

**From:** Martin Henry Kaplan mhk@martinhenrykaplan.com   
**Subject:** QA LURC Comment Letter - Backyard Cottages/ADU's  
**Date:** June 3, 2016 at 4:29 PM  
**To:**

MK

## **Hello Neighbors;**

Following our LURC meeting on 16 May 2016 discussing HALA with City Hall, and more specifically the impacts the proposed land use changes would have on single-family zones in every neighborhood, Councilmember Mike O'Brien filed a new proposed ordinance two days later seeking to change the land use code even further, go well beyond the HALA proposals, and create even greater impacts to our single family neighborhoods throughout Seattle. His proposal effectively converts all single family zoned land into duplex and triplex zoning, with no parking requirements, greater heights and less open space-greater lot coverage, no real ownership requirements, among other significant impacts.

Contingent with filing the ordinance, Councilmember O'Brien was required to submit his proposal for SEPA review. "The State Environmental Policy Act (SEPA) is legislation that allows local governments to identify and mitigate possible environmental impacts of certain projects." Before the review takes place, the applicant must complete a detailed SEPA checklist and clearly identify all potential environmental impacts. If no impacts are noted, then the city can issue a Declaration of Non-Significance (DNS). If however impacts to neighbors, communities, infrastructure, traffic, land use, the environment and others are identified, then an Environmental Impact Statement (EIS) may be required.

The EIS exhaustively studies every potential impact and the document is a collection of professional and expert studies and analysis, city department review and input, citizen review and input, multiple real public hearings, drafts and more analysis, and final approvals after amendments. Once the EIS is submitted and additional public hearings are held, the proposed amendments to the Land Use Code will require final approval by the Mayor and City Council. While this takes time, it ensures the public is involved, informed, considered, and a respected partner with the city in making a decision of great importance and significant consequence.

The O'Brien proposal addresses significant city-wide land use code changes and in my opinion there are a host of serious questions regarding degree of impact. There are 109 questions on the SEPA checklist and the city has answered every one with a "No" or Not Applicable" impact. Therefore the city's conclusion was to give the proposal a Declaration of Non-Significance (DNS), removing the requirement for the city to prepare an EIS and open the process to you and all our neighborhoods throughout Seattle for review and comment at numerous public hearings. Instead, Councilmember O'Brien can freely advance his proposal to the City Council for discussion and a vote, unencumbered by accurate and expert analysis, representative and inclusive public hearings, public and expert input and review, resultant amendments after considering impacts and actual metrics, and final transparent analysis and approvals with community by-in. Many believe that this open review and expert input has been missing in HALA as well.

If you attended our LURC meeting on 16 May 2016 and listened to the two City officials discuss HALA and specifically the ADU/DADU impacts, they addressed many environment impacts that will affect almost every property in our city. The city has not identified one impact to our neighborhoods from this proposal and in fact gone well beyond suggesting that there will be no impacts whatsoever! Councilmember O'Brien placed a very short two-week public comment period upon the SEPA review and DNS; ending yesterday 2 June 2016. We have met that requirement by submitting the attached

comment letter.

While it is not possible to seek an extension for the comment period, we can appeal the DNS decision as referenced in the notice below. Please let me know ASAP if you would like to join others and myself in advancing this critical effort. It is my opinion that the DNS should be forcibly appealed.

As always, thanks for your interest in our Queen Anne neighborhood and in all our city's wonderful communities. I have included links to all the related documents for your information and review.

Martin Henry Kaplan, AIA  
Chair QA LURC

**List of related document links:**

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**NOTICE OF O'BRIEN'S LAND USE CODE TEXT AMENDMENT**

<http://web6.seattle.gov/DPD/LUIB/Notice.aspx?BID=1138&NID=22452>

**SEPA – State Environmental Policy Act**

<http://www.seattle.gov/dpd/permits/permittypes/landuseseпа/default.htm>

**ADU/DADU DIRECTOR'S REPORT**

[http://www.seattle.gov/dpd/LUIB/AttachmentProjectID73982016\\_05%20ADU%20DADU%20Director's%20Report.pdf](http://www.seattle.gov/dpd/LUIB/AttachmentProjectID73982016_05%20ADU%20DADU%20Director's%20Report.pdf)

**O'BRIEN'S ADU/DADU ORDINANCE PROPOSAL**

<http://www.seattle.gov/dpd/LUIB/AttachmentProjectID7399OPCD%20ADU%20DADU%20ORD%20v6.pdf>

**ADU/DADU ORDINANCE PROPOSAL SEPA ENVIRONMENTAL CHECKLIST**

<http://www.seattle.gov/dpd/LUIB/AttachmentProjectID73972016%20OPCD%20ADU%20DADU%20SEPA%20Checklist%20v2.pdf>

**CITY OF SEATTLE OPCD DETERMINATION OF NON-SIGNIFICANCE (DNS)**

<http://www.seattle.gov/dpd/LUIB/AttachmentProjectID7400SEPA%20DNS%20ADU%20DADU%20v2.pdf>



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