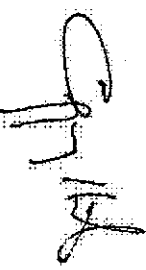
The DPD Failed to comply with the requirements of Seattle Municipal Code §25.05.330

By failing to consider (1) whether the same proposal may have a significant adverse impact in one location but not in another location; (2) the absolute quantitative effects of the proposal, which may result in a significant adverse impact regardless of the nature of the existing environment; and (3) whether several marginal impacts when considered together may result in a significant adverse impact. The DPD's balancing of the

beneficial aspects of the proposal against the proposal's adverse impacts violates the Seattle Municipal Code.

- 3. Relief Sought:** We request the Hearing Examiner to reverse the DNS, REMAND to the Department of Planning and Development for preparation of an EIS which complies with all statutory, regulatory and case-law requirements. We also request the Hearing Examiner to enjoin the permitting of any more micro-housing projects until an adequate EIS has been prepared.

Signatures: See Following Page.

Appellant	Authorized Representative	Contact Info	Signature
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Neighbors Encouraging Reasonable Development (West Seattle)	Paul Haury	4106 32nd Ave SW Seattle, WA 98126 206-714-6113 phaury@fulcrum.net	
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**CITY OF SEATTLE
DETERMINATION OF NON-SIGNIFICANCE BY
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Applicant Name: The Department of Planning and Development

Address of Proposal: All zones that allow multi-family residential uses in City of Seattle

SUMMARY OF PROPOSED ACTION

The proposal is to amend certain land use code provisions to establish a definition for micro-housing, apply a design review threshold to micro-housing and congregate residences, modify certain development standards for common spaces in micro-housing and congregate residences, clarify prohibition of micro-housing in single family zones, increase required vehicle and bicycle parking requirements for micro-housing and congregate residences, and modify income eligibility requirements for incentive programs related to micro-housing, congregate residences, and very small studio apartments.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS

 DNS with conditions

 DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

BACKGROUND DATA

BACKGROUND

The proposed Code amendments will accomplish the following:

- Define the term "Micro-Housing" and "Micro" within the Land Use Code definition Chapter, 23.84A.

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- Create a design review threshold for developments with Micro-Housing and Congregate Residences that is based on the size of the building instead of the quantity of dwelling units.
- Amend certain development standards to require a minimum size for common shared kitchens within micro-housing and apply certain limits to the location of food preparation facilities outside of the common kitchen within micro-housing dwelling units.
- Amend certain development standards to require a quantity of common shared space in congregate residence developments.
- Increase the amount of required secured bicycle parking in micro-housing and congregate residence development to 1 space for each 4 micros or sleeping rooms respectively.
- Increase the amount of required vehicle off street parking in locations where provision of off street parking is otherwise required to 1 space for each 4 micros in micro-housing development.
- Increase the required affordability levels for participation in incentive zoning for affordable housing requirements such that any micro-housing used to participate in the incentive program or sleeping room in a congregate residence is available to persons earning 40% Area Median Income (AMI) or less.

Potential environmental impacts for the following actions were also evaluated as a part of the proposal, although the draft ordinance does not include these items as part of the legislation:

- Add development standards to set a minimum square foot size for Micros within Micro-Housing and for sleeping rooms in Congregate Residences, of between 185 and 220 square feet.
- Prohibit construction of micro-housing in the Lowrise 1, Lowrise 2, and Neighborhood Commercial 1 zones.

Public Comment

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed text changes during future Council hearings. DPD has considered public comment in several public forums and discussions on the topic during recent months including a Council Transportation Committee sponsored brown bag meeting on April 18, 2013, a community meeting on Capitol Hill on May 6th, 2013, and a City Council Planning Land Use and Sustainability (PLUS) briefing on June 28, 2013.

ANALYSIS - SEPA

This proposal is an adoption of legislation and is defined as a non-project action. The disclosure of the potential impacts from this proposal was made in an environmental checklist submitted by the proponent, dated September 18, 2013. The information in the checklist, a copy of the proposed text changes, the Director's Report and Recommendation, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision.

