



City of Seattle

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Department of Planning & Development
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CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

SEPA Threshold Determination

- Project Sponsor:** City of Seattle Department of Planning and Development (DPD)
- Location of Proposal:** The proposed incentive zoning chapter would apply in various parts of the city when development regulations for zones or areas are revised to incorporate incentive zoning.
- Scope of Proposal:** The proposal would amend the Land Use Code, to create an Incentive Zoning Chapter, 23.58A. Incentive zoning would allow additional development capacity, in the form of additional height or floor area beyond base levels, conditioned upon inclusion of desirable features in the project, on provision of public benefits, or upon the transfer of development rights from other property. The proposed incentive zoning chapter would have no immediate application. It would apply when development regulations for zones or areas are revised to incorporate incentive zoning, cross-referencing this new chapter.

BACKGROUND

Proposal Description

The proposed amendments would create a new Chapter 23.58A to create a framework for consistent incentive zoning provisions. The new Chapter 23.58A would be organized with subchapters: general provisions and provisions that would allow for extra residential floor area and extra nonresidential (commercial) floor area to be gained. Key aspects of the proposal include:

- Use of incentive zoning would be voluntary (the developer has the choice to develop under base zoning requirements without incentive zoning);
- In zones where the structure height limit is 85 feet or less, additional development would be allowed under these incentive zoning provisions only in exchange for provision of affordable housing or a payment into a fund to be used for that purpose;
- For residential development in zones where the structure height limit is more than 85 feet, at least 60 percent of the additional floor area achieved under these incentive zoning provisions would be in exchange for provision of affordable housing, or payment into a

fund to be used for that purpose. As specified under the standards for zone or area, the remaining 40 percent of potential additional floor area could be allowed in exchange for provision of a public open space and/or transfer of residential development potential (TDP) from landmarks or lots devoted to open space use.

- For nonresidential (commercial) development in zones where the height limit is more than 85 feet, additional floor area could be achieved through incentive zoning as follows:
 - 75 percent of all additional floor area achieved would be allowed in exchange for voluntary agreements to provide affordable housing and childcare, and/or transfer of development rights (TDR) from eligible affordable housing sites;
 - The remaining 25 percent of the allowable additional floor area could be achieved in exchange for provision of amenity features (similar to those currently allowed downtown) such as open space improvements, and/or transfer of development rights from eligible sites.

ANALYSIS - OVERVIEW

The following describes the analysis conducted to determine if the proposal is likely to result in *probable significant adverse environmental impacts*. This threshold determination is based on:

- the proposal, as described above and in memoranda;
- the information contained in the *SEPA checklist*;
- additional information, including analyses, director's reports and technical memoranda prepared by and for City staff; and
- the experience of DPD analysts in reviewing similar documents and actions.

ELEMENTS OF THE ENVIRONMENT

Adoption of the possible amendments would result in no immediate adverse short-term impacts because the adoption would be a non-project action. The proposed changes do not significantly increase the size or density of development projects or the likely number of projects that would be built in the affected zones. The discussion below generally evaluates the potential long-term impacts that might result from differences in future development patterns due to the proposed amendments.

A. Natural Environment

Earth, Air, Water, Plants/Animals/Fisheries, Energy

As Seattle and its neighborhoods are generally urban areas, most of the areas affected by the proposed action are predominantly improved with impervious surfaces (paving, rooftops, etc) with some amount of vegetation (i.e. street trees and landscaped areas) and few animals except common birds, insects and urban mammals. Each neighborhood that will be affected by these code revisions has a network of sewer/stormdrain utility systems to handle much of its surface stormwater runoff. Despite daily traffic congestion, air pollutant levels rarely exceed significant levels, due to the progressively improving emissions-reduction performance of the region's automobiles.

Within the context of the affected areas, there is minimal potential for additional future development that may result from the proposed changes that would generate significant adverse natural environmental impacts, including related to green house gas emissions. By following the established rules that require proper design of sewers/stormdrains, construction practices that minimize grading, drainage and dust impacts, and other applicable City regulations, the potential for significant adverse environmental impacts will be limited. Future project-related SEPA review would also afford the opportunity to identify and mitigate any site-specific impacts, as anticipated in SMC 25.05.330.

Residential energy demands are relatively low compared to those of commercial and other uses. There is minimal likelihood that additional energy use from future development (related to this proposal) would cause significant adverse impacts on energy systems. No significant adverse impacts are anticipated.

B. Built Environment

Land and Shoreline Use, Height/Bulk/Scale, Housing, Historic Preservation

As noted above, Chapter 23.58A will have no application until other chapters in the Land Use Code are amended to reference and apply the provisions of this chapter. Hence, no impacts on these elements of the environment are anticipated from the provisions in this legislation. The proposal would apply when development regulations for zones or areas are revised to incorporate incentive zoning. (When that occurs, the housing incentive could result in direct provision of affordable housing meeting specified conditions; or a payment made in lieu of providing housing, which would be used for that purpose.) Adoption of this proposal, on its own, would not change the allowable height or floor area permitted in any zone nor would it cause any demolition or construction to occur. Adoption of the proposed ordinance is not anticipated to have significant impacts on land and shoreline use, height/bulk/scale, housing or historic preservation.

Noise, Shadows on Open Spaces, Light & Glare, Environmental Health, Public View Protection

No impacts on these elements of the environment are anticipated from the provisions in this legislation.

Transportation, Parking, Public Services and Utilities

The extent to which there are any significant traffic impacts associated with proposed changes to zoning is largely a function of how many additional residential units and how much additional nonresidential floor area would be built in these zones, compared to what could otherwise occur under existing zoning. Adoption of this proposal would not change the allowable height or floor area permitted in any zone nor would it cause any demolition or construction to occur.

Overall, it is estimated that the total development capacity in multifamily zones under current zoning would allow for an additional 37,068 units. What actually will be built in these zones depends on numerous factors, including market conditions, demand for certain types of housing,

and opportunities for development in other zones. The nature of transportation impacts that could result from future changes to existing zoning would depend on the additional amount of growth that could occur due to increases in density, the distribution of the growth throughout affected areas (i.e. widely dispersed growth throughout the city or concentrated growth in limited areas), and the transportation characteristics of areas where any significant growth might occur.

Growth is expected to occur in locations where available capacity is sufficient to promote redevelopment. The city's total capacity for new housing is estimated to be 144,438 units. The Comprehensive Plan's growth targets anticipate that 50,000 more units will be added in Seattle by 2024, which would utilize about 35 percent of the total estimate of housing capacity. The amount of growth anticipated in the city could occur with or without any proposed changes to zoning, but some additional growth might be attracted as a result of future Land Use Code amendments and rezones that will enable projects to increase development densities.

Adoption of the proposed ordinance will not change zoning capacity. Any capacity changes would be subject to SEPA analysis. In addition, development above thresholds for SEPA review, which are likely to have the greatest impact, would be subject to project-specific SEPA review. Adoption of the proposed ordinance is not anticipated to have significant impacts on transportation or parking.

Public Services and Utilities

Because the changes currently proposed, on their own are not expected to change the amount or type of development that occurs in existing zones, no potentially significant adverse impacts are anticipated as a consequence of the proposed changes. Any additional future development in affected areas will contribute to overall cumulative increases in demand for public services and utilities and will be assessed at the time of proposal.

DECISION

- [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).

Signature: (on file) Date: August 21, 2008
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