City of Seattle

ENVIRONMENTAL CHECKLIST

A. BACKGROUND:

1. Name of proposed project, if applicable:

An ordinance relating to land use and zoning, amending Sections 23.24.046, 23.44.010, 23.44.012, 23.84A.024, 23.84A.046 and 23.86.010 to modify and clarify standards for development on lots qualifying for exceptions to minimum lot area standards in Single Family zones.

2. Name of Applicant:

City of Seattle Department of Planning and Development

3. Address and phone number of applicant and contact person:

Applicant: City of Seattle
Department of Planning and Development (DPD)
700 – 5th Avenue, Suite 2000
PO Box 34019
Seattle, Washington 98124-4019
Contact: Andrew McKim
206-684-8737

4. Date checklist prepared:

May 3, 2013

5. Agency requesting checklist:

City of Seattle Department of Planning and Development.

6. Proposed timing or schedule (include phasing if applicable):

The proposed Land Use Code amendments will likely be discussed in a public hearing and considered by the City Council in the summer of 2013.

7. Do you have any plans for future additions, expansions, or further activities related to or connected with this proposal? If yes, explain:

No.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:

The information provided in this checklist. A SEPA environmental determination will also be prepared for this proposal.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

It is likely that applications are currently under review for developments on undersized lots in Single Family zones, however those currently under review are vested to current code and will not be affected by the proposed amendments.

10. List any governmental approvals or permits that will be needed for your proposal, if known:

Approval by Seattle City Council and Mayor.

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site.

The Department of Planning and Development (DPD) is proposing amendments to the Seattle Land Use Code to modify and clarify the minimum lot area standards for Single Family zones, and related provisions, in response to concerns that some homes built on lots qualifying under existing lot area exceptions have been out of scale with their surroundings. An earlier interim ordinance (Ord. 123978) was adopted in September, 2012 on an emergency basis to address this issue, and the current proposal consists of permanent measures. The proposed amendments would accomplish the following:

1. Make permanent the provision adopted in the interim ordinance, limiting the application of the lot area exception provided for historic (pre-1957) lots of record to lots with an area at least 5,000 square feet.
2. Make permanent the interim provision disallowing lots qualifying for that exception based solely on historic tax records, and also disallow qualification based on records of historic mortgages.
3. Require consolidation rather than separate development of abutting vacant lots under common ownership qualifying under the historic lot exception, where their mean area is less than 3,200 square feet.
4. Limit structure depth to two times the width of the lot for lots under 3,200 square feet in area qualifying under the historic lot exception.
5. Modify another lot area exception, the “75/80 Rule,” which allows undersized lots to qualify for separate development with an area at least 75 percent of the general minimum for the zone and at least 80 percent of the mean area of the lots on the same block front, to allow large lots developed with institutional uses or uses other

than single-family houses to be disregarded in calculating the mean area of the lots on the block front.

6. Where undersized lots qualify for lot area exceptions, allow adjustment of lot lines to make abutting lots more nearly equal in size.
7. Limit structure height, including additions to existing houses, to 22 feet of base height plus five feet for pitched roofs on lots with areas less than 3,200 square feet based on the largest rectangular area within the lot lines.
8. Allow additional structure height as a special exception, requiring public notice and an opportunity to appeal, and taking into consideration compatibility with adjacent development.
9. Make minor amendments to yard definitions and measurement techniques to discourage the practice of creation of irregular lot configurations in order to minimize yard requirements.
10. Clarify provisions for two-house-on-one-lot short plats so that they are generally subject to general platting standards, such as the limit of six lot lines.
11. Rewrite code sections to simplify and clarify.

Some additional proposed changes were analyzed but are not a part of DPD's proposal:

1. An FAR limit of 0.6 for houses on lots qualifying under lot area exceptions.
2. Relaxed standards for block-ends, allowing additional development capacity in areas that are currently street-facing rear yards of corner houses.
3. Modification of the 75/80 Rule exception to eliminate the requirement that lots have an area at least 75 percent of the general minimum requirement for the zone.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed lot configuration standards for platting would apply to property throughout the City of Seattle. The development standards for undersized lots would apply to all single family zoned property throughout the City of Seattle.

B. ENVIRONMENTAL ELEMENTS:

1. Earth

a. General description of site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other.

Not applicable. This is a non-project action affecting multiple parcels throughout the City with widely varying topography.

b. What is the steepest slope on the site (approximate percent slope)?

Not applicable. This is a non-project action affecting multiple parcels throughout the City with widely varying topography.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Not applicable. This is a non-project action.

d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

Not applicable. This is a non-project action.

e. Describe the purpose, type and approximate quantities of any filling or grading proposed. Indicate source of fill.

