

1 Summary

The City of Seattle (City) has prepared this draft Environmental Impact Statement (EIS) to evaluate the potential environmental impacts of proposed changes to the City's Land Use Code intended to remove barriers to the creation of accessory dwelling units (ADUs). This EIS has been prepared to meet requirements of the Washington State Environmental Policy Act (SEPA, Chapter 43.21C Revised Code of Washington [RCW]).

1.1 Proposal Overview

The City proposes to change regulations in the Land Use Code to remove regulatory barriers to the creation of ADUs in single-family zones. ADUs include backyard cottages, known as detached accessory dwelling units (DADUs), and in-law apartments, known as attached accessory dwelling units (AADUs). The proposal involves several Land Use Code changes, including allowing two ADUs on some lots, changing the existing off-street parking and owner-occupancy requirements, and changing some development standards that regulate the size and location of DADUs.

ADUs have been allowed citywide as part of a main house or in the backyard of lots in single-family zones since 1994 and 2010, respectively. The City's proposal would modify the rules that regulate when and where a property owner can create an ADU to make it easier for property owners to permit and build AADUs and DADUs. These policy changes would affect future development in Seattle's single-family zones.

Accessory dwelling units

A detached accessory dwelling unit (DADU) is a secondary unit located in a separate structure from the principal dwelling unit (i.e., the main house). DADUs are often called backyard cottages.

An attached accessory dwelling unit (AADU) is a secondary unit located within or connected to the main house. AADUs are often called in-law apartment units or granny flats.

We are using the EIS process to analyze potential changes to the Land Use Code to increase ADU production that will ultimately be proposed for action by the City Council. This EIS evaluates two action alternatives, Alternatives 2 and 3, containing a range of potential changes to the Land Use Code. The Final EIS may include modified alternatives or identify a preferred alternative. A modified or preferred alternative could combine elements of the Land Use Code changes proposed under Alternative 2 or Alternative 3. The study area for this EIS includes land zoned single-family outside existing urban villages and urban village expansion areas studied in the Mandatory Housing Affordability (MHA) EIS.

1.2 Proposal Objective

A proposal's objective plays a key role in determining the range of alternatives considered and analyzed in an EIS. The objective guides the lead agency in selecting a preferred alternative and eliminates some alternatives from further consideration. The historical and planning context described in Chapter 3 informed the development of the proposal and its objectives. The proposal evaluated in this EIS follows staff review requested in Council Resolution 31547 and builds on the work of the Housing Affordability and Livability Agenda (HALA) Advisory Committee, whose final recommendations identified measures to boost ADU production as one of several strategies for increasing housing choices in Seattle (HALA Advisory Committee 2015). Currently, about two percent of Seattle's roughly 135,000 lots in single-family zones have an ADU. Since their legalization citywide in 2010, about 579 DADUs have been constructed or permitted.

The objective of this proposal is to implement Seattle's Comprehensive Plan (Seattle 2016a) policies related to development of ADUs. The Comprehensive Plan, which is the 20-year roadmap for the city's future, contains goals and policies intended to support four core values: race and social equity, environmental stewardship, community, and economic security and opportunity. Under Washington's Growth Management Act (GMA), counties and large cities must create and regularly update comprehensive plans to identify where growth will unfold and to plan for housing, transportation, water, sewer, and other necessary facilities. Zoning and development standards are one way the City implements the policy direction outlined in the Comprehensive Plan. With this proposal, the City aims to implement Comprehensive Plan policies related to ADUs:

Land Use Policy 7.5 Encourage accessory dwelling units, family-sized units, and other housing types that are attractive and affordable, and that are compatible with the development pattern and building scale in single-family areas in order to make the opportunity in single-family areas more accessible to a broad range of households and incomes, including lower-income households.

Land Use Policy 7.12 Emphasize measures that can increase housing choices for low-income individuals and families when considering changes to development standards in single-family areas.

The objectives of this proposal are to:

- Remove regulatory barriers to make it easier for property owners to permit and build AADUs and DADUs
- Increase the number and variety of housing choices in single-family zones

1.3 Planning Context

In September 2014, the City Council adopted Resolution 31547 (Seattle City Council 2014) directing Department of Planning and Development staff, now at the Office of Planning and Community Development (OPCD), to explore policy changes that would spur creation of both AADUs and DADUs. Council directed OPCD staff to examine regulatory changes, incentives, and marketing and promotion strategies to boost ADU production. In response to the Council Resolution, OPCD proposed Land Use Code changes similar to changes analyzed in this EIS.

