SEATTLE CITY COUNCIL

Legislative Summary

CB 118538

Record No.: CB 118538 **Type:** Ordinance (Ord) 124918 **Status:** Passed

Version: 1 **In Control:** City Clerk

File Created: 09/11/2015

Final Action: 12/01/2015

Title: AN ORDINANCE related to fees and charges for permits and activities of the Department of Planning and Development; amending Seattle Municipal Code Sections 22.900B.010 and 22.900C.010.

Notes:

Sponsors: Licata

Attachments:

Drafter: adam.schaefer@seattle.gov

	Date
Filed with City Clerk:	
Mayor's Signature:	
Vetoed by Mayor:	
Veto Overridden:	
Veto Sustained:	

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	Mayor	09/28/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	10/20/2015	sent for review	Budget Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Budget Committee						
	Notes:						
1	Full Council	10/26/2015	referred	Budget Committee			
	Action Text: The Council Bill (CB) was referred. to the Budget Committee						
	Notes:						
1	Budget Committee	11/16/2015	pass				Pass
	Action Text: The Committee recommends that Full Council pass the Council Bill (CB).						
	Notes:						
			In Favor: 7	Chair Licata, Member Bagshaw, Member Burgess, Member Godden, Member O'Brien, Member Rasmussen, Member Sawant			
			Opposed: 0				

Absent(NV): 1 Okamoto

1	Full Council	11/23/2015	passed	Pass

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

Notes:

In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Okamoto, Councilmember Rasmussen, Councilmember Sawant

Opposed: 0

1	City Clerk	11/30/2015	submitted for Mayor's signature	Mayor

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

Notes:

1	Mayor	12/01/2015	Signed

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

Notes:

1	Mayor	12/01/2015	returned	City Clerk

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

Notes:

1	City Clerk	12/01/2015	attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

Kristine Castleman / Whitson
DPD 2016 Fee ORD
D1e

CITY OF SEATTLE

ORDINANCE 124918

COUNCIL BILL 118538

AN ORDINANCE related to fees and charges for permits and activities of the Department of Planning and Development; amending Seattle Municipal Code Sections 22.900B.010 and 22.900C.010.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection 22.900B.010 of the Seattle Municipal Code, which section was last amended by Ordinance 124636, is amended as follows:

22.900B.010 Base fee and hourly rate

A. The DPD base fee shall be charged as specified in this ((~~subtitle~~)) Subtitle IX and shall be $190.

B. Any services provided by the Department for which an hourly charge is assessed shall be charged at a rate specified in this ((~~subtitle~~)) Subtitle IX.

The hourly rate for land use review is ((~~$250~~)) $280. The rate for all other hourly fees is $190 an hour except where a different hourly rate is specified in this ((~~subtitle~~)) Subtitle IX. Where "DPD hourly rate" is specified in this ((~~subtitle~~)) Subtitle IX, the rate is $190 an hour.

C. Where an hourly rate is specified, overtime shall be charged at that same rate. Where no hourly rate is specified, overtime shall be charged at $190 an hour. All overtime shall require approval by the Director. The minimum fee for each overtime request shall be one hour, with minimum increments of 1/4 hour, in addition to other permit fees established by this subtitle.

Section 2. Section 22.900C.010 of the Seattle Municipal Code, last amended by Ordinance 124636, is amended as follows:

22.900C.010 Land Use Fees

A. Land Use Review Fees. The land use review fee for Master Use Permits, Council and Hearing Examiner approvals, environmentally critical area reviews and other miscellaneous reviews, research and services shall be charged according to Table C-1 for 22.900C.010 unless otherwise specified. For any review, research or service that is not listed in Table C-1 for 22.900C.010, the minimum fees will be determined by the Director based on the estimated complexity of work, but in no case shall be less than 0.5 hours times the current Land Use hourly rate and in no case more than 10 hours times the current Land Use hourly rate. Additional hours worked that exceed the number covered by the minimum fee shall be charged at the current Land Use hourly rate and are required to be paid at the time of invoicing and/or prior to approval of permits. Land use review that is subject to the Land Use hourly rate may include, but is not limited to: review time for more than one technical reviewer, pre-application services, project review, permit issuance, and continued review during the building permit and construction approval phases of the project. Land Use hourly rate also includes time spent preparing for and defending a Director's decision or recommendation if appealed to the Hearing Examiner.

