

Other Land Use Action for publication in the LUIB & DJC on February 13, 2014

**NOTICE OF LAND USE CODE TEXT AMENDMENT AND
DETERMINATION OF NON-SIGNIFICANCE**

Pursuant to SMC 25.05.340 and WAC 197-11-340

The Department of Planning and Development (DPD) is proposing to amend the Land Use Code (Title 23) to the Living Building and Seattle Deep Green Pilot Program.

The amendments include following:

- Remove the Seattle Deep Green option to allow time to consider a revised or replacement Seattle Deep Green Pilot Program;
- Revise the minimum standards of the program related to energy use to align with the new Seattle Energy Code;
- Require an independent report to verify compliance;
- Modify or remove some available departures; and
- Increase the maximum penalty for projects failing to demonstrate full compliance with the standards from five percent (5%) to ten percent (10%) of construction costs.

ENVIRONMENTAL DETERMINATION

After review of a completed environmental checklist and other information on file, DPD has determined that the amendments described above will not have a probable significant adverse environmental impact, and has issued a Determination of Non-Significance under the State Environmental Policy Act (no Environmental Impact Statement required).

HOW TO COMMENT

Comments regarding this DNS or potential environmental impacts may be submitted through February 27, 2014. Comments may be sent to:

**City of Seattle, DPD
Attn: William K. Mills
PO Box 34019
Seattle WA 98124-4019**

William.Mills@seattle.gov

HOW TO APPEAL

Appeals of the decision to issue a Determination of Non-Significance (DNS) must be submitted to the Office of the Hearing Examiner by 5:00 p.m. March 6, 2014. Appeals should be addressed to the Hearing Examiner and must be accompanied by an \$85.00 filing fee in a check payable to the City of Seattle. The appeal must be sent to:

**City of Seattle
Hearing Examiner**

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**PO Box 94729
Seattle WA 98124-4729**

INFORMATION AVAILABLE

Copies of the DNS and the proposal may be obtained at the DPD Public Resource Center, 700 5th Avenue, Suite 2000 in the Seattle Municipal Tower. The Public Resource Center is open 8:00 a.m. to 4:00 p.m. on Monday, Wednesday, and Friday, and 10:30 a.m. to 4:00 p.m. on Tuesday and Thursday. The DNS and proposal will be available on the City's website no later than Thursday, February 14th, at <http://www.seattle.gov/dpd/cityplanning/completenesslist/livingbuildingpilotupdate/why/default.htm>. Questions regarding the proposed amendments may be directed to Aly Pennucci at (206) 386-9132 or via email at aly.pennucci@seattle.gov. Questions regarding the SEPA determination may be directed to William Mills at (206) 684-8738 or via email at william.mills@seattle.gov.