In May 2016, OPCD prepared an environmental checklist evaluating the potential environmental impacts of the proposed changes to the Land Use Code, and issued a determination of non-significance. The determination of non-significance was appealed in June 2016. In December 2016, the Seattle Hearing Examiner determined that a more thorough review of the potential environmental impacts of the proposal was required (Tanner 2016). Based on the Hearing Examiner's decision, the Seattle City Council prepared this Environmental Impact Statement (EIS) in accordance with the Washington State Environmental Policy Act (SEPA).

Chapter 3 discusses the history of and context for the proposal in greater detail.

1.4 Environmental Impact Statement Process

In May 2016, we prepared an environmental checklist evaluating the potential environmental impacts of the proposed changes to the Land Use Code and made a determination of non-significance (Seattle 2016c). The determination made in the checklist was appealed in June 2016. In December 2016, the Seattle Hearing Examiner determined that a more thorough review of the potential environmental impacts of the proposal was required (Tanner 2016). Based on the Hearing Examiner's decision, the Seattle City Council, as the SEPA lead agency, has determined that this proposal may have significant adverse environmental impacts on the environment. An EIS is required under RCW 43.21C.030 (2)(c) and has been prepared in accordance with SEPA. The SEPA environmental review process includes the steps described below.

EIS SCOPING PROCESS

The first step in the development of an EIS is called scoping. During the scoping process, agencies, tribes, local communities, organizations, and the public are invited to comment on factors that the EIS should analyze and consider. Specifically, the process is intended to collect input on the following topics:

- Reasonable range of alternatives
- Potentially affected resources and the extent of analysis for those resources
- Measures to avoid, minimize, and mitigate impacts of the proposal
- Potential cumulative impacts

The scoping period was announced via the proposal website, published in the City's Land Use Information Bulletin and in the Daily Journal of Commerce, and posted to an email listserv that we maintain. The original scoping period for the proposal was scheduled for 30 days from October 2 to November 1, 2017. Based on comments received during the scoping period, it was extended by an additional 15 days to close on November 16, 2017. We also hosted two public scoping meetings on October 17, 2017, in West Seattle and October 26, 2017, in Ballard. We accepted comments through an online comment form on the proposal website, by email, and via written letters and comment forms. In total, we received 1,048 scoping comments. The Accessory Dwelling Units Environmental Impact Statement Scoping Report documents the scoping process (Seattle 2018).

As described below, we will seek further input during the Draft EIS public comment period.

DRAFT EIS PREPARATION, PUBLICATION, AND REVIEW

Following the completion of scoping, a Draft EIS is prepared. The purpose of an EIS is to provide an impartial discussion of the potential for significant environmental impacts and reasonable alternatives and mitigation measures that avoid or minimize adverse environmental impacts. The information in this Draft EIS is provided for review and comment by interested parties and will also help us evaluate the proposal.

We will seek comments from agencies, tribes, local communities, organizations, and the public during a 45-day comment period from May 10 to June 25, 2018. A public hearing will be held on May 31, 2018. The hearing will be held at Seattle City Hall (600 4th Avenue, 1st floor) in the Bertha Knight Landes room. We will accept comments by mail, an online comment form, email, and at the public meeting (orally and in writing). Comments received during the comment period will be addressed in the Final EIS.

FINAL EIS PUBLICATION

Following the Draft EIS comment period, we will issue the Final EIS. The Final EIS will address comments received during the comment period and may include additional information and input received from agencies, tribes, local communities, organizations, and the public regarding the proposal. We will use the Final EIS to inform the legislative process. The Final EIS may include modified alternatives or identify a preferred alternative.