This is a substantive change to the Land Use Code, to ensure that regulations effectively address micro-housing and congregate residence development, in light of emerging formats of this type of housing being proposed in Seattle in recent months. This amendment may result in potential impacts and warrants further discussion.

ELEMENTS OF THE ENVIRONMENT

Adoption of the proposed Land Use Code amendments would result in no immediate adverse short-term impacts because the adoption would be a non-project action. The discussion below evaluates the potential long-term impacts that might conceivably result from differences in future development patterns due to the proposed amendments.

Natural Environment

Earth, Air, Water, Plants and Animals, Energy, Natural Resources, Environmentally Sensitive Areas, Noise, Releases of Toxic or Hazardous Materials

The proposed changes would result in no direct impacts, and are unlikely to result in significant indirect or cumulative adverse impacts related to earth, air, water, plants/animals, fisheries, energy, natural resources, sensitive areas, noise, or releases of toxic/hazardous substances. At the non-project stage, it is not possible to meaningfully assess the potential impacts on the natural environment from these modifications, in the absence of a known proposed micro-housing or congregate residence project. Development of specific projects on individual sites is subject to the City's existing regulations, such as the Stormwater, Grading and Drainage Ordinance, the Environmentally Critical Areas Ordinance, and Noise Ordinance, and will be subject to environmental review (if they meet or exceed thresholds for environmental review).

The potential locations and sizes of proposed development with micro-housing or congregate residences would not be significantly altered by the proposal, and the proposal does not alter any procedures or regulations related to natural environment protections. Micro-housing and congregate residence development is allowable in city zoning designations that allow multi-family development, and in recent years the format of housing has been most commonly located in Lowrise zones, Midrise zones and Commercial zones – especially in areas located within designated Urban Villages and Urban Centers in the city's comprehensive plan. These are areas typically characterized by a high level of existing development and urbanization. Therefore additional

development of micro-housing and congregate residence in these zones is not expected to have a disproportionate impact on elements of the natural environment.

Built Environment

Land & Shoreline Use, Height/Bulk/Scale, Transportation, Public Services and Utilities

The changes are not expected to significantly alter the scale or quantity of new multi-family development that would otherwise be allowed in the absence of the proposed land use code changes. The primary affects of the proposal would be to require design review for certain project proposals with micro-housing or congregate residence and to modify certain procedures related to incentives for the inclusion of affordable housing. The proposal also includes a requirement to increase the amount of required parking for vehicles in micro-housing development in areas outside of urban villages and urban centers where parking would otherwise be required with new development. The proposal would also increase the amount of required bicycle parking in all locations for both micro-housing and congregate residences.

As discussed in the environmental checklist, these changes are expected to have very minor effects on the production of micro-housing and congregate residence developments and are not expected to significantly alter the locations where such projects could be built or the allowable height, bulk, nand scale of the projects. The potential to prohibit location of Micro-Housing and Congregate Residences from Lowrise 1 and Lowrise 2 zones, and Neighborhood Commercial 1 zones would have minimal cumulative effect because very few projects are located in those zones under existing regulations. The addition of design review is intended to have the effect of improving the design details of individual projects such that they are a better fit within existing neighborhoods. Effects of the proposal on transportation such as amount of trips generated, and mode split between vehicles and transit/non-motorized trips are not practical to estimate in the absence of specific proposed development projects. However, the proposal could conceivably result in improved conditions to facilitate bicycle usage by residents of micro-housing or congregate residences as secure bicycle parking requirements are increased. Additionally, in locations where parking requirements are in effect, the proposal would increase the requirement for vehicle parking for micro-housing developments - conceivably lessening local parking spillover impacts by a very minor amount. Public services and utilities are not expected to be affected by the proposal, since the proposal does not alter the locations where micro-housing or congregate residences could be built, nor does it modify the allowable density of or scale of developments. Allowable locations for micro-housing and congregate residences will continue to be multi-family and commercial zones under the proposed legislation, and are expected to be most commonly located in urban villages and urban centers. The potential to prohibit location of Micro-Housing and Congregate Residences from Lowrise 1 and Lowrise 2 zones, and Neighborhood Commercial 1 zones would have minimal cumulative effect because very few projects are located in those zones under existing regulations. The expected locations of Micro-Housing and Congregate Residences are places the city's Comprehensive Plan identifies as appropriate to focus growth and denser formats of development.

