



SEATTLE CITY COUNCIL

Legislative Summary

CB 118672

Record No.: CB 118672

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: 125053

In Control: City Clerk

File Created: 04/26/2016

Final Action: 06/17/2016

Title: AN ORDINANCE relating to land use and zoning; amending Section 23.40.060 of the Seattle Municipal Code to extend the enrollment period for the Living Building Pilot Program.

Notes:

Date
Filed with City Clerk: 6/17/2016

Mayor's Signature: 6/17/2016

Sponsors: Johnson

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: patrick.wigren@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	04/26/2016	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	04/26/2016	sent for review	Planning, Land Use, and Zoning Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Planning, Land Use, and Zoning Committee						
	Notes:						
1	Full Council	05/02/2016	referred	Planning, Land Use, and Zoning Committee			
1	Planning, Land Use, and Zoning Committee	06/02/2016	discussed				
	Action Text: The Council Bill (CB) was discussed.						
1	Planning, Land Use, and Zoning Committee	06/07/2016	pass				Pass
	Action Text: The Committee recommends that Full Council pass the Council Bill (CB).						

Notes:

In Favor: 3 Chair Johnson, Vice Chair O'Brien, Member Herbold

Opposed: 0

1 Full Council 06/13/2016 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

Notes:

In Favor: 6 Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Councilmember Herbold, Councilmember Johnson, Councilmember O'Brien

Opposed: 0

1 City Clerk 06/14/2016 submitted for Mayor
Mayor's signature

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor

Notes:

1 Mayor 06/17/2016 Signed

Action Text: The Council Bill (CB) was Signed.

Notes:

1 Mayor 06/17/2016 returned City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk

Notes:

1 City Clerk 06/17/2016 attested by City Clerk

CITY OF SEATTLE

ORDINANCE 125053

COUNCIL BILL 118672

..title

AN ORDINANCE relating to land use and zoning; amending Section 23.40.060 of the Seattle Municipal Code to extend the enrollment period for the Living Building Pilot Program.

..body

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection 23.40.060.B of the Seattle Municipal Code, which section was last amended by Ordinance 124843, is amended as follows:

23.40.060 Living Building Pilot Program

* * *

B. Project qualification

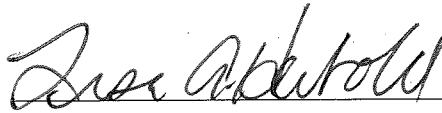
1. Eligible projects. Only projects that are eligible for design review under Section 23.41.004 and located outside of the shoreline jurisdiction may qualify for the Living Building Pilot Program.

2. Enrollment period. The enrollment period for the Living Building Pilot Program expires on the earlier of June 30, ((2016)) 2017, or when applications for 12 projects have been submitted for a Master Use Permit.

* * *

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 13th day of JUNE, 2016,
and signed by me in open session in authentication of its passage this 13th day of
JUNE, 2016.



President Pro Tem of the City Council

Approved by me this 17th day of JUNE, 2016.



Edward B. Murray, Mayor

Filed by me this 17th day of JUNE, 2016.



Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
LEG	Aly Pennucci/48148	n/a

** 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 and zoning; amending Section 23.40.060 of the Seattle Municipal Code to extend the enrollment period for the Living Building Pilot Program.

Summary and background of the Legislation:

The Living Building Pilot Program (Program) was adopted in December 2009, amended in 2012, and again in 2014. The Program provides Land Use Code flexibility to facilitate the development of buildings that would either meet the Living Building Challenge or alternative minimum standards. On June 6, 2013, the City Council passed Resolution 31400, directing the Department of Planning and Development (now the Seattle Department of Construction and Inspections (SDCI)), to:

- 1) Establish a technical advisory group (TAG) to advise the City on sustainable building practices by August 30, 2013 (TAG met from ~10/2013 – 12/2014);
- 2) Develop recommendations to revise the Living Building Program by December 31, 2013 (amendments were adopted in July 2014, ORD 124535); and
- 3) Develop recommendations to revise the Program by December 31, 2014.

Following the amendments made in 2014, the Program was set to expire on December 31, 2015. In December 2015, Council extended the program through June 30, 2016, to give SDCI time to finalize legislation that would amend the Program. As of April 25, 2016, that proposal has not been delivered to the Council for consideration; this legislation would extend the Program by an additional year to continue the existing program in the interim period. Council expects that a proposal to make more substantive changes will be submitted to the Council for consideration before the end of 2016.

2. CAPITAL IMPROVEMENT PROGRAM

— This legislation creates, funds, or amends a CIP Project.

