DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Ave NE., P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: City of Bellevue Development Services Department

LOCATION OF PROPOSAL: City-wide

DESCRIPTION OF PROPOSAL:

Regulation of Shopping Carts - Citywide

Amend the Bellevue City Code to regulate abandoned shopping carts. Proposal includes defining shopping cart containment areas; requiring informational labeling; declaring shopping carts located outside a containment area a nuisance; providing for civil infractions for the unauthorized removal of a shopping cart from a containment area; and imposing escalating penalties on retailers who fail to retrieve a shopping cart located outside a containment area. See also File No. 08-143237-AD for corresponding amendments to the Bellevue Land Use Code.

FILE NUMBER: 08-143236-AB

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with Land Use Division. This information is available to the public on request.

☒ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

☐ This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information indicating, or on, a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project), or if the DNS was procured by misrepresentation or lack of material disclosure.

Appeal of this SEPA threshold determination must wait until final action is taken on this proposal by the City Council. Following final action by the City Council, an appeal for the SEPA threshold determination may be filed together with an appeal of the underlying City Council action by petition to the superior court.

Carol V Helland
Environmental Coordinator

June 25, 2009
Date

M.Jackson
6/19/09

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

A. BACKGROUND INFORMATION

PROPOSAL TITLE: Regulation of Shopping Carts-City-wide (BCC)

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

PROPOSAL LOCATION: Applies City-wide

PROPONENT'S NAME: City of Bellevue, Development Services Department

CONTACT PERSON'S NAME: Catherine A. Drews, Legal Planner

CONTACT PERSON'S ADDRESS: Development Services Department
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 City Code to regulate abandoned shopping carts. Proposal includes defining shopping cart containment areas; requiring informational labeling; declaring shopping carts located outside a containment area a nuisance; providing for civil infractions for the unauthorized removal of a shopping cart from a containment area, and imposing escalating penalties on retailers who fail to retrieve a shopping cart located outside a containment area.

2. **Site acreage:** N/A

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 regulates abandoned shopping carts City-wide.

MJ

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):

City Council adoption is anticipated summer of 2009.

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

Additional code amendments to the Land Use Code, Title 20, are required to implement provisions related to cart labeling and shopping cart containment areas. City Council adoption is anticipated summer of 2009. See File No. 08-143237-AD.

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

This SEPA checklist. SEPA checklist for file No. 08-143237 AD

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.

Additional code amendments to the Land Use Code, Title 20, are required to implement provisions related to cart labeling and shopping cart containment areas. City Council adoption is anticipated summer of 2009. See File No. 08-143237-AD.

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.

Ordinance adoption by the City Council.

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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: The proposal is to amend the Bellevue City Code to regulate abandoned shopping carts. The proposal includes defining shopping cart containment areas; requiring informational labeling; declaring shopping carts located outside a containment area a nuisance; providing for civil infractions for the unauthorized removal of a shopping cart from a containment area, and imposing escalating penalties on retailers who fail to retrieve a shopping cart located outside a containment area.

Environmental Summary per WAC 197-11-235(3)(b):
State the proposal's objectives: Regulation of abandoned shopping carts.

Specify the purpose and need to which the proposal is responding: The purpose and need for the proposal is to eliminate safety issues and urban blight associated with abandoned shopping carts, while educating retailers and consumers about the issues.

State the major conclusions, significant areas of controversy and uncertainty: Study of the shopping cart abandonment and monitoring of abandonment trends demonstrated that the problem was significant, it disproportionately impacted neighborhoods surrounding shopping centers where the City was actively working to improve livability, and the problem warranted intervention. Areas of uncertainty surround the balance that proposed regulations in the Bellevue City Code to provide for civil infractions versus the provisions contained in the Land Use Code to encourage retailers to initiate best management practices for cart supply as a component of their operations.

State the issues to be resolved, including the environmental choices to be made among alternative courses of action: Alternative courses of action include: (1) amending the Bellevue City Code to provide for complaint based enforcement against retailers and civil infractions against individuals who take carts without authorization; (2) amending the Bellevue Land Use Code to provide for proactive enforcement against retails and civil infractions against individuals who take carts without authorization; or (3) continue the status quo and work with retailers to voluntarily improve cart supply management practices. In terms of environmental impacts, the three alternatives are not significantly different.

State the impacts of the proposal, including any significant adverse impacts that cannot be mitigated: The proposal is a nonproject action to regulate abandoned shopping carts. There are no significant adverse impacts resulting from that action.

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Describe any proposed mitigation measures and their effectiveness: No specific development is being approved with this proposal. There are no significant adverse impacts resulting from this nonproject action and 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 proposed code amendment 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 proposed code amendment 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?**

   No adverse impacts to energy or natural resources are anticipated.

   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?**

   The proposed code amendment will not increase the potential impacts to sensitive areas or areas designated for government protection. It may improve the aesthetic condition of some of these areas by ensuring that shopping carts do not get abandoned in parks and sensitive areas and create blight. The amendment also reduces the potential for disturbance to sensitive areas where carts have been abandoned.

   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?**

   None of the proposed amendments to the Bellevue City Code are likely to change the demands on the transportation system.

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 Catherine R. Drews

Date Submitted 6/19/09