ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS

SEPA Threshold Determination
for the State Zoning Compliance Clean Up Amendments to Land Use Code

Project Sponsor: Office of Planning and Community Development

Location of Proposal: Citywide

Scope of Proposal: The proposal is a legislative action

BACKGROUND

The City of Seattle is proposing legislation to clarify regulations, make edits to ensure consistent implementation, and address errors related to recently passed Permanent State Zoning Compliance legislation (Ordinance 127376).

Proposal Description

The proposal includes the following changes to the Land Use Code:

- Reestablish a stand-alone religious properties bonus in NR zones
- Ensure consistency between light rail projects and other essential public facilities in application of critical areas mitigation sequencing
- Clarify the intent of the accessible unit bonus to prevent large, detached homes with ADUs on first floor
- Update rules for "Sensitive Uses Near Highways, Railroads, and Major Truck Routes" to make them more predictable and enforceable
- Clarify thresholds for amenity area
- Clarify relationship of exceptions for garages on sloped lots with garage width requirements and design standards
- Allow interior lots to use front setback equal to average of adjacent lots
- Restore a provision allowing dwelling units in side setbacks if a neighbor agrees to an easement
- Update definition of front lot line on corner lots

- Clarify that setback averaging now applies in NR zones
- Clarify how measurements apply to projects with a mix of unit types in one structure
- Clarify the date used for measuring ADU bonus
- Clarify the determination of front lot line
- Clarify how ground-floor commercial uses are treated in terms of FAR and density requirements
- Remove loading and unloading parking requirement for adult care centers
- Clarify that ADUs cannot be accessory to non-residential uses
- Clarify FAR table uses actual density, not allowed density
- Fix amendments that left incomplete sentences
- Clean up outdated terms that are no longer used

Public Comment

Proposed changes require City Council approval. Opportunity for public comment will occur during 14-day comment period and future Council hearings.

ANALYSIS - OVERVIEW

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

- the language of the proposed amendments as described above;
- the information contained in the *SEPA checklist* (dated September 28, 2026);
- the information contained in the Director's Report, and Summary and Fiscal Note; and
- the experience of the SDCI analyst in reviewing similar documents and actions.

ELEMENTS OF THE ENVIRONMENT

Short Term and Long-Term Impacts

A. Natural Environment

Earth, Air, Water, Plants/Animals/Fisheries, Energy, Natural Resources, Environmentally Sensitive Areas, Noise, Releases of Toxic or Hazardous Materials

This non-project proposal defines no particular development site and is not tied to a specific future development. The proposal is not expected to generate significant adverse environmental impacts, at either a non-project level or in its potential effects on future development outcomes. The proposal is not expected to increase potential for adversely impacting discharge of pollutants (e.g., to water, air, or noise).

Air Quality, Water, Water Quality, Release of Toxic or Hazardous Substances
The proposed non-project action would result in no direct impacts and is unlikely to result in significant indirect or cumulative adverse impacts related to air quality, water, water quality, or releases of toxic/hazardous substances. Any future project-specific development proposal that exceeds adopted thresholds is subject to environmental review as a part of the permit review process and would continue to be subject to environmental review under the proposal.

Plants/Animals/Fisheries, Earth, Environmentally Sensitive Areas
Seattle is relatively highly urbanized in its development patterns, but it also has a variety of retained greenbelts, hillsides, stream and river environments where plant, animal, fish and marine habitats are present. Also, wildlife habituated to urban areas and fragmented vegetated areas in the city, such as squirrels, opossum, coyotes, a variety of bird species including eagles, are present. To the extent there are also many edges associated with urbanized shoreline designated areas (Puget Sound, Lake Union), these also provide habitat value for birds, fish and other marine life. This non-project proposal would result in no direct impacts to plants, animals, fish, or marine life because it does not directly propose development.

In terms of potential earth impacts, all future developments could likely include grading for site preparation, and some could generate more grading than others if sites are sloping or contain localized features such as steep slopes that may or may not be environmentally critical areas. The

proposal itself would not likely generate increased potential for development-related earth impacts.

