

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Legislative	Freeman 48178	NA

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE relating to land use review decision procedures; amending Section 23.51A.002 of the Seattle Municipal Code to authorize the Director of the Seattle Department of Construction and Inspections to administratively waive development standards for minor expansions of sewage treatment plants subject to a Department of Ecology corrective order and finding an emergency under Seattle Municipal Code Section 25.05.880.

Summary and background of the Legislation:

This legislation would provide a limited exception to the otherwise applicable land use permit process for minor expansions of waste water treatment plants that are subject to a Department of Ecology order. Specifically, the legislation would:

- Categorize proposed expansions as minor when they are below the current size threshold for minor expansions and are required to meet a Department of Ecology order for corrective action;
- Authorize the SDCI Director as a Type I, non-appealable decision to waive physical development standards, such as height, provided that the waiver is the least necessary to achieve the corrective action;
- Require a construction management plan to mitigate any potential construction impacts;
- Make procedural changes to allow an applicant to apply for a building permit prior to receiving any waivers; and
- Declare a SEPA emergency to exempt the legislation and project-level review by SDCI of an application filed pursuant to the bill from SEPA.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
No.

Is there financial cost or other impacts of *not* implementing the legislation?

The legislation provides an expedited pathway for land use approval for an expansion to King County's West Point Treatment Plant. The West Point Treatment Plant is currently subject to a Department of Ecology order requiring corrective action to mitigate events where untreated sewage is discharged to Puget Sound because of power failures and sags. Not implementing the legislation could require the County to pursue land use entitlements under the current process, which could delay implementation of the corrective action and lead to preventable untreated sewage discharge events.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

Yes, the Seattle Department of Construction and Inspections.

b. Is a public hearing required for this legislation?

Yes

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

Yes, a hearing notice is required in the *Daily Journal of Commerce*.

d. Does this legislation affect a piece of property?

This legislation affects wastewater treatment plants located in residential zones that are subject to a Department of Ecology order. This is likely only the West Point treatment plant.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

Untreated discharge events can harm local tribal fisheries.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

In the short-term, emission from construction equipment and vehicles travelling to the site may increase emissions. In the long-term, this legislation is unlikely to increase or decrease carbon emissions.

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

This action may increase Seattle's resiliency may providing for faster mitigation of untreated sewage bypass events. Quicker mitigation increases the likelihood that there

will be fewer such events that could harm local fisheries and decrease the overall ecological health of Puget Sound.

- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**

NA

List attachments/exhibits below: