ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS

SEPA Threshold Determination for 2021 Rooftop Features Code Amendments

Project Proponent: City of Seattle

Lead Agency: City of Seattle

BACKGROUND

The proposed amendments to rooftop features regulations are prompted by the recent adoption of an updated Energy Code. Going forward, the Energy Code will cause the design of new buildings to meet minimum performance levels that better support City policy on environmental sustainability. This includes encouraging or requiring the substitution of different technologies or equipment into buildings for their heating, ventilation, and other purposes such as water heating.

This will affect what mechanical equipment is needed, how much equipment, and where equipment may be located. It will likely lead to a greater presence of mechanical equipment on rooftops in future new buildings than would occur under prior codes. These implications are most crucial to consider for tall tower buildings, which may need large numbers of equipment to serve their floor area, while also having limited roof dimensions due to their tower shape. Unless updated, the limits on rooftop coverage in today's codes are likely too low to ensure that all needs can be met.

The proposal addresses these newer needs by increasing the ability for rooftop features to exist on roofs while maintaining a reasonable balance in how they affect overall building height, appearance, and functionality. This will support achieving the City's goals for energy efficiency and sustainability in future growth, and continue to give flexibility to encourage high-quality architectural design. Other tailored edits will streamline and clarify the code to make it easier to use and remove impediments to more frequent use of beneficial features like solar collectors.

PROPOSAL

This is a non-project proposal that would update and amend various provisions of the Land Use Code addressing rooftop features in most zones across the city. The proposal adjusts the code to accommodate possible changes in future building design, relating to Energy Code updates that may lead to greater presence of mechanical equipment on roofs. In addition, amendments are proposed to provisions in Pioneer Square and Chinatown/International District (CID) zones to give more flexibility and opportunity for: greenhouse additions in both neighborhoods; and new options for rooftop penthouse uses and recreational spaces on rooftops in Pioneer Square.

In most zones across the city, the proposal includes updates to three existing maximum rooftop coverage options from which an applicant may choose. They are expressed in terms of percent coverage of a rooftop's physical area. They address rooftop features typically within the range of

greater than 4 feet and up to 15 feet in height, with certain features like mechanical penthouses above elevators allowed to reach higher heights.

1. **Increase rooftop coverage limits for Downtown Urban Center buildings:**
    - In most Downtown zones, increase the percent-rooftop-coverage limit option by 20%, from 55% to 75% for residential towers subject to floor size limits. This would not apply to Chinatown/International District, Pioneer Square, or Pike Place Market zones, which have more specific rooftop development standards.
    - Increase the percent-rooftop-coverage limit option by 15%, from 35% to 50% maximum coverage for buildings in the Downtown Urban Center that are not residential towers with floor area limits; but not in Chinatown/International District, Pioneer Square or Pike Place Market zones. These include commercial towers as well as other sizes of residential and non-residential buildings that are not towers.
    - Increase the percent-coverage-limit option by 10%, from 15% to 25% in Pioneer Square and Chinatown/International District (CID) zones, which have more specific development standards. With approval of the special review district board, rooftop coverage up to 35% also would be a possible outcome for future individual development proposals.
2. **Increase rooftop coverage limits for buildings outside Downtown:**
    - Increase the screening and roof-edge setback limit option by 10%, from 65% to 75% for buildings if mechanical equipment is screened or enclosed, and rooftop features within 10 feet of roof edges do not exceed parapet heights or 5 feet, whichever is higher. This would newly apply in Highrise, Commercial, Neighborhood Commercial, and would modify an existing option in Seattle Mixed zones. For the Seattle Mixed zones only, this option could be used on buildings of any size, while in other zones it could only be used for buildings greater than 120 feet in height.
    - Increase the percent-coverage-limit option by 10%, from 25% to 35% for buildings in Midrise, Highrise, Commercial, Neighborhood Commercial, and Yesler Terrace zones (and to 30% in Lowrise zones).
    - Increase the percent-coverage-limit option by 15%, from 20% to 35% coverage for buildings in Industrial and Seattle Mixed zones.

