

2023 SEPA Exemption for Infill Housing (SB 5412)

Frequently Asked Questions:

What is the purpose of the State Environmental Policy Act (SEPA)?

- Created in 1971, SEPA was intended to be a mechanism for regulatory agencies to analyze adverse impacts and require mitigation associated with government decisions on a proposal where existing codes and rules were not adequate to address the impact.
- In Seattle, SEPA is typically required for legislative changes and permits related to larger development proposals.
- Over the last 50+ years, our local codes and rules have been consistently strengthened with updates to incorporate much of the SEPA mitigation regularly applied to topics such as building form, noise, traffic, trees, and stormwater.

What changed?

- To realize the goals and policies of comprehensive plans and speed production of housing across the state, [Senate Bill 5412](#), signed by the Governor, exempts projects that include one or more housing units in Seattle from SEPA review beginning July 23, 2023.
- This will remain in effect until September 2025, when the Seattle Comprehensive Plan Update provides new housing growth targets and updated SEPA thresholds.

What does this mean?

- SEPA review triggers a Master Use Permit (MUP), which requires a public permit process including notice of the proposal, public comments, and the ability to appeal SDI's final written decision.
- An exemption from SEPA for projects that include housing means some projects may no longer require a Master Use Permit and can move straight to a construction permit.
- Construction permits do not require public notice and are not appealable to the local Hearing Examiner.
- This change streamlines permitting for new housing proposals and provides more certainty in the timing of permit approvals and eventual construction of housing.

What about existing proposals that include infill housing and are under review for SEPA?

- Applicants for many of these proposals have the option of withdrawing from SEPA review.
- If a MUP is no longer required, then the permit may be canceled. A construction permit to apply prescriptive code standards is still required.

How will the public see the proposed building design without SEPA?

- If a MUP is still required, such as Design Review, then plans will continue to be available for viewing within the [Seattle Services Portal](#) via the related address, project number, or by searching [Shaping Seattle](#).
- If only a construction permit is required (no MUP), then the public can request a copy of the plans by contacting our microfilm library and citing an address or project number.
 - The library can be contacted anytime at [\(206\) 233-5180](tel:(206)233-5180) (message only) or at sci_microfilm@seattle.gov for questions or requests.

Who do I contact about my housing proposal and whether it's exempt from SEPA?

- For questions about a future housing proposal not yet submitted for a permit - please submit your questions [here](#).
- SDCI is currently developing a process to withdraw the SEPA component from MUPs currently under review. We will contact project applicants and post instructions to our website by early July.