

CITY OF SEATTLE

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

SEPA Threshold Determination & Adoption of Existing Environmental Document

SDCI Design Review HB 1293 Interim Suspension ORD

Project Sponsor: City of Seattle Department of Construction and Inspections

Location of Proposal: The proposal is a non-project action, applicable City-wide

SUMMARY OF PROPOSED ACTION

SDCI is proposing amendments to the Land Use Code to allow for an interim suspension of required Design Review. This Ordinance also extends temporary regulations established by Ordinance 126854, for an additional six months, to exempt from Design Review housing projects that meet Mandatory Housing Affordability requirements using on-site performance units and low-income development. This also adopts the SEPA Threshold Determination for 2023 Affordable Housing Design Review Amendments as being appropriate for this proposal after independent review. The document meets the environmental review needs for the current proposal and will accompany the proposal.

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND

Design Review (DR) was first adopted in 1994. The City has conducted numerous evaluations of DR over the years, with the last major updates adopted in 2018. COVID prompted additional updates, including allowing virtual meetings and exemptions from DR for affordable housing.

The purpose of DR (Land Use Code Section 23.41.002) has remained generally the same throughout: to encourage better design and site planning while allowing for creativity and flexibility in development standards, meeting neighborhood objectives, mitigating a proposed project's design impact, and promoting mutual understanding among applicants, neighborhoods, and the City.

The City currently has three types of design review: Streamlined Design Review (SDR), Administrative Design Review (ADR), and “Full” Design Review (FDR) with Design Review Board (DRB) input. The eight volunteer Design Review Boards (DRB) each represent one of eight geographic areas of the city.

SDCI Staff and DRB members review new development using Council-adopted Citywide, Downtown, and neighborhood-specific Design Guidelines. These Guidelines focus on the building’s design, height, bulk, scale, appearance, open space, vehicle and pedestrian access, and how the development relates to adjacent sites and the street. Design review does not apply to single-family detached residences. Design review does not include life and safety reviews which are regulated by other permits and other parts of the Seattle Municipal Code.

Public Comment

Proposed changes to the Land Use Code require City Council approval. Public comment will be accepted during the 14-day SEPA comment period and during future Council hearings.

Proposal Description

This proposal will allow for an interim suspension of required Design Review. This Ordinance also provides for an extension of temporary regulations established by Ordinance 126854, for an additional six months, to allow continuance of an exemption of housing projects that meet Mandatory Housing Affordability requirements using on-site performance units and low-income development from Design Review. This decision also adopts the SEPA Threshold Determination for 2023 Affordable Housing Design Review Amendments as no additional analysis is required. This ordinance became effective August 12, 2023, and is set to expire on August 12, 2025.

This suspension will provide additional time to update the design review program to be more efficient, better meet the current needs of the City for new investment, particularly in varying and creating more affordable housing options throughout the city, and focus the program on good design outcomes for development projects that are most likely to impact the character of neighborhoods.

ANALYSIS - SEPA

The proposal is a non-project legislative action proposing amendments to the Land Use Code to allow for a suspension of required Design Review and extend an exemption from Design Review for housing projects that meet MHA requirements for on-site performance units and low-income development. There is no specific site or development proposal. The proposed amendments may result in potential environmental impacts, which are identified and discussed below.

ELEMENTS OF THE ENVIRONMENT

Adoption of the proposed Land Use Code amendments would result in no immediate adverse short-term impacts because the adoption would be a non-project action. The discussion below evaluates the potential long-term impacts that might conceivably result from differences in future development patterns due to the proposed amendments.

Natural Environment

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

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 earth, air, water, plants/animals, fisheries, energy, natural resources, sensitive areas, noise, or releases of toxic/hazardous substances. Eligible locations for development will not be altered.

The proposal does not significantly alter any procedures or regulations related to natural environment protections. Development of specific projects on individual sites is subject to the City's existing regulations, such as the Stormwater Code, the Shoreline Management Program, Grading and Drainage Ordinance, the Regulations for Environmentally Critical Areas, the Noise Ordinance, and the Tree Protection Code. 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.

Built Environment

Land & Shoreline Use, Height/Bulk/Scale

The proposed non-project action is not expected to create significant impacts on existing and planned land and shoreline use. The proposal does not impact the zoning of any parcel or the types of land uses allowed in any zone. The proposal does not include any changes to existing regulations related to the allowable height, bulk, or scale of development and does not alter density of development allowed in any particular area. Below is a discussion of the relationship between the proposal and built environment:

Land Use

The proposal would not encourage uses incompatible with the City's Comprehensive Plan or Shoreline Master Program or other adopted plans. The proposal would not alter the permitted and prohibited land uses in existing zones or activity allowed in any locations compared to what could occur under existing regulations.

Housing

The proposed suspension of required Design Review will likely result in increases in the production of housing units or the amount of development activity in certain areas. However, new development would not go beyond what could occur under existing code.

Height/Bulk/Scale, Shadows, and Views

The proposal does not impact the zoning of any parcel, or the types of land uses allowed in any zone. Exemption from Design review for low-income development and projects using on-site performance units may result in an increase to the height, bulk, or scale of new development.

The proposal does not include any other changes to existing regulations related to the allowable height, bulk, or scale of development and does not alter density of development allowed in any particular area.

According to the City's SEPA policies and environmental documentation related to previous citywide rezones and comprehensive plans, the design review process is intended to mitigate height, bulk, and scale impacts related to new development. The City's design guidelines for new development have historically included guidelines related to building height, bulk, and scale mitigation.

Noise, Light & Glare, Environmental Health

This non-project action is not expected to have significant impacts on noise, light & glare, and environmental health. The proposed suspension and extension of temporary regulations do not include changes to code requirements related to noise, light & glare, and environmental health. The proposal also does not make changes to the nature of permitted land uses within zoning districts.

Transportation, Public Services, and Utilities

The proposed changes are not expected to significantly impact transportation systems including roads, transit, and non-motorized transportation infrastructure. Any potential increase in the production of housing units resulting from the proposal is expected to be minor and is 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 or public services or utilities.

Consistency with the Comprehensive Plan

As described in the checklist, the proposal supports and is consistent with the goals and policies of the City's Comprehensive Plan, including but not limited to housing, community involvement, race and social justice, and maintenance of the City's unique character and community identity.

Conclusion

The proposed code amendments are expected to have minimal impacts on both the natural and the built environment. The proposed amendments could result in a small increase in development activity compared to what could occur under existing regulations. The number of impacts stemming from such increases are not expected to lead to any significant adverse impacts. Any adverse impacts are expected to be minor and limited given the short effective period of the proposal. In addition, the existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, will mitigate impacts of development proposals on a project-specific basis.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist, code amendment, and other information on file with the

responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA. This decision also adopts SEPA Threshold Determination for 2023 Affordable Housing Design Review Amendments, as no additional analysis is required.

☒ [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: David G. Graves, Policy and Technical Land Use Planner
Seattle Department of Construction & Inspections

Date: June 9, 2025