

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the [Supplemental Sheet for Nonproject Actions \(Part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

A. Background [Find help answering background questions](#)

1. Name of proposed project, if applicable:

Downtown Retail Core Zone Amendment

2. Name of applicant:

City of Seattle Office of Planning & Community Development

3. Address and phone number of applicant and contact person:

City of Seattle, Office of Planning and Community Development

600 Fourth Avenue

P.O. Box 94788

Seattle, Washington 98124-7088

Contact: Rawan Hasan, rawan.hasan@seattle.gov

4. Date checklist prepared:

June 13, 2023

5. Agency requesting checklist:

City of Seattle Office of Planning and Community Development

6. Proposed timing or schedule (including phasing, if applicable):

The proposed legislation will be discussed and possibly voted on by the City Council in the summer and fall of 2023.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No, the proposal is a non-project action that is not dependent upon any further action.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

This SEPA environmental checklist has been prepared for this proposal. A Director's Report is also prepared for the proposed legislation.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Applications prior to the adoption of this legislation will follow the existing development standards by the current designated zoning.

10. List any government approvals or permits that will be needed for your proposal, if known.

The proposal requires approval by the City Council. No other agency approvals are anticipated.

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The Office of Planning and Community Development proposes to make a zoning map change and small amendments to text provisions of the Land Use Code (Seattle Municipal Code Title 23) to revitalize the retail core area along the third Avenue. The proposal contains the following elements:

1. Rezone parts of the Retail Core area into mixed commercial. The proposed rezone is from DRC 85-170 to DMC 240/290-440.
2. Amend the land use code at SMC 23.49.058.D to address tower spacing to apply a 60' tower spacing requirement for the proposed rezone area.
3. Amend the land use code at SMC 23.49.058.A allowing a podium height of 85 feet, and amending SMC 23.49.008.B giving a height limit exception of 10%, for a structure that contains an elementary or secondary school.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

This is a non-project action. The legislation would affect the DRC 85-170 zone, which is mapped in one place within the city. The DRC 85-170 zone is located on approximately 12 blocks in the north portion of the Commercial Core Downtown Urban Center. Oliva Way and Stewart St identify this zoning area to the northwest, Union St to the southeast, 6th Avenue to the northeast, and the alley between 3rd Avenue and 2nd Avenue southwest. The Area that the legislation is proposing to rezone is the area from the alley between 3rd Avenue and 2nd Avenue and the 3rd Ave between Stewart St and Union St. In addition to the northwest half of the block between Pine St and Pike St and between 3rd Avenue and 4th Avenue as well as, the northwest quarter of the block between Pike St and Union St and 3rd Avenue and 4th

Avenue. See the map below.

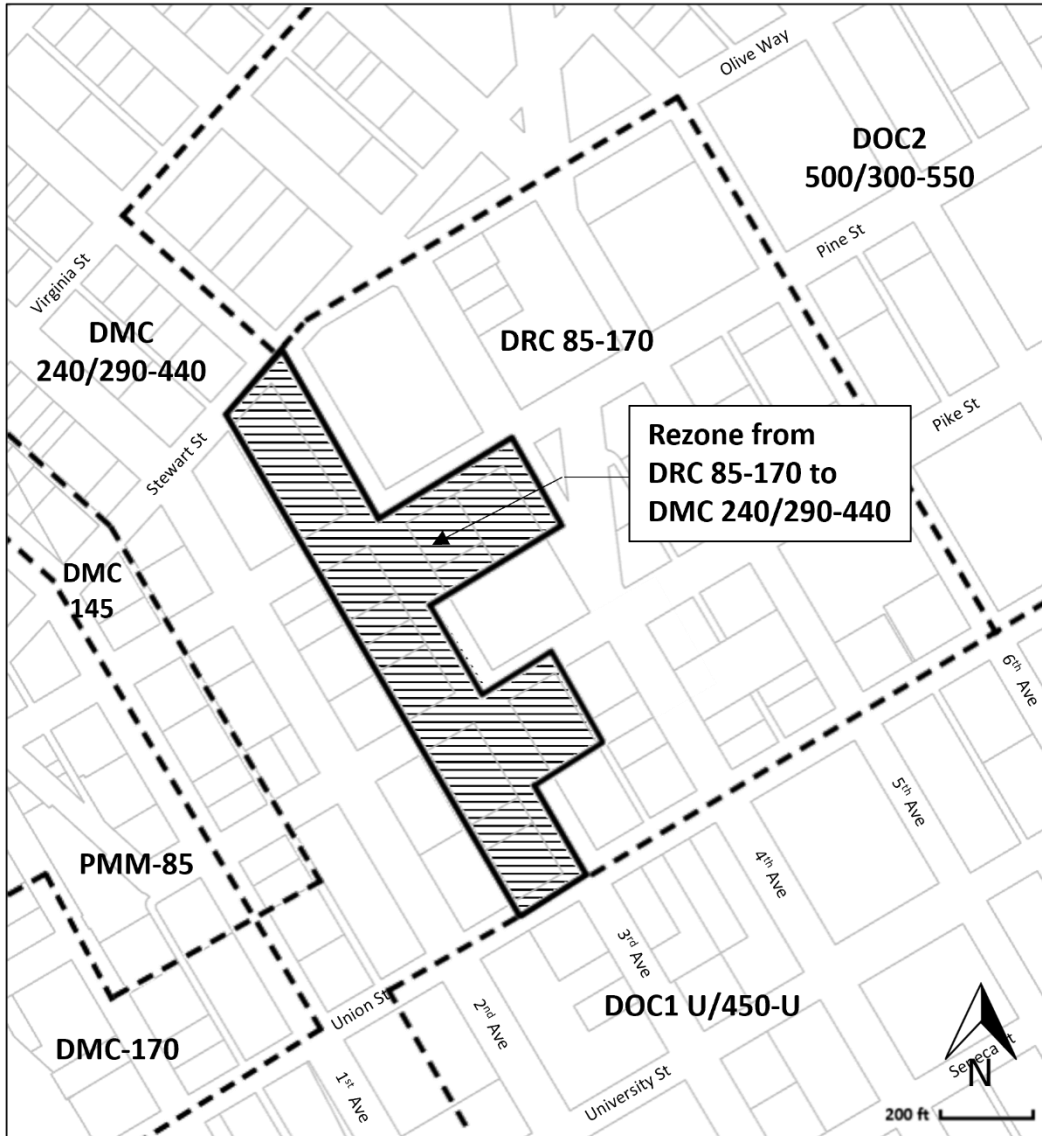


Figure 1 the rezone area within the context of the surrounding zones

B. Environmental Elements

1. Earth [Find help answering earth questions](#)

a. General description of the site:

The affected area by the proposal has a diversity of site conditions consistent with urbanized areas. The area northwest to southeast along Third Avenue is generally flat from Stewart Street northwest to Union Street southeast. The area from Fourth Avenue northwest slightly slopes down southeast towards the alley between Second and Third Avenue.