None of the above described potential minor effects of the proposed legislation would result in significant adverse environmental or cumulative impacts on the built environment when compared with development that could occur in the absence of the proposed legislation. Without a specific project proposal, it is not feasible to quantify the specific levels of impact on a citywide basis of these proposed regulations. Future projects developed pursuant to the provisions of the proposal will require permits, review and project approvals as provided for in the Seattle Municipal Code and will be subject to environmental review (if they meet or exceed thresholds for environmental review).

Conclusion

The proposed code amendments to ensure appropriate application of regulations for micro-housing and congregate residence development are expected to have minimal impacts on both the natural and the built environment. The proposed regulations do not substantially alter the size, scale or location of micro-housing or congregate residence projects that could be built when compared with existing regulations. The proposed regulations are primarily concerned with adding a threshold for design review and increasing requirements for vehicle and bicycle parking for micro-housing and congregate residences – neither of which are expected to have significant adverse impacts on the environment. In addition, the existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, and the City's SEPA ordinance, will address impacts during review of development proposals on a project-specific basis.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist, code amendment, and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

RECOMMENDED CONDITIONS – SEPA

None.

Signature: _____ On File _____ Date: _____
William K. Mills, Senior Land Use Planner
Department of Planning and Development

City of Seattle

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ENVIRONMENTAL CHECKLIST

OFFICE OF
HEARING EXAMINER

A. BACKGROUND:

1. **Name of proposed project, if applicable:**
Land Use Code amendments pertaining to regulation of Micro-Housing and Congregate Residences.
2. **Name of Applicant:**
City of Seattle
3. **Address and phone number of applicant and contact person:**
City of Seattle Department of Planning and Development
700 Fifth Avenue, Suite 2000
P.O. Box 34019
Seattle, Washington 98124-4019

Contact: Geoff Wentlandt, 206-684-3586
4. **Date checklist prepared:**
September 18, 2013
5. **Agency requesting checklist:**
City of Seattle Department of Planning and Development
6. **Proposed timing or schedule (Include phasing if applicable):**
The proposed code amendments will be reviewed by City Council and discussed in public hearings in fall of 2013.
7. **Do you have any plans for future additions, expansions, or further activities related to or connected with this proposal? If yes, explain:**
No, the proposal is a non-project action that is not dependent upon any further action.
8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:**
A SEPA environmental checklist and environmental determination and related information are prepared for this proposal.
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:**
This is a non-project action that does not affect any specific individual properties. However, land use and building permit applications are currently pending for micro-housing and congregate residence development projects under existing regulations.
10. **List any governmental approvals or permits that will be needed for your proposal, if known:**
The proposal requires approval by the City Council. No other agency approvals are anticipated.

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site.

Proposal Description

The proposal for Land Use Code amendments consists of the following actions:

- Establish new definitions for Micro-Housing, and Micro, within the Land Use Code. (SMC 23.84A).
- Modify design review thresholds to apply design review to any development with Micro-Housing or to Congregate Residences based on the amount of non-exempt gross square footage (GSF) in the building.
- Add a size minimum to the shared kitchen/common areas in a Micro-Housing dwelling unit, and a minimum size requirement for common areas in Congregate Residences.
- Add certain development standards for Micro-Housing and Congregate Residences limiting the configuration of kitchen features.
- Prohibit new developments with Micro-Housing in Single Family zones.
- Adjust refuse collection area standards for buildings with Micro-Housing and for Congregate Residences. (SMC 23.54)
- Adjust required vehicle and bicycle parking quantities for Micro Housing and for Congregate Residences. (SMC 23.54)
- Increase the required affordability levels for participation in incentive zoning for affordable housing for projects with micro-housing or congregate residences, and for small studio apartments. (SMC 23.58A)

Potential environmental impacts for the following actions are also evaluated as a part of the proposal, although the draft ordinance does not include these items as part of the legislation:

- Add development standards to set a minimum square foot size for Micros within Micro-Housing and for sleeping rooms in Congregate Residence, between 185 and 220 square feet.
- Prohibit construction of micro-housing in the Lowrise 1, Lowrise 2, and Neighborhood Commercial I zones.

