

SUMMARY and FISCAL NOTE*

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** 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 and meeting procedures; temporarily modifying and suspending procedures in Titles 23 and 25 of the Seattle Municipal Code and amending Chapters 23.41, 23.49, 23.66, 23.79, 25.12, 25.16, 25.20, 25.21, 25.22, 25.24, and 25.30 of the Seattle Municipal Code.

Background:

The Seattle City Council adopted, and the Mayor signed, Ordinance 126072 to facilitate virtual meetings and virtual public outreach, allow projects to elect to be processed through administrative design review while the Seattle Department of Construction and Inspections (SDCI) and the Department of Neighborhoods (DON) set up a system for virtual public meetings, and allow various processes related to historic preservation to be handled administratively in recognition of the reduced capacity of the relevant boards when holding virtual meetings. Ordinance 126072 will expire on October 25, 2020. In light of the continuing COVID-19 pandemic, the need for provisions to address many of the matters addressed by Ordinance 126072 remains.

Summary:

This legislation would extend temporary process changes that are set to expire on October 25, 2020 in Title 23 and Title 25 SMC, to be in effect until 180 days after the termination of the civil emergency proclaimed by the Mayor on March 3, 2020. Extending these provisions will address the ongoing pandemic and will avoid potential public health risks from in-person contact; allow development to continue to minimize economic impacts; and address urgent housing needs; and allow the City time to resolve technical issues that arise as it begins holding virtual meetings. The legislation includes extension of the following process changes:

1. Allow certain development projects that would normally be reviewed by the Design Review Board, and that previously elected to be reviewed through Administrative Design Review (ADR), to elect to continue to be reviewed by SDCI staff through ADR if (1) SDCI could not provide a virtual meeting for the project prior to this ordinance taking effect, in which case the project could continue in ADR until SDCI is able to provide a virtual meeting (this allowance would be available until December 31, 2020); or (2) the project completed the early design guidance process before SDCI could make a virtual early design guidance meeting available, in which case the project could continue in ADR until December 31, 2020.
2. Expedite the production of affordable housing by exempting publicly-funded affordable housing projects from Design Review if the project applicants are ready to submit a

complete building permit application within the next 18 months, and allow the SDCI Director to waive or modify certain development standards for those projects.

3. Allow developers preparing for Design Review to conduct their required Early Community Outreach via electronic or digital methods instead of in-person outreach methods.
4. Allow developers of proposals for Planned Community Developments to conduct other types of public outreach instead of having in-person public meetings.
5. Allow DON staff to review requests for certain alterations/modifications of City landmarks and buildings within Special Review Districts, Landmark Districts, and Historical Districts, as well as requests for development standard departures for City landmarks.
6. Allow DON staff to review requests for flexibility from development standards by public schools.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes 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 other impacts have been identified.

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

If this legislation is not approved, certain development projects will be unable to proceed through the development process during the COVID-19 emergency; this will cause delay and potential cancellation of these projects, including affordable housing. The result is likely to be a delay and/or loss of related real estate excise tax collections.

4. OTHER IMPLICATIONS

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

This legislation affects the Seattle Department of Construction and Inspections as well as the Department of Neighborhoods. These two departments would continue the administrative review that would normally be conducted by the Design Review Board, Special Review District boards, Landmark District boards, Historical District boards and various other ad-hoc boards, commissions, and committees.

b. Is a public hearing required for this legislation?

Yes. The City Council Land Use and Neighborhoods Committee will hold a public hearing on this legislation.

c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

This legislation does not require landlords or sellers of real property to provide information regarding the property to a buyer or tenant.

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

Yes. SDCI will publish a notice of the public hearing in the Daily Journal of Commerce.

e. Does this legislation affect a piece of property?

This legislation affects applications for development across many areas of the city.

f. 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?

This legislation will allow housing construction, including affordable housing construction, to continue through the City permitting process and avoid delays due to the COVID-19 emergency. Communities of color are disproportionately burdened by increasing housing costs, and addressing housing affordability issues is an important piece of the City's RSJI work.

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).

This legislation does not include a new initiative or major programmatic expansion. This legislation temporarily extends permit review processes to accommodate permit reviews during the COVID-19 pandemic.

List attachments/exhibits below: None.