



DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Ave 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. 15-102686-AD (Bellevue Land Use Code)
15-102687-AB (Bellevue City Code)

Project Name/Address: Land Use Code and City Code Amendments incorporating low impact development principles into the City's development standards and regulations, specifically, Title 14 (Transportation Development Code) Title 20 (Land Use Code); Title 23 (Clearing and Grading Code); Title 24 (Storm and Surface Water Code) and certain engineering and development standards.

SEPA Planner: Heidi M. Bedwell, Environmental Planning Manager,
hbedwell@bellevuewa.gov 425-452-4862

Project Applicant: Catherine Drews, Assistant City Attorney, CAO

Phone Number: 425-452-6134

Minimum Comment Period: June 23, 2016

Materials included in this Notice:

- Blue Bulletin
- Checklist
- Vicinity Map
- Plans
- Other: Draft code proposals

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

A. BACKGROUND INFORMATION

PROPOSAL TITLE: Land Use Code and City Code Amendments incorporating low impact development principles into the City's development standards and regulations, specifically, Title 14 (Transportation Development Code) Title 20 (Land Use Code); Title 23 (Clearing and Grading Code); Title 24 (Storm and Surface Water Code) and certain engineering and development standards.

PROPERTY OWNERS' NAME: N/A; applies City-wide

PROPOSAL LOCATION: City-wide

PROPONENT'S NAME: City of Bellevue, Development Services and Utilities Departments

CONTACT PERSON'S NAME: Catherine A. Drews, Assistant City Attorney, Project Manager

CONTACT PERSON'S ADDRESS: City Attorney's Office
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:** Land Use Code and City Code Amendment (LUCA) to incorporate low impact development principles into the City's development codes and standards. The proposed LUCAs result from a requirement under the 2013-2018 National Pollution Discharge and Elimination System Western Washington Phase II Municipal Stormwater Permit (NPDES Permit) to review and revise development codes and standards to incorporate low impact development principles.
2. **Site acreage:** Applies city-wide.
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:** This proposal will regulate stormwater discharges from new development and redevelopment.
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 on the proposal by the City Council is expected to occur in late fall of 2016. Per the 2013-2018 National Pollution Discharge and Elimination System Western Washington Phase II Municipal Stormwater Permit requirement, the revised codes are to be effective no later than December 31, 2016.

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. Yes. It is expected that the city will receive applications for development and redevelopment after adoption of the proposal that will affect how runoff is addressed city-wide.

List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None.

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. No known applications are pending.

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. The City Council will consider the Planning Commission's recommendation and adopt an ordinance implementing the new LUCA. Likewise, the City Council will consider the Transportation Commission's recommendation and adopt an ordinance implementing the recommended code amendments. For those code amendments not requiring consideration and recommendation by a city commission, the City Council will consider those amendments and take action. Any land use code amendments the Council adopts will be subject to the disapproval jurisdiction of the East Bellevue Community Council.

B. ENVIRONMENTAL ELEMENTS

No discussion of the individual Environmental Elements is 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: Land Use Code amendments (LUCA) and City Code amendments) to incorporate low impact development principles into the City's development codes and standards. The proposed LUCAs and amendments to city codes and standards result from a requirement under the 2013-2018 National Pollution Discharge and Elimination System Western Washington Phase II Municipal Stormwater Permit (NPDES Permit) to review and revise development codes and standards to incorporate LID principles.

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

State the proposal's objectives: The objective of the proposal is to review and revise the City's development codes and standards to incorporate low impact development principles. Low impact development principles are "land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff." LID principles are different from LID best management practices (BMPs), which are on-site stormwater control and treatment facilities such as rain gardens and permeable pavement.

Specify the purpose and need to which the proposal is responding: The proposed code amendments and amendments to engineering and development standards result from a requirement under the 2013-2018 National Pollutant Discharge and Elimination System Western Washington Phase II Municipal Stormwater Permit (NPDES Permit) to review and revise development codes and standards to incorporate LID principles. The NPDES Permit is issued by the Washington State Department of Ecology and is required for stormwater discharges under the federal Clean Water Act. The intent of the review and revision process is to make LID the preferred and commonly-used approach to site development. The process and proposal is required under the City's NPDES permit and should achieve compliance with the requirement.

State the major conclusions, significant areas of controversy and uncertainty: The Project team reviewed the City's development codes and standards and found the codes supportive of LID principles, but also found opportunities to incorporate LID principles. The City has received over 100 comments to date regarding LID principles. Comments range from programs to enhance the City's tree canopy through closing the apparent loophole that allows the removal of numerous trees without a permit to offering free tree health assessments and trees to plant throughout the City; reducing impervious surfaces by eliminating/reducing widths of items in the right-of-way to encouraging the use of pervious surfaces; and ideas to preserve existing soils and vegetation during site design. The major area of concern will be ensuring that the proposed amendments designed to reduce impervious surfaces by encouraging/incentivizing the use of permeable pavement, reducing native vegetation loss through lowering clearing and grading standards for tree removal, and reducing stormwater runoff by requiring stormwater design and infiltration information early in the site design process are applied in a manner that is fair to the broad range of application types across the City and not unduly burdensome on one class of land uses. Proposal details may evolve as a result of public input and Planning and Transportation Commission deliberation, to ensure that the proposal achieves its objectives.

State the issues to be resolved, including the environmental choices to be made among alternative courses of action: Issues to be resolved include development of a Bellevue appropriate approach to the incorporation of LID principles into Bellevue's development codes and standards. Alternative courses of action include: not amending the City's development codes and standards to incorporate LID principles and relying solely on LID BMPs and the provisions currently available in the Land Use Code to address stormwater runoff from new development and redevelopment. In terms of environmental impacts, not amending the City's development codes and standards may result in environmental impacts related to equivalent, and not reduced, levels runoff, erosion, and pollutants reaching water bodies.

State the impacts of the proposal, including any significant adverse impacts that cannot be mitigated: The proposal is a nonproject action to incorporate low impact development principles into the City's development codes and standards, city-wide. There are no significant adverse impacts resulting from that action. The proposal should result in decreased environmental impact by reducing stormwater runoff related to new development and redevelopment. Consequently, no significant adverse environmental impacts are anticipated. At the project level, SEPA review will be required for those projects not exempt from environmental review.

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.

- 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 should decrease discharges to water. N/A for the remaining topics

Production of noise: Adoption of the proposed amendment will not result in increased noise.

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?**
Adoption of the proposed code amendments and amended standards will not increase the potential impacts to plants and animals.

Proposed measures to protect or conserve plants, animals, fish or marine life are:
N/A

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

Proposed measures to project or conserve energy and natural resources are: N/A

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?**

Adoption of the proposal will not negatively affect environmentally sensitive areas or areas designated or eligible 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?** Adoption of the proposal will not affect any land or shoreline areas. The proposal is designed to provide equivalent levels of development opportunity through providing a mix of surfaces where feasible.

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?** N/A

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.** The proposal is a requirement under the City's NPDES permit, which is required under both state and federal clean water acts.

- 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

Catherine Dery

Date Submitted:

Gene
April 8, 2014
CAO

