



Unreinforced Masonry Policy Committee Meeting

Meeting Summary

City of Seattle, Department of Planning and Development

Seattle Municipal Tower, Room 4050, 700 5th Avenue, Seattle, WA 98104

Thursday, May 24, 2012 – 8:30 a.m. to 10:00 a.m.

Attendance

Committee Members

- Lynda Carey, Bellwether Housing
- David Gonzalez, Degenkolb Engineers
- Mark Huppert, Preservation Green Lab
- Terry Lundeen, Coughlin Porter Lundeen
- Steve Moddemeyer, Collins Woerman
- Ryan Smith, Martin Smith Inc
- Craig Weaver, USGS

Staff

- Landon Bosisio, EnviroIssues
- Rebecca Herzfeld, City Council Staff
- Sandy Howard, DPD
- Erika Lund, Office of Emergency Management
- Steve Pfeiffer, DPD
- Phyllis Shulman, City Council Staff
- Jon Siu, DPD
- Angie Thomson, Facilitator, EnviroIssues
- Maureen Traxler, DPD

Public

- Charles Davis
- Alan Findlay

Welcome and Introductions

Angie Thomson, EnviroIssues, led a round of introductions and reviewed the meeting's agenda. She also recapped the committee's last meeting on financing options and challenges. A sub-committee was formed and met last week to continue to focus on financing options for URM retrofits.

Background on Compliance Programs

Sandy Howard, DPD, pointed the group's attention to the handouts on California jurisdictions' URM programs, risk categories, and timelines for compliance. San Francisco uses four levels of risk, with the highest level of risk including buildings that have an occupancy of over 300 people or are more than three stories tall on poor soil. Occupancy, soil condition, location of the building, and whether a building is considered an historic landmark are all criteria generally used to determine a particular URM building's perceived risk. Nine of the 12 jurisdictions in California required an engineering assessment of the building as either part of the building permit submittal or as a first step to determine risk.

Sandy noted that Sonoma County took a different approach than other jurisdictions. They use a point system to calculate risk which, in addition to the categories previously mentioned, includes the URM building's proximity to other buildings and public sidewalks and adjusts points if the building has undergone previous retrofits.

Framework for Compliance Program

Angie asked the committee to discuss a potential compliance framework for the URM policy. What would be the baseline compliance process for a general URM building? Steve Moddemeyer, Collins Woerman, said a general compliance timeline would start with a notification to building owners and an assessment of the building's condition. Next would be a phased or prioritized compliance with the policy. Lynda Carey, Bellwether Housing, said she liked how the City's energy benchmarking program phased their policy's compliance. Commercial buildings were allowed a year to comply with the policy. Multi-family buildings were given two years to comply, which allowed them to see how commercial building owners worked through the compliance steps. It also gave a year for DPD to tweak policies if necessary. Lynda suggested the URM policy be rolled out to different groups of URM buildings at different times.

Craig Weaver, USGS, stated that if the City's policy goals are to prevent loss of life, the program should prioritize occupancy and buildings on dangerous and liquefaction-prone soils. Lynda added that after the second year, all buildings would be expected to comply with the retrofit program. Erika Lund, Office of Emergency Management, asked if there was a risk of not notifying all owners at once and thereby creating a liability for the City. After discussion, the committee decided to send the notification to all owners at the same time, but to phase the deadline for completing building assessments.

Lynda proposed three years as a general timeline for completing assessments. Craig asked if the local and regional structural engineering community could handle such a workload, and Terry Lundeen, Coughlin Porter Lundeen, said yes. Terry noted that the way the Bolts Plus program is written, a structural engineer may not actually be needed to complete the assessment.

Ryan Smith, Martin Smith Inc, asked how to categorize URM buildings before an assessment. Lynda responded that she favors the San Francisco model, which places a priority on occupancy levels and soil condition. She also noted that as a building owner, it generally takes three to six months to secure funds for any major project or retrofit. The committee proposed a two year deadline to apply for a permit after a building's assessment is completed.

Steve Pfeiffer, DPD, expressed concern about the timeline of permit issuance. Would owners have enough time to complete their retrofit once the permit has been approved? Jon Siu, DPD, noted that a City permit expires 18 months after its issuance but is renewable afterwards. Ryan asked if an assessment will provide to the owner a cost estimate of the necessary fixes for each building.

Lynda said that her company does retrofit work to their URM buildings, such as floor and wall ties, whenever a tenant moves out. If other owners operate the same way, the process would take longer than retrofitting everything at once. Craig said that could be a problem from a permitting standpoint. Jon answered that while it could add some complexity to the system, it certainly is not impossible to issue a permit that would accommodate this approach. DPD could write an ordinance to streamline the process of gradual retrofitting. Terry agreed, saying the City needs to make it easy for owners to continue retrofit work over a period of time. Ryan proposed a master permit with several smaller sub-permits. Jon agreed and said he envisions having one large permit with one overall fee. The only cost that would increase over time would be the administrative hourly fees for processing each sub-permit.

Phyllis Shulman, City Council staff, questioned the purpose of requiring a timeline for permitting. Jon answered that a permitting timeline would allow DPD staff to be less overwhelmed by a rush of last minute permits. Ryan added that it also could be seen as a milestone in the process of moving towards the retrofit goal. He added that it will help owners understand the magnitude of the problem and assist them in successfully implementing the policy's requirements.