Circle or highlight one **Flat**, rolling, hilly, steep slopes, mountainous, other:

b. What is the steepest slope on the site (approximate percent slope)?

The affected area along Third Avenue is generally flat. The affected area has no mapped potential slide areas.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The affected area by the proposal contains a diversity of soils and fills consistent with urbanized areas.

Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

See c above. There are no mapped peat settlement prone areas and no known unstable soil areas.

d. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

This is a non-project action. No filling, excavation, or grading is proposed.

e. Could erosion occur because of clearing, construction, or use? If so, generally describe.

This is a non-project action. No clearing, construction, or change of use is proposed. Erosion could occur indirectly as a result of future development if the proposal incrementally encourages or discourages development in the affected area. The proposal alters the potential scale of development. It proposes to increase the allowable building height, and floor area ratio which may indirectly affect the erosion as a result of future development.

f. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

This is a non-project action. No change of impervious surfaces is proposed. Changes in impervious surface could occur indirectly as a result of future development if the proposal incrementally encourages or discourages development in the affected area.

g. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

None. Compliance with existing City ordinances to reduce or control erosion is required for development in Seattle.

2. Air [Find help answering air questions](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

This is a non-project action. No emissions will occur as a direct result of this proposal. Minor changes in emissions could occur indirectly as a result of future development if the proposal incrementally encourages or discourages development in the affected areas. The proposal alters the potential scale of development. It proposes to increase the allowable building height, and floor area ratio which may indirectly affect the emissions as a result of future development.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

The affected area by the proposal contains a variety of emission and odors consistent with urbanized areas.

c. Proposed measures to reduce or control emissions or other impacts to air, if any.

None. Compliance with existing city ordinances to reduce or control emissions and other impacts to air is required for development in Seattle.

3. Water [Find help answering water questions](#)

a. Surface Water: [Find help answering surface water questions](#)

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The area affected by the proposal does not contain any surface water bodies. Elliott Bay is within 1,300' of the affected area to the southwest.

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

This is a non-project action. No work over, in, or adjacent to the described waters is proposed. There are no surface water bodies in the affected area or within 200 feet from the affected area.

- 3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

This is a non-project action. No fill or dredging in or from wetlands or surface water will result from the proposal.

- 4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.**

This is a non-project action. No surface water withdrawals or diversions will result from this proposal.

- 5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

This is a non-project action. This affected area does not include any 100-year floodplains.

- 6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

This is a non-project action. No discharges of waste materials to surface waters will result from this proposal.

b. Ground Water: [Find help answering ground water questions](#)

- 1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.**

This is a non-project action. The area does not include any land that contains wells. No withdrawal of groundwater will result from this proposal for drinking water or other purposes

- 2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

This is a non-project action. No waste materials are proposed to be discharged.

c. Water Runoff (including stormwater):

- 1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

This is a non-project action. No runoff will result from this proposal.

2. Could waste materials enter ground or surface waters? If so, generally describe.

This is a non-project action. This proposal will not result in waste materials entering ground or surface waters.

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

This is a non-project action. This proposal will not affect drainage patterns.

4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.

None. Compliance with existing city ordinances to reduce or control stormwater and wastewater is required for development in Seattle.

4. Plants [Find help answering plants questions](#)

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- orchards, vineyards, or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

This is non project action. The affected area may contain the marked types of vegetation that is consistent with urbanized areas.

b. What kind and amount of vegetation will be removed or altered?

This is a non-project action. This proposal will not result in the direct removal or alteration of vegetation. Changes in vegetation could occur indirectly as a result of future development if the proposal incrementally encourages or discourages development in the affected area.

c. List threatened and endangered species known to be on or near the site.

No threatened or endangered plant species are known to be on or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.

None.

e. List all noxious weeds and invasive species known to be on or near the site.

The affected area may contain a diversity of invasive plants consistent with urbanized areas. These plants include but are not limited to common urban invasives such as ivy, blackberry, and bindweed.

5. Animals [Find help answering animal questions](#)

a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.

Examples include:

- **Birds:** hawk, heron, eagle, songbirds, other:
- **Mammals:** deer, bear, elk, beaver, other:
- **Fish:** bass, salmon, trout, herring, shellfish, other:

The affected area contains a diversity of animals consistent with urbanized areas including a diversity of birds, and mammals. These animals include but are not limited to hawk, heron, eagle, and songbirds. Elliott Bay is within 1,300' of the site and is a habitat for migrating salmon.

b. List any threatened and endangered species known to be on or near the site.

A variety of threatened and endangered species including various birds may be in or near the site.

c. Is the site part of a migration route? If so, explain.

The affected areas include migration routes for a variety of species including but not limited to various birds.

d. Proposed measures to preserve or enhance wildlife, if any.

None.

e. List any invasive animal species known to be on or near the site.

The affected area contains a diversity of invasive animal species consistent with urbanized areas.

6. Energy and Natural Resources [Find help answering energy and natural resource questions](#)

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

This is a non-project action. No use of energy is proposed. All kinds of energy could be used indirectly as a result of future development if the proposal incrementally encourages or discourages development in

the affected area. The proposal alter the potential scale of development. It proposes to increase the allowable building height, and floor area ratio which may indirectly affect the energy use as a result of future development.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

This is a non-project action. No use of solar energy is proposed. Solar energy could be used indirectly as a result of future development if the proposal incrementally encourages or discourages development in the affected area. The proposal alters the potential scale of development. It proposes to increase the allowable building height, and floor area ratio which may indirectly affect the solar energy use as a result of future development.

Since the proposal alters the allowed height bulk and scale of development, changes to the potential sunlight block to surrounding sites may result. See Figure 14 provided in the Director's Report which shows graphics of the shadow analysis on the affected area in the four seasons. The graphics can be used to interpolate where additional shadows would fall if new towers were constructed in the rezoned area on identified potential development sites.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

This is a non-project action. This proposal will not directly result in additional energy needs.