1.5 Summary of Issues of Concern

The December 2016 Hearing Examiner decision identified several issues of concern for additional analysis in this EIS. These include evaluating and focusing the impacts discussion on:

- Housing and Socioeconomics (Section 4.1)
- Land Use (Section 4.2)
- Aesthetics (Section 4.3)
- Parking and Transportation and (Section 4.4)
- Public Services and Utilities (Section 4.5)

No additional elements of the environment were identified as a result of the City's subsequent EIS scoping process. In addition, in the scoping notice for this EIS, we presented two potential alternatives: Alternative 1 (No Action) and Alternative 2 (the proposed Land Use Code changes). However, based on comments received during the scoping period, we added a second action alternative for evaluation in this EIS (Alternative 3). Alternative 3 considers more modest adjustments to the Land Use Code that emphasize allowing a variety of housing types while maintaining a scale compatible with existing development in single-family zones. Based on the scoping comments received, the specific parameters considered under Alternative 3 include retaining the owner-occupancy requirement and eight-person maximum household size limit, adding MHA requirements, requiring an off-street parking space for lots with a second ADU, and incorporating maximum floor area ratio (FAR) limits. We outline each alternative further in Chapter 2.

1.6 Summary of Alternatives

This EIS analyzes three alternatives. Alternative 1 (No Action) assumes that the City makes no changes to the Land Use Code related to ADUs. Alternatives 2 and 3 both assume implementation of Land Use Code changes that would increase the number of ADUs produced in Seattle's single-family zones. Both action alternatives address regulations and policies frequently cited as barriers to creation of ADUs. Alternatives 2 and 3 differ in the scale and focus of the proposed changes. Alternative 2 represents the broadest range of changes to the Land Use Code, similar to the draft proposal analyzed in May 2016 prior to the Hearing Examiner's decision. Alternative 3 considers more modest adjustments to the Land Use Code that emphasize maintaining the scale of existing development in single-family zones.

1.7 Summary of Impacts and Mitigation

This section provides a brief overview of the analysis for each element of the environment and then summarizes the potential impacts and mitigation measures proposed (see Exhibit 1-1). The potential impacts from the proposed Land Use Code changes are detailed in Chapter 4 of this EIS. We encourage readers to review the more comprehensive

discussion of issues in Chapter 4 to formulate the most accurate impression of impacts associated with the alternatives.

To evaluate the potential impacts of the proposed Land Use Code changes, the housing and socioeconomics analysis in Section 4.1 evaluated the number of ADUs that could be created given the proposed Land Use Code changes under each alternative. The results of this analysis indicate that both Alternatives 2 and 3 would increase the production of ADUs citywide compared to Alternative 1. Under Alternative 1 (No Action) we estimate that approximately 1,890 ADUs would be created between 2018 and 2027. In comparison, we estimate that Alternative 2 would result in approximately 3,330 ADUs over the same 10-year period, while Alternative 3 would result in approximately 3,100 ADUs. We also found that both Alternatives 2 and 3 are likely to reduce the number of teardowns of existing houses. We expect the overall number of teardowns to decrease from 2,610 under Alternative 1 (No Action) to 2,460 under Alternative 2, and 2,220 under Alternative 3, including fewer teardowns in lower-price neighborhoods specifically.

This rate of production of new ADUs and teardowns of existing houses was then applied to the analysis of the potential impacts to the elements of the environment evaluated in this EIS, including housing and socioeconomics; land use; aesthetics; parking and transportation; and public services and utilities. Exhibit 1-1 presents the approach to each analysis, potential impacts, and mitigation.

Exhibit 1-1 Summary of Approach, Impacts, and Mitigation

HOUSING AND SOCIOECONOMICS

	Alternative 1 (No Action)	Alternative 2	Alternative 3
Approach	The analysis of housing and socioeconomics considered how proposed Land Use Code changes could alter the underlying real-estate economics in single-family zones. We considered the impacts the proposal could have on housing affordability and displacement.		
Impacts	Housing affordability and displacement in the study area would continue to be a concern and burden for many Seattle residents. The creation of fewer ADUs under Alternative 1 (No Action) compared to both action alternatives would result in fewer housing options available in the study area, putting greater upward pressure on housing prices and resulting in greater potential for economic displacement. Alternative 1 (No Action) would result in marginally more teardowns than both action alternatives, resulting in greater potential for physical displacement.	While the affordability of housing would remain a concern and burden for many Seattle residents, the creation of additional ADUs under Alternative 2 would increase the number of housing choices available in the study area compared to Alternative 1 (No Action). This would have a positive impact on affordability and decrease the potential for economic displacement because the additional housing supply could marginally reduce upward pressure on rents and housing prices. Alternative 2 could result in fewer teardowns than Alternative 1 (No Action), which would reduce the potential for physical displacement.	The beneficial impacts on housing affordability under Alternative 3 would be similar to, but slightly less than, Alternative 2 since fewer ADUs would be created. Of the three alternatives, we estimate that Alternative 3 would result in the fewest teardowns, giving it the the greatest potential to reduce physical displacement impacts.
Mitigation	n/a	Based on the results of the analysis, the proposed Land Use Code changes would have marginal benefits on housing affordability and would not increase displacement impacts. Therefore, no mitigation measures are proposed.	