B. Fee Components of Land Use Review Fees. Land use review fees include a minimum land use review fee and may include an hourly fee as specified in Table C-1 for 22.900C.010. The minimum land use review fee covers the number of review hours specified in Table C-1 for 22.900C.010. Only one minimum review fee shall be charged, except an additional minimum review fee shall be charged at the time of MUP applications for projects that have completed the early design process. Additional hours shall be charged at the rate specified in the table.

* * *

Table C-1 for 22.900C.010—LAND USE FEES

A. MASTER USE PERMIT, ENVIRONMENTAL CRITICAL AREAS, CITY COUNCIL and HEARING EXAMINER APPROVALS	
Hours worked beyond those covered by minimum will be charged the Land Use hourly rate, unless otherwise noted, and are payable at time of invoice.	
Type of Land Use Review	**Minimum Fee**
General—first 10 hours of review	Land use Hourly × 10
Low-Income Housing—first 24 hours of review[1]	Land use Hourly × 10
1. Administrative conditional uses (ACUs) ACUs for community centers, child care centers, adult care centers, private schools, religious facilities and public and private libraries in single family and multi-family zones shall be charged a minimum fee of $1,620 for the first 20 hours. Additional hours shall be charged at the rate of ((~~$250~~)) $280 an hour. This exception applies if the application is for an ACU only, or an ACU combined with a variance application.	
2. Design Review The minimum fee for Administrative Design Review, Master Planned Community Design Review and Streamlined Design Review is ((~~$2,500~~)) $2,800. The minimum fee for full Design Review is ((~~$5,000~~)) $5,600, which covers the first 20 hours of review. Refer to Table C-1 #15 for 22.900C.010 for fees related to Design Review for Tree Protection.	
3. Environmental reviews (SEPA), including projects with more than one addressed site.	
4. Environmentally critical areas (ECA)	
a. Environmentally Critical Areas variance[2]	
b. ECA Exception	
c. Environmentally Critical Areas Administrative Conditional Use	
5. Shoreline permits	
a. Substantial development permits	
b. Variances[2] and conditional uses	
6. Short subdivisions[3]; refer to Table D-2 #10 for 22.900D.010 for additional fees that may apply to this permit type	
7. Special exceptions	
8. Variances[2] Variances for community centers, child care centers, adult care centers, private schools, religious facilities and public and private libraries in single family and multi-family zones shall be charged a minimum fee of $1,620 for the first 20 hours. Additional hours shall be charged at the rate of ((~~$250~~)) $280 an hour. This exception applies if the application is for a variance only, or a variance combined only with an ACU application.	
9. Type II land use approvals such as, but not limited to, planned community/ residential development, major phased developments and other Type II approvals that are not categorized otherwise in Table C-1 for 22.900C.010.	
10. The minimum fee for Council conditional uses, Rezones, Public Projects and all other Type IV and Type V land use approvals shall be ((~~$5,000~~)) $5,600, which covers the first 20 hours of review.	
11. Full subdivisions[4]; refer to Table D-2 #10 for 22.900D.010 for additional fees that may	

