Summary and Fiscal Note

1. Legislation Summary

Department: Seattle City Council

Title: An ordinance relating to Council land use decisions; amending Sections 23.76.050, 23.76.062, and 25.05.680 of the Seattle Municipal Code to clarify processes for Council land use decisions.

Background: This bill amends the Land Use Code, Title 23 of the Seattle Municipal Code (SMC), and the City's State Environmental Policy Act Regulations (SMC Chapter 25.05) to streamline requirements for Type V legislation actions. Type V actions are land use approvals, such as land use code text amendments and area-wide rezones. The bill would 1) exempt Council-generated Type V land use decisions from the requirement that there be a Director's Report on the Council-generated legislation but would provide an option for Councilmembers to request a report; 2) remove redundant cross-references; and 3) exempt environmental threshold determinations and EISs associated with Comprehensive Plan amendments or development regulations from appeals to the Seattle Hearing Examiner.

Council Amendments: At its July 15 meeting, the City Council's Land Use and Sustainability Committee voted to approve the legislation with one amendment. That amendment adds an extended for longer comment periods for Draft EISs and Supplemental EISs and delays final action on proposals that would be exempt from appeal.

Summary Attachments: None

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2. Capital Improvement Program (CIP)

Does this legislation create, fund, or amend a CIP Project?

☐ Yes

☒ No

a. CIP Project Name:
b. Master Project ID:
c. Project Location:
d. Start Date:
e. End Date:
f. Total Project Cost Through 2030:

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3. Summary of Financial Implications

Does this legislation have financial impacts to the City?

☒ Yes

☐ No

3d. Other Financial Impacts

a. Does this legislation create any other financial impacts for The City of Seattle, such as direct or indirect costs, one-time or ongoing, that aren't mentioned above? If yes, please explain these impacts.

SEPA appeals of legislative proposals are rare but can take significant time by staff in the Office of the City Attorney (OCA), the Seattle Department of Construction and Inspections (SDCI), the Office of Hearing Examiner (OHE), and the Office of

Planning and Community Development (OPCD). Because these appeals are rare, and each requires a unique amount of time and effort, it is difficult to quantify the savings that would be achieved through this amendment. Additionally, savings would be seen across the departments listed above in terms of staff's ability to focus on other projects, rather than spending time defending their decisions.

b. If the legislation has costs that can be covered within the current budget, explain how. Does the department have extra resources in its budget to handle these costs? Or does the department need to shift resources away from other work to handle these costs?

Not applicable

c. What financial costs or other impacts might happen if this legislation is not implemented?

The legislation would likely reduce the staff hours required for review and defense of legislation.

d. How might this legislation affect other City departments besides the one that proposed it?

As noted above, the proposed legislation would reduce the workload of staff in the OCA, SDCI, OHE, and OPCD. Staff would have more time to support other projects.

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4. Other Impacts

a. Does this legislation require a public hearing?

☒ Yes

☒ No

b. Does this legislation require a notice to be published in The Daily Journal of Commerce and/or The Seattle Times?

☒ Yes

☒ No

c. Does this legislation affect a piece of property?

No

d. Race and Social Justice Initiative impacts:

1. How does this legislation affect vulnerable or historically disadvantaged communities? How did you come to this conclusion? Please consider both impacts within City government (like employees and internal programs) and in the broader community.

It has been alleged that appeals have been filed in order to slow Council consideration of legislation that was intended to support the development of affordable housing and housing affordable to a range of income levels. The bill would align Seattle's regulations with State law that states that there are no appeals of regulations intended to support affordable housing.

2. Please attach any Racial Equity Toolkits or other racial equity analyses used to develop or assess this legislation.

None

3. What is the Language Access Plan for communicating with the public about this legislation?

SDCI provides translations of changes to the code on its website.

e. Climate change impacts:

1. Emissions: Will this legislation significantly increase or decrease carbon emissions? Attach any studies or materials that inform your answer.

No

2. Resiliency: Will this legislation make Seattle more or less able to adapt to climate change? If it reduces resiliency, explain what can be done to lessen the impact.

Not applicable

f. If this legislation creates a new program or expands an existing one, what are the long-term, measurable goals? How will this legislation help achieve those goals? What methods will be used to track progress?

Not applicable

g. Does this legislation create a non-utility CIP that involves shared funding with a non-City partner or organization?

No