The proposal's percent increases in maximum rooftop coverage limits are summarized as:

Maximum rooftop coverage limit for features exceeding height limit more than 4 ft.	**Proposed percent increase**
Percent-rooftop-coverage limit option	
Up to 30% in LR	+10%
Up to 35% in MR, HR, C, NC, Yesler Terrace	+10%
Up to 35% in SM and Industrial	+15%
Up to 75% for Downtown residential towers,* and 50% for other Downtown buildings	+15-20%
Up to 25% for buildings in Pioneer Square and Chinatown/I.D. zones**	+10%
Greenhouse limit option	
For any building height category Up to 60% in most zones, for buildings with a rooftop greenhouse present	+10%
Up to 45% in Pioneer Square and Chinatown/I.D. zones	Newly allowed
Screening and roof-edge setback limit option	
For buildings exceeding 120 feet in height Up to 75% in buildings with screened/enclosed mech. equipment, and with limits on rooftop features near roof edge, in SM, HR, C, NC, Yesler Terrace zones	+10%
For buildings less than 120 feet in height Up to 75% in buildings with screened/enclosed mech. equipment, and with limits on rooftop features near roof edge, in SM zones	+10%

* Downtown residential towers exceed 65-85 feet height, and usually approach the zoned maximum height limit.

** An added +10%, up to 35% coverage, can be approved by the special review district boards.

3. **For buildings with rooftop greenhouses, increase the rooftop coverage limit by 10%, from 50% to 60% in most zones except Lowrise, Pioneer Square and CID zones (proposed as 45% in the latter two zone types).**

    - This greenhouse limit option applies if a rooftop greenhouse is proposed. It is a higher limit to allow enough space for the greenhouse and all other rooftop features. It also incentivizes greenhouses: features promoting environmental sustainability and resilience through plant cultivation and food production.

4. **Add the ability to have lodging uses and eating and drinking establishments as penthouse uses on rooftops in Pioneer Square zones, and revise a minimum building height requirement for all kinds of penthouses to 40 feet:**

    - Add these uses to the current list of penthouse uses that includes office and residential uses

    - Allow all kinds of penthouses to be added to existing buildings 40 feet or greater in height. This revises an existing minimum 60-foot height and deletes a minimum 10,000 square foot building footprint requirement for office penthouses.

5. **Add the ability to put enclosed recreational facility spaces on certain newer buildings in Pioneer Square zones:**

    - Extend a code allowance for these recreational spaces that are conditionally allowed on new structures to be added to existing structures built after January 19, 2008.

    - Allow these rooftop spaces to extend up to 15 feet above the height limit (20 feet

for elevator equipment).

- Eligible newer buildings would be required to meet standards for these spaces, including the green building standards, Green Factor vegetation standards, and 30-foot setbacks of these spaces from streets.

6. **Increase consistency in the use of terms and in the list of what is counted toward rooftop coverage limits for most zones:**
    - Update and add terms such as "covered or enclosed common recreation area" and "eaves and canopies."
    - Clarify references to wind power and solar power equipment.
    - Make grammatical edits to consistently list what is counted toward rooftop coverage limits and simplify the text.
    - Consolidate references to greenhouses and solariums.
    - Correct typographical errors and outdated references.

The Design Review process will continue to be required for all buildings that would make use of the proposal's rooftop coverage limits. Design Review is a part of the permit-review process that uses volunteer review boards and design guidelines to help address the quality of varied design elements in a building development. This will continue to be used to help relate the design of tops of buildings to the overall building form, and will address how such buildings should be designed to fit within their immediate setting.

The proposal maintains the current code regulations on telecommunications, elevator/stair penthouse height allowances, retaining solar access for adjacent buildings, and roof setback rules for Chinatown/International District, Pioneer Square, and Pike Place Market.

Public Comment

Proposed changes to the Land Use Code require City Council approval. Opportunity for public comment will occur during future Council meetings and hearings. The proposal is also available online and comments will be taken by e-mail.

ANALYSIS – OVERVIEW

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The following report describes the analysis conducted to determine that the proposal is not likely to result in *probable significant adverse environmental impacts*. This threshold determination is based on:

- the language of the proposed amendments and related contents as described above;
- the information contained in the *SEPA checklist* (dated October 11, 2021), including annotations made by SDCI staff;

- review of materials prepared as background information about the code amendments, prepared by City staff; and
- the experience of the SDCI analyst in reviewing similar documents and actions.