7. Environmental Health [Find help with answering environmental health questions](#)

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

This is a non-project action. This proposal will not directly result in an of the environmental health hazards listed above.

1. Describe any known or possible contamination at the site from present or past uses.

a. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

The affected area contains a diversity of conditions consistent with urbanized areas. These include natural gas transmission pipelines.

b. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

This is a non-project action. This proposal will not result in the storage, use, or production of toxic or hazardous chemicals.

c. Describe special emergency services that might be required.

This is a non-project action. This proposal will not directly result in additional need for special emergency services.

d. Proposed measures to reduce or control environmental health hazards, if any.

None.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The affected area contains a diversity of noise consistent with urbanized areas. The main source of noise is from cars, trucks, and busses transiting on the streets running through the proposal area, especially along Third Avenue as it has a high volume of transit buses transiting during all times of the day. Emergency vehicles are also a source of noise when they use sirens while in the proposal area.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?

This is a non-project action. This proposal will not directly result in additional noise. Noise could be indirectly increased as a result of future development if the proposal incrementally encourages or discourages development in the affected area. The proposal alters the potential scale of development. It proposes to increase the allowable building height, and floor area ratio which may indirectly affect the noise levels as a result of future development.

3. Proposed measures to reduce or control noise impacts, if any.

None. Compliance with existing city ordinances for noise is required for development in Seattle.

8. Land and Shoreline Use [Find help answering land and shoreline use questions](#)

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

This is a non-project action. The areas affected by the proposal are currently within the DRC 85-170 zone. The current Downtown Retail Core allows for a broad range of uses except for a narrow list of prohibited uses like; drive-in businesses, outdoor storage, general and heavy manufacturing uses, solid waste management and recycling, and all high-impact uses. The adjacent areas to the northeast of the affected

area have the same zoning designation which allows for similar uses. The adjacent areas to the southwest of the affected area have the DMC 240/290-440. The downtown mixed residential zone allows for a broad range of uses except for a narrow list of prohibited uses: Drive-in businesses, outdoor storage, general and heavy manufacturing uses, solid waste management and recycling, high-impact uses, adult theaters, and panoramas, and flexible-use parking garages for long-term parking. The legislation proposes a rezone from the current DRC 85-170 into DMC 240/290-440. The allowed uses are very similar in the two zones. The DMC 240/290-440 allows the same range of uses but prohibits in addition to the prohibited uses in DRC 85-170 adult theaters and panoramas, and flexible-use parking garages for long-term parking. The proposal supports and incentivizes downtown schools, it allows a podium height of 85 feet, and gives a height limit exception of 10%, for a structure that contains an elementary or secondary school.

1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?

This is a non-project action. The proposal will not directly alter farm or forest land.

b. Describe any structures on the site.

The affected area has a diversity of structures consistent with urbanized areas including but not limited to two to three-story retail buildings, eight-to-ten mixed-use buildings that have retail on the ground level, and apartments or offices on the upper levels. The block on the far northwest of the proposed site is an eight-story parking garage.

c. Will any structures be demolished? If so, what?

This is a non-project action. This proposal will not directly result in the demolition of structures. Demolitions could occur indirectly as a result of future development if the proposal incrementally encourages or discourages development in the affected areas. The proposal alters the potential scale of development. It proposes to increase the allowable building height, and floor area ratio which may indirectly affect the demolition of existing buildings as a result of future development.

d. What is the current zoning classification of the site?

This is a non-project action. The affected area is within the DRC 85-170 zone. The legislation proposes a rezone into DMC 240/290-440 zone.

e. What is the current comprehensive plan designation of the site?

The affected area is within the Commercial Downtown Urban Center designation of the Comprehensive Plan.

f. If applicable, what is the current shoreline master program designation of the site?

Not applicable.

- g. Has any part of the site been classified as a critical area by the city or county? If so, specify.**

No critical areas known in the affected area.

- h. Approximately how many people would reside or work in the completed project?**

This is a non-project action. This proposal will not directly result in buildings in which people would reside or work. This proposal could indirectly result in new buildings if the proposal incrementally encourages or discourages development in the affected area. The proposal alters the potential scale of development. It proposes to increase the allowable building height, and floor area ratio which may indirectly affect the number of people who might reside or work in the area as a result of future development.

- i. Approximately how many people would the completed project displace?**

This is a non-project action. No displacement will occur as a direct result of the project. The proposal alters the potential scale of development. It proposes to increase the allowable building height, and floor area ratio which may indirectly affect the displacement of the existing residents of the area as a result of future development and demolition of the old buildings.

- j. Proposed measures to avoid or reduce displacement impacts, if any.**

None.

- k. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.**

None.

- l. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.**

None.

9. Housing [Find help answering housing questions](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

This is a non-project action. No housing is proposed to be created as part of this project. This proposal could indirectly result in new housing if the proposal incrementally encourages or discourages development in the affected area. Since the proposal alters the allowed height, bulk, and scale of development, more housing units are anticipated in future development compared to the current zoning scale of development. The Office of Planning and Community Development estimates that the proposed legislation would produce 2 new residential tower structures in the rezoned area in a 20-year timeframe (while acknowledging that differing conditions over the timeframe could result in as few as 0 and as

many as 4 developments). A general estimation of 300-600 homes is suggested per development in consideration of the expected site sizes for the redevelopment. Therefore, we suggest an estimated focus range of 600 – 1,200 homes, while acknowledging that a much wider plausible range of between 0 and 2,400 homes is possible. It is expected that the homes would be new market-rate housing construction. Based on observations about rent and sales prices in other buildings nearby, we should assume that homes would generally be available to households at or above 100% of the Area Median Income (AMI). Depending on the goals of the development team it is likely that a portion of the homes would be at price points available to very high-income households.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

This is a non-project action. No housing is proposed to be eliminated as part of this project. This proposal could indirectly result in new housing if the proposal incrementally encourages or discourages development in the affected area. Since the proposal alters the allowed height, bulk, and scale of development, demolition of existing buildings and housing is anticipated for future new development. The affected area contains two existing non-profit-owned affordable housing buildings that are subject to rent and income-restricted covenants. The Glen Hotel building located at 1413 3rd Ave. is owned by LIHI and contains approximately 30 single-room occupancy sleeping rooms that were constructed in 1906. The Gilmore Apartments, built in 2002 are located at 1530 3rd Ave. and are owned by Bellwether Housing and provide 65 affordable homes. According to Office of Housing regulations, buildings with affordable housing agreements can not be redeveloped unless the affordable housing is relocated in an equal or greater quantity elsewhere. The Gilmore Apartments are in good condition and unlikely to be affected by the rezoning. If redevelopment is sought for the site containing the Glen Hotel it is anticipated based on input from the owner that the affordable homes could be relocated elsewhere and simultaneously upgraded to better and more modern conditions for the residents.

c. Proposed measures to reduce or control housing impacts, if any.

