



May 2012

Top Stories

Planning Seattle's Future

Which Seattle neighborhood has the highest number of people and jobs within a 10 minute walk of a frequent transit station? Join us on May 3 to learn the answer and why it's important to your neighborhood's future.

Thursday, May 3, 2012

5:30 – 8:00 p.m.

City Hall – Bertha Knight Landes room
600 4th Avenue, Seattle, Washington



What are we doing?

Seattle will add more than 100,000 residents by 2035, along with thousands of new jobs. The City's Comprehensive Plan is a blueprint for how and where we handle all that growth. We want your ideas on how we can best guide smart and sustainable growth for future generations.

How can I participate?

On May 3rd, you are invited to join City planners and the Seattle Planning Commission at an interactive and thought-provoking discussion. Our breakout sessions will focus on climate change actions, walkable communities, and attractive and functional buildings and streets.

This meeting is an important step for developing amendments to the Seattle Comprehensive Plan and the update to the Climate Action Plan. Please spread the word to your friends and neighbors about this opportunity and join us on May 3rd.

Where can I learn more?

Visit us at:

- www.seattle.gov/dpd/planning/compplan
- www.facebook.com/SEA2030
- www.seattle.gov/environment/climate_plan.htm

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Proposed Land Use Procedure Changes

The City Council is sponsoring legislation that would amend Seattle's regulations for processing land use permits. The proposed amendments would streamline administration of the Land Use Code and update methods for public notice. Many of the proposed amendments are technical corrections (such as correcting cross-references, combining sections that address the same topics, and updating grammar and format). The legislation would also expand public notice requirements and clarify procedures for Council land use decisions.



The main changes proposed in the bill would:

- Add an option for notices and other documents related to permit applications to be sent by e-mail when the recipient provides an e-mail address;
- Remove the requirement that notice of land use permits be posted at the downtown offices of City departments;
- Add a requirement for mailed notice of application for Type IV quasi-judicial Council land use decisions such as rezones to property owners and occupants within 300 feet. Also add this requirement for Type V legislative actions that affect a specific site, such as the waiver of setback standards for a renovated City fire station;
- Add specific requirements for notice of public meetings about proposed land use projects, such as Design Review Board meetings;
- Add failure to pay past-due permit fees as a reason to delay further permit processing or to suspend or revoke a permit;
- Change who may appeal a Hearing Examiner recommendation to the City Council for rezones and other quasi-judicial decisions to those who provided comments either to DPD or the Hearing Examiner earlier in the process;
- Clarify the rules for land use permit expiration; and
- Change the default expiration period for Council land use decisions from two to three years, which is the same as allowed for Master Use Permits.

As part of working on the legislation, DPD will establish a Director's Rule that details how DPD will distribute its twice-weekly [Land Use Information Bulletin](#). The bulletin provides public notice of many types of land use permits applications and decisions, and of public meetings and hearings about land use actions. The rule will state that DPD will send every issue of the Land Use Information Bulletin to a list of neighborhood and ethnic community newspapers, blogs, and social media that is updated on an annual basis in consultation with the Department of Neighborhoods (DON). In addition, the Rule will state that DPD will notify community and business representatives on DON's mailing lists annually of the opportunity to receive the bulletin, in order to keep the distribution list up to date (it is up to these representatives to decide whether or not they want to receive the bulletin). People can also request that their names can also be added to the bulletin distribution list at any time during the year.

To carry out the changes in the proposed bill, the Council is also sponsoring amendments to the City Council Rules for Quasi-Judicial Proceedings, which are proposed to be adopted by a companion resolution. The amendments would:

- Reflect the code changes proposed in the legislation;
- Provide procedures for Council review of amendments to Property Use and Development Agreements for contract rezones, and of requests to extend Council land use decisions;
- Specify the process for a Council request for clarification of an appeal; and
- Clarify the process and criteria for applying for intervenor status in an appeal.

Public Hearing

The City Council's [Planning, Land Use, and Urban Sustainability Committee](#) will hold a public hearing to take comments on the proposal on June 13, 2012. The hearing will be held in Council Chambers, 2nd floor of Seattle City Hall, 600 Fourth Avenue. More information about the hearing is available at: www.seattle.gov/DPD/Planning/LandUseProcedure/default.asp. Please send comments to Sara Nelson of Councilmember Richard Conlin's office at sara.nelson@seattle.gov, or to Councilmember Richard Conlin at richard.conlin@seattle.gov or via regular mail at 600 Fourth Avenue Floor 2, PO Box 34025, Seattle, WA 98124-4025.