ELEMENTS OF THE ENVIRONMENT

Short-Term and Long-Term Impacts

A. Natural Environment

Earth, Water, Water Quality, Plants/Animals/Fisheries/Marine Life

The proposal is not expected to generate significant adverse impacts for these natural environmental elements, at a non-project level or in its potential for indirect or cumulative impacts related to future development influenced by the proposed rooftop feature code amendments.

Earth, Water, Water Quality, Plants/Animals/Fisheries and Marine Life
Seattle is mostly urbanized in its development patterns, but it also has retained greenbelts, hillsides, stream, river, bay, and lake environments with diverse kinds of plant, animal, fish, and marine habitats. This includes many shoreline edges hosting birds, fish, and other marine life. In some portions of the city such as north Seattle, the City's drainage system relies in part on natural stream and creek drainages to direct urban stormwater runoff toward Lake Washington and Puget Sound. Wildlife on land largely includes those species habituated to urban areas and fragmented vegetated areas in the city, with common types including squirrels, opossum, coyotes, and a variety of bird species including eagles. Threatened, protected, or endangered species that could be present nearby to future development sites in some cases could include heron, and salmon in locations downstream via natural drainages.

A wide variety of geologic resources, conditions, and environmentally critical areas are present in the City of Seattle. These range from steep slopes that may pose landslide or erosion hazards, to presence of peat soils or old landfills or other features that may pose seismic or soil instability hazards.

This non-project proposal would result in no direct adverse or significant adverse impacts to earth, water, plants, animals, fish, or marine life resources because it does not directly propose development. Similarly, regarding indirect and cumulative impacts, with future development affected by the proposal, this analysis identifies no adverse or significant environmental impacts for these elements. There is no particular means for the proposal to indirectly generate probable adverse effects based on changes to rooftop feature limits. For example, the proposed code updates, corrections, and revisions of flexibility strategies would not increase the footprint size of buildings or their roofs or lead to greater habitat losses or different kinds of adverse development-related impacts on these biological resources related to earth, water, plants, animals, fish, and marine environments.

Nor would the proposal cause the location of future development to occur more intensively in any particular type of properties with environmentally sensitive features such as steep slopes or locations near natural drainage systems. There are no identified additional environmental impact risk factors that would be increased by the proposal for these environmental elements. The City's

other current protective regulations would continue to be applied to future development, which would tend to mitigate and prevent impacts related to earth disturbances, pollutant washoff, and habitat degradation.

Energy, Natural Resources Depletion, Environmental Health, Air Quality, Noise

Energy, Natural Resources Depletion
The proposal would not be likely to directly, indirectly, or cumulatively generate significant adverse impacts related to energy use or natural resource depletion. This is due to a lack of a likely means to generate probable adverse effects. Rather, the proposal would indirectly help accommodate and support the use of building mechanical features and designs that would lead to greater energy efficiency and less depletion of natural resources. For example, the 2020 SEPA Determination for Energy Code updates concluded that Seattle's total electricity demand with the updates would be reduced by 18% by 2050 compared to a "business as usual" scenario.

Environmental Health, Air Quality, Noise
The recently updated Seattle Energy Code, related to this proposal, would help reduce carbon emissions to the air by affecting fuel use and use of electricity in many future new buildings. The current rooftop code amendment proposal would not directly, indirectly, or cumulatively generate significant increases in discharges or emissions of toxic or hazardous substances to the air or water, or increase the production of noise. Rather, it would provide more flexibility in code requirements to accommodate space for the possible presence of more mechanical equipment on rooftops of future new buildings.

There is no particular potential for changes in pollutant discharges to water with relevant future development, given the facts of the proposal. Equipment installed on rooftops could in a worst case potentially release emissions to the air, from accidental leaks, but the current proposal itself does not absolutely mandate an increased amount of equipment be used on rooftops. Equipment types, amounts, and locations would be designed at the discretion of building designers and engineers seeking to comply with the Energy Code. Also, the proposal would encourage and incentivize mechanical equipment screening or enclosing, which could lead to a reduced potential for worst-case noise impacts related to mechanical equipment use. So, the proposal would not likely generate potential for significant adverse air pollutant emissions or noise impacts.