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. Individual projects developed pursuant to these modified standards, if they involve filling and grading, will be subject to environmental review (if they meet or exceed thresholds for environmental review).

f. Could erosion occur as a result of clearing, construction or use? If so, generally describe.

No. The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. Individual projects developed

pursuant to these modified standards will be subject to environmental review (if they meet or exceed thresholds for environmental review) and the City's Stormwater, Grading and Drainage Code.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable. This is a non-project action. The amount of impervious surface coverage depends upon existing site conditions and site design of a project-specific action. Individual projects subject to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review).

h. Proposed measures to reduce or control erosion or other impacts to the earth, if any:

None proposed. The proposed amendments are a non-project action. Individual projects developed pursuant to the provisions of this proposal will occur over time and cannot be evaluated in terms of measures to reduce or control erosion or other impacts to the earth at this stage. The amount of erosion depends upon existing site conditions and site design of a project-specific action. Such projects will be subject to environmental review (if they meet or exceed thresholds for environmental review), and the City's existing regulations as they move forward. There are established policies and regulations to limit the potential of erosion and landslide impact of specific development proposals.

2. Air

a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

This is a non-project action and no changes to odor standards are proposed. Greenhouse gas (GHG) emissions have also been considered, and no changes to GHG emissions are expected as a result of this non-project action. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) and existing odor and emissions requirements currently contained in the Land Use Code and promulgated by the Puget Sound Clean Air Agency as they move forward. A SEPA GHG Emissions Worksheet is required for all individual projects that may be developed pursuant to this proposal.

The indirect effects of this non-project proposal to air resources are addressed in Section D, Supplemental Sheet for Non-project Actions.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No. The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None proposed. The proposed amendments are a non-project action. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward. There are established policies and regulations to minimize or prevent adverse air quality impacts of specific development projects. Individual projects subject to the provisions of this proposal will occur over time and cannot be evaluated in terms of other measures to reduce or control emissions or other impacts to air at this stage. Such projects will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Not applicable. The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. The proposal could affect multiple parcels throughout the City. Such parcels may abut numerous surface water bodies including Puget Sound, Lake Washington, the Ship Canal, Bitter Lake, Haller Lake and multiple creeks.

2) **Will the project require any work over, in or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

   Not applicable. This is a non-project action. Individual projects developed pursuant to the provisions of this proposal may be located within 200 feet of water bodies and will be subject to provisions of the Shoreline Master Program and the Environmental Critical Areas regulations in the Seattle Municipal Code.

3) **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

   Not applicable. This is a non-project action. Individual projects developed pursuant to this legislation may include fill and dredging activities

4) **Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

   Not applicable. This is a non-project action. Individual projects developed pursuant to this proposal may require surface water withdrawals and/or diversions and will be subject to environmental review if they meet or exceed thresholds for environmental review.

5) **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

   Not applicable. The proposed amendments are a non-project action affecting multiple parcels throughout the City. 100-year floodplains exist on some parcels in the City of Seattle.

6) **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

   No. The proposal is a non-project action.

b. Ground Water:

1) **Will groundwater be withdrawn or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.**

   The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new

limits on the scale of developments permitted on such lots. Zoning and development regulation changes in the proposed legislation are unlikely to result in the withdrawal of or discharge to ground water as part of the site development for an individual project. Individual projects subject to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review), the City's Environmentally Critical Areas Ordinance, and other requirements as they move forward.

2) **Describe waste material that will be discharged into the ground for septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

Not applicable. This is a non-project action. Individual projects developed pursuant to the proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

c. **Water Runoff (including storm water):**

1) **Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

This is a non-project action. It is possible that projects developed pursuant to the proposal could result in runoff, but that runoff would not be a direct result of the proposal. The amount of runoff and method of collection depends upon existing site conditions and site design of a project-specific action. Individual projects will be subject to the City's stormwater and drainage requirements and environmental review (if they meet or exceed thresholds for environmental review). The indirect effects of this non-project proposal related to water runoff are addressed in Section D, Supplemental Sheet for Non-project Actions.