More Information

Documents are available at the DPD and the City Council websites at this link: www.seattle.gov/DPD/Planning/LandUseProcedure/default.asp

Questions regarding the proposed amendments may be directed to:

Rebecca Herzfeld
City Council central staff
(206) 684-8148,
rebecca.herzfeld@seattle.gov

Ketil Freeman
City Council central staff
(206) 684-8178
ketil.freeman@seattle.gov

Customer Alerts

Proposed Changes to Hearing Examiner Procedures and Filing Fees

Council President Sally Clark is sponsoring two pieces of legislation that amend Hearing Examiner procedures and filing fees.

The first bill would allow the [Office of Hearing Examiner](#) to provide notices and copies of Hearing Examiner decisions electronically to those who wish to receive them in an electronic format. The Hearing Examiner recently completed a project that allows appeals and most other related documents to be filed electronically, which has reduced the amount of paper required to pursue an appeal. Many of those involved in Hearing Examiner cases have also asked to receive hearing notices and decisions electronically. The Hearing Examiner's staff currently scans the requested documents and sends them electronically, but the existing code requires that paper copies also be sent through the mail. The proposed legislation would remove this requirement and allow the Hearing Examiner to provide notices and decisions in the format desired by the parties. For cases in which the code requires notice by certified mail, and for documents served on owners of landmark buildings, notice would continue to be sent by mail.

The second bill would increase most Hearing Examiner filing fees from \$50 to \$85, in order to cover filing costs and account for inflation in the cost of living. Raising the fees would allow the Office of Hearing Examiner to recover the salary and overhead costs incurred for the steps involved in setting up a new case. According to the federal [Bureau of Labor Statistics](#), the cost of living increased by 62 percent between 1992, when Hearing Examiner filing fees were last raised, and March, 2012. The recommended filing fee of \$85 would constitute a 70 percent increase. It would cover Hearing Examiner costs, and would account for both the rate of inflation since 1992 and the fact that the rate of inflation has increased in recent months. Had this fee been in place between

2006 and 2008, average revenue from filing fees during those years would have increased by \$2,240.00, to an average total of \$5,440. The Hearing Examiner has stated that she expects to retain the proposed \$85 filing fee for the next two to five years.

Public Hearing

The City Council's [Committee on Economic Resiliency and Regional Relations](#) will hold a public hearing to take comments on the proposed legislation on **Tuesday, June 5, 2012** in City Council Chambers, 2nd floor, Seattle City Hall, 600 Fourth Avenue. The Committee meeting will start at 9:30 a.m. Questions concerning the public hearing may be directed to David Yeaworth in Councilmember Clark's office, by calling (206) 684-5328 or via e-mail at david.yeaworth@seattle.gov. The notice of the public hearing, at <http://web1.seattle.gov/dpd/luib/Notice.aspx?BID=714&NID=13602>, contains additional information.

The proposed legislation is available at the City Clerk's website by going to this link, <http://clerk.ci.seattle.wa.us/~public/CBOR1.htm>, and filling in the Council Bill number for the bill. The Council Bill number is [117451](#) for the bill about filing fees, and it is [117436](#) for the bill about electronic notice.

Paper copies of the proposed legislation may be obtained at the City Clerk's office on the third floor of City Hall, 600 4th Avenue. The City Clerk's office is open from 8:00 a.m. to 5:00 p.m. on weekdays. Questions regarding the proposed amendments may be directed to Sue Tanner, Seattle Hearing Examiner, at (206) 684-0521 or via email at hearing.examiner@seattle.gov, or to Rebecca Herzfeld of City Council central staff at (206) 684-8148 or via e-mail at rebecca.herzfeld@seattle.gov.

New Green Stormwater Infrastructure Implementation

City staff have changed how you implement the Green Stormwater Infrastructure to the Maximum Extent Feasible requirement. General changes include:

- Creating two draft Director's Rules:
 1. One for single-family residential or parcel-based projects (typically applies to private property)
 2. One for roadway, trail, or sidewalk projects (typically applies to the right-of-way).
- Changing the credits for Green Stormwater Infrastructure to the Maximum Extent Feasible best management practices; typically resulting in smaller sizing requirements for best management practices.
- Clarifying infeasibility of best management practices.
- Improving and/or adding Green Stormwater Infrastructure feasibility criteria language.
- General 'wordsmithing' and reorganizing to be easier to use.

The draft Directors' Rules will be posted online at www.seattle.gov/dpd/Codes/StormwaterCode/DirectorsRules/default.asp. You can also find other Stormwater Code Director's Rules on that webpage.