Compliance with existing city ordinances on housing and tenant relocation assistance is required, as is a contribution towards the Mandatory Housing Affordability (MHA) program at the time of new development. The redevelopment would contribute to affordable housing through the City's Mandatory Housing Affordability (MHA) program. In the proposed DMC 240/290-440 zone the MHA contribution would be \$8.25 per sq. ft. of residential development, or reservation of 3.2% of the units as affordable to households at 60% AMI or below. Using the 300-600 homes estimated in (a) above we estimate a contribution of \$2.1 - \$4.2M if developers elected the payment option or a contribution of 10-20 affordable homes if they elected the performance option.

10. Aesthetics [Find help answering aesthetics questions](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

This is a non-project action. This proposal will not directly result in new buildings. New buildings could occur indirectly as a result of future development if the proposal incrementally encourages or discourages development in the affected areas. The proposal alters the potential scale of development. It proposes to increase the allowable building height, and floor area ratio which may indirectly affect the construction of new buildings as a result of future development. According to the regulations of DMC 240/290-440 the height limit for non-residential and live-work uses is 240', for residential use, the base height limit is 290' and the maximum height is 440'. The maximum height is available to structures in residential use that use the bonus.

There are no material requirements for future development in DMC 240/290-440. However, there are façade requirements based on the street classification, and all streets in the affected area are Class I Pedestrian Streets. The following standards apply a minimum façade height of 25', facades must be placed close to the sidewalk, 60% transparency requirement for ground floor facades, and blank façade limits.

b. What views in the immediate vicinity would be altered or obstructed?

This is a non-project action. No views would be directly altered or obstructed by this project. The proposal alter allowed height bulk and scale of new development, this will alter or obstruct the views down Elliot Bay and the Pike Place Market.

As described in Section 6.b. the proposal alters the allowed height bulk and scale of development, and changes to the potential sunlight block to surrounding sites may result. Figure 14 provided in the Director's Report shows graphics of the shadow analysis on the affected area in the four seasons. The graphics can be used to interpolate where additional shadows would fall if new towers were constructed in the proposed area on identified potential development sites. The most important location to consider is Westlake Park because it is a public park and open space.

In the morning, the potential for shadows from taller structures in the proposed area would not affect the adjacent properties to the northwest including Westlake Park in all the seasons, because shadows would be cast in the opposite direction and the park is shaded by existing structures at the time. At midday in summer, spring, and fall potentially taller structures would minimally affect the adjacent properties to the north and west including Westlake Park, because the sun would be high enough so additional shadows would not be cast onto the adjacent properties. In the winter at midday, Westlake Park is already shadowed by existing structures. The greatest potential shadow effects would be in the Spring and fall afternoons when the height of potential new structures could cast an additional shadow into the northwest corner of Westlake Park if a new structure were built at the corner of 4th and Pine, or at the site of the former Kress IGA. However, it should be noted that during these times most of Westlake Park is already shaded by existing structures and that a new structure at 4th and Pine constructed under existing zoning would likely cause the same shadowing effect.

According to SMC 25.05.675.Q.2. It is the City's policy to minimize or prevent light blockage and the creation of shadows on open spaces most used by the public. Westlake Park and Plaza are part of the public spaces downtown where shadow impacts may be mitigated by 25.05.675.Q.2.b.

According to SMC 25.05.675.Q.2.d. mitigating measures may include but are not limited to limiting the height of the development, limiting the bulk of the development, redesigning the profile of the development, limiting or rearranging walls, fences, or plant material, limiting or rearranging accessory structures, i.e., towers, railing, antennae, and relocating the project on the site.

c. Proposed measures to reduce or control aesthetic impacts, if any.

None.

11. Light and Glare [Find help answering light and glare questions](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

This is a non-project action. This proposal will not directly result in additional light or glare.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

This is a non-project action. This proposal will not directly result in additional light or glare.

c. What existing off-site sources of light or glare may affect your proposal?

The affected area contains a diversity of light and glare sources consistent with urbanized areas.

d. Proposed measures to reduce or control light and glare impacts, if any.

None.

12. Recreation [Find help answering recreation questions](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

The affected area has a diversity of recreational opportunities in the immediate vicinity consistent with urbanized areas may include formal parks and natural areas. This includes but is not limited to Westlake Park in immediate proximity to the northeast of the affected area. There are other recreational opportunities in walking distance from the affected area like the Downtown Waterfront Park southwest of the affected area, Freeway Park southeast of the affected area, and Elliot Bay Trail northwest of the affected area.

The light rail that travels along downtown Seattle in addition to the bus transit services, especially on the Third Avenue which has high bus volume provide access opportunities to parks around the city and the region.

b. Would the proposed project displace any existing recreational uses? If so, describe.

This is a non-project action. This proposal will not directly displace any recreational uses. The affected area does not include recreational uses.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

None.

13. Historic and Cultural Preservation [Find help answering historic and cultural preservation questions](#)

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Most of the buildings within the affected area are older than 45 years that are historic landmarks and some that may be eligible for designation as a historic site with either locally or federally designated status. There are three Seattle designated landmarks in the affected area and no landmark districts according to the Seattle Landmarks and Historic District map on the City website.