(If box is checked, please attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page.)

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:	Total Cost:

3. SUMMARY OF FINANCIAL IMPLICATIONS

Please check one:

☐ **This legislation has direct financial implications.** (If the legislation has direct fiscal impacts (appropriations, revenue, positions), fill out the relevant sections below. If the financial implications are indirect or longer-term, describe them in narrative in the "Other Implications" section.)

☒ **This legislation does not have direct financial implications.**
(Please skip to "Other Implications" section at the end of the document and answer questions a-i.)

Budget program(s) affected:				
Estimated \$ Appropriation change:	General Fund \$		Other \$	
	2016	2017	2016	2017
Estimated \$ Revenue change:	Revenue to General Fund		Revenue to Other Funds	
	2016	2017	2016	2017
Positions affected:	No. of Positions		Total FTE Change	
	2016	2017	2016	2017
Other departments affected:				

3.a. Appropriations

☐ **This legislation adds, changes, or deletes appropriations.**
(If this box is checked, please complete this section. If this box is not checked, please proceed to Revenues/Reimbursements.)

Fund Name and number	Dept	Budget Control Level Name/##	2016 Appropriation Change	2017 Estimated Appropriation Change
TOTAL				

**See budget book to obtain the appropriate Budget Control Level for your department.*
(This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation please provide details in the Appropriation Notes section below. If the appropriation is not completely supported by revenue/reimbursements listed below, please identify the funding source (e.g. available fund balance) to cover this appropriation in the notes section. Also indicate if the legislation changes appropriations one-time, ongoing, or both.)

Appropriations Notes:

3.b. Revenues/Reimbursements

☐ **This legislation adds, changes, or deletes revenues or reimbursements.**
(If this box is checked, please complete this section. If this box is not checked, please proceed to Positions.)

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2016 Revenue	2017 Estimated Revenue
TOTAL				

(This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below. Do the revenue sources have match requirements? If so, what are they?)

Revenue/Reimbursement Notes:

3.c. Positions

☐ This legislation adds, changes, or deletes positions.

(If this box is checked, please complete this section. If this box is not checked, please proceed to Other Implications.)

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position # for Existing Positions	Position Title & Department*	Fund Name & #	Program & BCL	PT/FT	2016 Positions	2016 FTE	Does it sunset? (If yes, explain below in Position Notes)
TOTAL							

* List each position separately

(This table should only reflect the actual number of positions created by this legislation. In the event that positions have been, or will be, created as a result of previous or future legislation or budget actions, please provide details in the Notes section below.)

Position Notes:

4. OTHER IMPLICATIONS

a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?

No

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

No

c) Does this legislation affect any departments besides the originating department?

Yes, the Program is managed by SDCI, not the Legislative department. This is extending the enrollment period for an existing program and is not expected to increase the workload for SDCI.

d) Is a public hearing required for this legislation?

Yes. The City Council must hold a public hearing before the Planning, Land Use and Zoning (PLUZ) Committee.

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

No

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

Yes. Publication of notice of the Council public hearing will be made in The Daily Journal of Commerce and in the City's Land Use Information Bulletin.

g) Does this legislation affect a piece of property?

The legislation is of general application for projects that are eligible for design review under Section 23.41.004 of the Land Use Code and located outside of the shoreline jurisdiction.

h) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged community?

This ordinance is updating an existing pilot program and no impact on vulnerable or historically disadvantaged communities is anticipated, nor are there any perceived RSJI implications.

i) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.

This legislation does not involve a new initiative or programmatic expansion.

j) Other Issues:

List attachments/exhibits below:

STATE OF WASHINGTON -- KING COUNTY

--SS.

339011

No. TITLE ONLY

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125052-53,125062

was published on

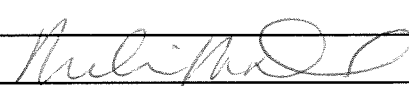
06/28/16

The amount of the fee charged for the foregoing publication is the sum of \$46.26 which amount has been paid in full.

MELISSA M. DOWD
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
11-21-19


Subscribed and sworn to before me on

06/28/2016


Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on June 13, 2016, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

Ordinance 125052

AN ORDINANCE relating to voyeurism in a public place; amending Section 12A.10.120 of the Seattle Municipal Code.

Ordinance 125053

AN ORDINANCE relating to land use and zoning; amending Section 23.40.060 of the Seattle Municipal Code to extend the enrollment period for the Living Building Pilot Program.

Ordinance 125062

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, June 28, 2016.

6/28(339011)