apply to this permit type	
12. Reserved	
13. Reserved	
B. MISCELLANEOUS HOURLY LAND USE REVIEWS, RESEARCH, AND OTHER SERVICES	
Hours worked beyond those covered by minimum will be charged the Land Use hourly rate, unless otherwise noted, and payable at time of invoice.	
Type of Land Use Review	**Minimum Land Use Review Fee**
14. Concurrency	Reserved
15. Design Review for Tree Protection[5]	
a. Design review required by Section 25.11.070 or Section 25.11.080 to protect exceptional tree if no other land use reviews are required	Land Use Hourly × 10
b. Design review elected by applicant for tree protection	Land Use Hourly × 10
16. Other Environmentally Critical Area (ECA) Review under ((~~SMC~~)) Chapter 25.09 or Chapter 23.60A	Land Use Hourly × 1
a. ECA review for Wetlands, Fish & Wildlife Habitat Conservation Areas on land use or construction permits shall be charged on an hourly basis	
b. Review to determine Environmentally Critical Area exemption for Wetlands and Riparian Corridor and Shoreline ECAs shall be charged on an hourly basis	
17. Early design guidance	Land Use Hourly × 10
18. Establishing use for the record: Refer to Table D-2 #9 for 22.900D.010 for additional fees that may apply to this permit type	Land Use Hourly × 2
19. Extensions of Type IV Council Land Use Decisions	Land Use Hourly × 2
20. Land Use Code Interpretations[6]	Land Use Hourly × 10
21. Letters for detailed zoning analysis or permit research	Land Use Hourly × 4
22. Lot Boundary Adjustment, Temporary Use > 4 weeks; refer to Table D-2 #10 for 22.900D.010 for additional fees that may apply to this permit type	Land Use Hourly × 5
23. Major Institution - review of annual plan	Land Use Hourly × 6
24. Major phased development permit - minor amendment	Land Use Hourly × 2
25. Neighborhood planning	Reserved
26. Noise survey review and variance	See Table D-2 for 22.900D.010 and Section 22.900F.020
27. Open space remainder lots and surplus state property	Land Use Hourly × 4
28. Pre-application conference[7]	Land Use Hourly × 2
29. Property Use and Development Agreement (PUDA) - minor	Land Use Hourly × 2

amendment	
30. Public benefit feature review	Land Use Hourly × 2
31. Renewals	Land Use Hourly × 2
32. Revisions other than shoreline revisions	Land Use Hourly × 1
33. School use and school development advisory committee reviews	Land Use Hourly × 10
34. Shoreline exemptions	Land Use Hourly × 1
35. Shoreline permit revisions not due to required conditions	Land Use Hourly × 2
36. Special accommodation	Land Use Hourly × 2
37. Structural building overhangs and areaways as a separate component	Land Use Hourly × 2
38. Tree and Vegetation Restoration Review in ECA above minimum threshold where SEPA is not required other than for the restoration (25.09.320.A.3.c(2)(b))	Land Use Hourly × 2
39. Street Improvement Exceptions on a Land Use permit	Land Use Hourly × 2
C. NON-HOURLY LAND USE FEES	
Type of Land Use Review	**Fee**
40. Curb cuts as a separate component	
a. Single-family residential	$78 each
b. Other than single-family residential	$154 each
41. File Management	DPD Base Fee × 1
a. Placing projects on hold at applicant request	
b. Splitting or combining projects	
42. Intake appointments for land use reviews; fee is charged for each occurrence	DPD Base Fee × 1
43. Notice. All notice is charged based upon type for each occurrence.[8]	
a. Land use information bulletin (GMR notice)	DPD Base Fee × 1
b. Posting large sign or placards	$118
c. Mailed notice	DPD Base Fee per 500 pieces of mail or portions thereof
d. DJC decision publication	$184
e. Neighborhood newspaper publication	Rate charged by newspaper
f. Public meeting room rental	$119
44. Rebuild Letters	
a. With Research	DPD Base Fee × 1
b. Without Research	$40
45. Records research by the Public Resource Center	DPD Base Fee × 1
46. Recording Fees, for LBA, Short Subdivision	Rate charged by King County[9]

47. Shoreline Extensions	DPD Base Fee × 1

Footnotes to Table C-1 for 22.900C.010:

[1]For purposes of these land use fees, low-income housing is housing that both (1) satisfies the definition of "housing, low income" in Section 23.84A.016; and (2) where at least 50 percent of the total gross floor area of each structure on the site is committed to low-income housing use for at least 20 years.

[2]The single variance fee shall be applicable whether the project requires one or multiple variances.

[3]Includes short subdivisions in environmentally critical areas.

[4]Includes unit-lot subdivisions and full subdivisions in environmentally critical areas.