The buildings that are over 45 years old in the affected area are:

- Bon Macy's Parking Garage, at 1601 3rd Ave 98101, was built in 1959
- Olympic Tower Condominium, at 217 Pine St, a Seattle Designated Historic Landmark, was built in 1929
- Fischer Studio Building, at 1519 3rd Ave, a Seattle Designated Historic Landmark, was built in 1913
- Aaron Brothers Building, at 1513 3rd Ave, was built in 1920
- Melbourne Tower, at 1511 3rd Ave, was built in 1927
- Century Building, at 1518 3rd Ave, was built in 1910
- Century Square Building, at 1525 4th Ave, was built in 1920
- Kress Building, at 1419 3rd Ave, was built in 1924
- Glen Hotel, at 1413 3rd Ave, was built in 1907
- Mann Building, at 1411 3rd Ave, a Seattle Designated Historic landmark, was built in 1926
- Ross Dress for Less Building, at 301 Pike St, was built in 1940

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

The affected area may contain a diversity of locations with evidence of Indian or historic use or occupation. The area may include locations of historic settlements by Indians and European settlers. Elliott Bay is within 1,300' of the affected area and shorelines and waters were important culturally and for transit and fishing and shellfishing to Tribes in the area.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

This is a non-project action. The City's Seattle Landmark and Historic Districts online map was consulted for reference.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

None. Compliance with existing city ordinances for historic preservation is required for development in Seattle. Seattle Municipal Code Section 23.49.008 has restrictions on the demolition and alteration of existing structures including the three designated landmarks mentioned above. The restrictions incorporate the existing exterior street-front facades on the new development.

14. Transportation [Find help with answering transportation questions](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

The affected area contains a diversity of streets consistent with urbanized areas. Third Avenue, Fourth Avenue, and Pine Street are Principal Transit Streets traveling through the affected area. Third Avenue travels in two ways, while all the other Avenues and streets within the affected area travel in one way. On the southwest of the affected area, there is an alley that is used for access and services.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

The affected area is served by a diversity of public transit including bus service, and light rail. Third Avenue has high bus volumes and many stops on both ways.

- c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

This is a non-project action. The proposal may result in indirect improvements to pedestrian infrastructure and transportation facilities as a result of future development if the proposal incrementally encourages or discourages development in the affected areas.

- d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

The affected area is in broad proximity to water (Elliott Bay is within 1,300' of the affected area) and light rail transportation options. Future users and occupants of the affected area may use those services.

- e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

This is a non-project action. This proposal will not directly result in additional vehicular trips. Changes in the number of vehicular trips could occur indirectly as a result of future development if the proposal incrementally encourages or discourages development in the affected areas.

- f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

This is a non-project action. This proposal will not directly affect the movement of agricultural and forest products. There are no major truck streets in the affected area, and few customary trips by vehicles carrying forest or agricultural products through the affected area.

- g. Proposed measures to reduce or control transportation impacts, if any.**

None.

15. Public Services [Find help answering public service questions](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

This is a non-project action. This proposal will not directly result in an increased need for public services. The proposal affects the height and bulk of the building which may indirectly affect future development and leads to increased need for public services.

The proposal supports and incentivizes downtown schools, it allows a podium height of 85 feet, and gives a height limit exception of 10%, for a structure that contains an elementary or secondary school.

- Proposed measures to reduce or control direct impacts on public services, if any.**

None.

16. Utilities [Find help answering utilities questions](#)

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:**

The affected area contains a diversity of utilities consistent with urbanized areas. These include electricity, natural gas, water, refuse service, telephone, sanitary sewer, and other utilities.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

This is a non-project action. No utilities are proposed for this project.

C. Signature [Find help about who should sign](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

_____ [On File] _____

Type name of signee: Rawan Hasan

Position and agency/organization: Associate Planner

Date submitted: 6/13/2023

D. Supplemental sheet for nonproject actions [Find help for the nonproject actions worksheet](#)

IT IS NOT REQUIRED to use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

- 1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

As a non-project action, the proposal would result in no direct impacts on water, air, noise, or toxic/hazardous substances. Greenhouse gas (GHG) emissions have also been considered, and no changes to GHG emissions are expected as a result of this non-project action. Individual projects that may be subject to the proposal will occur over time and cannot be evaluated in terms of discharge to water, emissions to air, production, storage, release of toxic or hazardous substances, or noise, at this stage. It would be speculative to attempt to quantify impacts on

future development. Such projects will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward. The proposal is not expected to increase the potential discharge of pollutants as compared to the amounts that could occur without the proposed changes.

The legislation proposes to change the scale, density, or intensity of the future development that could occur in the area. That might lead to increased Greenhouse gas emissions, production of noise, and discharges that might be caused by the increased scale, density, and intensity of future development.

- **Proposed measures to avoid or reduce such increases are:**

No increases are anticipated and so no measures are proposed.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

As a non-project action, the proposal would result in no direct impacts and are unlikely to result in indirect or cumulative impacts related to plant, animal, fish or marine life. The proposal is not increasing the number of parcels eligible for development currently allowed as a result of existing zoning designations. The proposal does not alter any regulations directly related to environmental performance of new development, such as green factor landscaping requirements, or stormwater infrastructure requirements.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

No impacts are anticipated and so no measures are proposed.

3. How would the proposal be likely to deplete energy or natural resources?

As a non-project action, the proposal would result in no direct impacts and are unlikely to result in indirect or cumulative impacts related to energy or natural resources. The proposal does not increase the number of parcels eligible for development currently allowed as a result of existing zoning designations. The proposed changes do not alter any regulations directly related to energy or natural resources such as energy performance standards in new development.

However, the proposal might change the scale, density or intensity of the future development that could occur in the area. The affect of the anticipated increase of the scale would increase the shadow on the surrounding buildings that might increase the use of enegy to heat or light the surrounding buildings in certain times.

- **Proposed measures to protect or conserve energy and natural resources are:**

No impacts are anticipated and so no measures are proposed.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks,

wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

As a non-project action, the proposal would result in no direct impacts and is unlikely to result in indirect or cumulative impacts related to environmentally sensitive areas or areas designated for governmental protection. This is due to the fact that the areas potentially affected are already located in intensely developed urban environments and no significant environmentally sensitive areas are designated.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None are proposed because no impacts are anticipated. The existing regulatory framework, i.e., the Land Use Code, The Shoreline Master Program, Environmentally Critical Areas Ordinance, Landmarks Preservation Ordinance and the City's SEPA ordinance will address impacts, if any, as part of the project-specific review of development proposals.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

As a non-project action, the proposal suggests a rezone from the Downtown Retail Core DRC into Downtown Mixed Commercial DMC. The allowed uses are very similar in the two zones. The effect of the proposal with respect to allowed and prohibited uses is negligible. The standards under the existing zone and the proposed zone are nearly identical. However, the change to height limits could result in taller towers and would allow a different scale of tall residential towers, and the change with respect to FAR limits could increase overall development capacity for commercial development.

