




Residential Development Code Initiatives

Environmental Review Thresholds

Possible changes related to **State Environmental Policy Act (SEPA) flexible thresholds for categorical exemptions** were suggested in the Spokane [Housing Action Plan \(HAP\)](#) Strategy A3 (p. 30), and [Housing Emergency Proclamation](#) Action Item 2.d.

Topic	SEPA Flexible Thresholds for Categorical Exemptions
Code	SMC Section 17E.050.070 and Section 17E.050.230 Appendix B
Proposed Changes	Increase the SEPA exemption levels for minor new construction to those listed in WAC 197-11-800(1)(d) and maintain the current 500 cubic yard fill/excavation threshold.
Watch the Video to Learn More	

Why does Washington require environmental reviews?

The State Environmental Policy Act (SEPA) is Washington's foundational environmental law and a powerful legal tool for protecting the environment. Enacted in 1971 as [chapter 43.21C RCW](#), the core of SEPA is to maintain and improve environmental quality. The law requires all state and local governments to ensure that "environmental amenities and values will be given appropriate consideration in decision making along with economic and technical considerations...." ([RCW 43.21C.030](#)).

Under SEPA, the City must take environmental matters into consideration when making decisions on actions that may impact the environment, whether proposed by private parties or

WASHINGTON STATE
Department of Ecology

State Environmental Policy Act (SEPA) Register

SEPA and NEPA documents posted by the Department of Ecology since 2000

Home Ecology Register Search Help

All Text Fields Search for...

Showing 1 - 10 of 164,604 results. Sort: SEPA Number (9-1)

Filter Results

Document Type
All

Sub-Type
All

County
All

Region
All

Proposal
[Search]

Issued Date
Start End

202106554 - West Richland City of Issued 12/20/2021
Proposal Name: Drive-up Window Service Text Amendment
Proposal Description: Tim Bush, applicant, has applied for a text amendment to the West Richland Zoning Code to permit drive through window service to businesses located in the CL zone.
 Type: DNS, County: BENTON, Lead Agency File Number: SEPA-023-2021

202106553 - Kennewick City of Issued 12/17/2021
Proposal Name: Mills End Preliminary Plat
Proposal Description: A 34 lot Preliminary Plat on 3.63 acres
 Type: CONSULT, County: BENTON, Lead Agency File Number: EDENV-2021-0002

202106552 - Seattle City of Issued 12/23/2021
Proposal Name: South Park Plaza Development
Proposal Description: Seattle Parks and Recreation (SPR) purchased the vacant 0.83-acre property from King County in 2014. Although City of Seattle, through SPR, owns and manages the site, the property is in King County, adjacent to the Seattle city limits. SPR is proposing...
 Type: DNS, County: KING

Department of Ecology SEPA Register

Are any permits or actions exempt from SEPA review?

Some types of proposals are categorically exempt under [197-11-800 WAC](#). To be exempt a project must be equal to or smaller than the exempt level. The City is allowed to adopt its own flexible thresholds for minor new construction (and other projects and actions), currently those regulations allow exemptions for:

- Single-family and Multifamily residential up to 20 units
- Agricultural structures up to 20,000 square feet
- Office, school, commercial, recreational, service, or storage buildings up to 12,000 square feet in addition to related parking space up to 40 spaces
- Parking lots up to 40 parking spaces
- Fill or excavation up to 500 cubic yards

What are the proposed changes to regulations?

The City is proposing to increase the categorical exemption flexible thresholds to the maximum currently allowed by [197-11-800\(1\)\(d\) WAC](#), while maintaining the current threshold for [fill/excavation of 500 cubic yards](#). Changing the thresholds would mean projects that are equal to or smaller than the exemption level would not be required to do a SEPA environmental review. A comparison of the changes is noted below, and a link to the draft options is noted below.

Construction Type	Current Threshold	Proposed Threshold (per 197-11-800 WAC)
Single-family residential units	20 units	30 units
Multifamily residential units	20 units	60 units
Agricultural structure	20,000 SF	40,000 SF
Office, school, commercial, recreational, service, or storage buildings and related parking	12,000 SF and 40 parking spaces	30,000 SF and 90 parking spaces
Fill or excavation	500 cubic yards	No change

Following outreach to the Spokane Tribe, Colville Tribe, and Coeur d'Alene Tribe, and coordination with the Department of Archeology and Historic Preservation as well as the Department of Ecology, the City will initiate a 60-Day Public Comment period before taking the proposed code amendments for public hearing.

How can I comment on the proposed changes?

You can email public comment to developmentcode@spokanecity.org, or contact the project staff listed on the [project webpage](#). Members of the public are encouraged to testify at public hearings both before Plan Commission and City Council.

Proposed Draft

You can review the proposed draft text which was taken before Plan Commission on January 12, 2022 by viewing the [agenda packet](#). At the January 12 workshop, Plan Commission indicated a preference to have Option 2, adopting the maximum categorical exemption permitted by WAC except for fill/excavation, come before them for public hearing. You can view the Plan Commission [workshop recording](#) for discussion on the proposed code amendment.