LAND USE

	Alternative 1 (No Action)	Alternative 2	Alternative 3
Approach	We evaluated the potential land use impacts by considering whether the proposed Land Use Code changes would result in changes to building density, population density, or scale that would be incompatible with existing development in Seattle’s single-family zones.		
Impacts	We anticipate negligible impacts to building and population density from the ADUs constructed over time. There would be no change to the scale of ADUs allowed under existing Land Use Code regulations.	Minor impacts could occur from increases in building and population density. Likewise, Alternative 2 could result in minor changes in building scale from allowing slightly larger DADUs on smaller lots than currently allowed. Localized impacts could occur if ADU production is higher in a concentrated area, such as a particular block in the study area.	Minor impacts could occur increases in building density and population density. Like Alternative 2, minor changes in building scale could result from allowing slightly larger DADUs on smaller lots than currently allowed. These changes would be slightly less than Alternative 2, as Alternative 3 includes a floor area ratio (FAR) limit that would limit the size of detached single-family houses. Localized impacts could occur if ADU production is higher in a concentrated area, such as a particular block in the study area.
Mitigation	n/a	No significant adverse impacts to land use are anticipated; therefore, no mitigation measures are proposed.	

AESTHETICS

	Alternative 1 (No Action)	Alternative 2	Alternative 3
Approach	We consider aesthetic impacts by evaluating how the proposed Land Use Code changes would affect the visual character of single-family zones. We analyzed the potential aesthetic impacts using three-dimensional visual modeling to illustrate the potential changes to the scale and form of development in the study area.		
Impacts	Compared to Alternatives 2 and 3, Alternative 1 (No Action) would result in more teardowns, more lots with large new houses, and fewer ADUs overall. Ongoing changes in aesthetics resulting from tearing down existing houses and rebuilding new houses would continue.	We do not anticipate that the increase in construction of ADUs and the decrease in the number of houses torn down when compared to Alternative 1 (No Action) would result in aesthetic impacts. Alternative 2 is not expected to result in a fundamental change in visual character of neighborhoods where additional ADUs would be constructed as new ADUs would likely be dispersed throughout neighborhoods in the city. If a concentration of ADUs did arise in a particular neighborhood, localized aesthetic impacts could occur but would be minor. The reduction in the number of houses torn down would help retain the existing overall aesthetic character of neighborhoods in the study area since new single-family houses erected following teardowns are often visually distinct from existing structures due to differences in architectural style, scale, and proportions.	Alternative 3 represents more modest changes to the Land Use Code when compared to Alternative 2. The aesthetics impacts from Alternative 3 would be very similar to, but slightly less than, those described under Alternative 2 due to the introduction of the FAR limit.
Mitigation	n/a	No significant adverse impacts to aesthetics are anticipated; therefore, no mitigation measures are proposed.	

