

Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

State Environmental Policy Act (SEPA) Environmental Review in Seattle

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What is “SEPA Review?”

The City must assess the environmental impacts of public and private development proposals under Washington’s State Environmental Policy Act (SEPA). This is often referred to as “SEPA review” or “environmental review,” and is required for projects of a certain size or scope as described in this Tip. During a SEPA review, we review an environmental checklist, plans for proposed developments, and relevant environmental documents including technical reports that may be relevant to a proposal. The Seattle SEPA Ordinance is located in Chapter 25.05 of the Seattle Municipal Code (SMC).

What Projects Require SEPA Review?

SEPA review may be required for new residential, nonresidential, and mixed-use developments, as well as grading, demolition, additions, and changes of use. The SEPA Ordinance establishes “categorical exemptions” for certain levels of development, like a residential project with less than 4 units, that are not required to go through SEPA review as part of the permitting process (SMC 25.05.800).

SEPA Exemption Levels

Projects that exceed the SEPA exemption levels are subject to SEPA review. The exemption levels vary by use, zone and location. Exemption levels are lower for those projects proposed outside of urban centers or urban villages and higher for projects within urban centers or urban villages, where higher intensity development is expected. Within the urban centers or urban

villages, the exemption levels may also vary depending on whether the residential or non-residential growth estimates for the area have been exceeded. The urban centers and urban villages, and the growth estimates for each, are designated in the City’s Comprehensive Plan and online maps. SDCI periodically issues an updated Director’s Rule to clarify which areas have exceeded growth estimates for purposes of setting SEPA thresholds. (DR 2-2018, *Updates to State Environmental Policy Act (SEPA) Review Thresholds for Infill Residential and Mixed Use Development in Urban Centers*)

Residential Construction:

The requirement for SEPA review for residential projects is based on the total number of dwelling units. Outside of urban centers or urban villages, or inside of urban centers or villages where growth estimates have been exceeded, the exemption levels typically range from 4 to 20 dwelling units. Within the urban centers or urban vilages where growth estimates have not been exceeded, 200 dwelling units is typically the maximum exemption level (250 dwelling units if in a Downtown zone).

Non-Residential Construction:

The requirement for SEPA review for non-residential projects is based on the total square footage of the uses, which may include some actively used outdoor areas. The exemption levels typically range from 4,000 to 12,000 square feet.

Mixed-Use Construction:

For mixed-use projects that include residential and non-residential uses, the applicable SEPA exemption levels are applied to the residential dwelling count and the total non-residential area of use independently. However, if the residential floor area is 50% or more of the total floor area in a mixed-use project located within in an urban center or urban village that has not exceeded the non-residential growth estimates, a higher exemption level is applied to the non-residential portion.

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Other Actions:

Other actions, including but not limited to those listed below, may require SEPA review. See SMC 25.05.800 and any clarifications made by Director's Rule (such as DR 7-2018, *Exemptions from State Environmental Policy Act (SEPA)*).

Landmark Structures

Historic preservation is also analyzed during SEPA review. When a project includes the addition, modification, demolition, or replacement of a designated City landmark, the Department of Neighborhoods (DON) must also review the project and issue a Certificate of Approval.

For more information on landmarks see SMC 25.12, Landmarks Preservation and DON Client Assistance Memo 3000. You can also visit DON's Historic Preservation webpage: www.seattle.gov/neighborhoods/programs-and-services/historic-preservation.

SDCI's SEPA Review

SEPA review is completed under a Master Use Permit (MUP) and is usually a Type II permit with public notice and a comment period, land use decision, and appeal period. When other land use approvals are required—including but not limited to design review, variances, administrative conditional uses, special exceptions, shoreline substantial development permits—these can generally all be included as a single comprehensive MUP decision with multiple land use components.

We may also conduct the SEPA review for City Council actions including council conditional uses, major institution master plans, and rezones.

What's Required for SEPA Review?

