

"Planned Action" SEPA Review: Cities' Experiences and Advice

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Photo of Kent Station at Night Courtesy of camknows, Flickr cc

In 1995, the Washington State Legislature authorized SEPA review of “planned actions.” The planned action review process authorizes local governments planning under the Growth Management Act to prepare an environmental impact statement (EIS) to review potential impacts of development during the planning stage, rather than the development review stage. After completion of the EIS and adoption of a planned action ordinance, future development proposals that are consistent with the EIS and ordinance do not require additional SEPA review. When adopted, the planned action process was recognized as an opportunity to streamline and provide more certainty in the development review process.

Since its 1995 adoption, how has the planned action process worked? This article reports on the experiences of ten cities in the Puget Sound region with adopted planned action ordinances. In addition to descriptive information about their planned action ordinances, cities were asked for their assessment of overall success and tips for other local governments considering a future planned action.

What do planned action areas look like?

The selected cities varied widely in the size and types of uses permitted in planned action areas. The size of the designated areas ranged from 17 to 4,000 acres, with about half below 100 acres in size. Two of the three largest areas are planned for industrial development. All of the medium and smaller planned action areas (less than 200 acres) provide for a mix of residential and commercial uses. In these areas, commercial capacity is generally between 400,000 to 600,000 sf, with a range of 240,000 to 1.1

million sf, and residential capacity is generally between 500 and 700 dwelling units, with a range of 150 to 750 units.

Jurisdiction	Date Adopted	Size in Acres	Planned Action Development Capacity
Planned Action Designation			
Industrial			
City of Everett	1997	4,000 acres	50,000 employees
Southwest Everett			
City of Tukwila	1998	1,000 acres	Consistent with Subarea Plan
Manufacturing Industrial Center			
Mixed Use			
City of Redmond	1999, updated 2009	1,300 acres	3.42 million sf nonresidential
Overlake Neighborhood			1,336 dwelling units
City of Renton	2000	17 acres	30,000 – 38,000 sf retail
Southport			500,000 – 750,000 sf commercial 377 – 581 dwelling units 220 rooms lodging
City of Shoreline	2001	20 acres	241,000 sf commercial
North City			536 dwelling units
City of Monroe	2004	85 acres	500,000 sf retail
North Kelsey Subarea			100,000 sf office 150 dwelling units Relocation of existing business
Downtown Area			
City of Kent	2002	25 acres	514,800 sf commercial
Kent Station			200 rooms lodging, 169,400 conference center, 480 dwelling units, 53,000 sf open space/parks, 2,932 parking stalls

City of University Place Town Center	2004, updated 2006	25 acres	490,000 sf retail/office 500 dwelling units 15,000 sf library
City of Mountlake Terrace Town Center	2007	57 acres	445,000 mixed use (commercial, retail, office), 737 dwelling units
City of Federal Way City Center	2007	200 acres	750,000 sf retail, 350,000 sf office, 600 rooms lodging, 750 dwelling units, 750 parking stalls, 100,000 sf civic uses

What was the cost of planned action EIS preparation?

Seven of the ten jurisdictions used outside consultant support to prepare their EIS. Five of the seven had budgets of \$200,000 or less, with a range of \$135,000 to \$500,000. In three jurisdictions, in-house staff led the preparation of their EIS documents with outside consultant technical support. Technical tasks focused on transportation, stormwater, air quality, and noise. In all cases, the transportation analysis was a significant factor in the cost, with the cost sometimes approaching half of the total budget.

How much development has occurred under the planned action?

The three oldest and largest planned action areas have experienced the most development. Southwest Everett has seen 4.4 million square feet of development and 39,000 total employees. The Tukwila Manufacturing Industrial Center has seen about \$200 million in private development, and the Overlake Neighborhood about 2.7 million square feet of office development and 566 dwelling units.

Others that have seen a significant amount of development include Kent Station, which is estimated to be about 75% developed, Southport with 400 dwelling units, and the North Kelsey Subarea with development of a 170,000 sf Lowe’s store in the planned action area.

Other areas, including North City, Federal Way, Mountlake Terrace, and University Place have had some development, but are seeking their first significant planned action development project.

Have expectations been met?

For most jurisdictions, the answer is a resounding yes, even from those jurisdictions that have not yet experienced a significant amount of new development. Most jurisdictions reported that the planned action process has been successful in achieving a more efficient permitting process, increasing developer interest, providing more thorough and comprehensive environmental review, and increasing predictability for developers and the general public. Despite the generally positive outlook, all jurisdictions observed that the incentive provided by the planned action is not strong enough to overcome other negative economic factors.

Have there been major obstacles in implementing the ordinance?

Generally, participants pointed to very few obstacles in implementation. For a few, tracking of development and staff training were identified as internal challenges. In two instances, neighbor concerns about specific development proposals were addressed through local code requirements or voluntary meetings between the applicant and concerned neighbors. All cities noted that the economic downturn has either slowed or stopped developer interest in the past year.

What suggestions would help others considering a planned action?

The cities provided the following suggestions based on their experiences and lessons learned.

Establish the planned action area thoughtfully. Establish your planned action area based on your goals, property owner and public interest, implementation requirements, and potential for future development.

Provide for public involvement early and throughout the process. The planned action EIS process is the primary opportunity for the public to express community concerns in the planned action area.

Look for cost-saving opportunities, such as preparation of portions of the EIS and ordinance by in-house staff, maximizing use of existing data, seeking partnerships, and leveraging other projects such as comprehensive and subarea plan updates.

Consider the full range of alternatives that will achieve your goals, including an alternative mix of uses, design features, area boundaries and locations. For the environmental analysis, narrow the alternatives to those that are feasible and document why any alternatives were not carried forward.

Address all elements of the environment. Use the EIS or an Environmental Checklist to document why certain elements of the environment were not carried forward for further review.

Find the right balance of flexibility and specificity in preparing the EIS. Provide flexibility to maximize future usefulness of the EIS and sufficient detail to ensure that mitigating measures effectively address impacts.

Maximize the lifespan of the EIS by documenting the analysis and process thoroughly. Over time, review the EIS and refresh as needed.

Prepare for implementation. Develop and document an approach for tracking and processing planned action qualified development and train staff on the process.

Be patient and realistic. Recognize that planned actions are a solid strategy for streamlining the permit review process and encouraging economic development within the context of the larger economy.

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