This is a non-project action: there is no specific site or development proposal.

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.

This is a non-project action. The proposal's affect would be citywide. The proposal would affect any location where multi-family residential development is allowed by zoning. It would also affect single family zones in that it prohibits Micro-Housing within single family zones. The most direct affect would be in Lowrise and Midrise Multifamily zones where Micro-Housing and Congregate Residence development has been most prevalent.

B. ENVIRONMENTAL ELEMENTS:

Per Washington Administrative Code provisions (WAC 197-11-315) Part B of the checklist is not filled out for non-project actions.

1. Earth

- a. General description of site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- b. What is the steepest slope on the site (approximate percent slope)?**
This is a non-project action. There is no specific site or project location. No construction is proposed.
- 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 prime farmland.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- 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. There is no specific site or project location. No construction is proposed.
- e. Describe the purpose, type and approximate quantities of any filling or grading proposed. Indicate source of fill.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- f. Could erosion occur as a result of clearing, construction or use? If so, generally describe.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- 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. There is no specific site or project location. No construction is proposed.
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any:**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- 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. There is no specific site or project location. No construction is proposed.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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. There is no specific site or project location. No construction is proposed.
- 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. There is no specific site or project location. No construction is proposed.
- 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. This is a non-project action. There is no specific site or project location. No construction is proposed.
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- 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. There is no specific site or project location. No construction is proposed.
- 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. This is a non-project action. There is no specific site or project location. No construction is proposed.

b. Ground Water:

- 1) Will groundwater be withdrawn or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- 2) Describe waste material that will be discharged into the ground for 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. This is a non-project action. There is no specific site or project location. No construction is proposed.

c. Water Runoff (including storm water):

- 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. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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, various species as ornamental landscaping
 Grass
 Pasture
 Crop or grain
 Wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
 Water plants: water lily, eelgrass, milfoil, other
 Other types of vegetation

This is a non-project action. There is no specific site or project location. No construction is proposed. The range of sites that could be affected by the proposal could include those plants checked on the lines above.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- c. **List threatened or endangered species known to be on or near the site:**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- d. **Proposed landscaping, use of native plants or other measures to preserve or enhance vegetation on the site, if any:**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

5. Animals

- a. **Circle any birds and animals that have been observed on or near the site or are known to be on or near the site:**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

Birds:

Mammals:

Fish:

Other:

- b. **List any threatened or endangered species known to be on or near the site.**
None are known. No threatened or endangered animal species are known to be in or near urban centers and station area overlays within the City of Seattle.
- c. **Is the site part of a migration route? If so, explain.**
None are known. Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- d. **Proposed measures to preserve or enhance wildlife, if any:**
Not applicable.

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. There is no specific site or project location. No construction is proposed.
- 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. There is no specific site or project location. No construction is proposed.
- 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. There is no specific site or project location. No construction is proposed.

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. There is no specific site or project location. No construction is proposed.

- 1) Describe special emergency services that might be required.**

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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 is a non-project action. There is no specific site or project location. No construction is proposed.

- 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 is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?**

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- b. Has the site been used for agriculture? If so, describe.**

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- c. Describe any structures on the site.**

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- d. Will any structures be demolished? If so, what?**

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

e. What is the current zoning classification of the site?

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed. The zoning categories where Micro Dwelling Units have been most prevalent are Lowrise Multifamily and Midrise Multifamily.

f. What is current comprehensive plan designation of the site?

Not applicable. This is a non-project action. There is no specific site or project location. This proposal would have the most direct effect on areas designated Multifamily and Commercial/Mixed Use on the Comprehensive Plan Future Land Use Map.

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

i. Approximately how many people would reside or work in the completed project?

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

j. Approximately how many people would the completed project displace?

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

9. Housing

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed. The proposal would clarify, and increase certain requirements for

affordable housing under the city's multi-family tax exemption program and existing incentive zoning provisions, in certain Micro-Housing developments and Congregate Residences.