The proposal supports and incentivizes downtown schools, structures that contain schools could have a larger mass and height as the proposal allows higher podium height, and gives a height limit exception for a structure that contains an elementary or secondary school.

The proposal does not allow or encourage incompatible uses with the City's Comprehensive plan. The Comprehensive Plan intended function and guidance for the Downtown Retail Core is to contain major department stores and to have the greatest concentration of Downtown's retail activity. The DRC allow uses other than retail with the general intent that they augment but do not detract from this primary function, and promote housing in the area to complement its principal retail function. The proposed zone change allows for similar functions and uses.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

As a non-project action, the proposal would result in no direct impacts and is unlikely to result in indirect or cumulative negative impacts related to transportation or public services/utilities. All areas potentially affected by the proposal are already urbanized areas with fully developed

utility infrastructures. The proposal alters the allowance of the scale, density, and intensity of the future development that could occur in the area. The effect of the proposal changing these allowances might increase demand for transportation or public services and utilities as a result of the increased housing anticipated in future development .

Proposed measures to reduce or respond to such demand(s) are:

No increased demands are anticipated and so no measures are proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

It is believed that the proposal would not result in conflicts with local, state, or federal laws or requirements for protection of the environment.



City of Seattle

Office of Planning & Community Development

Rico Quirindongo, Acting Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT**

**SEPA Threshold Determination
for Downtown Retail Core Zoning Amendment**

- Project Sponsor:** City of Seattle Office of Planning and Community Development
- Location of Proposal:** A portion of the Downtown Retail Core zone and text amendments that affect the Downtown Mixed Commercial zone and the Downtown Office Core 2 zone.
- Scope of Proposal:** The proposal is a legislative action to rezone parts of the Downtown Retail Core (DRC) zone to the Downtown Mixed Commercial (DMC) zone, and amend the Seattle Municipal Code to address tower spacing requirement for the proposed rezone area and to amplify exemptions that encourage location of a school facility in downtown zones.

BACKGROUND

Proposal Description

The Office of Planning and Community Development proposes to make a zoning map change and small amendments to text provisions of the Land Use Code (Seattle Municipal Code Title 23) intended to revitalize the retail core area along Third Avenue. The proposal contains the following elements:

1. Rezone parts of the Downtown Retail Core (DRC) to the Downtown Mixed Commercial (DMC) zone. The proposed rezone is from DRC 85-170 to DMC 240/290-440.
2. Amend the land use code at SMC 23.49.058.D to address tower spacing to apply a 60' tower spacing requirement for the proposed rezone area.
3. Amend the land use code at SMC 23.49.058.A allowing a podium height of 85 feet and amending SMC 23.49.008.B giving a height limit exception of 10%, for a structure that contains an elementary or secondary school.

Public Comment

Proposed changes to the Land Use Code require City Council approval. Opportunity for public comment will occur during future Council hearings. During the first half of 2023 Mayor Harrell convened downtown area stakeholders in a series of meetings and consultations related to formulation of a Downtown Activation Plan.

ANALYSIS - OVERVIEW

The following describes the analysis conducted to determine if the proposal is likely to result in *probable significant adverse environmental impacts*. This threshold determination is based on:

- * the copy of the proposed Ordinance;
- * the information contained in the *SEPA checklist* (dated June 2023);
- * information in relevant policy and regulatory documents including the Comprehensive Plan, the City's SMC Title 25, and relevant Historic Landmarks controls and incentives ordinances.
- * the information contained in the Director's Report; and
- * the experience of OPCD analysts in reviewing similar documents and actions.

ELEMENTS OF THE ENVIRONMENT

Short -Term Impacts

As a non-project action, the proposal will not have any short-term adverse impact on the environment. Future development affected by this legislation will be reviewed under existing laws, including the City's SEPA ordinance, and the codified referral process for review of historic resources by the Department of Neighborhoods, to address any short-term impacts on the environment.

Long-Term Impacts

As a non-project action, the proposal is anticipated to have minor long-term impacts on the environment. Impacts are attributable to the legislation incrementally encouraging future development with residential structures, compared to under the existing regulations. Development could be incrementally taller and larger in scale than the development that might occur in the absence of legislation. The Office of Planning and Community Development estimates that the proposed legislation would most likely encourage two new residential tower structures in the rezone area in a 20-year

timeframe (while acknowledging that differing conditions over the timeframe could result in as few as 0 and as many as 4 developments).

Natural Environment

The natural environment includes potential impacts to earth, air, water, plants/animals/fisheries, energy, natural resources, environmentally sensitive areas, noise, releases of toxic or hazardous materials. Adoption of the proposed legislation is not anticipated to result in adverse impacts on any of these elements of the natural environment, compared to development that might occur under existing regulations. The proposal could incrementally increase the scale, density or intensity of the future development that could occur in the affected area. However, it is not expected that the proposal would increase the profile of impacts to earth, air, water, plants/animals/fisheries, energy, natural resources, environmentally sensitive areas, noise, or releases of toxic or hazardous materials, compared to other types of development that would occur in the absence of the proposal. No development standards governing landscaping requirements, tree planting, or green factor, or codes related to energy are proposed for amendment. All of the rezone area is already fully developed with structures that occupy nearly 100% of the footprint of affected parcels. It is possible that new development could improve the natural environment to the extent that new development retains stormwater runoff or increases vegetation in new developments compared to the existing condition.

Built Environment

The proposed legislation will affect the built environment and will have minor adverse impact on the built environment. The impacts to the built environment include any impacts related to land and shoreline use, height/bulk/scale, housing, and historic preservation. Below is a discussion of the relationship between the proposal and built environment:

Land Use

The proposal would not encourage incompatible uses with the City's Comprehensive Plan. The rezone area is located within the Downtown Urban Center future land use map area. Both the DRC and the DMC zones are appropriate and compatible zoning designations for the Downtown Urban Center. The effect of the proposal would be to reduce the size of the Downtown Retail Core area by 11 parcels and shift them into the Downtown Mixed Commercial zone which is already adjacent to the proposed rezone area.

