DCLU

Director's Rule 56-88

Applicant	Page of	Supersedes
CITY OF SEATTLE DEPARTMENT OF CONSTRUCTION AND LAND USE	1 2	18-80
	Publication 9/1/88	Effective 10/3/88
	Code and Section Reference Chapter 25.05 Seattle Municipal Code	
Subject Exemption of Director's Rules from Compliance with SEPA	Type of Rule Code Interpretation	
	Ordinance Authority 3.06.040 SMC	
Index Environmental - Procedural Requirements	Approved Date 9/26/88	

Director's Rules prepared pursuant to City adopted-ordinance are exempt from compliance with SEPA because they do not constitute an action as defined by the SEPA Guidelines (effective date, April 4, 1984), which defines an action as:

(a) New and continuing activities (including projects and programs) entirely or partly financed, assisted, conducted, regulated, licensed, or approved by agencies;

(b) New or revised agency rules, regulations, plans, policies, or procedures; and

(c) Legislative proposals.

Actions fall within one of two categories:

(a) Project actions. A project action involves a decision on a specific project, such as a construction or management activity located in a defined geographic area. Projects include and are limited to agency decisions to:

(i) License, fund, or undertake any activity that will directly modify the environment, whether the activity will be conducted by the agency, an applicant, or under contract.

(ii) Purchase, sell, lease, transfer, or exchange natural resources, including publicly owned land, whether or not the environment is directly modified.

(b) Nonproject actions. Nonproject actions involve decisions on policies, plans, or programs.

(i) The adoption or amendment of legislation, ordinances, rules, or regulations that contain standards controlling use or modification of the environment;

(ii) The adoption or amendment of comprehensive land use plans or zoning ordinances;

(iii) The adoption of any policy, plan, or program that will govern the development of a series of connected actions (197-11-060), but not including any policy, plan, or program for which approval must be obtained from any federal agency prior to implementation;

(iv) Creation of a district or annexations to any city, town or district;

(v) Capital budgets; and

(vi) Road, street, and highway plans.

"Actions" do not include the activities listed above when an agency is not involved. Actions do not include bringing judicial or administrative civil or criminal enforcement actions (certain categorical exemptions in Part Nine identify in more detail governmental activities that would not have any environmental impacts and for which SEPA review is not required).

These rules provide further clarification of existing ordinances which contain standards controlling use or modification of the physical environment. The ordinances may constitute an action under SEPA, but the rules do not since they merely clarify the standards set forth.