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 is a non-project action. There is no specific site or project location. No construction is proposed.
- b. **What views in the immediate vicinity would be altered or obstructed?**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- c. **Proposed measures to reduce or control aesthetic impacts, if any:**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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 is a non-project action. There is no specific site or project location. No construction is proposed.
- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- c. **What existing off-site sources of light or glare may affect your proposal?**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- d. **Proposed measures to reduce or control light and glare impacts, if any:**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

12. Recreation

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- b. **Would the proposed project displace any existing recreational uses? If so, describe.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- 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 is a non-project action. There is no specific site or project location. No construction is proposed.

13. Historical and Cultural Preservation

- a. **Are there any places or objects listed on, or proposed for national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site?**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- c. **Proposed measures to reduce or control impacts, if any:**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

14. Transportation

- a. **Identify public streets and highways serving the site, and describe the proposed access to the existing street system. Show on site plans, if any.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- b. **Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- c. **How many parking spaces would the completed project have? How many would the project eliminate?**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- d. **Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- e. **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- f. **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- g. **Proposed measures to reduce or control transportation impacts, if any:**
None are proposed.

15. Public Services

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- b. **Proposed measures to reduce or control direct impacts on public services, if any.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

16. Utilities

- a. **Utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- 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 is a non-project action. There is no specific site or project location. No construction is proposed.

C. SIGNATURE

Signature provided following section D below.

D. SUPPLEMENTAL SHEET FOR NON-PROJECT 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 the questions, be aware of the extent of 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?**
The proposed changes would result in no direct impacts, and are unlikely to result in indirect or cumulative impacts related to water, air, noise, or toxic/hazardous substances.

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

2. **How would the proposal be likely to affect plants, animals, fish or marine life?**
The proposed changes would result in no direct impacts and are unlikely to result in indirect or cumulative impacts related to plant, animal, fish or marine life. The changes are not expected to significantly alter the pace or scale of new multi-family multifamily development that would otherwise be allowed in the absence of the proposed land use code changes.

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

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

The proposed changes would result in no direct negative impacts and are unlikely to result in indirect or cumulative impacts related to energy or natural resources. The changes are not expected to significantly alter the pace or scale of new multi-family multifamily development that would otherwise be allowed in the absence of the proposed land use code changes. If there is any cumulative effect of the proposed land use code changes it is likely to be a very minor slowing of the pace of new multi family development that includes Micro-Housing Units or Congregate Residences – due to some increased development standard requirements, including a minimum micro or sleeping room size, and some increased permit process requirement of design review for some projects. The potential to prohibit location of Micro-Housing and Congregate Residences from Lowrise 1 and Lowrise 2 zones, and Neighborhood Commercial 1 zones would have minimal cumulative effect because very few projects are located in those zones under existing regulations.

Micro-Housing and Congregate Residences are compact forms of multi-family development most commonly located in Urban Village and Urban Center locations near the city's richest transit, bicycle infrastructure, and most walkable neighborhoods. Therefore, construction of the housing type has the indirect effect of reducing impacts on energy and natural resources by encouraging more widespread use of transit and non-motorized transportation instead of automobile travel for those users occupying the housing. Effects of the legislation that could cause minor cumulative slowing of the pace of development of Micro-Housing or Congregate Residences could result in minor lessening of these environmental benefits in the area of energy or natural resource depletion.

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

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?

The proposed changes would result in no direct impacts and are unlikely to result in indirect or cumulative impacts related to environmentally sensitive areas or areas designated for governmental protection. For natural environmental features listed above, this is due to the fact that the areas potentially effected are already in intensely developed urban environments and no significant environmentally sensitive areas are designated. The proposed changes would not alter allowances for new development that could otherwise occur in or near environmentally sensitive areas under existing regulations.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None are proposed. The existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, Landmarks Preservation Ordinance and the City's SEPA ordinance will address impacts during review of development proposals on a project-specific basis.

