

**CITY OF SEATTLE  
DETERMINATION OF NON-SIGNIFICANCE BY  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Applicant Name:** Office of Planning and Community Development

**Address of Proposal:** South Lake Union Urban Center

**SUMMARY OF PROPOSED ACTION**

The proposal is to refine an existing incentive to preserve privately held open space in the South Lake Union Urban Center (SMC 23.48.220.A.3) to ensure its effectiveness in preserving Seattle Times Park, a private open space that has been enjoyed by the community since 1939. With the recent adoption of the Mandatory Housing Affordability (MHA) requirement, the original open space incentive was reduced in favor of affordable housing. The proposed legislation would strengthen the incentive to preserve existing open space in certain circumstances, extend the incentive to potential residential projects, and modify some development standards as part of a project using this incentive.

The following approval is required:

SEPA - Environmental Conditions - 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**

In 2013 the City Council approved a rezone of the South Lake Union Urban Center. A central feature of the legislation was application of an incentive zoning system to allow increases in allowable height and floor area in exchange for certain public benefits (see incentive zoning discussion, below). The incentives focus most public benefits toward affordable housing and the purchase of regional development credits. However, developers may also contribute to other public benefits that are priorities for the South Lake Union community as expressed in the South Lake Union Urban Design Framework (UDF). These public benefits include Landmark preservation, incentives to provide space for a public school, and preservation of existing open space.

One recommendation of the UDF was that new development projects contribute to a network of publicly and privately held open spaces throughout the neighborhood. The South Lake Union rezone legislation advanced this goal through the following development standards and incentives:

- Requirements for cross block pedestrian passages for large blocks and as a condition for two non-residential towers on one block;
- Requirements for usable ground-level open space for development projects with 30,000 square feet of lot area or more;
- Incentives to set-back buildings along Green Streets to widen the pedestrian right of way;
- Incentives to preserve privately held open spaces that existed at the time the legislation was adopted – most notably the open space referred to as the Seattle Times Park at the southwest corner of Fairview Avenue North and John Street.

The Seattle Times park was developed in 1939 by the Seattle Times Company for use by their employees and others living or working in the area. The park site is approximately 18,000 square feet and is located on a block that is approximately 108,000 square feet in size. The entire block is larger than the average block in South Lake Union. Preservation of the park leaves substantial development capacity in the rest of the block. Although the incentive was developed with the goal of preserving the Seattle Times park as open space, there were other qualifying open spaces that could also have been preserved through this incentive.

The incentive did not anticipate any specific development proposal on the block with the park. However, it was assumed the site would redevelop in the future because its owner (the Seattle Times Company) was in the process of marketing the property. At the time of adoption, the principal land use on the block where the park is located was parking for the Seattle Times. While this proposal is closely related to the proposed development project this determination is part of phased SEPA review pursuant to SMC 25.05.060.D. Project specific impacts will be considered in subsequent environmental review.

Proposal Description

Specific provisions of the proposed legislation include revising the existing incentive to allow the transfer of a portion of the floor area that could otherwise be developed on the open space site to a development project on the same block or on a block within 1,500 feet of the qualifying open space. Associated modifications to development standards include adjustments to tower height limit, tower spacing requirements and allowances for aerial connections for projects receiving the floor area from the open space.

Public Comments

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed amendments at a future scheduled Council public hearing.

**ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist dated June x, 2019. The information in the checklist, the information and analysis in the Director's Report and Recommendation, a copy of the proposed text amendments to the Land Use Code, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision.

Short-term Impacts

As a non-project action, the proposed amendment will not have any short-term impact on the environment.

Long-term Impacts

Most long-term impacts of this proposed action are expected to be minor. Impacts to noise, light and glare, shadows, water, air quality (including greenhouse gas emissions), toxic/hazardous substances, and use of energy, natural resources, and most public services and facilities may slightly increase, due to larger structures and greater levels of activity on various sites, but are not expected to be significant. While some projects may be larger, overall there is no increase in development capacity provided by the proposal because a condition for larger structures is that land preserved as open space. Projects developing pursuant to this proposed action would be subject to environmental review if they meet or exceed environmental review thresholds. In addition, projects would need to comply with existing codes and regulations, including the Land Use Code, Environmentally Critical Areas regulations, the Stormwater Code, and the Grading Code.

The most likely adverse impacts of the proposed actions would be to height, bulk, and scale. These topics are discussed further below:

*Height, Bulk, and Scale*

Overall, the additional height proposed for projects using the incentive could result in blockage of some private views. Individual development projects that utilize the proposed legislation's zoning changes will be subject to environmental review (if they meet or exceed thresholds for environmental review) for height, bulk and scale impacts.

Bulk and scale impacts of projects developed pursuant to the proposed action may also be addressed by the City's design review process. Specific height, bulk and scale impacts of proposed development will be determined at the time of project review. The proposed rezones are not expected to have a significant impact on height, bulk, and scale, pursuant to SMC 25.05.675 G.

*Conclusion*

The proposed land use code amendment is not expected to have significant adverse impacts. The allowed height, bulk, and scale of development on the affected parcels are not expected to substantially increase over what is allowed by current zoning. Design review will be required of projects over the size threshold, reducing potential height, bulk, and scale impacts. Project specific impacts will be analyzed through subsequent environmental review.

**DECISION – SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist 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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- 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 2c.
  
- 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 2c.

**RECOMMENDED CONDITIONS – SEPA**

None.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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Office of Planning and Development