

Will Seattle at last take action on buildings that can kill when earthquakes hit? A new push is afoot

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Public officials for decades have promised to deal with the old brick buildings in Seattle that could crumble with deadly consequences when a major earthquake hits — and have produced nothing but paper plans. Now some advocates hope a new attempt could at last lead to action.

A state bill that could help building owners finance retrofits is close to passing in Olympia. City Councilmember Lisa Herbold and Mayor Jenny Durkan have been discussing next steps. And a group made up of building owners, preservationists, architects, developers and affordable-housing operators has been lobbying Seattle to mandate the renovations.

The officials have drafted a council resolution that could set a deadline for the city to require seismic retrofits of unreinforced masonry buildings and hammer out financing options, Herbold said.

“Mayor Durkan has been working for months on plans to address the city’s remaining unreinforced masonry buildings,” spokeswoman Kamaria Hightower said. “In the coming weeks she will be announcing next steps in partnership with City Council.”

In unreinforced masonry buildings, walls aren’t bolted to floors and ceilings, adding to the risk of catastrophic collapse during intense earthquakes. Such buildings have suffered the worst damage in every major quake in Western Washington since 1949.

“I think we have momentum,” said Peter Nitze, who stands to gain from a mandate because his company renovates old buildings and who co-founded the Alliance for Safety, Affordability and Preservation (ASAP) to build consensus. “This is a public safety, affordability and preservation issue.”

Still, there are reasons to doubt the new push will yield strict requirements soon, because officials have been talking about the matter since at least the 1970s. In recent years, those discussions have generated hundreds of pages of reports and cost Seattle \$250,000 in consulting fees.

Engineers agree that Seattle’s old brick buildings are putting occupants in danger, but renovating all of them would cost about \$1.3 billion, according to the city’s latest estimate.

There are more than 1,100 unreinforced masonry buildings in Seattle, mostly clustered in older neighborhoods such as the University District, Capitol Hill, Belltown and Pioneer Square.

Seattle officials are bound to contend with concerns about a pricey mandate leading to demolitions and rent hikes. While razing the buildings would eliminate the risks they pose, such structures “have character and provide a lot of our less-expensive housing,” said Bob Freitag, a University of Washington hazards-mitigation expert.

Those misgivings have impeded previous attempts to pass requirements, and the Legislature’s bill (which would allow building owners to repay long-term loans via property assessments) must be complemented by other options, said Maiko Winkler-Chin, executive director of the Seattle Chinatown International District Preservation and Development Authority.

“There’s always going to be outrage about a mandate” among some owners, said Winkler-Chin. “But we have to start the ball rolling somehow.”

What happens next will depend on the details of what Herbold and Durkan propose.

“We’ve been planning to plan on unreinforced masonry buildings for 50 years,” Herbold said last month. “I think why we’ve been slow to move ahead on previous plans is that we just didn’t know how to help people pay, and I think we’re in a different place now.”

Planning to plan

Seattle has mandated retrofits before. The city passed a law in 1974 to require seismic upgrades, then repealed that policy in 1978.

Since then, scientists have learned more about major quakes that could rock the area, including along a shallow fault under Seattle, and officials in California have implemented a range of requirements.

When a shallow earthquake struck a city in New Zealand with similar buildings to Seattle in 2011, falling bricks killed 42 people.

An estimated more than 30,000 people live and work in Seattle’s unreinforced masonry buildings. But Washington leaders have repeatedly responded by convening panels and ordering studies.

In 2011, a Seattle committee of engineers recommended a “bolts-plus” standard designed to reduce deadly collapses. Bracing walls and bolting floors to walls would help prevent deaths, Freitag said.

Two years later, an advisory committee recommended the city mandate bolts-plus and give building owners seven to 13 years to comply. Instead, officials ordered a study of the costs and benefits that owners would incur.

The city paid more than \$107,000 for that study, which was published in 2014. The analysis said owners who made the renovations wouldn't break even, concluding, "The public safety benefit is small relative to the cost."

Next, the city commissioned a count of unreinforced masonry buildings, tallying for the ninth time since 1993. Seattle told building owners to expect draft legislation "by the end of 2016." None emerged.

In 2017, a equity analysis highlighted the city's dilemma. Rent increases and demolitions spurred by retrofit requirements would disproportionately punish people of color and residents with low incomes, it found. But delaying renovations would expose the same people to danger. Later in 2017, another advisory committee issued recommendations similar to those in 2013.

"Building owners doing upgrades need to recapture that capital, usually through higher rents," said Rod Kauffman, president of the Seattle-King County Building Owners and Managers Association (BOMA). "The city has had a hard time pulling the trigger."

Though prior studies had surveyed financing options, the city hired a new consultant in 2018 for a deeper dive. That \$141,000 study, completed last year by the National Development Council, estimated 944 private buildings would need renovations and called for some public funding.

Some building owners who want to renovate have been waiting to see what Seattle may ultimately require, Winkler-Chin said. Others worry seismic upgrades could trigger other city codes dictating unrelated work, Kauffman said.

State bill a step toward action

Some advocates say state House Bill 2405 could pave the way for Seattle to adopt a retrofit mandate by providing owners of unreinforced masonry buildings with special loans repaid over 10 or 20 years or longer.

The bill, which has cleared the House and the Senate, would allow owners in participating counties to obtain private capital for clean-energy or seismic upgrades and repay those loans over time via assessments collected along with their property taxes.

The loans would be recorded as liens rather than on owner balance sheets and would be attached to buildings rather than to owners. The Property Assessed Clean Energy and Resilience (PACER) program would allow King County to assist owners without violating the

state's ban on public funds for private purposes.

Herbold described House Bill 2405 as a "critical" element in Seattle's new push. Many other states already have such programs, and Washington's version could apply to most commercial and apartment buildings.

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"This could be a complete game-changer" for energy and seismic upgrades, said Rep. Davina Duerr, D-Bothell, the bill's House sponsor.

BOMA, which represents commercial-property owners, and the Rental Housing Association of Washington (RHA), which represents residential-property owners, supported the bill.

PACER financing likely won't be a "silver bullet," said NW Energy Coalition policy associate Amy Wheelless, whose organization supports House Bill 2405. Interest rates could reach 7% and 10%, higher than some other options, according to the National Development Council report.

RHA would like to see Seattle wait to adopt new requirements until PACER has been shown to work in Washington, and that could take time, lobbyist Kyle Woodring said. Even in the best-case scenario, the loans won't be available until 2022, Kauffman predicted.

Still, Wheelless said, "This is something we need."

ASAP's support also has made progress in Seattle more likely, Herbold said. The group has spent extra time on strategies to mitigate displacement and streamline permitting, Nitze said.

The group's new idea is "retrofit credits." The city would allocate special credits to brick building owners and allow those owners to sell the credits to real-estate developers elsewhere.

Former King County emergency management director Eric Holdeman isn't holding his breath. A recent push in Portland that initially looked promising resulted in legislation that merely mandated warning signs on buildings.

Even that was ultimately repealed. "I want to see action, not words," Holdeman said.

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