2) **Could waste materials enter ground or surface waters? If so, generally describe.**

The proposal is a non-project action and has no direct impact on whether waste materials would enter ground or surface waters. Individual projects developed pursuant to zoning and land use changes of the proposal will be subject to the City's Environmentally Critical Areas Ordinance, and the City's stormwater and drainage requirements and environmental review (if they meet or exceed thresholds for environmental review.) The indirect effects of this non-project

proposal related to water runoff are addressed in Section D, Supplemental Sheet for Non-project Actions.

d. Proposed measures to reduce or control surface, ground or runoff water impacts, if any:

The project is a non-project action. There are established policies and regulations to protect wetlands, riparian corridors, lakes, drainage basins, wildlife habitats, slopes, and other property from adverse drainage impacts of specific development projects. New projects developed pursuant to the land use and zoning changes of the proposal will required to comply with the City's Stormwater, Grading & Drainage Control Ordinance and provide for mitigation of erosion, if required. Individual projects will also be subject to environmental review (if they meet or exceed thresholds for environmental review).

4. Plants

a. Check the types of vegetation found on the site:

x____Deciduous tree: alder, maple, aspen, other
x____Evergreen tree: fir, cedar, pine, other
x____Shrubs
x____Grass
_____Pasture
_____Crop or grain
_____Wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
_____Water plants: water lily, eelgrass, milfoil, other
x____Other types of vegetation

This is a non-project action. Various plant species are found on property located throughout the City of Seattle.

b. What kind and amount of vegetation will be removed or altered?

The project is a non-project action. Individual development projects developed pursuant to the land use and zoning changes of the proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review), the City's Environmentally Critical Areas Ordinance, Significant Trees Ordinance, and other regulations. The indirect effects of this non-project proposal on vegetation are addressed in Section D, Supplemental Sheet for Non-project Actions. The amount of vegetation removed on any given site depends upon existing site conditions and project-specific site design. The proposed legislation is unlikely to affect the amount of vegetation removed or altered compared to that allowed under existing regulations.

c. List threatened or endangered species known to be on or near the site:

This is a non-project action. The proposal includes changes in land use and zoning that are unlikely to have a different effect on threatened or endangered plant species than existing regulations. Individual projects developed pursuant to the land use and zoning changes of this proposed legislation will be subject to the City's Environmentally Critical Areas Ordinance, which requires identification of threatened or endangered species on or near individual project sites.

d. Proposed landscaping, use of native plants or other measures to preserve or enhance vegetation on the site, if any:

The proposal is a non-project action. Individual projects developed pursuant to the land use and zoning changes of this proposal will occur over time and cannot be evaluated in terms of landscaping or other measures to preserve or enhance vegetation at this stage. Individual projects will be subject to environmental review (if they meet or exceed thresholds for environmental review) and design review requirements.

5. Animals

a. Circle any birds and animals that have been observed on or near the site or are known to be on or near the site:

Birds: hawk, heron, eagle, songbirds, ducks, geese, owls, other: crows, pigeons, starlings, gulls and other urban tolerant birds
Mammals: deer, bear, elk, beaver, other: squirrels, rodents, raccoon, household pets, and other similar mammals tolerant to urban environments.
Fish: bass, salmon, trout, herring, shellfish, other:_____
Other: _____

This proposal is a non-project action and does not involve construction or development activity. Individual projects developed pursuant to the land use and zoning changes of this proposal will occur over time and cannot be evaluated in terms of specific animals present on any property at this stage. Various species as indicated are found on property throughout the City of Seattle.

b. List any threatened or endangered species known to be on or near the site.

This proposal is a non-project action and does not involve construction or development activity. Individual projects developed pursuant to the land use and

zoning changes of this proposal will occur over time and cannot be evaluated in terms of specific animals present on any property at this stage.

c. Is the site part of a migration route? If so, explain.

Not applicable. The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. Individual projects developed pursuant to this proposal may include sites that are part of a migration route and will be subject to environmental review (if they meet or exceed thresholds for environmental review), which would consider if individual sites are part of a migration route, and individual projects would be subject to review under the City's Regulations for Environmentally Critical Areas as applicable.

d. Proposed measures to preserve or enhance wildlife, if any:

The proposal is a non-project action that is not anticipated to have any specific impacts on wildlife. Individual projects developed pursuant to the land use and zoning changes of the proposal will occur over time and cannot be evaluated in terms of measures to preserve or enhance wildlife at this stage. Such projects will be subject to environmental review (if they meet or exceed thresholds for environmental review), and the City's Environmentally Critical Areas Ordinance for habitat protection.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing etc.

The proposal is a non-project action. Individual projects developed pursuant to the land use and zoning provisions of the proposal will occur over time and cannot be evaluated in terms of energy requirements at this stage. Such projects will be subject to subsequent environmental review (if they meet or exceed thresholds for environmental review).