B. Built Environment

Land and Shoreline Use, Height/Bulk/Scale, Aesthetics, Relationship to Plans and Policies

The details of this non-project proposal are not likely to generate significant adverse impacts on land use and shoreline use patterns, directly, indirectly, or cumulatively. Rooftop features – their presence and arrangement on a roof – are not likely to negatively affect the arrangement and combinations of land uses on the ground that could occur within Seattle neighborhoods. Rather, overall land use patterns are primarily affected by the existing zoning patterns across the city, and associated factors such as density limits. Therefore, this analysis identifies no probable adverse impacts or creation of incompatibilities with land use plans.

The proposal's types of potential adverse land use impacts are limited to those relating to the additional coverage of roofs with tall features that could extend above height limits. These could include land use impacts related to height/bulk/scale of buildings and related aesthetic visual impacts, to the extent the rooftop features may be seen from locations close or at some distance away from the future new buildings. In Seattle, the range of hilly topography and range of zones allowing tall buildings means that in many locations the rooftop features may not even be visible from nearby locations but could be seen from more distant locations. These kinds of visual impacts could include instances where rooftop features could impair or alter other building users' views either by blocking a view of a skyline or scenic feature, or adding to visual clutter if the building's rooftop features may be looked down upon from buildings at tops of hills.

Many of the proposal's code amendments relate to changing allowances in the up-to-15-feet-above-height-limit category. The proposal would not change this 15-foot height allowance. Certain other higher height exceptions are already defined in the existing Land Use Code for features such as elevator penthouses, but these height allowances are not proposed to change either. Therefore, there would not be potential for impacts of increased height allowances in this regard, due to lack of change in rooftop height allowances.

Seattle's code requirements do not require protection of private views from impairment by future new buildings, or define quantitative limits on visual clutter. However, processes like Design Review seek to achieve a design in permitted buildings that will result in a harmonious building design and appearance, which can include shaping the building's roof treatment and seeking to limit visual rooftop clutter if a building may be viewed from above.

This analysis discloses that the proposal would increase rooftop coverage limits for tall rooftop features by 10-20% in several zones. In Downtown zones, the permissible maximum rooftop coverage with these features on residential towers would be 75% coverage, or 50% for non-tower buildings, or a maximum of 35% in Pioneer Square and CID zones (45% if greenhouses are present) with Board approval. In other non-Downtown zones, there is also a proposed option for a 75% maximum rooftop coverage limit if proposed 5-foot height restrictions on rooftop features near roof edges, requirement to screen or enclose mechanical equipment, and solar access provisions are met. For taller buildings, such as those exceeding 120 feet, future development per the proposed codes could generate increases in adverse impacts related to height, bulk, and scale of future buildings, which could include visual impairments of views available to existing building users nearby or farther away but within the visual field of a new building. This could newly occur in zones allowing buildings greater than 120 feet, which include: Highrise, Seattle Mixed, Commercial and Neighborhood Commercial zones; and could conceivably occur for buildings less than 120 feet tall in Seattle Mixed zones.

By including proposed provisions for limited height of rooftop features within 10 feet of roof edges in high-roof-coverage buildings (if certain design and regulatory options are chosen by an applicant), and also incentivizing screening or enclosing of mechanical equipment in certain zones, the proposed code would limit and reduce the worst-case potential magnitude of the adverse visual impacts of future new buildings.

It should be noted that the current Land Use Code for rooftop coverage already balances the permissible height, bulk, view, and building feature allowances in ways that already let rooftop

features exceed height limits in certain ways. These allow for a degree of adverse visual impact to occur due to a new building's rooftop features, recognizing that certain building features like elevator penthouses need to be taller than the height limit (to allow elevators the equipment they need to function), and that rooftop amenities or other uses can be present. The main controlling factor in the code is the allowable percent rooftop coverage. The current proposal is calibrated to modestly, or moderately, increase the allowable coverage limit for certain kinds of buildings to account for technological and mechanical equipment changes driven by Energy Code requirements. These changes may result in future new buildings with more and different equipment on building rooftops than was accommodated in the past. This also would result in additional environmentally beneficial factors – promoting sustainable energy modes in new buildings and addressing carbon emissions' role in climate change – which directly relates to the City's rationale for advancing the non-project proposal.

