



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
ENVIRONMENTAL COORDINATOR
450 – 110th Avenue NE, P.O. BOX 90012
BELLEVUE, WA 98009-9012

OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS) NOTICE MATERIALS

The attached materials are being sent to you pursuant to the requirements for the Optional DNS Process (WAC 197-11-355). A DNS on the attached proposal is likely. This may be the only opportunity to comment on environmental impacts of the proposal. Mitigation measures from standard codes will apply. Project review may require mitigation regardless of whether an EIS is prepared. A copy of the subsequent threshold determination for this proposal may be obtained upon request.

File No. 07-130300 AD
Project Name/Address: Neighborhood Livability, Phase I
Planner/Phone: Lacey Madche / 425-452-6134
Minimum Comment Period: October 11, 2007, 5:00pm

Materials included in this Notice:

- Blue Bulletin
- Checklist
- Vicinity Map
- Plans
- Other: Staff Report

**CITY OF BELLEVUE
ENVIRONMENTAL CHECKLIST
(Integrated SEPA/GMA Process)**

A. BACKGROUND INFORMATION

PROPOSAL TITLE: Phase I – Neighborhood Livability Land Use Code Amendment (LUCA).

PROPERTY OWNERS' NAME: N/A

PROPOSAL LOCATION (street address and nearest cross street or intersection as well as a legal description if available): Applies to all property located in single family districts within the City of Bellevue.

PROPONENT'S NAME: City of Bellevue, Department of Planning and Community Development

CONTACT PERSON'S NAME: Lacey Madche, Legal Planner

CONTACT PERSON'S ADDRESS: Department of Planning and Community Development
City of Bellevue
P.O. Box 90012
Bellevue, WA 98009-9012

CONTACT PERSON'S PHONE: 425-452-6134

BRIEF DESCRIPTION OF THE PROPOSAL'S SCOPE AND NATURE:

1. **General description:** Amend the Bellevue Land Use Code (with respect to single family land use districts) to: (a) modify the definition of building height measurement from average to existing grade, (b) prohibit temporary shelters and storage facilities which are visible from public or private streets, (c) amend nuisance code to include construction debris, (d) impose greenscape requirements for front yard setbacks, and (e) impose tree retention requirements for redeveloped and infill development.
2. **Site acreage:** Applies to all property located in single family districts within the City of Bellevue.
3. **Number of dwelling units/buildings to be demolished:** N/A
4. **Number of dwelling units/buildings to be constructed:** N/A
5. **Square footage of buildings to be demolished:** N/A
6. **Square footage of buildings to be constructed:** N/A

7. **Quantity of earth movement (in cubic yards):** N/A
8. **Proposed land use:** Future land use within single family residential land use districts will not be affected by this proposal.
9. **Design features, including building height, number of stories and proposed exterior materials:** N/A
10. **Other:** N/A

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

Final action from the City Council on the proposal is anticipated for December of 2007.

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

If the proposal is approved, the regulations will apply to all applicable future land use permits in single family residential districts and enforcement actions relating to construction debris. Phase II – Neighborhood Livability Land Use Code Amendments anticipated to begin in 2008. Scope of future related land use code amendments has not been determined.

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

N/A.

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known.

It is unlikely that any pending governmental approvals located in single family districts may be affected by the proposed regulations. If any proposals are affected, the extent is dependent on vested dates and applicability of the proposed regulations.

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known.

Phase I – Neighborhood Livability LUCA (07-130300 AD)

Adoption of Ordinance relating to proposed regulations by the Bellevue City Council.

B. Environmental Elements

Discussion of the individual Environmental Elements is not required for GMA actions per WAC 197-11-235.3.b.

C. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (do not use this sheet for project actions)

SUMMARY

Project Summary: Amend the Bellevue Land Use Code (with respect to single family land use districts) to: (a) modify the definition of building height measurement from average to existing grade, (b) prohibit temporary shelters and storage facilities which are visible from public or private streets, (c) amend nuisance code to include construction debris, (d) impose greenscape requirements for front yard setbacks, and (c) impose tree retention requirements for redeveloped and infill development.

