



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: The proposal amends LUC 20.10.440 note 39 to require shopping cart containment areas and to provide signage informing persons that unauthorized removal of a shopping cart constitutes theft. See also File No. 08-143236-AB for corresponding amendments to the Bellevue City Code.

FILE NUMBER: 08-143237-AD, Regulation of Shopping Carts (LUC Amendments)

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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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.

This DNS is only appealable as part of the City's action on the amendment to the Land Use Code. In order to comply with requirements of SEPA and the State of Washington Growth Management Act for coordination of hearings, any appeal of the SEPA threshold determination herein will be considered by the Growth Management Hearings Board along with an appeal of the City Council's action. See LUC 20.35.250C.

Carol V. Holland
Environmental Coordinator

June 25, 2009
Date

OTHERS TO RECEIVE THIS DOCUMENT:
State Department of Fish and Wildlife
U.S. Army Corps of Engineers
Attorney General
King County

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

A. BACKGROUND INFORMATION

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

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 Land Use Code to regulate abandoned shopping carts. Proposal includes amending 20.10440, note 39 to require all wholesale and retail uses that provide shopping carts to their customers to designate a shopping cart containment area; install signage on the property and on individual shopping carts providing notice that unauthorized removal of a shopping cart constitutes theft and/or a civil infraction, and declaring abandoned shopping carts or shopping carts outside of the containment area a nuisance.
- 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.

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):

A public hearing on the proposal is anticipated in summer of 2009. City Council final action on the proposal will follow that public hearing.

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 adopted by the City Council, new wholesale and retail uses that provide shopping carts must comply with the amendments.

Additional code amendments to the Bellevue City Code, are being adopted concurrently to regulate abandoned shopping carts. City Council adoption is anticipated summer of 2009. See File No. 08-143236-AB.

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. 08-143236 AB](#)

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 Bellevue City Code, are being adopted concurrently to regulate abandoned shopping carts. City Council adoption is anticipated summer of 2009. See File No. 08-143236-AB.

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.

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: Amend the Bellevue Land Use Code to regulate abandoned shopping carts. Proposal includes amending 20.10440, note 39 to require all wholesale and retail uses that provide shopping carts to their customers to designate a shopping cart containment area; install signage on the property and on individual shopping carts providing notice that unauthorized removal of a shopping cart constitutes theft and/or a civil infraction, and declaring abandoned shopping carts or shopping carts outside of the containment area a nuisance.

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

State the proposal's objectives: To require wholesale and retail uses that provide shopping carts to their customers establish shopping cart containment areas and provide notice to their customers about the illegality of removing carts from the containment area and a number to call to return abandoned 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 Land Use Code strike to encourage retailers to initiate best management practices for cart supply as a component of their operations versus the civil infraction and nuisance provisions that are to be included in the Bellevue City Code.

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 20.10440, note 39 of the Land Use Code to require all wholesale and retail uses that provide shopping carts to their customers to designate a shopping cart containment area; install signage on the property and on individual shopping carts providing notice that unauthorized removal of a shopping cart constitutes theft and/or a civil infraction, and declaring abandoned shopping carts or shopping carts outside of the containment area a nuisance; (2) Continue the status quo and work with retailers to voluntarily improve cart supply management practices. In terms of environmental impacts, the two 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.

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. **May reduce disturbance to sensitive areas where shopping 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 Land Use 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 A. Davis

Date Submitted 06-19-09