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

This is a non-project action. Individual projects developed pursuant to the land use and zoning provisions of the proposal will occur over time and cannot be evaluated in terms of impacts to adjacent properties at this stage. Individual development projects subject to the proposal will also be subject to environmental review and

design review (if they meet or exceed relevant thresholds) for height, bulk, and scale impacts.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The proposal is a non-project action. Individual projects developed pursuant to land use and zoning provisions of the proposal will occur over time and cannot be evaluated in terms of energy conservation features or measures to reduce or control energy impacts at this stage. Such projects will be subject to environmental review (if they meet or exceed thresholds for environmental review) and will need to meet the City's energy code requirements. The indirect effects of this non-project proposal on energy resources are addressed in Section D, Supplemental Sheet for Non-project Actions.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill or hazardous waste, that could occur as a result of this proposal? If so, describe.

This is a non-project action. Individual projects developed pursuant to the land use and zoning provisions of the proposal will be subject to the City's Environmentally Critical Areas Ordinance and environmental review (if they meet or exceed thresholds for environmental review).

1) Describe special emergency services that might be required.

The amount of potential development that would result from the proposal is within the range covered by the City of Seattle's Comprehensive Plan for Fire Protection and Police Services. In general, emergency service providers including the Fire and Police Departments will review the effects of increased development and propose enhanced services as necessary as part of their planning for future service needs. The indirect effects of this non-project proposal are not expected to result in an increased need for emergency services. Individual projects subject to the provisions of this proposal will occur over time and cannot be evaluated in terms of special emergency services required at this stage. Such projects will be subject to environmental review (if they meet or exceed thresholds for environmental review), and will need to meet the City's concurrency requirements for public services infrastructure. See discussion in Section D, Supplemental Sheet for Non-project Actions.

2) Proposed measures to reduce or control environmental health hazards, if any:

The indirect effects of this non-project proposal are not expected to result in an increase of environmental health hazards. Individual projects developed pursuant to the provisions of the land use and zoning provisions of the proposal will occur over time and cannot be evaluated in terms of measures to reduce or control environmental health hazards at this stage. Such projects will be subject to project-specific environmental review (if they meet or exceed thresholds for environmental review), building code, and other public health and safety requirements. See discussion in Section D, Supplemental Sheet for Non-project Actions.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. For individual projects developed pursuant to the proposal, the extent of existing traffic and other noise affecting a given project will be assessed through project-specific environmental review (if they meet or exceed thresholds for environmental review).

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

This is a non-project action. The indirect effects of this non-project proposal are not expected to increase noise impacts. Individual projects developed pursuant to the land use and zoning provisions of the proposal will occur over time and cannot be evaluated in terms of noise impacts at this stage. Such projects will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward. See discussion in Section D, Supplemental Sheet for Non-project Actions. Projects will also be subject to the Noise Ordinance.

3) Proposed measures to reduce or control noise impacts, if any:

This proposal is a non-project action and does not involve construction or development activity. Individual projects subject to the provisions of this

proposal will occur over time and cannot be evaluated in terms of measures to reduce or control noise impacts at this stage. Such projects will be subject to project-specific environmental review (if they meet or exceed thresholds for environmental review) and to the Noise Ordinance.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. These development standards would apply to all single family zoned property throughout the City of Seattle.

b. Has the site been used for agriculture? If so, describe.

Not applicable. The proposed amendments are a non-project action.

c. Describe any structures on the site.

Not applicable. The proposed amendments are a non-project action.

d. Will any structures be demolished? If so, what?

This is a non-project action. No demolition is expected as a direct result of the proposal. Individual projects developed pursuant to the land use and zoning provisions of the proposal could include demolition of existing structures. Such projects will be subject to project-specific environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

e. What is the current zoning classification of the site?

The proposed lot configuration standards for platting would apply to property in all zones throughout the City of Seattle. The development standards for undersized lots and limits to lot coverage calculations would apply to all single family zoned property throughout the City of Seattle.

f. What is current comprehensive plan designation of the site?

The areas subject to the proposed amendments may have any designation under the comprehensive plan Future Land Use Map.

g. If applicable, what is the current shoreline master program designation of the site?

The area subject to the proposed amendment could include sites located within the shoreline overlay district and within any of the various shoreline designations. The proposed changes will not result in changes to any shoreline designation.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. The variety of sites proposed to be regulated by the legislation could include some sites with “environmentally sensitive” areas.

i. Approximately how many people would reside or work in the completed project?

Not applicable. The proposed amendments are a non-project action.

j. Approximately how many people would the completed project displace?