Given the analysis above, this SEPA determination concludes that the proposal could generate adverse but not significant adverse cumulative impacts related to height/bulk/scale and visual changes, due to the increment of additional percent rooftop coverage with tall features that would be permitted in future development. These potential adverse impacts related to the proposal would be experienced unevenly and in some cases not at all by nearby viewers: often, nearby persons at indoor or outdoor locations may not be able to see differences at all, because rooftop features would not be visible from their vantage point. However, in some situations influenced by the geographic location of sites and relationship to topography and other buildings within the field of vision, the increased coverage of roofs with tall features could be noticeable and in some cases could result in degrees of added impairment to private views. Such situations with combinations of those characteristics could be rare. The degree of such change, to the extent it can be predicted for all possible future viewers, likely would be slight-to-moderate (in many cases due to increases in percent coverage changes amounting to 10-20% of roof area) and which would depend on the building design using most of the rooftop coverage area allowed by the Land Use Code in a way that would be visually impairing to a given viewer. Such adverse impacts potentially could be avoided or reduced by the outcome of design review processes in future reviews of individual building proposals.

Regarding proposed code amendments in Pioneer Square and Chinatown/I.D. special review districts

The foregoing analysis about visual and height/bulk/scale related impacts also applies to these neighborhoods, albeit in a more limited fashion due to the greater limits on rooftop coverage and setbacks that would continue to apply in these neighborhoods.

In Chinatown/I.D., the primary change is to accommodate greenhouses as a possible rooftop use and constrain the maximum rooftop coverage, if a greenhouse is present, to 45 percent rather than a 60 percent rooftop coverage limit that currently applies by virtue of allowances in Downtown code section 23.49.008. Also, the proposal would accommodate a 10 percent increase in rooftop coverage above existing limits which include a choice of 15 percent or 25 percent maximum coverages depending on Board reviews of individual proposals. A 10 percent increase in rooftop coverage with these taller features would create some potential for increased bulk presence and visual impacts that would be adverse in magnitude. But the existing setback requirements and other protections would help limit and minimize the effect and visibility of such changes, including

through the Board review and recommendation process.

The findings above also pertain to Pioneer Square for the same greenhouse and 10 percent increase in rooftop coverage allowances. In addition, a code proposal to allow retrofitting of enclosed recreational spaces on newer buildings (approximately 13 years old or newer) in Pioneer Square would accommodate the possibility of added bulk on a few buildings (applicable to buildings built since 2008), which could create more potential for visual impacts and similar effects related to increased bulk and scale of taller features on rooftops.

Newly allowing lodging and eating/drinking establishment penthouses, and newly allowing office penthouses on buildings 40 feet or greater in height in Pioneer Square Preservation District
Until now, Pioneer Square has accommodated residential and office penthouse uses on rooftops within height limits (penthouse heights of 12 feet and not exceeding the zoned height limit) and rooftop coverage limits (50% coverage) that set bounds on where and how much presence these uses may have on rooftops. The proposal accommodates an expansion of permissible uses for penthouse spaces to include lodging and eating/drinking establishment uses. While it maintains the same coverage and height limits applicable to the residential and office penthouses, the proposal also newly extends the possibility of these penthouses to existing buildings that are shorter and smaller in size than currently allowed for office penthouses. This difference would apply to buildings 40 feet or greater in height, compared to the existing minimum height of 60 feet for office penthouses. This would increase the chances of, and eligibility for, more buildings to pursue these penthouse additions.

Past land use code allowances supporting residential and office penthouses in Pioneer Square, defined decades ago, reflected opinions that these kinds of penthouse uses could aid financial feasibility of Pioneer Square building renovations and be compatible uses. Now, evaluation of the current proposal anticipates that lodging uses and eating/drinking establishment uses could also support financial feasibility of renovations and be compatible kinds of uses for additions to existing buildings. The probability of physical compatibility of future possible penthouses would be aided by maintaining Pioneer Square rules such as minimum setbacks from roof edges, rooftop coverage limits similar to current limits, and visual impact evaluations.

