

June 15, 2017

MEMORANDUM

To: Planning, Land Use and Zoning Committee
From: Ketil Freeman, Council Central Staff
Subject: Council Bill 118971 – Maintenance and Demolition of Vacant Buildings

On June 20, the Planning, Land Use and Zoning (PLUZ) Committee will hold a public hearing on Council Bill (CB) 118971. CB 118971 amends sections of the Land Use Code, Title 23 of the Seattle Municipal Code (SMC), and the Housing and Building Maintenance Code, Chapters 22.206 and 22.208 of the SMC, to modify regulations for maintenance and demolition of vacant buildings.

This memorandum (1) briefly describes what CB 118971 would do and (2) sets out preliminary issues identified by Councilmembers and staff.

What CB 118971 Would Do

CB 118971 would amend the Housing and Building Maintenance Code and the Land Use Code to:

- Improve standards for securing vacant buildings from unauthorized entry;
- Provide the Director of the Seattle Department of Construction and Inspections (SDCI) with additional authority to order the expedited abatement of nuisance conditions, such as garbage and litter removal, at properties with vacant buildings;
- Provide the SDCI Director with additional authority to order the demolition of vacant buildings that present a danger to the public and City staff; and
- Modify limitations on demolition of housing by (1) shortening the length of time prior to demolition of vacant buildings from twelve to four months and (2) expanding the types of structures previously used as rental housing that may be demolished after four months from just residential uses in single-family zones to all types of structures, no matter the zone.

The changes are proposed to address public health and safety issues associated with vacant buildings that are not adequately maintained or secured.

Preliminary Issues

Councilmembers and staff have preliminarily identified some issues for discussion and potential future amendments. Issues identified below are not exhaustive. Additional issues may be identified through the public hearing, committee discussion, or further staff analysis.

1. **Should the City mandate the use of more durable materials for securing vacant buildings?** CB 118971 authorizes the use of durable and more expensive materials for securing vacant buildings, such as polycarbonate sheets and steel security panels. However, use of those materials is not required.
2. **Should the City reinstate a vacant building monitoring program?** Previously, the City had a vacant building monitoring and inspection program. Operation of that program has lapsed. As an alternative or complement to the proposed legislation, Council could reinstate the program. This would likely require budgetary actions, such as providing additional appropriation and position authority for an inspector and establishing a fee schedule to, at least partially, recover program costs.
3. **What steps can the City take to programmatically align other nuisance abatement efforts for occupied structures with nuisance abatement and demolition of vacant structures?** Public health and safety issues are not unique to vacant buildings. Occupied structures that are poorly maintained or operated can present the same concerns to near neighbors. The Council could consider budgetary or other oversight actions to help align nuisance abatement efforts of departments, such as the Police Department, with SDCI enforcement activities.
4. **Should the Council consider alternatives to the proposed new limitations on demolition of housing by either maintaining or modifying (1) the length of time prior to demolition and/or (2) the structure type and zone?** The proposed modified limitations on demolition of housing may have the unintended consequence of reducing the City's overall housing supply. The Council could consider different time periods or structure type and location criteria to mitigate that risk.

Next Steps

The PLUZ Committee will meet on July 18 to consider amendments to the bill and potentially make a recommendation to the Full Council.

cc: Kirstan Arestad, Central Staff Director