The indirect effects of this non-project proposal are not expected to increase the rate and extent at which residences or businesses are displaced.

k. Proposed measures to avoid or reduce displacement impacts, if any:

The indirect effects of this non-project proposal are not expected to increase the rate or extent at which residences or businesses are displaced.

l. Proposed measures to ensure the proposal are compatible with existing and projected land uses and plans, if any:

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. The proposal would not establish any new uses of land. Future projects developed pursuant to the provisions of the proposal will require permits, project approvals, and environmental review (if they meet or exceed thresholds for environmental review) as provided for in the Seattle Municipal Code.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable. This is a non-project action.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

This is a non-project action that would not directly result in the elimination of any existing housing units. Individual projects subject to the provisions of this proposal will occur over time and cannot be evaluated in terms of elimination of housing units at this stage. Such projects will be subject to environmental review (if they meet or exceed thresholds for environmental review), and will need to meet the City's requirements for providing replacement use for any housing units that are proposed to be demolished.

c. Proposed measures to reduce or control housing impacts, if any:

The indirect effects of this non-project proposal are not expected to result in significant housing impacts. A small number of lots that previously would have qualified for separate development would no longer qualify, but based on research of DPD permit records, this number represents fewer than two percent of the lots on which single-family houses have been approved in recent years. In many cases, the parcel would still qualify for development with a detached accessory dwelling unit. Additional lots would be subject to more stringent development standards limiting the overall size of houses but not precluding their construction. No specific measures to reduce or control housing impacts are proposed.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

This is a non-project action. Projects and development consistent with this proposal will occur over time and cannot be evaluated in terms of heights or building materials at this stage. Such projects will be subject to environmental review (if they meet or exceed thresholds for environmental review).

b. What views in the immediate vicinity would be altered or obstructed?

This is a non-project action. Individual projects developed pursuant to this proposal will occur over time and cannot be evaluated in terms of view alteration at this stage. Individual projects subject to the proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) for height, bulk and scale impacts and the City's Design Review Program, if applicable.

c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable. The proposed amendments are a non-project action.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

This is a non-project action. Individual projects subject to the proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) for light and glare impacts.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

This is a non-project action. Individual projects developed pursuant to the proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) for light and glare impacts.

c. What existing off-site sources of light or glare may affect your proposal?

This is a non-project action. Ambient light and glare typical of urban areas exist in various locations within the City of Seattle. The extent of light and glare resulting from an individual project subject to this proposal will be assessed through project-specific environmental review (if they meet or exceed thresholds for environmental review).

d. Proposed measures to reduce or control light and glare impacts, if any:

This is a non-project action. The extent of light and glare resulting from an individual project will be assessed and mitigated through project-specific environmental review (if they meet or exceed thresholds for environmental review).

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. Individual projects developed pursuant to the proposal will be subject to environmental review (if the project meets or exceeds thresholds for environmental review) and informal recreational opportunities in the vicinity of specific project sites will be identified.

b. Would the proposed project displace any existing recreational uses? If so, describe.

This is a non-project proposal which is not likely to change the potential for displacement of any existing recreational uses. Individual projects subject to the proposal will also be subject to environmental review (if they meet or exceed thresholds for environmental review) for recreation impacts.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

This is a non-project proposal. Individual projects developed pursuant to the proposal will also be subject to environmental review (if they meet or exceed thresholds for environmental review) for impacts on recreation.

13. Historical and Cultural Preservation

a. Are there any places or objects listed on, or proposed for national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

The proposed amendments are a non-project action, applicable to a variety of sites within the City of Seattle. City, State and National Landmarks are found throughout the city.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site?

This is a non-project action. Individual projects and development that are subject to the proposal will be subject to the City's regulations related to historic and archaeologically significant landmarks as well as environmental review (if they meet or exceed thresholds for environmental review).

c. Proposed measures to reduce or control impacts, if any:

None required. This is a non-project action. The indirect impacts of this non-project proposal on historic and cultural resources are discussed in Section D, Supplemental Sheet for Non-project Actions. There are established policies and regulations to maintain and preserve significant historic sites and structures and to provide the opportunity for analysis of archaeological sites during review of specific development projects. Projects involving structures or sites which have been designated as landmarks are subject to compliance with the Landmarks Preservation Ordinance.

14. Transportation

a. Identify public streets and highways serving the site, and describe the proposed access to the existing street system. Show on site plans, if any.

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. Seattle is served by a variety of streets and highways located near or adjacent to the sites to be affected by the proposed amendments.

b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

The proposal is a non-project action. The properties that could be affected by the legislation are served by varying levels of public transportation services depending on location and density of the neighborhood.

c. How many parking spaces would the completed project have? How many would the project eliminate?

