

**Fehr & Peers**

# SB 5412: SEPA Residential Infill Exemptions and Navigating the Adoption Process

Raising SEPA Thresholds for  
Housing in Urban Growth Areas

Thursday, October 9th

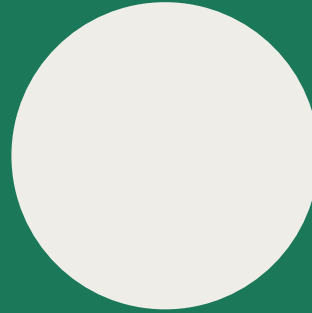
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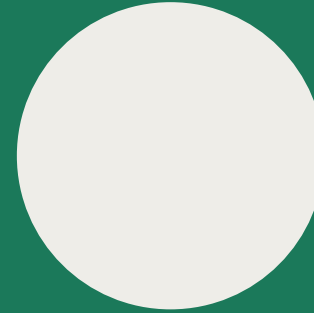
## INTRODUCTION

# Meet your Presenters



**Maan  
Sidhu**

Fehr & Peers



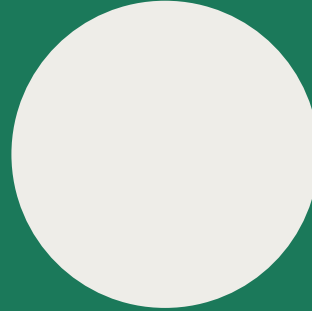
**Lisa  
Grueter**

Berk Consulting



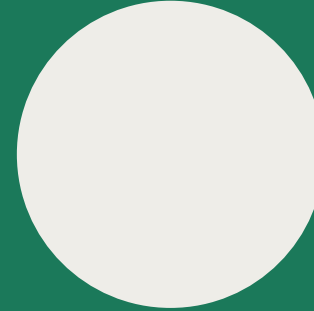
**Tirrell  
Black**

City of Spokane



**Beckye  
Frey**

Role



**Cole  
Kopca**

WSDOT



**Jessica  
Brackin**

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# Audience Poll

**“What is the #1 barrier to housing in your community?”** (Poll options: Land cost, Infrastructure, SEPA process, Political support, Other)

Menti QR Code



# Why SB 5412?



Housing shortage & affordability challenges



How to encourage higher density housing in urban growth areas?



Streamline permitting process by pre-planning for development



# What it does



Pre- application



Submit Applications



Agency Review



SEPA Threshold Determination and EIS



Public Notice / Comment / Hearing



Permit Approval or Additional Conditions



Permit Issuance and Project  
Implementation

## What it does :

Amends RCW 43.21C.229 to expand SEPA categorical exemptions for residential infill.

**Goal:** Encourage middle housing where planning work already accounts for impacts.

**How cities use it :** Adopt higher exemption thresholds by ordinance

It's a tool, not a mandate .