Our SEPA review includes a land use and zoning review of the project at a minimum. We may require additional reviews, such as transportation or trees, depending on your site specifics. We require an Environmental Checklist, architectural plans, and in some cases technical reports for our SEPA review. The following summarizes the general requirements for SEPA review. Additional project or site-specific information may be required for review.

Documents for Review

- **Environmental Checklist:** An Environmental Checklist that provides information about the proposal and identifies the potential impacts on the environment is required at the time the MUP application is made. This is available on our website at www.seattle.gov/sdci/permits/forms (Environmental (SEPA) Checklist) or from our Public Resource Center, located on the 20th floor, Seattle Municipal Tower, 700 Fifth Ave.
- **Site Plan:** An Enhanced Site Plan is required. Please see Tip 103 for more information. When located in an environmentally critical area (ECA) additional site plan information is required, see Tip 103B. <http://web6.seattle.gov/dpd/cams/CamDetail.aspx?cn=103B>.
- **Plans:** Please refer to the Land Use / Master Use Permit Submittal Requirements Checklist ([www.seattle.gov/sdci/permits/permits-we-issue-\(a-z\)/land-use/-/master-use-permit---state-environmental-policy-act-\(sepa\)](http://www.seattle.gov/sdci/permits/permits-we-issue-(a-z)/land-use/-/master-use-permit---state-environmental-policy-act-(sepa))) for detailed plan requirements needed for SDCI's zoning and land use reviews.
- **Reports:** Technical reports may be required based on the site and/or project specifics. These may include, but are not limited to: arborist report, geotechnical report, wetland delineation, or traffic study.
- **Other SEPA Lead Agencies:** If SEPA review on a project was completed by another city department or by a different public agency, a copy of the threshold determination and the Environmental Checklist—or the draft and final Environmental Impact Statement (EIS)—must be submitted with your application.

Other Land Use Components

If your project includes other land use components, please refer to the applicable Tip for additional information. <http://web6.seattle.gov/dpd/cams/CamList.aspx>

What is the Required Public Notice?

Public notice is required for SEPA review of MUPs to provide opportunity for the public to review and comment on the proposal. In addition to publication in our Land Use Information Bulletin, public notice is required to be posted on the project site. For more information about the public comment period, refer to SDCI document Neighbors Who Notice.

What are the SEPA Threshold Determinations?

After the public comment period closes and an analysis of the environmental impacts is completed, we issue an environmental threshold determination in a decision.

The following are types of threshold determinations that may be made about environmental impacts:

- **Determination of Non-Significance (DNS):** No probable significant adverse environmental impacts will result from the proposal.
- **Mitigated DNS (MDNS):** Changes are made to a proposal prior to or after a threshold Determination of Significance that mitigate probable significant adverse impacts.
- **Determination of Significance (DS):** Probable significant adverse impacts will result from a proposal. An Environmental Impact Statement (referred to as an EIS) is required.

More Information

For questions related to SEPA projects that are currently under review, please contact the planner assigned to the Land Use review. For more general information on SEPA and the environmental review process, you may:

- Submit your general question online using our Land Use Q&A Service at: <http://www.seattle.gov/sdci/resources/send-us-a-question>.
- Meet with a Land Use Planner for a free coaching session in the Applicant Services Center during normal business hours (M/W/F 8:00 a.m. – 4:00 p.m., Tu/Th 10:30 a.m. – 4:00 p.m.). They will answer basic questions about a proposal and whether SEPA review may be required.
- You may apply for a paid zoning coaching appointment if you want more detailed information related to development standards of the zone. You may apply for a paid Land Use Presubmittal Conference if you have questions about the environmental analysis. Applications are available online at www.seattle.gov/sdci/permits/forms (Paid Coaching Appointment Request).

Access to Information

Links to electronic versions of SDCI **Tips**, **Director's Rules**, and the **Seattle Municipal Code** are available on our website at www.seattle.gov/sdci. Paper copies of these documents are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave. in Downtown Seattle, (206) 684-8467.