Environmental Summary per WAC 197-11-235(3)(b):

State the proposal's objectives: The proposal relates to elements of neighborhood character, which includes focus on measures to address size, scale, and architecture concerns, measures to address construction impacts, and measures to address loss of trees and greenscape.

Specify the purpose and need to which the proposal is responding: The proposal's purpose is to address areas of neighborhood concerns as expressed to the City during outreach efforts as a part of the neighborhood Livability Action Agenda.

State the major conclusions, significant areas of controversy and uncertainty: The proposal contains a land use code amendment that modifies the calculation of building height from average grade to existing grade, which may may prove controversial to those individuals looking to expand the height of their existing single family structure. This proposal, likewise, declares construction debris as a nuisance under the Bellevue City Code. This proposal is likely not controversial at the time of adoption but may prove contentious during enforcement or abatement proceedings. The proposal, likewise, prohibits temporary shelters and storage facilities from locating in areas viewable from private or public streets. This proposal is likely not controversial at the time of adoption but may prove contentious during enforcement or abatement proceedings. Additionally, this proposal contains greenscape requirements in single family districts that may be controversial to property owners that desire predominately impervious surface in lieu of greenscape within their front yard setback. Finally, this proposal contains tree retention requirements for redeveloped or infill development in single family districts that may prove controversial to property owners that do not favor retaining significant trees.

State the issues to be resolved, including the environmental choices to be made among alternative courses of action: Two alternative courses of action include: (1) (a) amend the definition of building height measurement from average to existing grade, (b) prohibit temporary shelters and storage facilities which are visible from public or private streets, (c) amend nuisance code to include construction debris, (d) impose greenscape requirements for front yard setbacks, and (c) impose tree retention requirements for redeveloped and infill

development, or (2) a final no action alternative, which would result in no amendments to the Bellevue City Code or Land Use Code. In terms of environmental impacts, the two alternatives are significantly different, in that alternative (1) significantly enhances the environment by expanding greenscape and tree retention requirements in single family districts, reduces visual impacts in single family districts by prohibiting temporary shelters and storage facilities from locating in areas visible from private or public streets, prohibits construction debris from infesting neighborhoods, and enhances the bulk and scale of single family structures located on sloped property by modifying the definition of building height.

State the impacts of the proposal, including any significant adverse impacts that cannot be mitigated: The proposal is a non-project action. Accordingly, there are no significant adverse impacts resulting from this proposal.

Describe any proposed mitigation measures and their effectiveness: No specific development is being approved with this proposal. No significant environmental impacts have been identified, therefore no mitigation measures are proposed. Future development shall be subject to the City's development regulations, which will ensure that potential impacts allowed under the proposal, if any, are not significant.

- 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?**

The proposal will not increase the potential impacts to water, air and earth resources or noise production.

Proposed measures to avoid or reduce such increases are: N/A

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

The proposal will not increase the potential impacts to plants and animals. With specific regard to plants, imposing greenscape requirements for front yard setbacks in single family districts and requiring retention (30%) of existing trees for redevelopment and infill development in single family districts will enhance the City's ability to retain plants and potential wildlife habitat.

Proposed measures to protect or conserve plants, animals, fish or marine life are: (1) 50 % greenscape requirement for front yard setback in single family districts, and (2) require 30% retention in diameter inches of significant trees on redeveloped and infill development in single family districts.

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

No adverse impacts to energy or natural resources are anticipated.

Proposed measures to protect or conserve energy and natural resources are: Requiring greenscape requirements for front yard setbacks in single family districts and requiring

retention (30%) of existing trees for redevelopment and infill development in single family districts will enhance the City's ability to reduce the consumption of natural resources.

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?**

The proposal will not affect any environmentally sensitive areas or areas designated for governmental protection.

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

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?**

The proposal will not affect any shoreline areas.

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

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

The proposal will not increase demands on transportation or public services and utilities.

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

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

No conflicts are known or anticipated.

- D. **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.**

Signature _____

Date Submitted _____