

# Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

## When Environmental Review Is Required in Seattle

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The environmental impacts of certain public and private development proposals must be assessed by the City of Seattle per the State Environmental Policy Act (SEPA) and the Seattle SEPA Ordinance (Chapter 25.05, Seattle Municipal Code or SMC). In order for these assessments to be made, permit applicants whose projects meet the criteria listed below are required to prepare an Environmental Checklist.

### Projects Subject to Environmental Review Residential Construction:

SEPA review thresholds for development of residential uses are generally set at higher levels in designated Urban Centers and Station Area Overlay Districts for light rail stations. These are areas expected to see more growth. The Urban Centers include Downtown, Uptown Queen Anne, Capitol Hill/First Hill, South Lake Union, University District and Northgate. The Station Area Overlay Districts with these thresholds also include those on Beacon Hill, and in southeast Seattle near the intersections of McClellan Street, Alaska Street, Othello Street and Henderson Street with Martin Luther King Jr. Way.

Zone	RESIDENTIAL USES	
	Number of Exempt Use Dwelling Units	
	Outside of Urban Centers	Within Urban Centers and SAOD
SF, RSL	4	4
LDT	4	6
L1	4	30
L2	6	30
L3, L4	8	30
NC1, NC2, NC3	4	30
C1, C2	4	30
MR, HR, SM	20	30
Downtown zones	N/A	80
Industrial zones	4	4

\*See exception in the next paragraph

However, if your property is in an Urban Center or a Station Area Overlay District and is in a LDT, L1 or L2 zone, and is close to a single-family (SF) or "residential small-lot" (RSL) residential property, it may be subject to the lower SEPA thresholds shown in the table. This occurs if the lot proposed for construction abuts any portion of another lot zoned SF or RSL, or is across an alley from, or is across a street of substandard width (which in many cases is a paved street less than 21 feet wide) from another lot zoned SF or RSL (minimum street width requirements are in SMC 23.53.015A).



You will also be subject to SEPA review for construction in a landslide-prone area, wetland, or fish and wildlife conservation area (including riparian corridors) of one residential unit in a Single Family zone (if it exceeds 9,000 square feet of development coverage), or for two or more residential units.

**Non-Residential Construction:**

*SEPA review thresholds for development of non-residential uses in several zones are set at higher levels in designated Urban Centers and Station Area Overlay Districts for light rail stations. These typically apply to new construction. The thresholds are measured according to the area (gross square footage) of the use.*

Zone	NON-RESIDENTIAL USES	
	Exempt Area of Use (square feet of gross floor area)	
	Outside of Urban Centers	Within Urban Centers and SAOD
SF, RSL, LDT, L1, L2, L3, L4	4,000	4,000
MR, HR, NC1, NC2, NC3	4,000	12,000
C1, C2, SM, Industrial zones	12,000	12,000
Downtown zones	N/A	12,000

Some expansions or changes in use of existing commercial buildings that are smaller than these thresholds also may need environmental review per the guidance in Director’s Rule 2-2008 State Environmental Policy Act (SEPA) Exemptions from Environmental Review Requirements When Establishing, Changing, or Expanding a Use. This Director’s Rule describes how DPD relates SEPA review for changes-in-use to the type of proposed uses. It also relates SEPA review for expansions in existing uses to the percent increase in the use’s total size.

**Other Actions Subject to SEPA review:**

- For property use questions, refer to DPD Director’s Rule (DR) 2-2008. For a complete listing of exempt and non-exempt projects, see SMC Chapter 25.05.800.

- For additions, modifications, or demolition of buildings or facilities that are landmarks or **if the affected building is 50 years or older** and may meet criteria for landmark designation in SMC 25.12, the SEPA thresholds are 4 dwelling units and 4,000 square feet for residential and non-residential uses. However, if an applicant has documentation from the Department of Neighborhoods (DON) that the property does not meet landmark criteria, a higher SEPA threshold may apply. Due to this rule, it may be to the applicant’s advantage to go through the landmark nomination process prior to submitting development applications (see CAM 3000), if only to obtain a determination from DON that the structure or facility does not meet landmark criteria.
- Construction of a parking lot designed for more than 40 automobiles.
- Landfills or excavations of more than 500 cubic yards.
- Any grading within wetlands and their buffers or riparian corridor buffers.
- Grading exceeding 25 cubic yards in the four environmentally critical areas listed in the SEPA Ordinance, Section 25.05.908 (landslide prone, wetlands, and fish/wildlife habitat conservation areas, including riparian corridors).
- Grading exceeding 25 cubic yards in four major creek watersheds (Thornton, Pipers, Longfellow, Taylor).
- Any grading within 10 feet of the shoreline.
- Short platting in environmentally critical areas.
- Any construction in or over water if it requires other permits, unless it is a minor repair of an existing legal structure or development to the same configuration.
- Most Seattle City Council land use decisions, such as rezones.

