

SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2021

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold

determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the supplemental sheet for nonproject actions (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements -that do not contribute meaningfully to the analysis of the proposal.

A. BACKGROUND

1. Name of proposed project, if applicable: **2021 Seattle Land Use Code Omnibus Ordinance**

2. Name of applicant: **City of Seattle Department of Construction and Inspections (SDCI)**

3. Address and phone number of applicant and contact person:
City of Seattle
Department of Construction and Inspections
700 Fifth Avenue, Suite 2000
PO Box 34019
Seattle, Washington 98124-4019
Contact: Emily Lofstedt
206-386-0097

4. Date checklist prepared: **December 10, 2021**

5. Agency requesting checklist: **City of Seattle Department of Construction and Inspections**

6. Proposed timing or schedule (including phasing, if applicable):
City Council consideration is expected to begin in the first quarter of 2022.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
SDCI is responsible for maintaining the Land Use code on an ongoing basis to ensure the proper maintenance of its provisions. Omnibus or maintenance ordinances will be prepared on an ongoing basis.

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.**

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. **The legislation would apply citywide where development permit applications are ongoing. The legislation primarily addresses administrative issues and makes only minor alterations to the meaning, application, and intent of current Land Use Code provisions in order to clarify their application.**

10. List any government approvals or permits that will be needed for your proposal, if known. **Approval by Seattle City Council and Mayor as amendments to Seattle's Land Use Code.**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. 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 involves many small amendments to the Land Use Code and to some related sections of the Seattle Municipal Code that are intended to clarify current provisions or to correct minor oversights and clerical or typographical errors. The proposed changes in this omnibus are summarized in the Director’s Report prepared by SDCI that accompanies the proposed amendments and is published together with this checklist for public review.

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 amendments apply to areas throughout the City of Seattle.**

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. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- 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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or

project location. No construction is proposed.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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. This is a non-project action. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

c. Water runoff (including stormwater):

- 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. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or

project location. No construction is proposed.

4. Plants

a. Check the 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

___ Orchards, vineyards or other permanent crops.

___wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

___water plants: water lily, eelgrass, milfoil, other

___other types of vegetation

This is a non-project action. There is no specific site or project location.

No construction is proposed. The range of sites that could be affected by the proposal could include those plants checked on the lines above.

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

This is a non-project action. There is no specific site or project location.

No construction is proposed.

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

This is a non-project action. There is no specific site or project location.

No construction is proposed.

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

**This is a non-project action. There is no specific site or project location.
No construction is proposed.**

e. List all noxious weeds and invasive species known to be on or near the site.

**This is a non-project action. There is no specific site or project location.
No construction is proposed.**

5. Animals.

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

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

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

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

This is a non-project action. There is no specific site or project location. No construction is proposed. Various animals are found in the Seattle urban environment.

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

This is a non-project action. There is no specific site or project location. No construction is proposed.

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

This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

e. List any invasive animal species known to be on or near the site.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

- 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:

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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. There is no specific site or project location. No construction is proposed.

- 1) Describe any known or possible contamination at the site from present or past uses.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- 4) Describe special emergency services that might be required.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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. There is no specific site or project location. No construction is proposed.

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.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

This is a non-project action. There is no specific site or project location. No construction is proposed. See Part D Item 5 for additional information. The proposal consists of minor cleanup and clarification proposals for the Land Use Code.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- c. Describe any structures on the site.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed. The omnibus amendments include changes to the Land Use Code that apply throughout the City of Seattle in all zones.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed. No changes to the Shoreline regulations are proposed.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed. No changes to the critical areas regulations are proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is 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?

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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. There is no specific site or project location. No construction is proposed.

- 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. There is no specific site or project location. No construction is proposed.

- c. What existing off-site sources of light or glare may affect your proposal?
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- d. Proposed measures to reduce or control light and glare impacts, if any:
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- b. Would the proposed project displace any existing recreational uses? If so, describe.
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.
Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

14. Transportation

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

- e. Will the project or proposal 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. There is no specific site or project location. No construction is proposed.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

15. Public services

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

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. There is no specific site or project location. No construction is proposed.

- 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.

Not applicable. This is a non-project action. There is no specific site or project location. No construction is proposed.

C. Signature

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

Signature: Signature on File

Name of signee Emily Lofstedt.....

Position and Agency/Organization Policy and Technical Planner/ SDCI.....

Date Submitted: December 10, 2021

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to 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?

The proposed amendments would not affect discharges to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise. 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 that may use 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:

No proposed measures are proposed beyond existing regulations at this time because the proposal does not involve any construction or development activity. A SEPA GHG Emissions Worksheet is required for all individual projects that may use the provisions of 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?

Enactment of the proposed amendments is unlikely to affect plants, animals, fish, or marine life. The area is developed and urban in character. The proposal does not alter existing protections to plants, animals, fish or marine life.

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

No measures are proposed beyond existing regulations at this time because the proposal does not involve any construction or development activity. The City and other regulatory agencies have existing regulations to protect these resources.

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

The proposed amendments would not affect energy or natural resources.

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

No measures to protect or conserve energy are proposed beyond existing regulations at this time because the proposal does not involve any construction or development activity.

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 ordinance would not affect environmentally sensitive areas or areas designated for government protection.

