

**CITY OF SEATTLE
SEPA ENVIRONMENTAL CHECKLIST**

A. BACKGROUND

1. Name of proposed project, if applicable:

Cannabis Land Use Regulations

2. Name of applicant:

City of Seattle, Department of Planning and Development

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

Department of Planning and Development
700 5th Avenue, Suite 2000
Seattle, Washington 98104
Contact: Brennon Staley, Urban Planner, (206) 684-4625

4. Date checklist prepared:

July 19, 2012

5. Agency requesting checklist:

City of Seattle, Department of Planning and Development

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

Approval by City Council and Mayor in late 2012 or early 2013.

7. Do you have any plans for future additions, expansion, or further activity 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.

None, except for the SEPA determination that will 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.

No.

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

Approval of ordinance amendments by Seattle City Council.

11. Give brief, complete description of your proposal, including the proposed

uses and the site of the project. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This proposal would establish locational restrictions on the production, processing, or dispensing of cannabis and make a minor modification to existing allowances for agricultural uses in certain industrial areas. Specifically, this legislation would make the following changes to the Seattle Land Use Code (SMC Chapter 23):

- Define the terms cannabis, usable cannabis, cannabis product, and indoor agricultural operation;
- Limit the production, processing, and dispensing of cannabis in any business establishment or dwelling unit to no more than 45 cannabis plants, 72 ounces of useable cannabis, and an amount of cannabis product that could reasonably be produced with 72 ounces of useable cannabis in the following zones: single-family, multifamily, Pioneer Square Mixed, International District Mixed, International District Residential, Pike Place Mixed, Downtown Harborfront 1, Downtown Harborfront 2, and Neighborhood Commercial 1
- Require existing operations involving the production, processing, or dispensing of cannabis, established before the effective date of this proposed ordinance, to comply with new regulations within 12 months of the ordinance's effective date; and
- Modify an existing provision for industrially zoned property in the Manufacturing and Industrial Centers (MICs) that limits agriculture to "rooftop and vertical farming" to allow "rooftop farming and indoor agricultural operations", and limit indoor agricultural operations to 10,000 sq. ft. excluding associated office or food processing areas.

- 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.**

This ordinance could impact uses within single-family, multifamily, Pioneer Square Mixed, International District Mixed, International District Residential, Pike Place Mixed, Downtown Harborfront 1, Downtown Harborfront 2, and Neighborhood Commercial 1 zones and within Manufacturing and Industrial Centers.

TO BE COMPLETED BY APPLICANT: EVALUATION FOR AGENCY USE ONLY

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the 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 affecting multiple parcels throughout the City.

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 affecting multiple parcels throughout the City.

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

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

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

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

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 affecting multiple parcels throughout the City.

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

None.

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.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Limiting the size of cannabis activities in certain areas could tend to reduce the adverse effects of any emissions associated with producing or processing cannabis in these areas.

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

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

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

None.

3. Water

- a. Surface:**

- 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. This is a non-project action affecting multiple parcels throughout the City. Numerous water bodies are present on or in the immediate vicinity of potentially affected parcels including Puget Sound, Lake Washington, Lake Union, Ship Canal, Duwamish River, and multiple smaller lakes, wetlands, and streams.

- 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 affecting multiple parcels throughout the City.

- 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 affecting multiple parcels throughout the City.

- 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 affecting multiple parcels throughout the

City.

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

Not applicable. This is a non-project action affecting multiple parcels throughout the City. 100-year floodplains exist on some potentially affected 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.

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

b. Ground:

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

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

2) Describe waste material that will be discharged into the ground from 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 affecting multiple parcels throughout the City.

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.

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

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

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

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

None.

4. Plants

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

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bulrush, skunk-cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

As a non-project action, this question is not applicable. A variety of vegetation can be found within the City of Seattle.

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

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

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

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Some of the potentially affected parcels may contain habitat for threatened or endangered species and endangered species might also reside in or near some of the parcels.

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

None.

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:

As a non-project action, this question is not applicable. A variety of birds and animals can be found within the City of Seattle.

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

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

Not applicable. The proposal is a non-project action affecting multiple parcels throughout the City. Some of the potentially affected parcels may contain habitat for threatened or endangered species and endangered species may be on or near affected parcels.

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

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Parts of the City of Seattle are on migration routes for anadromous fish and species of birds.

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

None.

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.

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

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

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

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:

None.

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.

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

1) Describe special emergency services that might be required.

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

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

None.

b. Noise

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

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

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 site.

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

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

None.

8. Land and Shoreline Use

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

Not applicable. This is a non-project action affecting multiple parcels throughout the City. This ordinance could impact uses within single-family, multifamily, Pioneer Square Mixed, International District Mixed, International District Residential, Pike Place Mixed, Downtown Harborfront 1, Downtown Harborfront 2, and Neighborhood Commercial 1 zones and within Manufacturing and Industrial Centers.

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

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

c. Describe any structures on the site.