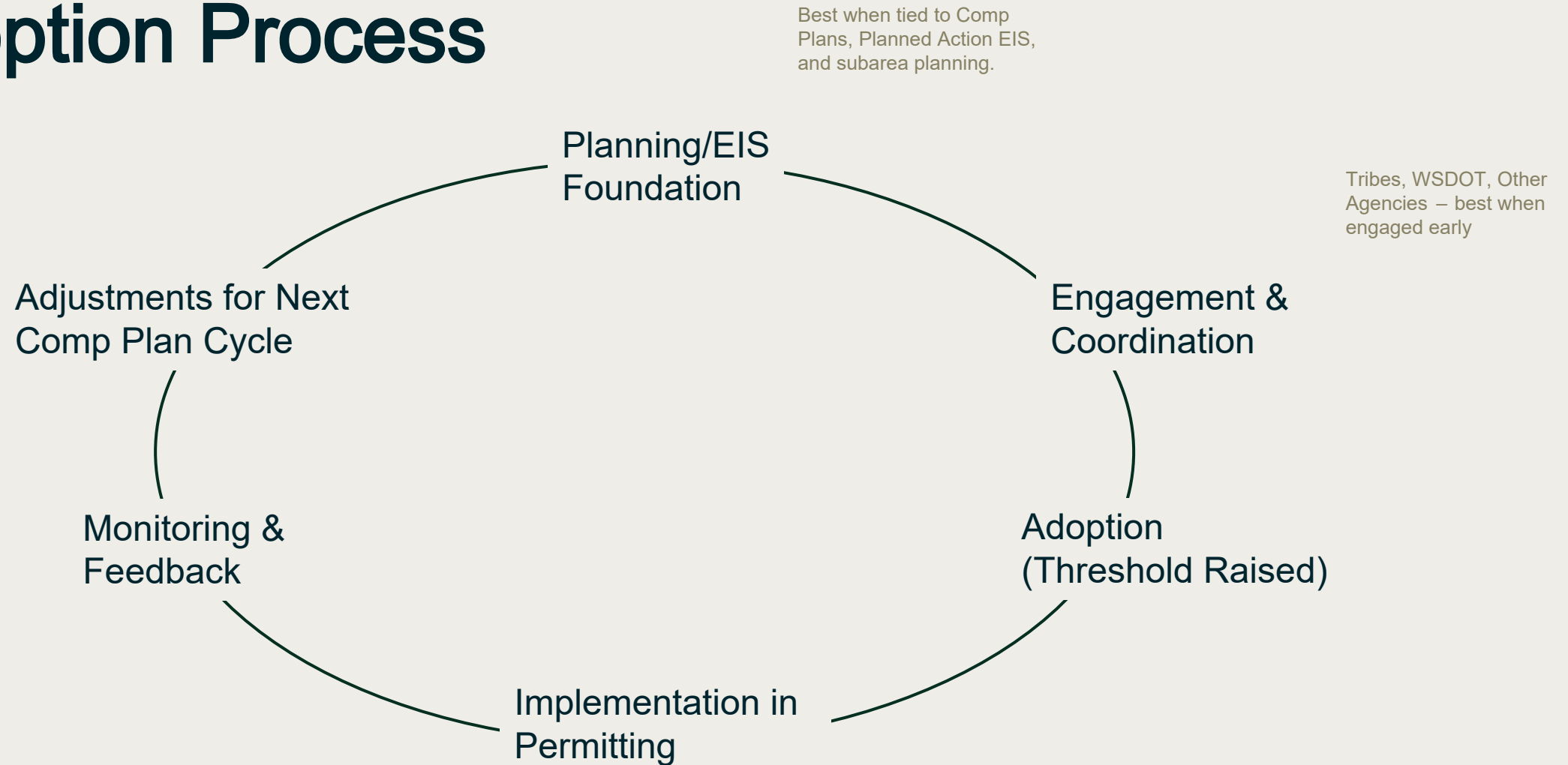
# Broader Regulatory Context

SEPA baseline (WAC 197-11800):  
defines categorical exemptions

Amended RCW 43.21C.229 (SB 5412):  
allows cities to raise residential infill thresholds.

Amended RCW 43.21C.501 (HB 1491):  
ties mitigation more directly to adopted  
plans and impact fee programs

# Adoption Process



# Audience Poll

**“If your city raised SEPA infill exemptions, which stakeholder would be the hardest to engage?”** (Options: City Council, Planning Commission, WSDOT, Neighborhood groups, Developers, Other agencies)

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# Local Government Perspectives

## Tirrell Black - City of Spokane

- Current zoning and thresholds
- Why Spokane wants higher exemptions
- Lessons learned so far

PLAN**SPOKANE**

**Resilient | Connected | Livable | 2046**

# Local Government Perspectives

## Beckye Frey - City of Redmond

- Paired SB 5412 with Comp Plan and EIS process
- Navigated WSDOT comments and notification requirements.
- Lessons learned: integrate with long-range planning, such as an EIS with a comp plan or planned action.