Steve Moddemeyer proposed a three year deadline for URM building owners to receive a permit. The group agreed that a timeline requirement for receiving a permit is needed. Rebecca Herzfeld, City Council staff, suggested a customized permit for URM building owners.

The group discussed the deadline for completing the building retrofits, and Angie noted that 18 months may be enough time for owners who are planning to retrofit the entire building, but those who want to retrofit piece by piece need much more time. Steve Moddemeyer said he thinks owners could forget about the deadline in five or so years, so it might make more sense to have a shorter timeline for some buildings, particularly those that are essential to life safety. Ryan disagreed, saying the time frame needs to be ten years from the building's assessment so owners have the chance to understand and implement the policy. After discussion, the committee agreed to a basic timeline:

- *notification to all buildings at once*
- *completed assessment in one to three years (high risk buildings given one year)*
- *ten-year timeline to complete retrofits, based on the date of assessment*

Charles Davis, Washington Federal, said he supports the idea of having a ten-year timeline from the inception of the policy. That would still give owners seven years to comply with the policy after receiving a permit. Terry countered that a ten-year deadline after the assessment would be similar to the California jurisdictions' URM programs. Ryan added that the timeline needs to be long enough to account for the current market fluctuations of the real estate market.

Angie asked if there should be interim steps to keep people moving towards compliance. Terry suggested a "submit for permit" deadline. Craig noted that the use of incentives could encourage owners to implement the policy's requirements more quickly. Lynda said a good incentive would be a full or partial reimbursement for the engineering fee of the building assessment. This incentive could then expire after a certain amount of time.

Angie asked the group how long into the ten-year window the owners should be required to submit for a permit. Charles said the timing of the permit should be dictated to the risk factor. Perhaps the assessment could be linked to when the permit needs to be filed.

Steve Moddemeyer noted that it could be dangerous for the timeline to go past five years. His recommendation was to require owners to apply for a permit after three years and have the permit issued after two years. Lynda agreed, saying that ultimately it is the owners' responsibility to ensure their permit is issued. Ryan proposed a permitting timeline of four years, with two years to apply and two years for permit approval. Phyllis asked what the ideal regulatory framework for the policy would be and how the City could get owners to move more quickly through the process. Steve Moddemeyer said a lot of owners will wait until the last moment to submit an assessment. Lynda noted that the policy's compliance rate may not be too high, depending on the enforcement of the program.

Steve Moddemeyer suggested having a firm date, such as January 1st, 2026, for everybody to be in compliance with the policy. This date would then be communicated on the original notification letter. Steve Pfeiffer pointed out that even if a building owner conducts an assessment, they may wait to submit the assessment to buy time. He recommended the ten-year deadline be set regardless of when an owner submits their building's assessment. Sandy asked how long a building assessment takes. Ryan answered that it generally depends on what kind of assessment. Terry added that the engineering aspect of the assessment wouldn't take too long, but the planning process to complete the retrofits will take time.

Phyllis stated that the City will need to provide education to building owners on the deadline dates. Erika asked how the process could incentivize owners to retrofit their buildings to a higher standard. Terry said it should be easy to include incentives as owners would just be volunteering to retrofit their building more extensively. Steve Moddemeyer said one of the missing pieces of the timeline is enforcement. He asked what DPD will do when owners don't comply with the policy. Sandy answered that the committee is currently scheduled to discuss this topic in August.

Ryan said he would be in favor of expanding the timeline to 15 years. He explained that several California jurisdictions use 10-13 years as their timeline and Seattle has less of a risk of a large earthquake. Craig responded that the Puget Sound region has a higher risk for a Nisqually-like earthquake. In fact, Seattle leads the country in brick buildings coming down during an earthquake.

Jon expressed concern about the capacity of DPD to issue the submitted permits in a timely fashion. He said he would like to see a permit application deadline. The group continued to discuss the permit application deadline. Steve Moddemeyer suggested different application and approval deadlines for higher and lower priority URM buildings and proposed having two risk categories instead of three will make the deadlines easier to understand.

After continued discussion, the committee agreed in principle to the following timeline:

Potential Timeline for URM Policy Compliance			
	High-Risk URMs	Medium-Risk URMs	Low-Risk URMs
Notification	year 0	year 0	year 0
Assessment	+1 year	+2 years	+3 years
Apply for permit	+1 year	+2 years	+2 years
Approve permit	+1 year	+1 year	+1 year
Compliance	+8 years	+ 7 years	+ 7 years
Total time allowed (notification to completion)	11 years	12 years	13 years

Wrap Up and Next Steps

Angie reviewed the committee’s compliance timeline. Notification will be sent to all URM building owners to avoid any liability issues. Building assessments will be required between 1-3 years, depending on each building’s risk category. High-risk buildings will be expected apply for a permit within one year, receive the permit one year later, and comply with the policy within 8 years, for a total process of 11 years. Medium- and low-risk buildings will be required to apply for a permit two years after the assessment is completed, receive the permit after one year, and comply with the policy within 7 years, for a total process of 12 or 13 years.

Action Items for DPD:

- Continue finance sub-committee discussions to further review funding options and recommendations for URM retrofits.
- Review potential “master use” permitting options to allow owners to retrofit their building as their tenants move out.

Angie thanked all committee members and meeting attendees for their time and contributions. The next URM policy committee meeting will take place on June 28th from 8:30am – 10:00am, in SMT 4050. The committee will discuss how risk categories fit with compliance, and review the public outreach strategy for the URM policy development.