

Department of Planning and Development – June 5, 2012

This information is provided in response to Council direction given during recent meetings of the Planning Land Use and Sustainability Committee.

What proportion of development proposals undergo State Environmental Policy Act (SEPA) review today, and what proportion in the future?

- About 27% of residential/mixed use development proposals have been subject to SEPA review over the last 10 years.
- About 10% would receive SEPA review with the current proposal in CB 117430.

Summary of environmental protections in other codes/rules compared to topics addressed by environmental review pursuant to the SEPA:

Major Types of SEPA Authority (from 23.05.675)	How Addressed by Other Codes/Rules*
Construction Impacts – Noise	<ul style="list-style-type: none"> • As part of the 2009 SEPA threshold changes, Council codified a 7 PM time limit on noisy work in most zones in or near residential areas (25.08.425), includes LR, MR, HR, NC, RC zones. • The Noise Code includes daytime/nighttime noise level limits (25.08.410-425)
Construction Impacts –Parking/Traffic/Streets/ Pedestrian Safety	<ul style="list-style-type: none"> • Street Use and Traffic Codes (Titles 15 & 11) contain authority to regulate: <ul style="list-style-type: none"> ○ Pedestrian safety measures, ○ Street and sidewalk closures, ○ Truck traffic timing and haul routes, ○ Any planned use of the street for construction purposes (material, equipment storage). • Land Use Code (23.42.044) includes authority to manage construction-related parking.
Construction Impacts - Air Quality	<ul style="list-style-type: none"> • Building code contains provisions for the removal of hazardous and combustible materials (Section 3303). • Puget Sound Clean Air Agency (PSCAA) rules and best practices apply to mitigate impacts from fugitive dust and other potentially hazardous demolition waste materials, such as lead. • PSCAA permit required for asbestos removal and includes survey and mitigation measures for dust control techniques and use of toxic air control technologies.

Historic Preservation	<ul style="list-style-type: none"> • The Landmarks Preservation Ordinance remains in place for landmark preservation (Chapter 25.12) • Existing policy/practices maintained for DPD to refer permit applicants to the Historic Preservation Office for potential survey and landmark nomination.
Land Use/Height, Bulk &Scale/Shadows	The Design Review process continues to apply at current thresholds and provide the venue for addressing these topics (Chapter 23.41); and the Land Use Code (Title 23) in general controls the scale of development.
Land Use – Public View Protection** <i>** Applies to public views from designated public viewpoints, parks, scenic routes and view corridors to features such as mountains, skyline & water. Does not apply to views from private property.</i>	<ul style="list-style-type: none"> • Design Review can address individual development view impact consideration and mitigation. • View considerations, such as along specific streets, is best addressed during area planning and rezoning efforts. Commonly used approaches include upper-level setbacks incorporated into new zoning.
Environmentally Critical Areas /Water Quality/Drainage	<ul style="list-style-type: none"> • Environmentally Critical Area Code includes mitigation for landslide hazards, steep slopes, unstable soils, wetlands, flood prone and fish/wildlife habitat areas (25.09) • In addition, the Stormwater, Grading & Drainage ordinances and Shoreline regulations (Chapter 23.60) include environmental & water quality protections.
Transportation/traffic impacts	<ul style="list-style-type: none"> • Proposal includes incorporating transportation study & mitigation provisions in the Land Use Code (new to Chapter 23.52) for projects no longer subject to SEPA. • Street use permitting (15.04, 11.16) & Right of Way Improvements Manual include mitigation authority for: access point control, street/intersection configuration, bike parking and signage.

*All citations of from the Seattle Municipal Code, unless otherwise indicated.

Other key codes/rules that provide environmental protections:

- Energy Code;
- Building Code;
- Noise Control Code; and
- Director’s Rules.