



**ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

**SEPA Threshold Determination
for
Urban Center College Housing Amendments**

Project Proponent: City of Seattle

BACKGROUND

Seattle's codes define Seattle Central College (SCC) as a "Major Institution" that must have a master plan addressing long-term anticipated future development. Large institutions like hospitals and colleges typically need facility renovations and expansions over time to support their modern health and education programs. Through the master plan process, the institutions must consider how their planned facilities for the next 15-20 years will relate to their campus setting and the neighborhood. The institution also may request adjustments to zoning regulations in a master plan, to accommodate development of new buildings while maintaining compatibility with surroundings.

Chapter 23.69 of the Land Use Code has Seattle's major institution regulations that define when master plans are required, types of plan amendments, and the public processes involved in preparing and revising master plans. These include City Council approval of new master plans, and prior to that, advisory committee review and recommendations on a number of processes.

SCC is a public college that is part of the Washington State Community and Technical Colleges system. These colleges focus on basic education, workforce education, and students preparing for academic transfers to universities.

PROPOSAL

The proposal would update the Land Use Code (SMC Chapter 23.69) for major institution master plan actions, to support an easier minor amendment process to allow the addition of housing. It would newly allow a single previously-unanticipated housing development at a community college in an Urban Center to be approvable as a minor amendment to an existing master plan. The only college that currently matches these criteria is SCC.

This minor amendment pathway for housing could be used just once per master plan period, which would support a degree of regulatory flexibility and adaptability to achieve student housing options sooner. Otherwise, SCC would need to complete a new campus-wide master plan process before new student housing could be permitted.

The proposal would:

- 1) Add a statement saying that accommodating on-campus student housing at educational Major Institutions is a purpose of the regulations in Chapter 23.69;

- 2) Allow a single housing development at a community college or technical college¹ in an Urban Center to not trigger the required creation of a whole new campus-wide Master Plan, and not be a “major amendment” to an existing Master Plan;
- 3) Allow this kind of housing development proposal to be evaluated as a “minor amendment” to an existing Master Plan;
- 4) Allow the floor area of this residential use (and other related uses in the building) to be exempt from the calculations of total development capacity of the major institution overlay zone, and the total amount of floor area permitted by the master plan. This would allow a housing development without causing an institution to alter its existing plans for other future developments already covered by the existing Master Plan;
- 5) Clarify that this kind of housing may be “affiliated” with the college, meaning that it does not have to only be housing “owned” by the college. This allows flexibility in ownership arrangements of the housing while ensuring it retains a relationship to the college.

Public Comment

Proposed changes to the Land Use Code require City Council approval. Opportunity for public comment will occur during future Council meetings and hearings. The proposal is also available online and comments will be taken by e-mail.

ANALYSIS – OVERVIEW

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The following report describes the analysis conducted to determine that the proposal is not likely to result in *probable significant adverse environmental impacts*. This threshold determination is based on:

- the language of the proposed amendments and related contents as described above;
- the information contained in the *SEPA checklist* (dated August 9, 2021), including annotations made by SDCI staff;
- review of materials prepared as background information about the code amendments, prepared by City staff; and
- the experience of the SDCI analyst in reviewing similar documents and actions.

¹ This kind of community or technical college is part of the Washington State Community and Technical Colleges system.

ELEMENTS OF THE ENVIRONMENT

Short-Term and Long-Term Impacts

A. Natural Environment

Earth, Water, Water Quality, Plants/Animals/Fisheries and Marine Life

The proposal is not expected to generate significant adverse impacts for these natural environmental elements, at a non-project level or in its potential for indirect or cumulative impacts related to future development influenced by the proposal.

Earth, Water, Water Quality

Seattle is mostly urbanized in its development patterns, but it also has retained greenbelts, hillsides, stream, river, bay, and lake environments with diverse kinds of plant, animal, fish, and marine habitats. This includes many shoreline edges hosting birds, fish, and other marine life. In some portions of the city such as north Seattle, the City's drainage system relies in part on natural stream and creek drainages to direct urban stormwater runoff toward Lake Washington and Puget Sound.