Energy, Natural Resource Consumption

The proposal would result in no direct adverse impacts in terms of energy or natural resources depletion because it does not directly propose development. Also, given the nature of the proposal, no significant adverse impacts on energy consumption or natural resources consumption are identified. Energy expended to build new buildings in future developments would be relatively similar on a site-by-site and cumulative basis with or without the proposal. This is not projected to result in significant adverse differences in citywide total energy consumption over the long-term. Also, any such future development would need to meet Seattle's energy codes, which are becoming progressively more energy-efficient and stringent in promoting energy conservation

Noise

No potential for adverse noise-related impacts is identified. Significant indirect or cumulative adverse impacts are unlikely when comparing future development scenarios for a typical site. With or without the proposal, development sites would likely be fully or almost fully cleared during construction. This means that the construction-period worst-case potential for spillover environmental impacts such as noise generation would be approximately the same with or without the proposal. Similarly, post-construction, because housing types relevant to this proposal can already be built under today's codes, the potential for adverse noise impacts from future development would be approximately equivalent with or without the proposal. This suggests a finding of no net difference in potential for noise-related impacts.

B. Built Environment

Land and Shoreline Use, Relationship to Plans and Policies, Historic Preservation

The proposal would result in no direct impacts to land and shoreline use as it is a non-project action. Indirect impact from future development is unlikely as the proposal does not change the zoning of any parcel and does not include any other changes to existing regulations related to the allowable height, bulk, or scale of development. It also does not alter the density of development allowed in any particular area. The proposal is unlikely to result in development and land uses that would be incompatible or substantially and adversely different in locational pattern, scale, siting or total building bulk profile from what can be developed today. The City would still retain its authority to mitigate height, bulk, and scale impacts, if necessary to address substantial incompatibilities that might be possible to otherwise occur in future development proposals.

The proposal would help to implement the changes to Neighborhood Residential zoning that was envisioned by the updated Comprehensive Plan in the Urban Neighborhood subsection of the Growth Strategy element and the Neighborhood Residential Zones subsection of the Land Use element, including:

LU 1.5 Seek to balance the benefits of regulating land use and development with the impacts to property owners and the cost of housing and non-residential space.

LU G4 Development standards effectively guide building design to serve each zone's function; produce the scale and building forms desired; protect public health, safety, and welfare; protect the environment; and address the need for new housing and commercial space.

LU 4.2 Develop and apply development standards that provide predictability regarding the allowed intensity of development and expected development types for each zone.

Historic Preservation
This proposal is not likely to generate significant adverse impacts on historic landmarks or historic districts as it would not modify existing protections for historic landmarks and contributing structures in historic districts and is not likely to significantly increase the number of historic sites that would be redeveloped. Known existing historic landmarks would not be more likely to be developed under this proposal. Potential landmarks, which have been inventoried by the City, could in some cases be redeveloped, but City policy indicates they should first be evaluated to determine whether they should receive a landmark designation.

This proposal is not likely to generate significant adverse impacts on cultural resources. Such resources' locations are often not known because they are typically underground and may be most likely to be present in or near current or historic shoreline areas. The proposal would not modify existing protections for cultural resources and is not likely to significantly increase the number of sites that would be redeveloped.

Shadows on Open Spaces, Light & Glare, Public View Protection
This non-project action is not expected to have significant impacts to shadows on open spaces, light & glare, and public views. The proposed changes to code do not include changes to code requirements related to these standards. The proposal would not make these types of adverse impacts more likely in future development.

Transportation, Parking, Public Services, and Utilities

Transportation and Parking
No potentially significant adverse transportation or parking impacts are identified. The proposed changes are not expected to significantly impact transportation systems including roads, transit, and non-motorized transportation infrastructure. Any potential changes to development caused by this proposal are expected to be minor and are not expected to significantly alter the overall expected pattern or amount of growth or to lead to an appreciable increase in the demand for transportation and parking.

Public Services and Utilities
No potential is identified for adverse impacts of the proposal on public services such as police and fire protection, parks and recreation services, schools, public maintenance services or public communications infrastructure. This non-project proposal would not result in direct impacts

relating to public services because it would not result in future development of any particular location. Regarding indirect impacts, this analysis concludes that the proposal's details would not result in significant adverse impacts upon the public services elements of police protection, fire/emergency services, schools, parks and recreation, transit service, health care or other similar public services because it is not expected to significantly alter the overall expected pattern or amount of growth. The proposal is unlikely to result in an increase in total demand for utilities such as water, sewer, electrical and solid waste service for the same reason.

DECISION -- SEPA

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

Signature: _____(on file)_____ Date: October 16, 2026

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