

**CITY OF SEATTLE  
DETERMINATION OF NON-SIGNIFICANCE BY  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Applicant Name:** The Department of Planning and Development

**Address of Proposal:** All zones that allow multi-family residential uses in City of Seattle

**SUMMARY OF PROPOSED ACTION**

The proposal is to amend certain land use code provisions to establish a definition for micro-housing, apply a design review threshold to micro-housing and congregate residences, modify certain development standards for common spaces in micro-housing and congregate residences, clarify prohibition of micro-housing in single family zones, increase required vehicle and bicycle parking requirements for micro-housing and congregate residences, and modify income eligibility requirements for incentive programs related to micro-housing, congregate residences, and very small studio apartments.

The following approval is required:

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 DATA**

**BACKGROUND**

The proposed Code amendments will accomplish the following:

- Define the term “Micro-Housing” and “Micro” within the Land Use Code definition Chapter, 23.84A.

- Create a design review threshold for developments with Micro-Housing and Congregate Residences that is based on the size of the building instead of the quantity of dwelling units.
- Amend certain development standards to require a minimum size for common shared kitchens within micro-housing and apply certain limits to the location of food preparation facilities outside of the common kitchen within micro-housing dwelling units.
- Amend certain development standards to require a quantity of common shared space in congregate residence developments.
- Increase the amount of required secured bicycle parking in micro-housing and congregate residence development to 1 space for each 4 micros or sleeping rooms respectively.
- Increase the amount of required vehicle off street parking in locations where provision of off street parking is otherwise required to 1 space for each 4 micros in micro-housing development.
- Increase the required affordability levels for participation in incentive zoning for affordable housing requirements such that any micro-housing used to participate in the incentive program or sleeping room in a congregate residence is available to persons earning 40% Area Median Income (AMI) or less.

Potential environmental impacts for the following actions were also evaluated as a part of the proposal, although the draft ordinance does not include these items as part of the legislation:

- Add development standards to set a minimum square foot size for Micros within Micro-Housing and for sleeping rooms in Congregate Residences, of between 185 and 220 square feet.
- Prohibit construction of micro-housing in the Lowrise 1, Lowrise 2, and Neighborhood Commercial 1 zones.

### Public Comment

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed text changes during future Council hearings. DPD has considered public comment in several public forums and discussions on the topic during recent months including a Council Transportation Committee sponsored brown bag meeting on April 18, 2013, a community meeting on Capitol Hill on May 6<sup>th</sup>, 2013, and a City Council Planning Land Use and Sustainability (PLUS) briefing on June 28, 2013.

## **ANALYSIS - SEPA**

This proposal is an adoption of legislation and is defined as a non-project action. The disclosure of the potential impacts from this proposal was made in an environmental checklist submitted by the proponent, dated September 18, 2013. The information in the checklist, a copy of the proposed text changes, the Director's Report and Recommendation, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision.

This is a substantive change to the Land Use Code, to ensure that regulations effectively address micro-housing and congregate residence development, in light of emerging formats of this type of housing being proposed in Seattle in recent months. This amendment may result in potential impacts and warrants further discussion.

## **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 changes would result in no direct impacts, and are 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. At the non-project stage, it is not possible to meaningfully assess the potential impacts on the natural environment from these modifications, in the absence of a known proposed micro-housing or congregate residence project. Development of specific projects on individual sites is subject to the City's existing regulations, such as the Stormwater, Grading and Drainage Ordinance, the Environmentally Critical Areas Ordinance, and Noise Ordinance, and will be subject to environmental review (if they meet or exceed thresholds for environmental review).

The potential locations and sizes of proposed development with micro-housing or congregate residences would not be significantly altered by the proposal, and the proposal does not alter any procedures or regulations related to natural environment protections. Micro-housing and congregate residence development is allowable in city zoning designations that allow multi-family development, and in recent years the format of housing has been most commonly located in Lowrise zones, Midrise zones and Commercial zones – especially in areas located within designated Urban Villages and Urban Centers in the city's comprehensive plan. These are areas typically characterized by a high level of existing development and urbanization. Therefore additional

development of micro-housing and congregate residence in these zones is not expected to have a disproportionate impact on elements of the natural environment.