A wide variety of geologic resources, conditions, and environmentally critical areas are present in the City of Seattle. These range from steep slopes that may pose landslide or erosion hazards, to presence of peat soils or old landfills or other features that may pose seismic or soil instability hazards. The relevant SCC campus vicinity has only one or two manmade slope edges or rockeries at the edge of one property that may have steep topography, on a property on Boylston Avenue.

This non-project proposal would result in no direct adverse or significant adverse impacts to earth, water, or water quality because it does not directly propose development. Similarly, regarding indirect and cumulative impacts, with future development potentially affected by the proposal, this analysis identifies no probable significant adverse environmental impacts for these elements.

The proposal gives more flexibility to allow planning and permitting processes to occur sooner for future housing development. This means at affected properties the same housing could be built with or without the proposal; the difference would only relate to time. Under these assumptions, there would be no additional potential for adverse earth or water-related environmental impacts due to the proposal. However, this environmental determination acknowledges that any future development accommodated by the proposal could generate disturbance of soils, stormwater runoff, and transport of soils and water pollutants off-site, including during construction and after construction. These kinds of adverse environmental impacts from future development would be regulated by the City's other current protective regulations, which would tend to avoid and reduce the potential for significant adverse impacts related to earth disturbances, pollutant washoff, and habitat degradation.

Plants/Animals/Fisheries/Marine Life

Wildlife on land largely includes those species habituated to urban areas and fragmented vegetated areas in the city, with common types including squirrels, opossum, coyotes, and a variety of bird species including hawks and eagles. Threatened, protected, or endangered species that could be present nearby to future development sites citywide, in some cases could include

heron, and salmon in locations downstream via natural drainages. Salmon are also present in waterbodies in and near Seattle including Puget Sound, Elliott Bay, the Duwamish Waterway, Lake Union, and Lake Washington.

The proposed non-project action would not likely directly, indirectly, or cumulatively generate significant adverse impacts on plants, animals, fish, or marine life. The Capitol Hill/First Hill Urban Center environment potentially affected by this proposal is already very densely occupied, covered with impervious surface, and largely occupied by buildings and roads. In this setting, there is very little existing habitat potential for plants and animals, and none for fish or marine life. One future housing development is likely to occur over the long term in the most relevant area (a portion of the SCC campus), with or without the proposal. Future permit reviews would be able to apply regulatory requirements in a typical manner that would avoid or reduce any marginal adverse plant and animal impacts that might be possible from one potential future housing development.

Energy, Natural Resources Depletion, Environmental Health, Air Quality, Noise

Energy, Natural Resources Depletion

The proposed non-project action would not directly, indirectly, or cumulatively generate significant adverse impacts on energy or natural resource depletion. Rather, due to recent advances in energy and building code requirements, the proposal may indirectly lead to future buildings with mechanical features and designs that are more energy efficient than existing buildings on affected properties. Also, the ability for students to live on campus would provide for greater efficiencies, including transportation and related energy consumption on a per-capita basis, for SCC students.

Environmental Health, Air Quality, Noise

The proposed non-project action would not directly, indirectly, or cumulatively generate significant increases in discharges or emissions of toxic or hazardous substances, to the air or water, or increase the production of noise. Rather, it would provide more flexibility in code requirements to accommodate earlier permitting processes for future development of student housing on the campus of SCC. This future housing could be built with or without the proposal, but the difference would arise from additional time to create campus master plans and receive City Council approval on that master plan before a new housing development could even be proposed. Under these assumptions, there would be no net new potential for adverse environmental impacts of these kinds. However, the potential impacts of a future development indirectly related to the non-project proposal are summarized below.

Given the eligibility criteria of the proposed regulations, it would only be likely to lead to one future development over a 10-20 year period, in the SCC campus vicinity. Such a development could generate stormwater runoff, emissions to air, and possible increases in total noise from the affected property, all of which could most likely occur during future construction. The existing use of the most relevant property is currently an automobile garage that generates existing noise levels. But such a development would be subject to future project-specific permitting at a later date, which would likely include consideration of environmental impacts, application of regulatory requirements, and the possibility of mitigation measures and development conditions that would be able to reduce or avoid environmental impacts. These typical actions would be able to ensure that the environmental impacts of this one future possible development could be

mitigated so that no significant adverse impacts of environmental hazards, noise, or air or waterborne emissions, are likely.