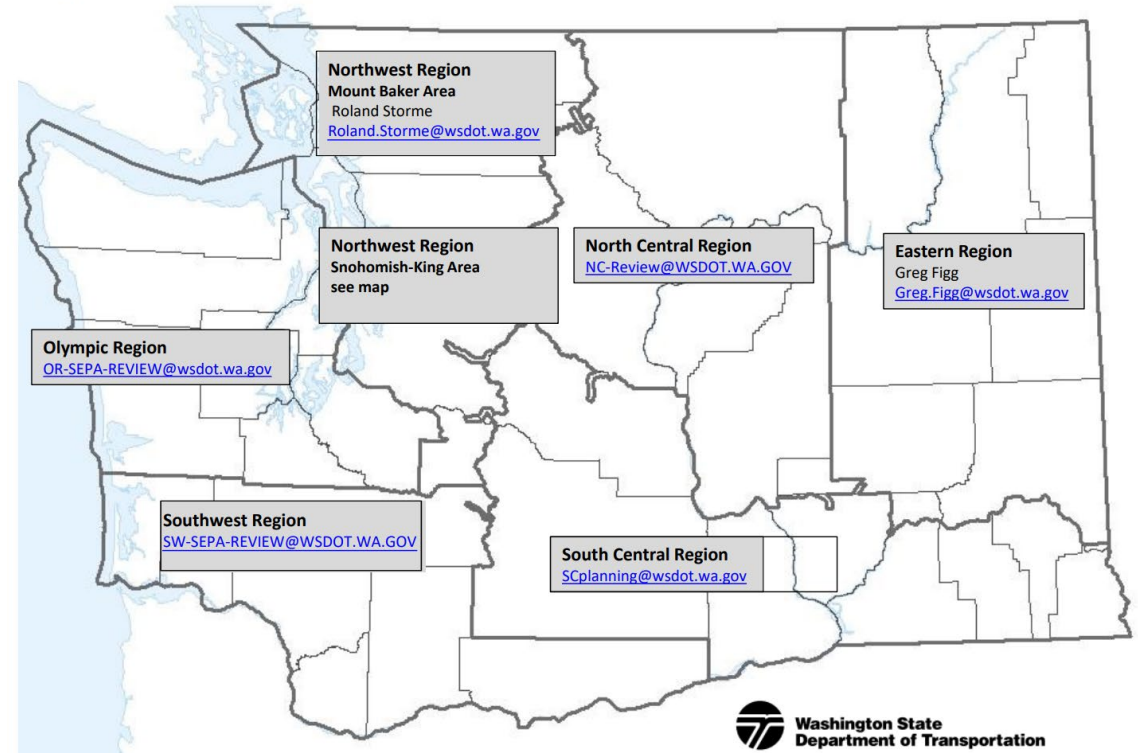
**> REDMOND 2050**  
From suburb to city

# WSDOT's Role

## Cole Kopca - WSDOT

- WSDOT regions = decentralized
- Priorities: safety, facility preservation, system efficiency
- Collaborate early

Region WSDOT SEPA Document Reviewers



January  
2021

# Audience Poll

**“How similar are Spokane/Redmond’s challenges to your own city?”** (Quick poll: Very similar, Somewhat similar, Not at all)

**“What process would your city most likely use to implement higher exemption thresholds? Comp Plan, Planned Action, or neither?”**

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# Audience Poll

“Which is the bigger risk in your city:  
pace of affordable housing or financing  
supporting infrastructure?”

M e n t i Q R C o d e



# Impacts on Planning & Development

Funding alignment: Capital Improvement Programs must support planned growth.

Funding tools

Monitoring: Did growth occur where we expected? Did city processes work as planned?

Development review changes: Less project - level SEPA → more reliance on upfront planning/EIS.



S 160th Street in Burien, WA, WSDOT



# What to Consider

- **Benefits** : Faster permitting, reduced duplication, supports housing goals
- **Risks**: Requires strong upfront planning; close agency coordination, robust monitoring, & frequent review of improvement programs

## Is your city positioned to adopt this?

- Future EIS work to rely on?
- Planning for growth and density?
- Staff/consultant capacity?





# Questions?