The Comprehensive Plan intended function and guidance for the Downtown Retail Core is to contain major department stores and to have the greatest concentration of Downtown's retail activity. The DRC allows uses other than retail with the general intent that they augment but do not detract from the primary commercial function of the area, and the DRC zone promotes housing in the area to complement its principal retail and commercial function. The effect of the proposal on the overall Comprehensive Plan future land use pattern is to extend the mixed residential character that exists in the Belltown and Denny Triangle neighborhoods into a portion of the retail core. Overall, a retail core is retained on a slightly smaller geographic scale. This change has a minor impact on the land use pattern but remains consistent with the overall vision and intent of the Comprehensive Plan. The Director's Report explains the rationale for the proposal, including the notion that conditions have changed such that a slightly reduced downtown retail core is advisable.

The rezone from the Downtown Retail Core (DRC) into Downtown Mixed Commercial (DMC) would not adversely impact the compatibility of land uses in the area. The effect of the proposal with respect to allowed and prohibited uses is negligible. The standards for allowed uses under the existing zone and the proposed zone are nearly identical. Under both the existing and proposed zones a broad range of commercial and residential uses are allowed. Both zones have similar standards for requiring active ground floor uses. See the Director's Report for comparison of allowed uses under existing zoning and the proposal.

The change to height limits could result in taller towers and would allow a different scale of tall residential tower, and the change with respect to FAR limits could increase overall development capacity for commercial development. The effect of this change could be an intensification or higher concentration of the same uses that would be allowed to develop under existing zoning. The degree of intensification is not sufficient to cause an impact on land use because of the affected area's location in the heart of downtown. In the context of the already very dense and populated urban center environment, the increment of somewhat more intensive development on the 11 affected parcels would have negligible impacts on land use in the area. There are already intense and large-scale land uses in the immediate vicinity that match or exceed the maximum allowed envelope of development under the proposed zoning, such as the Century Square office tower and the West Edge and Fifteen Twenty-One Second Avenue residential towers.

The proposal supports and incentivizes location of a downtown school in a new mixed use structure. A structure that contains schools could have a larger mass and height as the proposal allows higher podium height and gives a height limit exception for a structure that contains an elementary or secondary school. Schools are already an allowed and encouraged use under existing regulations. The proposal may incrementally increase the likelihood that a new school could be located downtown. A new school could have a minor impact on land use to

the extent that it would introduce a new activity pattern into downtown. Effects could include the need for pick up and drop off of students at focused times during the day, or an increased presence of children walking to or from the school to other destinations within downtown such as park space, or to field trips at institutions such as the Seattle Art Museum, Symphony or Aquarium. Student populations could increase congestion on sidewalks. The degree of such impact would not be more than minor and not direct, because the proposed action is only one small factor in the decision as to whether a new school would be located in the subject area.

Housing

The proposed legislation alters the allowed height, bulk and scale of development, and more housing units are anticipated in future development under the proposal compared to under current zoning. The Office of Planning and Community Development estimates that the proposed legislation would produce 2 new residential tower structures in the rezone area in a 20-year timeframe (while acknowledging that differing conditions over the timeframe could result in as few as 0 and as many as 4 developments). A general estimation of 300-600 homes is suggested per development in consideration of the expected site sizes for the redevelopment. Therefore, the suggested estimated focus range is 600 – 1,200 homes, while acknowledging that a much wider plausible range of between 0 and 2,400 homes is possible. It is expected that the homes would be new market rate housing construction. Based on observations about rent and sales prices in other buildings nearby, most homes would generally be available to households at or above 100% of the Area Median Income (AMI). Depending on the goals of the development team it is likely that a portion of the homes would be at price points available to very high-income households.

The City's Mandatory Housing Affordability (MHA) program will be applied in the proposed rezone area. MHA is an incentive and impact mitigation program that requires new development to contribute towards affordable housing in the form of a payment or by dedicating a percentage of the residential units in a development as affordable. Application of MHA will address the impact of the new market rate housing on overall housing affordability such that there would be no adverse impact. It is estimated that \$4.2 - \$8.4M for affordable housing would be generated over the 20 year time horizon.

The rezone area contains two existing non-profit owned affordable housing buildings that are subject to a rent and income restricted covenant. The Glen Hotel building located at 1413 3rd Ave. is owned by LIHI and contains approximately 30 single room occupancy sleeping rooms that was constructed in 1906. The Gilmore Apartments, built in 2002 are located at 1530 3rd Ave. and are owned by Bellweather housing and provide 65 affordable homes. According to Office of Housing regulations, buildings with affordable housing agreements can't be redeveloped unless the affordable housing is

relocated in an equal or greater quantity elsewhere. The Gilmore Apartments are in good condition and unlikely to be affected by the rezone. If redevelopment is sought for the site containing the Glen Hotel it is anticipated based on input from the owner that the affordable homes could be relocated elsewhere and simultaneously upgraded to better and more modern conditions for the residents. Redevelopment could also occur under existing regulations. No adverse impact to existing affordable housing would be present due to these factors.

Height/Bulk/Scale

The proposed legislation alters regulations regarding height, bulk, and scale. The change to height limits could result in taller towers and would allow a different scale of tall residential tower, and the change with respect to FAR limits could increase overall development capacity for commercial development. Also, structures that contain schools could have a larger mass and height as the proposal allows higher podium height and gives a height limit exception for a structure that contains an elementary or secondary school.

There would be indirect impacts related to height/bulk/scale, but the impacts would not be more than minor. The height limit would be increased to 440' from an existing limit of 170' for residential towers, and the floor plate of residential towers is limited to an average of 10,500 sq. ft. per floor. Tall residential towers would appear more prominent than development under existing regulations. The towers would have a different aesthetic appearance compared to the more limited height allowed under the existing DMC zone. Towers could appear less congruent with the existing pattern of structures in the area. However, these impacts are common and expected in a continually evolving urban core area in a major American city and are not considered to be more than minor. Other impacts related to height/bulk/scale are discussed below in the section addressing shadows and views.

A tower spacing requirement of 60' is proposed. The tower spacing standard ensures that no two towers would be exceedingly close to one another so as to impede privacy between residents in neighboring structures. The spacing requirement applies between existing tower structures and new structures that could be built, limiting the eligible locations for new towers. This standard helps reduce the potential for adverse impact on height/bulk/scale.