**Built Environment**

**Land & Shoreline Use, Height/Bulk/Scale, Transportation, Public Services and Utilities**

The changes are not expected to significantly alter the scale or quantity of new multi-family development that would otherwise be allowed in the absence of the proposed land use code changes. The primary affects of the proposal would be to require design review for certain project proposals with micro-housing or congregate residence and to modify certain procedures related to incentives for the inclusion of affordable housing. The proposal also includes a requirement to increase the amount of required parking for vehicles in micro-housing development in areas outside of urban villages and urban centers where parking would otherwise be required with new development. The proposal would also increase the amount of required bicycle parking in all locations for both micro-housing and congregate residences.

As discussed in the environmental checklist, these changes are expected to have very minor effects on the production of micro-housing and congregate residence developments and are not expected to significantly alter the locations where such projects could be built or the allowable height, bulk, and scale of the projects. The potential to prohibit location of Micro-Housing and Congregate Residences from Lowrise 1 and Lowrise 2 zones, and Neighborhood Commercial 1 zones would have minimal cumulative effect because very few projects are located in those zones under existing regulations. The addition of design review is intended to have the effect of improving the design details of individual projects such that they are a better fit within existing neighborhoods. Effects of the proposal on transportation such as amount of trips generated, and mode split between vehicles and transit/non-motorized trips are not practical to estimate in the absence of specific proposed development projects. However, the proposal could conceivably result in improved conditions to facilitate bicycle usage by residents of micro-housing or congregate residences as secure bicycle parking requirements are increased. Additionally, in locations where parking requirements are in effect, the proposal would increase the requirement for vehicle parking for micro-housing developments - conceivably lessening local parking spillover impacts by a very minor amount. Public services and utilities are not expected to be affected by the proposal, since the proposal does not alter the locations where micro-housing or congregate residences could be built, nor does it modify the allowable density of or scale of developments. Allowable locations for micro-housing and congregate residences will continue to be multi-family and commercial zones under the proposed legislation, and are expected to be most commonly located in urban villages and urban centers. The potential to prohibit location of Micro-Housing and Congregate Residences from Lowrise 1 and Lowrise 2 zones, and Neighborhood Commercial 1 zones would have minimal cumulative effect because very few projects are located in those zones under existing regulations. The expected locations of Micro-Housing and Congregate Residences are places the city's Comprehensive Plan identifies as appropriate to focus growth and denser formats of development.

None of the above described potential minor effects of the proposed legislation would result in significant adverse environmental or cumulative impacts on the built environment when compared with development that could occur in the absence of the proposed legislation. Without a specific project proposal, it is not feasible to quantify the specific levels of impact on a citywide basis of these proposed regulations. Future projects developed pursuant to the provisions of the proposal will require permits, review and project approvals as provided for in the Seattle Municipal Code and will be subject to environmental review (if they meet or exceed thresholds for environmental review).

**Conclusion**

The proposed code amendments to ensure appropriate application of regulations for micro-housing and congregate residence development are expected to have minimal impacts on both the natural and the built environment. The proposed regulations do not substantially alter the size, scale or location of micro-housing or congregate residence projects that could be built when compared with existing regulations. The proposed regulations are primarily concerned with adding a threshold for design review and increasing requirements for vehicle and bicycle parking for micro-housing and congregate residences – neither of which are expected to have significant adverse impacts on the environment. In addition, the existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, and the City’s SEPA ordinance, will address impacts during review 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.

- [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).

**RECOMMENDED CONDITIONS – SEPA**

None.

Signature: \_\_\_\_\_ On File \_\_\_\_\_ Date: \_\_\_\_\_

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Department of Planning and Development