

Amendment 4 to Council Bill 119600: Exemption of parking

Councilmember Herbold

Section 25.05.800 makes certain types of development projects exempt. Under Council Bill 119600, this projects in urban villages with up to 200 units and parking lots up to 40 parking spaces. SDCI has [interpreted these provisions](#), as they currently apply in urban centers, to exempt projects with more than 40 accessory parking spaces, whether required or not. This amendment clarifies that a project that includes more than 40 parking spaces as non-required parking is subject to SEPA review.

Amend Section 25.05.800 A to clarify that the exemption for parking does not apply if more than 40 non-required parking spaces are provided:

25.05.800 Categorical exemptions

The proposed actions contained in this Section 25.05.800 are categorically exempt from threshold determination and environmental impact statement requirements, subject to the rules and limitations on categorical exemptions contained in Section 25.05.305.

A. Minor new construction; flexible thresholds

1. The exemptions in this subsection 25.05.800.A apply to all licenses required to undertake the construction in question. To be exempt under this Section 25.05.800, the project shall be equal to or smaller than the exempt level. For a specific proposal, the exempt level in subsection 25.05.800.A.2 shall control. If the proposal is located in more than one city or county, the lower of the agencies' adopted levels shall control, regardless of which agency is the lead agency. The exemptions in this subsection 25.05.800.A apply except when the project:

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2. The following types of construction are exempt, except when undertaken wholly or partly on lands covered by water:

a. The construction or location of residential or mixed-use development containing no more than the number of dwelling units identified in Table A for 25.05.800 below:

Table A for 25.05.800			
Exemptions for residential uses			
Zone	Residential uses		
	Number of exempt dwelling units		
	Outside ((of)) urban centers and urban villages	Within urban centers <u>and</u> urban villages where growth estimates have not been exceeded	Within urban centers and urban villages where growth estimates have been exceeded
SF and RSL	4	4	4
LR1	4	200 ¹	20
LR2	6	200 ¹	20
LR3	8	200 ¹	20
NC1, NC2, NC3, C1, and C2	4	200 ¹	20
MR, HR, and Seattle Mixed zones	20	200 ¹	20
MPC-YT	NA	30 ¹	20
Downtown zones	NA	250 ¹	20
Industrial zones	4	4	4

Footnotes to Table A for 25.05.800
NA = not applicable
Urban centers and urban villages are identified in the Seattle Comprehensive Plan
¹ Pursuant to RCW 43.21C.229, new residential development or the residential portion of new mixed-use development located in an urban center or in an urban village is categorically exempt from the State Environmental Policy Act, unless the Department has determined that residential growth within the urban center or village has exceeded exemption limits for the center that the Department has established pursuant to subsection 25.05.800.A.2.i.

b. The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet or less, and to be used only by the property owner or the property owner's agent in the conduct of farming the property. This exemption does not apply to feed lots;

c. The construction of office, school, commercial, recreational, service, or storage buildings, containing no more than the gross floor area listed in Table B for 25.05.800 below:

**Table B for 25.05.800
Exemptions for non-residential uses**

Zone	Non-residential uses		
	Exempt area of use (square feet of gross floor area)		
	Outside ((of)) urban centers <u>and hub urban villages</u>	Within urban centers <u>and hub urban villages</u> where growth estimates have not been exceeded	Within urban centers <u>and hub urban villages</u> where growth estimates have been exceeded
SF, RSL ₂ , and LR1	4,000	4,000	4,000
LR2 and LR3	4,000	12,000 ¹ or 30,000 ²	12,000
MR, HR, NC1, NC2, and NC3	4,000	12,000 ¹ or 30,000 ²	12,000
C1, C2, and Seattle Mixed zones	12,000	12,000 ¹ or 30,000 ²	12,000
Industrial zones	12,000	12,000	12,000
MPC-YT	NA	12,000	12,000
Downtown zones	NA	12,000 ¹ or 30,000 ²	12,000

Footnotes to Table B for 25.05.800

NA = not applicable

Urban centers and urban villages are identified in the Seattle Comprehensive Plan

¹ New non-residential development that is not part of a mixed-use development and that does not exceed 12,000 square feet in size is categorically exempt from the State Environmental Policy Act (SEPA).

² Pursuant to RCW 43.21C.229, new non-residential development that does not exceed 30,000 square feet and that is part of a mixed-use development located in an urban center or in a hub urban village is categorically exempt from SEPA, unless the Department has determined that employment growth within the urban center or village has exceeded exemption limits for the center that the Department has established pursuant to subsection 25.05.800.A.2.i.

d. The construction of a parking lot designed for 40 or fewer automobiles, as well as the addition of spaces to existing lots up to a total of 40 spaces, except that all projects that include more than 40 non-required parking spaces are subject to environmental review;

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