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

The proposed changes would continue to allow and encourage land uses compatible with the existing Comprehensive Plan and neighborhood plans. The proposal is intended to implement Comprehensive Plan land use goals and policies for a broad range of multi-family development in appropriately designated locations. For example Land Use Goal 12 (LUG12) states: Promote a

residential development pattern consistent with the urban village strategy, with increase availability of housing at densities that promote walking and transit use near employment concentrations, residential services and amenities. The proposal also is intended to implement various Comprehensive Plan Housing goals and policies such as Housing Goal 4 (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.

However, some aspects of the proposal could be perceived by some to be incompatible with certain goals and policies in the Comprehensive Plan. For example Land Use Policy 80 (LU80) states: Provide for predictability about the allowed intensity of development with appropriate development standards and density limits for each zone to accommodate a range of housing types and achieve development that meets the policy intent for each zone. It could be posited that the proposal does not provide for predictability about the allowed density limit, or could lead to a level of density inappropriate for some of the lower density lowrise zones.

The proposed land use code changes would add the additional requirement of design review for some projects with Micro-Housing and Congregate Residences. Design Review provides an opportunity for evaluation of specific projects according to citywide and neighborhood design guidelines, which can help ensure consistency with local plans and provide additional opportunity for local residents to provide comment on specific development projects. On balance, the indirect, long-term cumulative impacts on land uses would be positive in that the proposed land use code changes further the preferred land use pattern as expressed in Comprehensive Plans, Transportation plans and various policies and goals of the City of Seattle.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None are proposed. Development above SEPA thresholds will continue to be reviewed on a project-specific basis and any land use related impacts identified and mitigated as part of the project's SEPA decision.

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

The proposed changes would result in no direct impacts and are unlikely to result in indirect or cumulative negative impacts related to transportation or public services/utilities. Micro-Housing and Congregate Residences are a compact form of multi-family development most commonly located in Urban Village and Urban Center locations near the city's richest transit, bicycle infrastructure, and priority areas for highest levels of utilities, public services, and parks/open spaces. Therefore, construction of the housing type, which locates a relatively high number of residences in these locations (as opposed to other potential locations outside of Urban Villages and Urban Centers), is an efficient and beneficial use of the existing transportation, public service and utility capacity. If there is any cumulative effect of the proposed land use code changes it is likely to be a very minor slowing of the pace of new multi family development that includes Micro Housing or Congregate Residences – due to increased development standard requirements and the increased permit process requirement of design review for some projects.

It is not practical to predict how the number of vehicle, transit and non-motorized trips would be affected by the proposal. Minor slowing of the pace of development with Micro Housing and Congregate Residences could be associated with minor lessening of the beneficial effects of high transit use and non-motorized modes associated with the form of housing. The proposal also includes increased requirements for minimum quantity of vehicle parking in locations outside of urban centers and villages with frequent transit service. An increase in vehicle parking could be associated with increased demands for vehicle trips. On the other hand, the proposal includes

increased requirements for bicycle parking in all locations citywide – which will further facilitate non-motorized trips. Therefore the proposal has minor and incremental affects on the vehicle and non-motorized transportation infrastructures in both positive and negative directions.

All areas potentially affected by the proposal are within already urbanized areas with fully developed utility infrastructures. No acute infrastructure deficiencies or particular capacity constraints are known for the areas potentially affected by the proposal.

At the time of any project-specific development proposal, it is the responsibility of the project proponent to sufficiently upgrade existing utility infrastructures to service proposed development. These arrangements must be in place at the time of permit approval for new development.

In sum, the potential for significant adverse additional impacts on transportation and utility infrastructure is negligible.

Proposed measures to reduce or respond to such demands are:
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.

It is believed that the proposal would not result in conflicts with local, state, or federal laws or requirements for protection of the environment.

SIGNATURE:

I, the undersigned, state that to the best of my knowledge the above information is true and complete. It is understood that the lead agency may withdraw any declaration of non-significance that it might issue in reliance upon this checklist should there be any willful misrepresentation or willful lack of full disclosure on my part.

Signature: On File
Geoff Wentlandt
Senior Urban Planner

Date Submitted:

Reviewed by: On File Date: _____
William K. Mills
Senior Land Use Planner