



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. 12-113861-AD

Project Name/Address: Consolidated Land Use Permitting Process for Regional Light Rail Transit Projects / City-wide

Planner: Catherine Drews, Legal Planner

Phone Number: 425-452-6134

Minimum Comment Period: September 27, 2012

Materials included in this Notice:

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

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

A. BACKGROUND INFORMATION

PROPOSAL TITLE: Consolidated Land Use Permitting Process for Regional Light Rail Transit Projects (File No. 12-113861-AD).

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

PROPOSAL LOCATION: Applies City-wide

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

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:** Land Use Code Amendment to establish a consolidated land use permitting process for Regional Light Rail Transit projects. It is proposed that a Light Rail Transit Overlay District be created, to provide certainty and predictability with respect to permitting processes and requirements both for project applicants and to interested parties commenting on or otherwise participating in the permitting process. The proposal is intended to be consistent with the Memorandum of Understanding entered into between the City of Bellevue and the Central Puget Sound Regional Transit Authority, effective November 15, 2011, which calls for a package of Land Use Code amendments that, if adopted, would accomplish the following objectives: (a) Provide certainty and predictability for the City, the Regional Light Rail Transit authority, and the public with respect to land use code requirements and processes; (b) Allow for the City Council, through a development agreement, to establish a comprehensive and consolidated permit process for the Project; (c) Add provisions in the Land Use Code to accommodate Light Rail Transit Facilities and Systems as a permitted use allowed under the consolidated permit process; (d) Allow for extended vesting or duration of land use approvals for the Project; and (e) Provide a mechanism for addressing any Land Use Code requirements that are impractical or infeasible for the Project.

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 is to amend the City of Bellevue Land Use Code (LUC) (Title 20 of the Bellevue City Code) to create regulations governing Regional Light Rail Transit Systems and Facilities, which are Essential Public Facilities pursuant to RCW 36.70A.200(1). The proposal adds a Light Rail Transit Overlay District to the LUC, setting forth permit requirements, review process, design standards, development requirements, and other regulations that will govern regional light rail transit system and facility uses.
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, to be held by the City Council, is anticipated in October of 2012. City Council final action on the proposal is anticipated by December 31, 2012.

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, development of regional light rail transit systems and facilities may occur in accordance with the Land Use Code, as amended by the proposal.

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.

In addition, the following related documents were prepared for the "East Link Project", proposed by the Central Puget Sound Regional Transit authority (Sound Transit), which is proposed to extend through Bellevue:

- Final Environmental Impact Statement – East Link Project (Sound Transit, July 2011)
- 112th Avenue Light Rail Options Concept Design Report (Sound Transit, June 2010)
- Segment C – Evaluation of Hospital Station Options (Sound Transit, June 2010)

- Final Environmental Impact Statement, Transportation 2040: Metropolitan Transportation Plan for the Central Puget Sound Region (Puget Sound Regional Council, March 2010)
- Downtown Bellevue Light Rail Alternatives Concept Design Report (Sound Transit, February 2010)
- East Link Project Draft and Supplemental Draft EIS (Sound Transit, December 2008; November 2010)
- Light Rail Best Practices Comprehensive Plan Amendments Environmental Checklist and Determination of Non-Significance (City of Bellevue, June 2008)
- East Link Project Environmental Scoping Information Report Seattle to Bellevue to Redmond (Sound Transit, August 2006)
- North Link Final Supplemental EIS (Sound Transit, April 2006)
- Regional Transit System Plan Final Supplemental EIS (Sound Transit, June 2005)
- Airport Link Environmental Assessment (EA)/SEPA Addendum (Sound Transit, May 2005)
- I-90 Two-Way Transit and HOV Operations Project Final EIS/ROD (WSDOT and Sound Transit, May 2004)
- Central Link Light Rail Transit Project Environmental Assessment Initial Segment (Sound Transit, February 2002)
- Central Link Light Rail Transit Project Final EIS Addendum Initial Segment (Sound Transit, November 2001)
- Central Link Light Rail Transit Project Final Supplemental EIS, Tukwila Freeway Route (Sound Transit, November 2001)
- Central Link Light Rail Transit project Final EIS (Sound Transit, November 1999)