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

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

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

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

Not applicable. This is a non-project action affecting multiple parcels throughout the City. This ordinance could impact uses within single-family, multifamily, Pioneer Square Mixed, International District Mixed, International District Residential, Pike Place Mixed, Downtown Harborfront 1, Downtown Harborfront 2, and Neighborhood Commercial 1 zones and within

Manufacturing and Industrial Centers.

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

Not applicable. This is a non-project action affecting multiple parcels throughout the City. This proposal could impact uses within all comprehensive plan designations except Master Planned Community.

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

Not applicable. This is a non-project action affecting multiple parcels throughout the City. This proposal could impact uses in the shoreline district.

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

Not applicable. This is a non-project action affecting multiple parcels throughout the City. However, some of the potentially affected areas contain environmentally sensitive areas.

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

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

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

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

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

The legislation would allow existing non-conforming uses to continue operating for 12 months.

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

None.

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 affecting multiple parcels throughout the City.

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

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

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

None.

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?

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

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

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

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

None.

11. Light and Glare

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

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

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

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

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

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

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

None.

12. Recreation

a. What designated and informal recreational opportunities are in the

immediate vicinity?

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Some of the affected parcels may be in the immediate vicinity of recreation opportunities.

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

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

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

None.

13. Historic 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?**

Not applicable. Some of the affected parcels may contain or be next to historic places and objects. One of the purposes of this ordinance is to limit cannabis activities in areas where existing historic character could be negatively impacted by these uses.

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

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

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

None.

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.**

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

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

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

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

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

- 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)**

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

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

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

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

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

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

None.

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.**

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

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

None.

16. Utilities

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

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

- 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 immediate vicinity which might be needed.**

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

C. Signature

The above answers are true and complete to the best of my knowledge. I understand the lead agency is relying on them to make its decision.

Signature: _____(signature on file)_____

Brennon Staley
Urban Planner, Department of Planning and Development

Date Submitted: September 4, 2012

This checklist was reviewed by:

_____(signature on file)_____

William Mills, Senior Land Use Planner, Department of Planning and Development

Any comments or changes made by the Department are entered in the body of the checklist and contain the initials of the reviewer.

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for 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 these questions, be aware of the extent 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?

This ordinance would limit the production, processing, and dispensing of cannabis in certain areas of the City and would implement a minor modification to allowed agricultural uses in industrial areas. The limitations on cannabis-related activities would tend to reduce the total amount of cannabis production, processing, and dispensing or shift these activities from residential and character areas to areas that are better suited to accommodate these activities such as industrial facilities or commercial spaces which would tend to reduce the adverse effects of any of discharges, emissions, and noise.

Minor indirect discharges could occur due to discharge of used pesticides and fertilizers if indoor agricultural uses locate in industrial areas where they could not currently meet the definition of vertical agriculture; however this situation is unlikely to occur and would tend to be limited by proposed size limits on these activities.

Proposed measures to avoid or reduce such increases are:

Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

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

Overall, this ordinance is not likely to result in significant adverse impacts to plants, animals, fish, and marine life as it is not likely to increase discharges as discussed in the response to question D.1. These limitations are also not anticipated to result in additional construction or demolition as they primarily limit the scope of certain activities.

Minor indirect impacts could occur due to discharge of used pesticides and fertilizers if indoor agricultural uses locate in industrial areas where they could not currently meet the definition of vertical agriculture; however this situation is unlikely to occur and would tend to be limited by proposed size limits on these activities.

The proposal would limit the production of cannabis plants for agricultural uses; however, this is not deemed to be a significant adverse impact.

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

Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

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

This ordinance is not likely to deplete energy or natural resources as it would primarily limit the scope of activities that deplete energy and natural resources.

Minor indirect impacts could occur due to increased energy and fertilizer use if indoor agricultural uses locate in industrial areas where they could not currently meet the definition of vertical agriculture; however this situation is unlikely to occur and would tend to be limited by proposed size limits on this use.

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

Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

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?

This ordinance is not likely to result in significant adverse impacts to environmentally sensitive areas as it limits the scope of activities that may occur in certain areas and is not anticipated to result in significant development in or near environmentally sensitive areas.

Minor indirect adverse impacts could occur where limitations on agricultural use in industrial areas push cannabis-related activities to other lots in or near environmentally sensitive areas; however this situation is unlikely to occur and would be offset by preservation of existing industrial businesses in industrial areas.

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

Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

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

This proposal will tend to minimize the land and shoreline uses that are incompatible with existing plans or existing land and shoreline use by limiting the scope of cannabis activities in residential or character areas.

Minor indirect impacts could occur if indoor agricultural uses locate in industrial areas where they could not currently meet the definition of vertical agriculture and displace existing industrial uses; however this situation is unlikely to occur and would tend to be limited by proposed size limits on this use.

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

Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

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

This ordinance is not likely to increase demands on transportation as it would primarily limit the scope of certain activities.

Minor indirect impacts could occur where limitations in areas of the City cause individuals to travel a greater distance to procure cannabis products; however, this impact is likely to be minimal given that dispensaries could still locate in most commercial districts.

Proposed measures to reduce or respond to such demand(s) are:

Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

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

The proposed amendments are believed to avoid conflicts with local, state or federal laws and requirements for protection of the environment.