B. Built Environment

Land and Shoreline Use, Height/Bulk/Scale, Aesthetics, Relationship to Plans and Policies

The proposed non-project action is not likely to generate significant adverse impacts on land use and shoreline use patterns, directly, indirectly, or cumulatively.

The proposal would not likely negatively affect the arrangement and combinations of land uses that could occur with future development in the Seattle Central College campus or local vicinity. No especially sensitive land uses are identified in the affected campus vicinity generally near the Pine Street intersections with Harvard and Boylston Avenue. The proposal would not affect development standards such as building setbacks, bulk prescriptions, or zoning or height limit designations. Therefore, this analysis identifies no probable adverse impacts of the proposed action related to new land use incompatibilities, height/bulk/scale impacts, visual impacts, or inconsistency with land use plans.

As noted elsewhere in this checklist, the proposal would accommodate the earlier consideration of a future possible student housing development proposal of up to approximately 500 beds in size. Instead of waiting for a housing development to be included in the future adoption of a new campus master plan, the existing processes for considering minor amendments to the existing campus master plan for a single student housing development would be newly allowed to occur. And permitting processes for the housing development could then also occur sooner if a minor plan amendment was approved.

Such master plan amendment and permit review processes are not proposed to change, except that a single housing development proposal not documented in an existing campus master plan could be authorized as a minor amendment to the existing master plan (within the lifetime of the master plan). Currently, the master plan regulations in Chapter 23.69 of the Land Use Code are rather tightly defined, such that nearly any loosening of regulatory standards, height limits, master plan boundaries, increase in housing demolition, or nearly any proposed additions of floor area to an approved master plan, necessitate a major amendment to a master plan. Therefore, the primary net difference that could occur with this non-project action, with respect to the land use environment, is a difference in how soon a future development could occur.

The proposal to accommodate flexibility in ownership arrangements of the housing structure does not have substantive negative implications for land use impacts. This phrasing would avoid overly strict code interpretations that might preclude housing if future development projects would have ownership arrangements other than strictly ownership by the educational institution. Any nuances of ownership would likely not result in adverse land use impacts.

Other proposed amendments about not counting the housing development's floor area against floor area limits in the existing master plan complement the proposal's purpose in support of housing. This would avoid causing an institution to have to unfairly weigh the need for one development over another in a way that might force them to reduce the size of a different development that was already previously approved in a master plan. That scenario would occur unless the newly

contemplated housing development would not have to fit within a previously defined maximum allowable floor area under the master plan. This part of the proposal would not create new or different kinds of impacts on the land use built environment.

The proposed action does not conflict with policy provisions for Major Institutions in the City's Comprehensive Plan. These policies recognize the rationale for preparing master plans for large institutions located within neighborhood settings, and accommodating zoning flexibility that relates to the institution's future development plans. Also, the policies generally seek to maintain compatible conditions between the institutional and non-institutional uses nearby; to avoid demolition of housing in surrounding areas (Policy LU 13.15); to "*balance the need for major institutions to grow and change with the need to maintain the livability and vitality of neighboring areas*" (Policy LU 13.3); and to require revisions to master plans or new master plans when a "*proposed major development...does not conform to the underlying zoning and is not included in an existing master plan.*" (Policy LU 13.8).

With the proposal, the Land Use Code would require that minor amendment processes be followed, while at the same time newly allowing one additional housing development to be considered as a minor amendment. Also, for the most likely place where this code would be used (Seattle Central College), future possible development would be able to conform with the underlying zoning.

Regarding potential for adverse land use impacts of a future development, the possibility of student housing on a technical college campus can be considered a type of complementary land use that will foster increased livability, vitality, and compatibility with a surrounding community, by increasing residential presence in a mixed-use Urban Center neighborhood. It would also be able to conform to applicable zoning provisions, which would help avoid creating land use incompatibilities. Further, the proposed non-project action would merely enable the future consideration of a minor amendment to a master plan, which would follow established plan amendment processes involving community advisory committees at a later date.