Not applicable. The proposed amendments are a non-project action. Individual projects developed pursuant to the proposal will be subject to review for compliance with parking requirements and to environmental review (if they meet or exceed thresholds for environmental review) for impacts on parking.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing

development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. The proposal is not expected to require new roads or streets.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. Seattle is served city-wide by water, rail and air transportation.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Not applicable. The proposed amendments are a non-project action. Individual projects subject to the proposal will also be subject to environmental review (if they meet or exceed thresholds for environmental review). The direct and indirect effects of this non-project proposal on vehicle trips are discussed in Section D, Supplemental Sheet for Non-project Actions.

g. Proposed measures to reduce or control transportation impacts, if any:

Not applicable. The proposed amendments are a non-project action. Individual projects subject to the proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review).

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. Individual projects subject to the proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review). The indirect effects of this non-project proposal on public services are discussed in Section D, Supplemental Sheet for Non-project Actions.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None needed. The proposed amendments are a non-project action. The impacts on public services are not expected to be significant.

16. Utilities

a. Utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. Individual projects developed pursuant to this proposal would be served by utilities including electricity, natural gas, water, refuse service, telephone, and sanitary sewer.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed:

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. The proposal is not expected to change potential demand for utility services or the specific services to be provided, which are decided on a site-by-site basis. The indirect effects of this non-project proposal on utilities are discussed in Section D, Supplemental Sheet for Non-project Actions.

C. SIGNATURE

Signature provided following section D below.

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering the questions, be aware of the extent of the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. It is expected that there is little potential for increased impacts to water, air, or noise or additional release of hazardous substances. Greenhouse gas (GHG) emissions have also been considered, and no changes to GHG emissions are expected as a result of this non-project action. Individual projects developed pursuant to the land use and zoning provisions of the proposal will occur over time and cannot be evaluated in terms of discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances, or noise, at this stage. Such projects will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

Proposed measures to avoid or reduce such increases are:

As discussed above, there is little potential for indirect impacts of this non-project proposal. The existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, and the City's SEPA ordinance will address impacts during review of development proposals on a project-specific basis. A SEPA GHG Emissions Worksheet is required for all individual projects that may be developed pursuant to this proposal. Any potential impacts from GHG emissions will be addressed during review of development proposals on a project-specific basis.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. On a site-by-site basis, future development projects could potentially result in plant and animal impacts as a result of clearing vegetation or habitat that may be present on these sites, but any impacts are expected to be minimal.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

As discussed above, it is not expected that there will be any potential for indirect impacts of this non-project proposal. The existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, and the City's SEPA ordinance will address impacts during review of development proposals on a project-specific basis.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed amendments to the Land Use Code would be unlikely to result in any major changes to the rate of development or patterns of development in the City. As a result, the potential for increased depletion of energy and natural resources is low.

Proposed measures to protect or conserve energy and natural resources are:

As discussed above, the potential for indirect impacts of this non-project proposal are expected to be minor. The existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, and the City's SEPA ordinance will address impacts during review of development proposals on a project-specific basis.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened, or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. The existing regulatory framework, i.e., the Land Use Code, the Shoreline Master Program, Environmentally Critical Areas Ordinance, and the City's SEPA ordinance will address impacts during review of development proposals on a project-specific basis.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, and the City's SEPA ordinance will address impacts during review of development proposals on a project-specific basis.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land and shoreline uses incompatible with existing plans?

The proposed amendments are a non-project action that would implement measures modifying and clarifying what lots qualify for lot area exceptions allowing development of undersized lots in Single Family zones, and adding new limits on the scale of developments permitted on such lots. The proposal is unlikely to result in any major changes to the rate of development or patterns of development in shoreline areas of the City or that are incompatible with existing plans. The standards would not affect minimum lot area requirements or specifically limit the number of lots that could be platted. The amendments could affect height, bulk, or scale of a proposed development by proposed limits to height and structure depth on lots less than 2,500 square feet in area and by limiting lot coverage to portions of lots measuring at least 10 feet in any direction. These changes are not expected to be significant due to the relatively low number of lots in the categories proposed to be regulated. The existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, and the City's SEPA ordinance will address impacts during review of development proposals on a project-specific basis. A more detailed analysis is provided below, estimating the number of lots and developments that would be affected by the proposed changes.

Existing tax parcels as an indicator of potential separate legal building sites. There is no ready way to quickly identify all of the parcels that qualify for development as separate lots in Single Family zones. Determining whether a property qualifies as a separate legal building site may require analysis of construction on adjacent land (to see whether the property was used to meet a development standard for another building), historic records (to see whether the property was split off by a deed or building permit prior to the adoption of minimum lot area standards, or reduced by condemnation for street), the size of other lots along the same block front (to see whether the lot qualifies under the 75/80 Rule lot area exception), and other factors. Although imperfect, there is some correlation between parcels that are currently held under separate tax accounts and parcels that qualify for separate development. Based on the data in our computerized mapping system, we were able to query the number and sizes of the tax parcels in the Single Family zones.