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. Proposal is 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 Amendment to establish a consolidated land use permitting process for Regional Light Rail Transit projects. It is proposed that a Light Rail Transit Overlay District be created, to provide certainty and predictability with respect to permitting processes and requirements both for project applicants and to interested parties commenting on or otherwise participating in the permitting process. The proposal is intended to be consistent with the Memorandum of Understanding entered into between the City of Bellevue and the Central Puget Sound Regional Transit Authority, effective November 15, 2011, which calls for a package of Land Use Code amendments that, if adopted, would accomplish the following objectives: (a) Provide certainty and predictability for the City, the Regional Light Rail Transit authority, and the public with respect to land use code requirements and processes; (b) Allow for the City Council, through a development agreement, to establish a comprehensive and consolidated permit process for the Project; (c) Add provisions in the Land Use Code to accommodate Light Rail Transit Facilities and Systems as a permitted use allowed under the consolidated permit process; (d) Allow for extended vesting or duration of land use approvals for the Project; and (e) Provide a mechanism for addressing any Land Use Code requirements that are impractical or infeasible for the Project.

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

State the proposal's objectives: To establish regulations governing Regional Light Rail Transit Systems and Facilities (which are Essential Public Facilities pursuant to RCW 36.70A.200(1)), consistent with the Memorandum of Understanding (MOU) entered into between the City of Bellevue and the Central Puget Sound Regional Transit Authority, effective November 15, 2011. The proposal adds a Light Rail Transit Overlay District to the LUC, setting forth permit requirements, review process, design standards, development requirements, and other regulations that will govern regional light rail transit system and facility uses.

Specify the purpose and need to which the proposal is responding: The Central Puget Sound Regional Transit Authority proposes to construct a voter-approved regional light rail transit system through Bellevue, connecting to Seattle to the west and Redmond to the northeast. The Bellevue Land Use Code does not currently address such systems or their facilities, and as a result the permitting, review, and development requirements for these uses lack clarity. Further, the Land Use Code does not regulate uses within right-of-way, where a substantial portion of the proposed light rail project will occur. In order to provide a permitting framework that is clear and predictable to regional light rail transit system proponents, the general public, and City staff, regulations that address these uses are needed. The proposal responds to direction contained in the MOU, as described in Section A.1 above.

State the major conclusions, significant areas of controversy and uncertainty: The primary conclusion leading to this proposal is that without it, the City has few means by which it can review, mitigate, and permit aspects of regional light rail transit uses that are important to the community. There is not expected to be significant areas of controversy or uncertainty with respect to this proposal.

State the issues to be resolved, including the environmental choices to be made among alternative courses of action: No issues to be resolved. Alternative courses of action include not adopting the proposed Land Use Code amendments or amending the Code in a different manner. In terms of environmental impacts, the two alternatives are not significantly different. The proposed amendments, both in substance and organization, reflect the clearest and most effective approach to regulating regional light rail transit uses.

State the impacts of the proposal, including any significant adverse impacts that cannot be mitigated: The proposal is a nonproject action to provide a regulatory framework for the review, mitigation, and permitting of regional light rail transit uses. 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. 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?

Adoption of the proposed code amendments 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?

Adoption of the proposed code amendments 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 by the adoption of the proposed code amendments.

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 proposed code amendments will not 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 proposed amendments 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?**

Adoption of the proposed amendments will not increase demands on transportation or public services and utilities. Regional light rail transit systems and facilities that are reviewed, mitigated, and permitted in accordance with the proposed amendments will, when developed, provide a transportation alternative to the public.

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: June 7, 2012