Historic Preservation and Cultural Preservation

This non-project proposal would not directly, indirectly, or cumulatively generate significant adverse impacts on resources of this kind. The proposal would not increase the likelihood that existing historic buildings would be physically affected by major institution master plan requirements.

The proposal would not directly or indirectly affect any existing historic building or known cultural resource site. Rather, the location most potentially affected by the proposal currently has an existing parking garage on it with a couple of small café spaces included at the ground floor.

The proposal is not likely to increase the potential for disturbance of cultural sites or resources. It would also not affect the strength of the City's regulatory protection of those cultural sites or resources if they are discovered during future development, which is addressed by other State and local regulations, policies, and practices. With or without the proposal, such processes are mandated to stop construction, assess the resources, and take appropriate next steps for the cultural resources' protection or preservation.

Most cultural sites and resources at risk from future development in Seattle are in unknown locations due to their being buried under soils, although certain vicinities such as near-shore areas are known to have greater potential for presence of such resources given past activities of indigenous peoples. The proposal does not include provisions that would alter the likelihood of future development occurring in any near-shore areas.

Light and Glare, Recreation

This non-project proposal would not result in any direct impacts relating to light and glare or recreation elements of the environment. Indirectly and cumulatively, the proposal is unlikely to lead to significant adverse impacts related to these environmental elements. The proposal would not likely lead to substantive differences in use of light- or glare-producing elements in future new buildings that could be present on properties affected by the non-project proposal, or in the manner of providing recreation on a given property or in a neighborhood. While specific development designs are not available, future review processes would have the opportunity to influence future building design, including to avoid light and glare impacts. For example, highly-reflective materials on the building exterior could be discouraged.

This non-project proposal would also not have probable adverse impacts on municipal provision of recreation facilities and services. Cal Anderson Park is a large park located approximately two blocks to the east of the SCC campus vicinity that is nearest the vicinity affected by the proposed action. However, this park's mix of passive and active recreation features would not be affected by any outcomes related to the proposed action, other than increasing the resident population that would use the park.

Transportation, Public Services and Utilities

The proposed non-project action would not directly, indirectly, or cumulatively generate significant adverse impacts on transportation or public services within the City of Seattle. The proposed flexibility to consider and potentially approve a student housing development sooner than would otherwise occur may not create any net new potential for adverse environmental impacts at all. Despite this, the potential impacts of a future development indirectly related to the non-project proposal are summarized below.

Given the eligibility criteria of the proposed regulations, the proposal would only be likely to generate a total of one future development over a 10-20 year period, in the SCC campus vicinity. Such a development could generate additional transportation trips and additional calls for service by fire, police, and emergency services. However, to a large degree a student housing proposal in the SCC vicinity would likely generate low rates of automobile ownership per resident, and instead other travel modes (light rail, bus, walking, bicycling) would be easily and frequently substituted for automobile trips. This would help limit the potential magnitude of transportation impacts. A development of this kind could also replace an existing parking garage but with fewer publicly available parking spaces than in the existing garage. This might contribute to reductions in vehicle trips to and from the most affected property on a daily basis.

Also, such a development would be subject to future project-specific permitting at a later date, which would likely include consideration of environmental impacts, application of regulatory requirements, and the possibility of mitigation measures that would be able to reduce or avoid

environmental impacts on transportation and public services. This would reasonably ensure that the environmental impacts of this one future possible development would be minor in magnitude, and could be mitigated.

Similarly, the proposed non-project action would not directly, indirectly, or cumulatively generate significant adverse impacts on utilities. A single future potential development would be able to be served with by utilities in the vicinity of the SCC campus. If additional improvements to local utility features are necessary to accommodate a potential new housing development at SCC, they could be required per City codes or through impacts and mitigation that would be identifiable at the time of future project proposal permit reviews. Therefore, no indirect significant adverse impacts on utilities are identified in this checklist.

DECISION – SEPA

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 requirement of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

Signature: _____/s/_____ Date: _____ November 4, 2021
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