Approximately 133,000 parcels in Single Family zones were identified. Of those, 103,561 were in the SF 5000 zone. Of those, 57,473, or about 55 percent, are at least 5,000 square feet in area. The remaining 45 percent of the tax parcels in SF 5000 zones are less than 5,000 square feet in area. Only about 7 percent have areas under 3,200 square feet. (These, if they qualify for separate development, would be subject to more stringent height limits under the proposal, along with some other slightly larger, irregularly-shaped lots.)

In the SF 7200 zone, of 26,319 tax parcels, approximately 29 percent have areas under 7,200 square feet, and in the SF 9600 zone, of 2,701 tax parcels approximately 21 percent have areas less than 9,600 square feet. In the Single Family zones, only 2,170, or about 1.6 percent of the tax parcels have areas under 2,500 square feet.

In short, the bulk of the parcels in Single Family zones, about 78 percent, are in SF 5000 zones. In all of the zones a significant number of the existing parcels have areas less than the minimum requirement for the zone. In the SF 5000 zone, close to half of the parcels are undersized. Many of these are already developed as separate building sites, and it is likely that most of the remaining ones also qualify for separate development under one of the lot area exceptions provided in the code.

Recent permitting as an indicator of number of permit applications for houses on small lots. A query of the records in DPD's permit tracking system revealed that 242 permits were issued for single family houses in Single Family zones in 2011, and 310 were issued in 2012. These include houses built on vacant lots and also lots being redeveloped. (The interim measures took effect on September 20, 2012. All but 16 of the 310 permits issued in 2012 reflected permit applications submitted prior to that date.)

One hundred eighteen of the 242 permits issued in 2011 (about 49 percent) and 153 of the 310 permits issued in 2012 (about 49 percent again) were for houses on lots with areas at least slightly less than the general minimum requirement for the zone. This suggests that the lot area exceptions apply to many properties in Single Family zones in Seattle. Anecdotally, the vast majority of these developments trigger few, if any, complaints from neighbors.

Twenty-seven (11 percent) of the permits issued in 2011 and 36 (12 percent) of the permits issued in 2012 were for lots with areas less than 3,200 square feet. Under the proposed standards, houses on lots of this size would be subject to more stringent height limits, as compared to the limits in effect prior to the interim standards. A small number of additional lots would be subject to these lower height limits, if they are irregularly shaped and the largest rectangle within the lot lines has an area less than 3,200 square feet.

Five of the 2011 permits and 11 of the 2012 permits were for houses on lots with areas under 2,500 square feet. The interim measures, and the proposed long-term measures, would preclude lots under 2,500 square feet in area from qualifying for the lot area exception provided for historic lots. Three of the five 2011 permits were for parcels within a Clustered Housing Planned Development (CPHD), which would not be affected by the proposed amendment. At least two of the 2012 permits for these very small lots were for redevelopment of lots within a two-house-on-one-lot short plat. Under the proposal, such lots would continue to qualify as separate building sites. In short, under the proposed amendments, a relatively small number of lots (one to three percent) that

previously would have qualified for a lot area exception would no longer qualify based on the fact that their areas are under 2,500 square feet.

Some of these lots would no longer qualify for other reasons, as well: Three of the 2012 permits for lots with areas under 2,500 square feet were issued based on historic tax records (which no longer qualify under the historic lot exception, since the interim measures took effect) and at least one more qualified based on an historic mortgage (which would no longer qualify under the proposed measures).

Legal building site opinion letters as an indicator of number of lots approved based on historic tax records and historic mortgages. An opinion letter is not required for all developments on lots qualifying for lot area exceptions, but a letter is needed in cases where more complex research or analysis is required. These letters commonly have been requested when a developer was seeking to qualify a proposed lot based on historic tax records, deeds or mortgages. The Department issued approximately 30 legal building site opinion letters per year in 2011-2012. Of these, approximately ten letters, over those two years, reflected the conclusion that lots qualified for separate development based on historic tax or mortgage records. Three of those related to properties with areas under 2,500 square feet. Based on this, we estimate that approximately one percent of lots that would otherwise have qualified and received approval for separate development would no longer qualify as a result of elimination of historic tax and mortgage records as a basis for a lot area exception.