Permit Turnaround Times

DPD is committed to providing good customer service to its applicants. The permit turnaround data is updated monthly online and can be viewed at www.seattle.gov/dpd/resourcecenter (go to "[Turnaround/Approval Times 2011](#)").

Type of Permit	Goal	Mar. 2012 Performance
Simple Building IP*	80% in 48 Hours	98.5%
Medium Construction IP	80% in 2 Weeks	77.9%
Complex Construction IP	80% in 8 Weeks	81.4%
Construction Issuance	90% in 120 Days	83.5%
Master Use Permit Decisions	80% in 120 Days	86.2%

*IP: Initial Plan Review by DPD staff

Unreinforced Masonry Policy Committee

DPD has held three URM Policy Committee meetings to develop recommendations for an unreinforced masonry (URM) seismic retrofit program. If adopted by the Mayor and City Council, the program would require structural improvements be made to URM buildings in order to enhance their ability to withstand earthquakes. The committee has discussed thresholds for retrofit requirements and possible financing options. Future topics will cover incentives and penalties and a timeline for implementation.

The next meeting of the URM Policy Committee is scheduled for May 24, 1012 at 8:30 a.m. in the Seattle Municipal Tower, 700 5th Ave., room 4050. Meetings are open to the public and facilitated by an independent consultant. You can follow the progress of the committee on DPD's [Emergency Management URM pages](#) on the DPD website. If you would like to provide an email comment to the committee the address is: **DPD_URM_Policy_Committee_Comments@seattle.gov**.

Information about the upcoming meetings, committee agendas, meeting notes, reports and other information are posted on DPD's Emergency management website: **www.seattle.gov/dpd/Emergency/UnreinforcedMasonryBuildings/PublicInvolvement/default.asp**.

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Green Building

Energy Benchmarking & Reporting Program: Check Your Compliance

Even if you are already benchmarking, please review these tips if your building was subject to the October 3, 2011 reporting deadline (>50,000 single-family, non-residential buildings).

- **Confirm you have data.** If you signed up for automated benchmarking, check your Portfolio Manager account to confirm there is data up to December 2011. Under your building profile, click on the virtual meter names to confirm energy use numbers have been uploaded. If you do not see data, email **energy-benchmarking@seattle.gov** for troubleshooting help.
- **Reminder:** Puget Sound Energy (PSE) requires that you ANNUALLY re-request the data from them. Go to the [PSE website](#) and follow Step 6, or contact PSE at **automatedbenchmarking@pse.com** or (425) 456-2494.
- **Did you report?** Please make sure you have selected the City of Seattle through the automated benchmarking console in Portfolio Manager. Just follow Step 4 in the How To Guide at **www.seattle.gov/dpd/EnergyBenchmarking**.

Missed the deadline? You are out of compliance. The How To Guide at **www.seattle.gov/dpd/Energy-Benchmarking**, covers the four steps needed to comply. Building owners are encouraged to take advantage of the free resources offered to get ahead of the enforcement process.

Free Workshops & Training

These hands-on computer based workshops will help multifamily and non-residential property owners comply with the ordinance. Although there is a grace period until October 1, 2012 (for buildings subject to the April 1,

2012 deadline) building owners (or their property managers) are encouraged to start the process early. Please pre-register by visiting the links below:

- May 9: 8:00 a.m. to 12:00 p.m. at UW
<http://esbworkshop01.eventbrite.com/>
- May 22: 1:00 p.m. to 4:00 p.m. at the Seattle Municipal Tower (Multifamily Owners Only)
<http://benchmarkingmultifamily2.eventbrite.com/>
- June 13: 8:00 a.m. to 12:00 p.m. at UW
<http://esbworkshop03.eventbrite.com/>

Space is limited and workshops sell out, don't delay. Take advantage of this FREE educational resource.

Need Help?

Technical Assistance

- EnergyBenchmarking@seattle.gov
- Phone: (206) 727-8484

Drop-in Help

Each Wednesday, 11:00 a.m. to 1:00 p.m.
Seattle Municipal Tower
700 5th Ave.
18th floor

Publication Updates

Client Assistance Memos

UPDATED

- **CAM 220**, [Lot Coverage, Height and Yard Standards for Homes in Single Family Zones](#), was updated to incorporate two code changes that affect single-family development. The first change relates to height measurement – the method of measuring height has become more straightforward, particularly for sloping lots, by allowing the use of an average grade. The second change is related to a new limitation on how lot coverage is calculated, and is focused on how the lot area is determined for unusually shaped lots.

Director's Rules

FINAL

- **DR 4-2012**, [Height Measurement: Calculating Average Grade Level](#), describes the two formulas for calculating the average grade level from which to measure height structure. This rule went into effect April 18, 2012.

