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: Land Use Code Amendment to prohibit all but emergency helicopter landing facilities city-wide.

FILE NUMBER: 11-115160-AD, Helicopter Landing Facilities

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 **July 21, 2011.**

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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

July 7, 2011
Date

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

Attachment 1-7-11

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

A. BACKGROUND INFORMATION

PROPOSAL TITLE: Land Use Code Amendment to prohibit all but emergency helicopter landing facilities city-wide. (File No. 11-115160-AD).

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: Carol V. Helland, Land Use Director

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

CONTACT PERSON'S PHONE: 425-452-2724

BRIEF DESCRIPTION OF THE PROPOSAL'S SCOPE AND NATURE:

1. **General description:** The proposal is to amend the Bellevue Land Use Code (LUC) to prohibit all but emergency helicopter landing facilities city-wide. The proposal includes amending Part 20.20.450 (Helicopter Regulations), 20.10.440 (Use Charts) and 20.25D.070 (Bel-Red Districts).

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 prohibits all but emergency helicopter landing facilities 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 July of 2011. 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, the Land Use Code will prohibit all but emergency helicopter landing facilities city-wide.

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

SEPA checklist and threshold determination for this proposed Land Use Code amendment.

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.

N/A

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: The proposal is to amend the Bellevue Land Use Code (LUC) to prohibit all but emergency helicopter facilities city-wide. The proposal includes amending Part 20.20.450 (helicopter performance standards), 20.10.440 (transportation and utility land use charts) and 20.25D.070 (Bel-Red land use charts for transportation and utilities uses).

Environmental Summary per WAC 197-11-235(3)(b):
State the proposal's objectives: To comply with the May 31, 2011 City Council direction to staff to initiate a Land Use Code Amendment to prohibit future permanent helicopter landing facilities city-wide, when not used for emergency purposes.

Specify the purpose and need to which the proposal is responding: The proposal is to amend the Bellevue Land Use Code (LUC) to prohibit future permanent helicopter landing facilities city-wide, when not used for emergency purposes. It is responding to the May 31, 2011 City Council direction to staff to initiate the subject Land Use Code Amendment. The City Council finds that the potential environmental impacts associated with multiple heliport or helistop locations could compromise the health, safety and quality of life of the residents of Bellevue. And, that the applicable provisions of the Comprehensive Plan, Bellevue Land Use Code, or other City Codes and existing infrastructure do not adequately address the need for and form of standards for addressing the possibility of multiple private non-emergency helistop and heliport locations.

State the major conclusions, significant areas of controversy and uncertainty: The City of Bellevue recently completed review and approval of a proposed helistop on the rooftop of the Bank of America building in downtown Bellevue. This project was very controversial and was appealed by two parties to the City Council. The City Council recently denied the appeal, based upon LUC 20.35.150.A.7.a. Following discussion of the appeal, Council members requested that staff bring forward a range of options for Council consideration to address their concerns regarding the adequacy of performance standards and processing requirements for future applications to establish helicopter landing facilities.

State the issues to be resolved, including the environmental choices to be made among alternative courses of action: In the short term, the proposed LUCA will prevent potential environmental impacts to health, safety and quality of life of residents in Bellevue that would be inadequately mitigated if multiple heliports or helistops were to be proposed under the existing regulations as a means to avoid increasing mobility challenges for individuals who currently rely on single occupancy vehicle travel modes. In the long term, the city will be able to study helicopter landing facilities and determine whether there are locations in the city, when facilities are properly regulated, that could accommodate private heliports and/or helistops without undue impacts to areas where residential uses are located. The short term prohibition on all but emergency heliports and helistops is being pursued in lieu of a moratorium. Amending the LUC to prohibit all but emergency helicopter facilities city-wide may over time, reduce carbon loading in the atmosphere by reducing the potential number of helicopter facilities city-wide.

State the impacts of the proposal, including any significant adverse impacts that cannot be mitigated: The proposal is a nonproject action to prohibit all but emergency helicopter facilities city-wide. There are no significant adverse impacts resulting from that action. The proposal may over time, reduce potential significant adverse impacts by reducing the potential number of helicopter facilities city-wide. Any specific proposal to construct a helicopter facility would require project level 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 proposed code amendment will not increase the potential impacts to water, air and earth resources. Helicopter noise (in flight and landing/departure) and air emissions will potentially be reduced as a result of limiting the number of helicopter facilities.

   Proposed measures to avoid or reduce such increases are: Reduce the potential number of helicopter facilities.

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 proposal will not directly affect any environmentally sensitive areas because helicopter landing facilities are not allowed in critical areas.

   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. The same shoreline overlay regulations will continue to apply to development and redevelopment.

   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 proposed amendment to the Land Use Code is not likely to change the demands on the transportation system or public services and utilities. The proposed amendment is to reduce the potential number of helicopter facilities which will reduce the demand on these services. Helicopter travel is an alternative travel means for emergency hospital transfers to other locations.

   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 Carol V Helland

Date Submitted 6-15-2011