Based on this analysis, we estimate that the proposal to modify the lot area exceptions so that lots under 2,500 square feet in area would no longer qualify for a lot area exception would affect one to three percent of applications for single-family homes in Single Family zones. Elimination of tax records and mortgage records as a basis for the historic lot exception could affect another one percent of applications. An additional proposal is to require vacant undersized lots under common ownership to be consolidated rather than separately developed if their average area is less than 3,200 square feet. We can think of no reliable way to identify and count the number of parcels this would affect, but based on our general observation, this number too is small. We estimate that the number of lots in Single Family zones qualifying for separate development and receiving permits would be reduced by five percent or less as a result of the interim measures coupled with the proposed long-term measures. The overall potential decrease in potential housing construction is substantially less, as many of the parcels that no longer qualify for development as separate building sites may still be developed with detached accessory dwelling units.

More stringent development standards proposed for houses on very small lots would potentially ameliorate bulk impacts from those developments, but would not significantly affect the quantity of housing available.

The Department analyzed but did not recommend several potential code amendments proposed by citizens. These include replacement of the current 75/80 Rule lot area exception with an "80 Percent Rule" that would allow a lot to qualify for separate development if its area is at least 80 percent of the area of the other lots on the same block front, imposing an FAR (floor area ratio) limit on houses on very small lots, and modifying development standards to allow additional development opportunities on block-ends. Each of these options, if adopted, would have the potential to slightly increase housing density in Single Family areas.

The "80 Percent Rule." Although not a part of DPD's proposal, the Department was asked to evaluate potential impacts of a proposal to modify a current lot area exception, the "75/80 Rule," which allows separate development of lots with an area at least 75 percent of the general requirement for the zone (i.e. 3,750 square feet in an SF 5000 zone) and at least 80 percent of the mean area of the lots on the same block face. The suggestion was to eliminate the first prong of the test, and allow separate development of lots with areas at least 80 percent of the mean for the block face, even if they have areas under 3,750 square feet. New lots may currently be created through platting actions applying the 75/80 Rule, and existing structures may be demolished to achieve this, so if it were applied without limit, an 80 Percent Rule could in theory allow any block front with even one undersized lot to be divided or redivided into smaller lots, which could then serve as a basis for further divisions of remaining properties into even smaller lots. It is not possible to accurately predict how many lots might be created in this way. The potential impacts would be more limited if restrictions were imposed, such as requiring an absolute minimum lot area of 2,500 square feet, limiting demolition of existing houses, limiting the number of new building sites that may be created on a single block front or in a single platting action, and/or prohibiting lots resulting from this exception from being used as a basis for further subdivision. Another alternative would be a "100 Percent Rule," subject to similar limitations, allowing new lots to be created that are no smaller than the mean area of the other lots on the block front. If a limited version of the 80 Percent Rule or 100 Percent Rule were adopted, the existing 75/80 Rule could also be retained.

FAR limits and block-end lots. Some other suggestions, also not in DPD's proposal, were considered. One was to impose a Floor Area Ratio for small lots in SF zones, either in addition to or instead of current standards intended to regulate bulk. Such a standard would not significantly affect the number of houses that could be built, but could further reduce the bulk of the houses in some circumstances. Another suggestion was to relax development standards for block-ends, allowing additional homes in what are now the street-facing rear yards of corner houses. This could result in a modest increase in density in a way that would preserve a regular streetscape, but would have some bulk impacts affecting rear yards of neighboring homes.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None required for this non-project action. Projects developed pursuant to the proposal are subject to review under the existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, and the City's SEPA ordinance. Impacts will be addressed through the review of specific projects for compliance under the provisions of these regulations.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed amendment will not result in significant adverse impacts to traffic or parking or public services and utilities. The existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, and the City's SEPA ordinance will address impacts during review of development proposals on a project-specific basis. The proposal is not anticipated to have a substantial effect on public services or utilities.

Proposed measures to reduce or respond to such demands are:

Projects developed pursuant to the proposal would be reviewed on a case-by-case basis and mitigation would be required where appropriate.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No conflicts are anticipated with local, state, or federal laws or requirements for protection of the environment.

SIGNATURE:

I, the undersigned, state that to the best of my knowledge the above information is true and complete. It is understood that the lead agency may withdraw any declaration of non-significance that it might issue in reliance upon this checklist should there be any willful misrepresentation or willful lack of full disclosure on my part.

_____ _____, 2013
Andrew S. McKim Date
Land Use Planner – Supervisor
Seattle Department of Planning and Development

This checklist was reviewed by:

_____ _____, 2013
William K. Mills Date
Senior Land Use Planner
Seattle Department of Planning and Development