The proposal also reflects an evaluative opinion about the potential benefits of the City supporting economic and neighborhood revitalization objectives in Pioneer Square, given the recent and ongoing economic challenges caused by the pandemic.

In terms of the City's land use policy and regulatory outlook, while past choices have supported a relatively narrow range of residential and office-use penthouse purposes until now, the City may adjust this range of preferred possibilities in its land use codes for Pioneer Square. Rationales for making the proposed changes include supporting the financial viability of maintaining and improving buildings, allowing a reasonable range of accessory spaces for businesses in the neighborhood, and supporting new uses that will bring visitors and customers to the neighborhood to aid businesses and the economy. Building improvements for penthouses would still be subject to project-by-project review by the Board, including with respect to limiting visual impacts.

Spillover impacts that might occur with lodging and eating/drinking establishment penthouse uses include a generalized potential for increases in noise and activity-related disturbances. Aspects of these uses could include music, outdoor dining services, and indoor- or outdoor-crowd-related noises from typical gatherings in rooftop spaces. If loud enough, these could lead to annoyances of people using or living in nearby buildings, and potential for nuisance-related complaints. To some extent, the chance for these annoyances could be reduced depending on building designs and user practices. For example, amplified music could be avoided in certain timeframes such as after 10 PM, or outdoor dining hours could be restricted. Penthouses could be designed to avoid or minimize openings toward neighboring uses with residents. These topics could be the subject of future Board reviews for individual proposals, with impacts partly depending on the nature of surrounding land uses, which would vary on a site-by-site basis. These potential indirect land use-related impacts would be adverse in probable magnitude, but would not represent a probable significant adverse impact, because nuisance noise regulations would continue to apply, and there are ways that lodging and eating/drinking establishment uses could be designed and operated that would avoid or minimize the potential for these impacts.

Historic Preservation and Cultural Preservation

Portions of this non-project proposal would have a bearing on future possible renovations of historic-contributing buildings in the Pioneer Square and Chinatown/I.D. neighborhoods, relating to changes in maximum possible rooftop coverage limits, more clearly stating a greenhouse use allowance in both neighborhoods, and allowances for additional kinds of penthouse uses – for lodging and eating and drinking establishment uses – in a broader range of buildings and properties than is possible today. However, these proposed amendments would not be likely to generate significant adverse impacts on these resources. Other aspects of the proposal would not increase the likelihood that existing historic buildings would be significantly physically impacted by rooftop equipment requirements.

Decisions about proposals for penthouse renovations and other possible rooftop coverage features at historic buildings/sites (or adjacent locations) would be subject to the review and recommendation of special review district boards, evaluations of consistency with City policies and rules on historic preservation, evaluation of visual impacts, and exercises of City authority.

While this could lead to altering of existing historic buildings in future development proposals, it would do so with provisions such as setbacks from roof edges, screening, use controls, and other design guidance in the code that would be able to influence penthouse designs to be visually compatible additions. This suggests that potential for significant adverse impacts to the affected historic buildings and historic district surroundings would be avoided or minimized. The proposal would also accommodate retrofitting of buildings in Pioneer Square approximately 13 years old or newer to place enclosed recreational spaces on roofs. These would not be historic buildings, but any such projects would be subject to Pioneer Square board review for their potential impacts on surroundings. It is also worth noting that the proposal does not alter the rooftop code requirements and allowances for the Pike Place Market area.

The proposal is not likely to increase the potential for disturbance of cultural sites or resources. It would also not affect the strength of the City's regulatory protection of those cultural sites or resources if they are discovered during future development, which is addressed by other State and local regulations, policies, and practices. With or without the proposal, such processes are

mandated to stop construction, assess the resources, and take appropriate next steps for the cultural resources' protection or preservation.