**Environmental Review as Part of the Permit Process**

Environmental review is a part of the DPD Master Use Permit process. Components of a Master Use Permit may also include use approvals, variances, administrative conditional uses, special exceptions, shoreline district approvals, short plats, and certain street uses.

DPD is also responsible for environmental review of City Council conditional uses, full subdivisions, major institution master plans, and Land Use Code text amendments.

## Application Requirements

If a project is subject to SEPA, an Environmental Checklist must be filled out, including the applicant's signature, and submitted by the applicant at the time of permit application, so that DPD can review the project for compliance.

The Environmental Checklist is available on the DPD website at [www.seattle.gov/dpd/publications/forms](http://www.seattle.gov/dpd/publications/forms) or from the DPD Public Resource Center (PRC), located on the 20th floor, Seattle Municipal Tower, 700 Fifth Ave., (206) 684-8467.

If the environmental review on a project has been completed by another City department or by a different governmental agency, a copy of the threshold determination and the Environmental Checklist—or the draft and final Environmental Impact Statement (EIS)—must be made available to the public at DPD's PRC.

A copy of the threshold determination and EIS, if any, must also be submitted to DPD at the time of application for a Master Use or construction permit or City Council approval.

## Filling Out the Environmental Checklist

Applicants must fill out the Environmental Checklist accurately and completely in ink, acknowledging all potential impacts, including long-term impacts as well as those temporary impacts associated with demolition, grading, and construction. Measures that an applicant plans to take to mitigate adverse environmental impacts associated with a project should be discussed under the appropriate element(s) of the environment. The completed checklist must be dated and signed and must include the complete street address of the project.

Future development proposals that are related to the project in the application should be discussed even if details are not fully established. This is required under the rules and may help the applicant avoid an additional environmental review later. In most circumstances, the review on the total proposal must be completed before any permits can be issued.

The more complete the information provided, the quicker the review of the project can be conducted. If the information submitted is incomplete or if additional information is needed to make an accurate analysis of the environmental impacts of a project, the applicant will be required to furnish further information.

If you have questions regarding these requirements, please submit your question to a land use planner through the Land Use Q&A Service at: [www.seattle.gov/dpd/research/landuseqa/](http://www.seattle.gov/dpd/research/landuseqa/).

## Plans Required for Environmental Review and the Zoning Plans Check

The following are the basic requirements for plans required for environmental review and zoning plans examination. Certain elements of your project, such as height bonus, may require more specific information.

The site plan of the site must show the following:

1. vicinity map
2. complete dimensions of buildings and all yard and lot lines
3. contours at 5-foot intervals of site and approximation of topography of surrounding sites and structures (at 2-foot intervals in environmentally critical areas)
4. existing vegetation to be removed or retained (location, type, and size)
5. location, occupant load, type of use, number of stories, square footage, structure
6. indicate structures to be demolished or retained and their historical significance, if any
7. identification of debris disposal site (if applicable)

When located in an environmentally critical area listed in SEPA Ordinance, Section 25.05.908, additional site plan information is required.

**ELEVATIONS** with existing and finished grade lines shown. All four elevation views to provide (final) grade elevations each time the grade changes. Also show floor and roof lines with elevations for each, measured in feet and inches from existing and finished grade, and roof surface elevations.

**GENERAL FLOOR PLANS** of the building, showing existing and proposed uses, all rooms, halls, storage and mechanical areas on each floor of a building for which a zoning "use approval" is sought. All walls must be dimensioned, and the specific use of each room must be specified (e.g., real estate office, salesroom). This plan is needed for the zoning plans check.

