

EXHIBIT A



SEATTLE CITY COUNCIL

Determination of Non-significance (DNS) for 2023 Amendments to the Seattle Comprehensive Plan Related to Transportation Impact Fees and the Adoption of Existing Environmental Documents

Proposal	Adoption of Transportation Impact Fee-related Amendments to the Seattle Comprehensive Plan, <i>Seattle 2035</i>
Date of Issuance	February 13, 2023
Proponent / Lead Agency	Seattle City Council
SEPA Contact	Ketil Freeman, AICP, (206) 295-3827 ketil.freeman@seattle.gov
Location	Non-project – Areas within the Seattle Corporate Limits

Background

In October 2018, the Council issued a threshold Determination of Non-significance (DNS) pursuant to the State Environmental Policy Act (SEPA) for amendments to the Comprehensive Plan to establish a list of transportation projects the completion of which would mitigate some growth-related impacts to the transportation network. That list was derived from a Seattle Impact Fee Rate Study prepared by Fehr and Peers. The threshold determination was appealed by the Seattle Mobility Coalition, and, in October 2019, the Hearing Examiner reversed the DNS.¹ The reversal was informed, in part, by the lack of information in Part B of the SEPA checklist. Generally, Part B of the SEPA checklist is intended to disclose project-level impacts to elements of the environment.

In January 2023, the Council updated the impact fee rate study to eliminate projects that have been completed and update estimated costs for the remaining projects. In February 2023, Council staff updated and revised the SEPA checklist to provide disclosures in Part B and make other edits and additions. Changes from the 2018 checklist are shown in [track-changes](#) in the revised checklist dated February 7, 2023.

Proposal Description

The 2023 amendments to Seattle 2035 related to transportation impact fees are non-project in nature, primarily procedural, and will have citywide applicability. The proposed amendments would (1) amend the Transportation Element of the Comprehensive Plan and related appendix to identify deficiencies in the transportation system associated with new development; (2)

¹ See the Amended Findings and Decision of the Seattle Hearing Examiner, October 24, 2019, Hearing Examiner File W-18-03.

incorporate a list of transportation infrastructure projects that would add capacity to help remedy system deficiencies; and (3) establish a policy of considering locational discounts for urban centers and villages and exemptions for low-income housing, early learning facilities and other activities with a public purpose for future rate-setting, if any.

Projects included in the list would be eligible for future investments with revenue from a transportation impact fee program, if one is established. The amendments to *Seattle 2035* are a necessary, but not sufficient, step to establish an impact fee program under RCW 82.02.050.

The proposed amendments and related documents are available at:

<http://www.seattle.gov/council/issues>

Threshold Determination

The lead agency has determined that this proposal will **not** have probable, significant adverse impacts on the environment. An environmental impact statement (EIS) is not required by RCW 43.21C.030(2)(c). This finding is made pursuant to RCW 43.21C, SMC 25.05 and WAC 197-11 and based on the attached SEPA environmental checklist and attachments and review of existing environmental documents.

As disclosed and described more fully in the environmental checklist, the proposed amendments are of a non-project nature, primarily procedural, and have a citywide effect, rather than a site-specific effect. As such, the amendments would not affect the extent, intensity or rate of impacts to the built and natural environments.

For project-specific actions, impacts to elements of the environment, including impacts to housing and other activities with a public purpose, such as public facilities, would be addressed through regulations and project-specific environmental review, if applicable.

Future potential programmatic impacts, if any, to low-income housing, childcare, and activities with public purposes may be addressed in any future implementing proposal setting rates. The proposed Comprehensive Plan amendments would direct decision-makers to:

Consider exemptions from transportation impact fees for low-income housing, early learning facilities, and other development activities with a public purpose, as authorized by RCW 82.02.060.

The amendments would accomplish the procedural requirements of RCW 82.02.050(5)(a) for establishing a transportation impact fee program to help mitigate a portion of the impacts attributable to planned residential and employment growth. Projects listed in the Comprehensive Plan would guide investment decisions by the City for mitigation payments made pursuant to a transportation impact fee program. Projects included in the list are drawn from capacity-improvement projects that are partially funded by the Move Seattle levy, projects identified in adopted modal plans, and Move Seattle vision projects identified through the Move Seattle levy planning process. The amendments would not, in and of themselves,

create a transportation impact fee program. For future development of an impact fee program and a fee schedule, estimates for growth in trips on the transportation network would be based on growth estimates for *Seattle 2035*.

Documents Adopted

The following additional documents support environmental review and provide necessary SEPA disclosures and are hereby adopted for the purposes of this threshold determination of non-significance. The information in these documents is reasonably sufficient to evaluate whether the proposal will have probable, significant adverse impacts.

- City of Seattle Department of Construction and Inspections, Final Environmental Impact Statement for the Seattle Comprehensive Plan Update, May 2016.
- City of Seattle Department of Construction and Inspections, Draft Environmental Impact Statement for the Seattle Comprehensive Plan Update, May 2015.
- Seattle Department of Transportation, Seattle Transit Master Plan, Determination of Non-significance, February 2012.
- Seattle Department of Transportation, Seattle Bicycle Master Plan, Determination of Non-significance, December 2013.
- Seattle Department of Transportation, Seattle Freight Master Plan, Determination of Non-significance, February 2016.
- Seattle Department of Transportation, Seattle Pedestrian Master Plan, Determination of Non-significance, January 2017.
- City of Seattle, Office of Planning and Community Development, Final Environmental Impact Statement for the Seattle Industrial & Maritime Strategy, September 2022.

Description of Adopted Documents

The Environmental Impact Statement (EIS) for the Seattle Comprehensive Plan Update analyzes the full range of impacts associated with four alternatives, including a no action alternative, for allocating 70,000 new housing units and 115,000 new jobs across the city by 2035. The EIS identifies implementation of a transportation impact fee program as a potential mitigation measure.

The DNSs for the modal plans identify actions, strategies, and projects the City can take to improve the capacity, speed, reliability, and safety of the transit, bicycle, pedestrian, and freight transportation networks. The EIS for the Comprehensive Plan update also identifies implementation of the modal plans as a potential mitigation measure. The Final EIS for the Seattle Industrial & Maritime Strategy identifies transportation impact fees as a potential mitigation measure funding option.

Comments

Comments regarding this DNS or potential environmental impacts may be submitted through February 27, 2023. Comments may be sent to:

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Responsible Official

Signature: <u><i>Ketil Freeman</i></u>	February 10, 2023
Ketil Freeman, AICP	Date