Historic Preservation

As noted in the SEPA checklist the area affected by the proposal contains historic landmarks and other historic-aged structures that may be eligible for designation as a historic site with either locally or federally designated status. There are three Seattle designated landmarks in the affected area and no landmark districts according to the Seattle Landmarks and Historic District map on the City website. The proposal does not

encourage demolition of landmark structures compared to the absence of the proposal, because the three designated landmarks are each subject to an Incentives and Controls agreement. The incentive and controls agreements were reviewed in preparation of this SEPA determination, and it is understood that any proposed redevelopment of a site with a landmark would have to go through an approvals process that is administered by the Department of Neighborhoods Historic Preservation section. The intent and purpose of that process is to disallow the alteration of protected components of landmark structures, and in the case of co-development of a landmark or development close to a landmark – to ensure designs are sympathetic and compatible with the presence of the Landmark structure. Therefore, even though this proposal may incrementally increase the likelihood that development may be proposed on or near the site of a Landmark, the potential for adverse impact is mitigated down to a level that is not more than minor because of the historic preservation procedures and regulations that are in place.

If development is proposed on the site of a historic aged structure that is not yet a landmark, the SMC includes a codified process for the development to be referred to the Department of Neighborhoods for historic preservation review. At the time of the development application the proposal could cause the designation of a new Landmark with an associated Incentives and Controls agreement. Therefore, protections are also in place for historic aged structures that are not yet Landmarks, which mitigate risk to historic resources down to a level that is minor.

Noise, Shadows on Open Spaces, Light & Glare, Environmental Health, and Public View Protection

This proposal would have indirect impacts related to shadowing effects and views. The proposal would allow taller residential towers compared to development that could occur under existing regulations. Maximum heights would be increased to 440' for residential uses, which could result in approximately 40-story towers. An additional 10% increment of height would be allowed if a new structure includes a school. Residential tower floor plates would be limited to an average of 10,500 sq. ft. Taller tower structures than allowed under existing zoning create the potential for shadows to be cast onto more areas in the vicinity of the proposed zoning change. The director's report contains figures reviewing existing shadowing patterns at different times of the day and the year and a discussion of the increased potential for shadows. The greatest potential for impact from new taller structures is at the northwest corner of Westlake Park. Depending on the design and siting of potential new towers a sub portion of the park could have shadows at certain times of day that would not occur under existing regulations. Other parts of the park are already in shadow from existing structures at certain times, and other parts of the park would not have the potential for shadows. The timeframe most likely to have shadow effects due to this proposal is later afternoon in the shoulder seasons. This represents a moderate impact because the park is a public place that provides open space to community members. The degree of impact is not significant because the park still receives sunlight at most times of the day, and because the presence of shade is not always a negative effect when considering that

shade provides comfort and respite during hot times especially in hardscaped environments like Westlake Park.

Views could be indirectly adversely impacted due to this proposal. The views that could be affected are mostly private views from the upper levels of other tall structures in the vicinity. New tall towers could impede the views to mountains or water from other tall towers in the area. While this would be an adverse impact for some community members it is not considered a significant impact. At the ground level view impacts are minimal, and views at ground level may improve compared to the existing regulations. Potential for improved views compared to existing regulations are possible because the existing DRC zoning allows bulkier structures all the way up to 170'. The proposed DMC zone includes podium height limits (65' or 85' depending on several factors) above which floor plates for residential structures are limited. Therefore the potential configuration of new development on views from the ground or low levels of neighboring structures may be improved compared to the type of development that would occur under existing regulations.

No adverse impact that is more than minor is expected related to light and glare or environmental health.

Transportation and Parking

The proposal is not anticipated to result in any direct adverse impacts on transportation or parking. The proposal alters the allowance of the scale, density and intensity of the future development that could occur in the area. The effect of the proposal might incrementally increase demand on transportation as a result of the increased housing anticipated in future development compared to development that would occur under existing regulations. The estimated 600 – 1,200 new homes in the affected area would however not create an impact that is more than minor. The location in Downtown Seattle is exceedingly well-served by transit, with access to dozens of bus routes within the focus area as well as light rail station access within 1 block, and fully developed pedestrian infrastructure. It is anticipated that occupants of new development would have a very high rate of travel by methods other than automobile. Transit and pedestrian infrastructure are sufficient to absorb any incremental effect of the additional populations that would be associated with the proposal. Parcels in the affected area have access from existing alleys. It is expected that alleys would be improved to facilitate access into sites at the time of proposed development.

As a result of the factors described above no adverse impact that is more than minor is anticipated from the proposed action on transportation and parking.

Public Services and Utilities

Adoption of the proposal will not directly result in an increased need for public services. The proposal could incrementally increase the intensity or density of new development compared to under existing regulations, which may indirectly lead to an increased need for public services, such as an increased number of residents needing emergency services, or visiting nearby public facilities such as libraries and parks. The magnitude (600 – 1,200) additional residents over 20 years in this location is not enough to noticeably impact those services.

The focus area in the heart of downtown Seattle is well served by the full suite of utility services, including natural gas, electricity, broadband, stormwater and sewer. The degree of change compared to what might occur under existing regulations would not adversely impact the ability of existing utilities to serve anticipated development.

The legislation could incrementally increase the likelihood of a new school being located in downtown. The location of a new school could cause an adverse impact on nearby public services because a new school could introduce the presence of one to several hundred students into the downtown area on a daily basis during the school year. It is expected that students in the downtown area would use existing parks such as Westlake Park and waterfront open spaces. The students would also be likely to access other public and civic locations in downtown as a part of their curriculum or for field trips. Students might use the Seattle Central Library, McCaw Hall, the Seattle Aquarium, the Pike Place Market, and the Seattle Art Museum. It is likely that the students would walk from a downtown school to these locations. The presence of the students could cause additional congestion and demand for services in these public spaces. Other visitors could experience an incrementally longer wait to use services or be subject to noise at the facilities generated by the students. Some members of the public would experience the impact from the students as an annoyance, but this is not considered to be a significant adverse impact under SEPA. The potential for a new school in a mixed use building downtown could also have positive effects on public services by creating additional capacity for education and class room space and reducing the distance that students who live in and around downtown would need to travel to their school.

DECISION – SEPA

The adoption of the proposed ordinance would increase housing capacity, and through application of the City’s Mandatory Housing Affordability (MHA) increase housing affordability, and mitigate displacement and the action would apply outside of critical areas and would not have a probable significant adverse impact on fish habitat.

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist 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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public 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 CONDITONS--SEPA

None

Signature: ___[On File]_____

Geoffrey Wentlandt, Land Use Policy Manager
Office of Planning and Community Development

Date: June 14, 2023