**PARKING LAYOUT INFORMATION** must be provided, including the number of parking stalls, dimensions of stalls and aisles, driveway widths, automobile ingress and egress, and screening of parking area if applicable. This information may be included on the site plan. The specific dimensions of the parking area are necessary for the zoning plans check.

**LANDSCAPING PLANS**, including all calculations pertaining to the size of the planting area, the number of trees required in relation to the project size, and the percentage of the site covered by shrubs and ground cover, should be plainly set out on the drawings. Indicate any

vegetation to be retained. Refer to **DR 13-92**, *Landscape Standards for Compliance with the Land Use Code and SEPA Requirements*. When located within an environmentally critical area listed in the SEPA Ordinance, Section 25.05.908, limits on site disturbance and development coverage may apply, and a revegetation plan may be required.

## Required Public Notice

### **Environmental Review Sign Installation**

Most projects subject to an environmental review must have an environmental review sign posted on the site. The sign notifies the community that a project is proposed for that site, allowing the applicant and DPD the benefit of citizen comments during the initial stages of review.

The required environmental review sign shall be installed by the applicant at the direction of DPD.

DPD will not begin environmental review of a project until the sign has been installed as instructed in DR 29-2006, Environmental Review Sign, and the 14-day comment period is over.

### **Placards**

If the project is required to have SEPA review because of its location over water or in an environmentally critical area listed in the SEPA Ordinance, Section 25.05.908, a placard will be posted on the site, instead of an environmental review sign. In certain cases, such as due to site size or physical characteristics of the site, DPD may also substitute placards for the environmental review sign or require them in addition to the sign. This decision will be made by a land use planner during the application intake appointment.

## DPD Environmental Threshold Decisions

Following an analysis of the environmental impacts and the close of the public comment period, DPD will issue an environmental threshold decision. The following are types of threshold determinations that may be made about environmental impacts:

**Determination of Non-Significance (DNS):** No probable significant adverse environmental impacts will result from a proposal. No conditions imposed.

**Mitigated DNS:** Changes are made to a proposal prior to or after a threshold determination of significance that mitigate probable significant adverse impacts. No EIS is required.

**Conditioned DNS:** No probable significant adverse impacts. Conditions imposed to mitigate adverse impacts.

**Declaration of Significance (DS):** Probable significant adverse impacts will result from a proposal and an EIS is required.

### **Conditioning or Denial of Projects**

DPD has the authority to deny or reasonably condition any proposal in order to mitigate or prevent adverse environmental impacts. As a result of environmental review, a project may be conditioned when a DNS is made or when a permit decision involving an EIS is made. A project may be denied only if the impacts disclosed in an EIS are significantly adverse and cannot be mitigated. Conditioning and denial must be based on adopted City policies, plans, rules or regulations.

For further information please contact the assigned land use planner. To find out who the assigned planner is, contact PRC staff at (206) 684-8467 or [prc@seattle.gov](mailto:prc@seattle.gov).

## Appeals of Environmental Determinations

Threshold determinations and the adequacy of the EIS, if any, are subject to appeal to the City's Hearing Examiner. For more information on environmental appeals, contact PRC staff at (206) 684-8467 or [prc@seattle.gov](mailto:prc@seattle.gov).

## Further Information

For more detailed information on the environmental review process, you may either:

1. Submit your question online using DPD's Land Use Q&A Service at:  
**[www.seattle.gov/dpd/research/landuseqa/](http://www.seattle.gov/dpd/research/landuseqa/)**.
2. Visit the DPD Applicant Services Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave., to discuss your plans with a land use planner. Land use planners are available M/W/F, 7:30 a.m.-5:30 p.m., and Tu/Th, 10:30 a.m.-5:30 p.m.

**NOTE: Due to the complexity of Seattle's Land Use Code, and the importance of providing you with the most accurate information that specifically addresses your situation, DPD staff does not answer questions on this topic by phone.**

## Access to Information

Links to electronic versions of DPD **Client Assistance Memos (CAMs)**, **Director's Rules**, and the **Seattle Municipal Code** are available on the "Publications" and "Codes" pages of our website at **[www.seattle.gov/dpd](http://www.seattle.gov/dpd)**. Paper copies of these documents are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave. in Downtown Seattle, (206) 684-8467.