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SEPA Rule Making Advisory Committee - Worksheet to recommend raised exemption threshold levels.

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Representing: AWC

Type of Construction	<u>Optional Minimum</u>	<u>Updated Default</u>	Current Optional Level	<u>Optional Maximum (In-city)</u>	County UGA	GMA County out of UGA	Non-GMA County	Discussion/Rationale
(i). Single-family Residential Note 2 See below	4	9	20	50				<u>Optional minimum</u> : Same as current default level for residential <u>Updated default</u> : Matches up to small subdivision authority <u>Optional maximum</u> : Rounded number in the range of current "spread" between current default and current optional levels, eg 5x)
(ii). Multi-family Residential	4	20	20	150				<u>Optional minimum</u> : Same as current default level for residential <u>Updated default</u> : Same as current optional level for residential <u>Optional maximum</u> : MF housing results in fewer environmental impacts, is more efficient to serve with infrastructure, and helps meet growth management targets.
(iii). Agricultural	10,000sf		30k sq ft	No proposal				

(iv). Commercial	4,000 sf & 20 parking	<u>12k sq ft & 40 parking</u>	12k sq ft & 40 parking	<u>60,000SF + 200 parking</u>				<p><u>Optional minimum:</u> Same as current default level <u>Updated default:</u> Same as current optional level <u>Optional maximum:</u> 60,000 SF is the rough size of a Trader Joes + a few supportive uses. This supports walkable communities and reduces traffic within urban growth areas.</p>
v). Stand-alone Parking lot	20 parking							<p>This is not a focus of ours, and we are not proposing a new maximum here. Consider a new exemption category to promote commuter support facilities such as those that are proposed by transit authorities. This could be an item for the second phase of the rulemaking.</p>
(vi). Landfill & Excavation See Note 1 below	100 cu yds	100 cu yds	500 cu yds	1000				<p><u>Optional minimum:</u> Same as current default level <u>Updated default:</u> No change <u>Optional maximum:</u> 1,000 Cubic Yards is about what can be moved in two days.</p>

1. Ecology proposes moving stand-alone excavation to its own subsection (and out of “minor new construction”) in order to avoid confusion. This item is intended for excavation *not associated with a development proposal*. However, it is triggering unnecessary SEPA reviews when the excavation and fill project type is considered as part of the clearing and grading for building construction. Our proposal is to move this exempt project type to a separate subsection and apply the current “maximum” existing level across the location types and jurisdictions. **Comment: AWC supports this approach with modest amendments to the threshold quantities and proposes a footnote to the new Landfill & Excavation section as follows: The categorical exemption for Landfill & Excavation applies**

only to earth movement that is not otherwise associated with a proposed action described as categorically exempt minor new construction pursuant to WAC 197-11-800(1) and (2), repair, remodeling and maintenance activities pursuant to WAC 197-11-800(3), and utilities pursuant to WAC 197-11-800(23).

2. In order to avoid triggering unintended SEPA reviews for new default and optional maximum levels associated with single family residential development, AWC proposes a footnote as follows: The categorical exemption for single family residential structures applies to short platting or subdivision of land approved pursuant to the requirements of RCW 58.17 for the location of categorically exempt single family residential structures.

Additional AWC comments

- Each jurisdiction would start at the updated default levels according to geographic type as required in 6406.
- Cities believe there should be flexibility and authority to opt up to a new optional maximum level using the current process described in WAC 197-11-800(1)(c), as well as to opt down to new optional minimum level if local circumstances require.
- Cities propose for phase 2 of the rulemaking process a new exemption category for mixed use developments.
- Discussion among practitioners has shown some uncertainty regarding how the single family exemption category may be applied to formal subdivisions given the somewhat unclear language in 197-11-800. Further clarity on this from Ecology and an opportunity to address this consistent with legislative intent in the rulemaking process is requested.