Most cultural sites and resources at risk from future development in Seattle are in unknown locations due to their being buried under soils, although certain vicinities such as near-shore areas are known to have greater potential for presence of such resources given past activities of indigenous peoples. The proposal does not include provisions that would alter the likelihood of future development occurring in any given location or type of vicinity such as near-shore areas. And the proposal does not include provisions that would be likely to increase total site clearing and grading of future development.

Light and Glare, Recreation

This non-project proposal would not result in any direct impacts relating to light and glare or recreation elements of the environment because it would not result in future development of any particular location. Indirectly and cumulatively, the proposal is unlikely to lead to significant adverse impacts related to these environmental elements. This is due to a lack of a likely means to generate probable adverse effects of these kinds. The proposal would not likely lead to substantive differences in use of light- or glare-producing elements in future new buildings, or in the manner of providing recreation on a given property or in a neighborhood. It would also not generate any probable impacts on municipal provision of recreation facilities and services.

Transportation, Public Services and Utilities

Transportation and Parking

The proposal would not directly, indirectly, or cumulatively impact transportation systems or parking in a significant adverse manner. Nearly all proposed rooftop-related code amendments in the proposal would generate no physical differences that would affect total floor area size, location, or density of use of multi-family residential or non-residential buildings. Therefore, there is no probability that these parts of the proposal would generate increases in daily traffic or parking impacts from future new buildings, either on a site-by-site project or cumulative impact basis. One exception to this is that proposed code changes for Pioneer Square could generate additional floor area in building additions as penthouse spaces for lodging uses and eating and drinking establishment uses on a broader range of properties than can occur today. Such uses, especially eating and drinking establishments, conceivably could generate additional volumes of visitor activity to future improved buildings and thus an increment of added vehicle traffic and parking demand. Within the context of the Downtown Urban Center and existing conditions in the Pioneer Square neighborhood, these kinds of possible increases in traffic and parking demand would not be likely to create project-related significant adverse impacts. This would be due to existing latent capacity in these areas' street systems, transit systems, and parking resources, to absorb these possible adverse impacts from future incremental building expansions.

Public Services

This non-project proposal would not directly, indirectly, or cumulatively impact public services in a significant adverse manner. The proposal would not lead to future development of any particular location, and there is a lack of a likely means to generate probable adverse impacts of these kinds. For example, nearly all proposed code amendments in the proposal would generate no physical differences that would affect total floor area size, location, or density of use of multi-

family residential or non-residential buildings. Therefore, no new potential would be created from these parts of the proposal for increased occupancy or residency that might generate increased police protection, fire protection, schools, transit service, health care or other similar public service needs and impacts.

For elements of the proposal creating new opportunities for penthouse building additions with lodging, eating and drinking establishments, office uses and recreational spaces in Pioneer Square, these possible future new spaces could generate incremental increases in demand for fire and police protection, and other similar public service needs. However, these increases are not likely to be significant adverse impacts given their limited cumulative potential to add floor area in the context of Pioneer Square and the Downtown Urban Center.

Utilities

This non-project proposal would not directly, indirectly, or cumulatively impact utility systems in a significant adverse manner. The proposal would not lead to future development of any particular location (except possibly in Pioneer Square, discussed below), and there is a lack of a likely means to generate probable adverse effects of these kinds. The proposed greater flexibility to accommodate mechanical equipment as part of all rooftop coverage features would not increase the total floor area size of buildings or their roofs. While the proposal has a relationship to mechanical equipment that could be installed on future new buildings, the proposal does not absolutely mandate an increased amount of equipment to be used on rooftops, which is at the discretion of building designers and engineers. At the same time, implementing the proposal could indirectly contribute to achievement of greater energy efficiencies in future development given the recently updated Energy Code, which would cumulatively help reduce electricity demands and increase use of renewable energy.

For elements of the proposal creating new opportunities for penthouse building additions with lodging, eating and drinking establishments, office uses and recreational spaces in Pioneer Square, these possible future new spaces could generate incremental increases in demand for utility services. However, these increases are not likely to be significant adverse impacts given their limited cumulative potential to add floor area in the context of Pioneer Square and the Downtown Urban Center.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This is meant to satisfy the requirement of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

Signature: /s/ Date: December 30, 2021
Gordon Clowers, Sr. Planner
Seattle Department of Construction and Inspections