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

No resource protection measures are proposed beyond existing regulations at this time because the proposal does not involve any construction or development activity.

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?

No incompatible uses would be allowed or encouraged by these amendments. No site-specific proposals are proposed at this time. A few changes require additional analysis and are discussed below.

SMC 23.40.060 Living Building Pilot Program

Two changes are proposed. The first change, to subsection 23.40.060A.1., to extend the pilot program to 2030. This change will allow continued evaluation of the pilot program. Additional clarification to demonstrate Living Building requirements in the plans and documents.

SMC 23.41.004 – Applicability

Two changes are proposed to Design Review Applicability. The first change, to subsection 23.41.004.A.6, is to include a pathway for affordable housing projects in Master Planned Communities to complete Administrative Design review.

The second change, to subsection 23.41.004.A.7, will clarify additions or expansions are subject to Design Review. It has been a longstanding business practice of SDCI to use a combination of the existing square footage on a site together with the proposed additions or expansions to determine when Design review should be required.

The proposed language also clarifies that this will be part of the Director's' Rule that SDCI was directed by Council to develop. A draft Rule was previously circulated in 2019 and received limited comment. The draft rule will be republished for public comment once the Omnibus is adopted with the goals of the Final adopted rule setting out specific procedures for Design Review based on the size of the existing buildings, as

expressed in gross square footage as it relates to the size of a proposed addition or expansion.

SMC 23.41.016 - Administrative design review process

The proposal is to change, subsections SMC 23.41.016.B and SMC 23.41.016.C, to remove meeting. Administrative Design Review does not include any meetings, only review.

SMC 23.44.014 - Yards

Three changes are proposed.

The first change, to subsection 23.44.014.C.4, is to remove any confusion that an existing nonconforming multi-family structure can utilize this yard exception.

The second change, to subsection 23.44.014.C.6, is to clarify that the yard exception, when related to Accessory Dwelling Unit (ADU)'s, is applicable to Attached Accessory Dwelling Unit (AADU) and not Detached Accessory Dwelling Unit (DADU)'s. DADU's have projection standards in 23.44.041.

The third change, to subsection 23.44.014.C.7 and C.11, is add back the term 'covered' to covered, unenclosed decks and to allow for decks on DADUs.

SMC 23.44.041 - Accessory dwelling units

Several changes are provided to clarify:

Separation standards for DADUs includes eaves and gutters.

Confirm legislative intent to allow for decks, including rooftop decks on DADUs.

Clarify exceptions to additions to existing nonconforming accessory structures that are being converted into DADUs.

SMC 23.47A.012 - Structure height

Adding in MHA Upzone 55 foot height limit to allow for solar collectors.

SMC 23.53.006 - Pedestrian access and circulation

Proposal is to clarify when curbs, sidewalks and curbs ramps are required in urban centers and urban villages separate from the general street improvement requirements.

SMC 23.76.026 – Vesting

Three changes are proposed to clarify vesting rules for projects:

Add the term 'all' before Master Use Permit components, to provide clarity that Type 1 zoning approvals, typically on construction applications, also vest a project.

The second and third changes, strike portions of 23.76.026.D and 23.76.026.F, that have expired and are no longer applicable.

SMC 25.09.012. Designation and definitions of environmentally critical areas

Several changes are proposed:

Subsection 25.09.012.C, clarify designation of wetlands and their buffers and where land disturbance is not allowed.

Subsection 25.09.012.D, to provide clarity on defining Riparian Corridors.

SMC 25.09.015 Application of Chapter

The proposal is to clarify that the application of the Environmental Critical Area (ECA) chapter only applies to the ECA not the entire parcel.

SMC 25.09.045 – Exemptions

Four changes are proposed.

The first change, to subsection 25.09.045.A, to remove incorrect bracket and to clarify which sections of 25.09.065 apply.

The second change, to subsection 25.09.045.B, is to clarify which best management practices apply.

The third change, to subsection 25.09.45.H, is to clarify which activities are exempt and what materials are required for review if needed. Additions to clarify what activities are allowed for public projects.

The fourth change, to subsection 25.09.045.I, is to clarify that the exemption applies to maintenance of structures associated with public facilities and utilities.

SMC 25.09.052 - Replacing structures in environmentally critical areas and buffers

The proposal provides clarity around what structures can be replaced

SMC 25.09.160 - Development standards for wetlands and wetland buffers

This proposal modifies language in several sections to provide clarity, add consistency, remove redundancy, and improve usability. It also creates an automatic mechanism to adhere to the most current Wetland Rating System. Additionally, via Director's Rule, it allows for the Director to determine the duration of validity of a wetland rating.

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

No resource protection measures are proposed beyond existing regulations at this time because the proposal does not involve any construction or development activity. Future development projects will be subject to design review and to environmental review (if they meet or exceed thresholds for environmental review), which will help mitigate the impacts of height, bulk, and scale for new developments on existing buildings.

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

The proposed ordinance would not affect transportation or public services.

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

In general, providers of utilities and public services, including fire protection, police protection, health care, and schools regularly review the effects of increased development and propose enhanced services as necessary as part of their planning for future service needs. Future site-specific development projects will need to meet the City's concurrency requirements for transportation, utilities, and public services infrastructure. As the proposal does not involve any construction or development activity, no specific measures are practicable at this stage.

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.