PARKING AND TRANSPORTATION

	Alternative 1 (No Action)	Alternative 2	Alternative 3
Approach	<p><i>Parking.</i> We compared the existing availability of on-street parking with the expected increase in demand for on-street parking under each alternative. We assumed that on-street parking utilization would not become an issue until parking utilization exceeded 85 percent.</p> <p><i>Transportation.</i> We considered how the overall changes in population anticipated under each alternative would affect the service levels of existing transportation networks in the context of the growth and impacts considered in the Comprehensive Plan EIS (Seattle 2016b).</p>		
Impacts	<p><i>Parking.</i> ADU production would not have a significant adverse impact on the availability of on-street parking throughout the study area.</p> <p><i>Transportation.</i> The impacts to the transportation system would not differ from those described in the Comprehensive Plan EIS, which found that there would not be significant impacts to the transportation network.</p>	<p><i>Parking.</i> We do not expect increased parking demand resulting from ADU production to exceed existing on-street parking availability under typical conditions. However, there may be some specific blocks within the study area where on-street parking utilization does, or will in the future, exceed parking supply. In those instances, some localized impacts on the availability of on-street parking may occur.</p> <p><i>Transportation.</i> The impacts to the transportation system would not differ from those described in the Comprehensive Plan EIS, which found that there would not be significant impacts to the transportation network.</p>	<p><i>Parking.</i> We do not expect increased parking demand resulting from ADU production to exceed existing on-street parking availability under typical conditions. However, there may be some specific blocks within the study area where on-street parking utilization does, or will in the future, exceed parking supply. In those instances, some localized impacts on the availability of on-street parking may occur.</p> <p><i>Transportation.</i> The impacts to the transportation system would not differ from those described in the Comprehensive Plan EIS, which found that there would not be significant impacts to the transportation network.</p>
Mitigation	n/a	<p>The parking analysis did not identify potential significant adverse impacts. No mitigation measures are required. However, the City will continue to respond to changes to parking supply in specific areas that currently have or are projected to have high parking utilization. If issues arise, the City will rely upon use of regulations in the municipal code. No mitigation for transportation impacts is under consideration.</p>	

PUBLIC SERVICES AND UTILITIES

	Alternative 1 (No Action)	Alternative 2	Alternative 3
Approach	We evaluated potential impacts to public services and utilities by considering the overall changes in population anticipated under each alternative relative to the existing service levels for each public service and utility.		
Impacts	Development of ADUs would continue as under existing conditions. Overall demand for public services and utilities would continue to increase with population growth; however, Seattle Public Utilities, Seattle City Light, Seattle Public Schools, Seattle Police Department, and Seattle Fire Department, anticipate and continue to plan for this growth.	Alternative 2 could result in about 2,160 additional ADU residents over 10 years compared to Alternative 1 (No Action). Even if this resulted in a corresponding increase of 2,160 new Seattle residents, we do not anticipate this growth would result in impacts on the ability of Seattle Public Utilities, Seattle City Light, Seattle Public Schools, Seattle Police Department, and Seattle Fire Department to provide service.	Alternative 2 could result in about 1,815 additional ADU residents over 10 years compared to Alternative 1 (No Action). Even if this resulted in a corresponding increase of 1,815 new Seattle residents, we do not anticipate this growth would result in impacts on the ability of Seattle Public Utilities, Seattle City Light, Seattle Public Schools, Seattle Police Department, and Seattle Fire Department to provide service.
Mitigation	n/a	No significant adverse impacts are anticipated to public services and utilities; therefore, no mitigation measures are proposed.	

1.8 Cumulative Impacts

SEPA requires that the City consider the cumulative impacts of the proposal in this EIS (WAC 197-11-060). A cumulative impact is defined as the incremental impact of an action when added to other past, present, and reasonably foreseeable future actions. Cumulative impacts can result from individually minor but collectively significant actions occurring during a determined timeframe. In this cumulative impact analysis, we consider the proposed Land Use Code changes in the context of the historical, continuing, and future development in single-family zones in the study area of the EIS. There are no other planned code or zoning changes to single-family zones in the study area that would change the present development conditions. Therefore, we did not consider any reasonably foreseeable future actions in this analysis. The effects analysis that follows in Chapter 4 considers the existing and continuing development environment in Seattle. The impacts reported in Chapter 4 would be negligible when considered in the context of changes occurring throughout the city. Therefore, we do not anticipate cumulative impacts due to the proposed Land Use Code changes.

1.9 Benefits and Disadvantages of Delaying Implementation

SEPA requires that an EIS discuss the benefits and disadvantages of delaying implementation of a proposal (WAC 197-11-440(5)(c)(vii)). The urgency of implementing the proposal can be compared with any benefits of delay. The EIS should also consider the foreclosure of other options, or whether implementation of the proposal would preclude implementation of another proposal in the future. If this proposal were postponed, the beneficial impacts on housing affordability and reduced economic and physical displacement would be delayed. Minor localized land use, aesthetics and parking impacts would also be delayed. Implementation of this proposal would not preclude implementation of another proposal in the future.

« intentionally blank »