[5]This fee applies if design review is initiated only for tree protection and the application has no other review under Items 1—14.

[6]The fees for interpretations of ((~~SMC~~)) Chapters 25.12, 25.20, 25.22, and 25.24 shall be collected by the Director of the Department of Neighborhoods.

[7]The pre-application conference fee covers a one hour conference and one hour of research and/or follow-up review time that normally occurs, for a total of two hours. Additional pre-application review time will be charged at the Land Use hourly rate. See also Section 22.900C.010.E.

[8]Additional notice may be given in circumstances including but not limited to the following: reinstallation of environmental review signs, reposting of the land use review or environmental signs, new component reviews added subsequent to the original notice, revised decisions, and changes to the scope of the project.

[9]Recording fees will be charged the current rate as established and charged by King County at the time of document recording.

Section 3. If any section or subsection of the Seattle Municipal Code affected by this ordinance is amended by another ordinance without reference to amendments made by this ordinance, each ordinance shall be given effect to the extent that the amendments do not conflict in purpose, and the code reviser may publish the section or subsection in the official code with all amendments incorporated therein.

Section 4. This ordinance shall take effect on January 1, 2016.

Passed by the City Council the 23rd day of Nov., 2015, and signed by me in open session in authentication of its passage this 23rd day of Nov, 2015.

President _____ of the City Council

Approved by me this 1st day of December, 2015.

Edward B. Murray, Mayor

Filed by me this 1st day of December, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

STATE OF WASHINGTON -- KING COUNTY

--ss.

331452

No. 124914,915,916,918,919,20

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:TITLE ONLY ORDINANCES

was published on

12/15/15

The amount of the fee charged for the foregoing publication is the sum of $139.50 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

12/15/2015

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on November 23, 2015, 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. Document Type Contact: Office of the City Clerk at (206) 684-8344.

Ordinance 12491

AN ORDINANCE relating to the drainage and wastewater system of The City of Seattle; adopting a system or plan of additions and betterments to and extensions of the existing drainage and wastewater system; authorizing the issuance and sale of drainage and wastewater revenue bonds, in one or more series, for the purposes of paying part of the cost of carrying out that system or plan, providing for the reserve requirement, and paying the costs of issuance of the bonds; providing for certain terms, conditions, covenants and the manner of sale of the bonds; describing the lien of the bonds; creating certain accounts of the City relating to the bonds; ratifying and confirming certain prior acts; and amending certain definitions set forth in the Omnibus Refunding Bond Ordinance relating to drainage and wastewater refunding revenue bonds.

Ordinance 124915

AN ORDINANCE relating to the solid waste system of The City of Seattle; amending Ordinance 121940, as amended by Ordinance 122498, to conform Ordinance 121940 to reflect changes recently made by the City to update its standard form of bond ordinance; and ratifying and confirming certain prior acts.

Ordinance 124916

AN ORDINANCE relating to the electric system of The City of Seattle; authorizing the issuance and sale of municipal light and power revenue bonds for the purposes of providing funds for certain additions and betterments to and extensions of the existing municipal light and power plant and system of the City, paying the costs of issuance of those bonds and providing for the reserve fund requirement, providing for the terms, conditions, covenants and manner of sale of those bonds; describing the lien of those bonds; ratifying and confirming certain prior acts, and amending certain definitions set forth in the Omnibus Refunding Bond Ordinance relating to municipal light and power revenue bonds.

Ordinance 124918

AN ORDINANCE related to fees and charges for permits and activities of the Department of Planning and Development; amending Seattle Municipal Code Sections 22.900B.010 and 22.900C.010.

Ordinance 124919

AN ORDINANCE establishing a new Office of Planning and Community Development and a new Seattle Department of Construction and Inspections; abolishing the Department of Planning and Development; and amending the Seattle Municipal Code to implement those organizational changes and make technical revisions; all by a 2/3 vote of the City Council.

Ordinance 124920

AN ORDINANCE relating to certain functions of the executive branch of City government; creating a Seattle Information Technology Department; establishing the powers and duties of the new department; abolishing the Department of Information Technology and transferring functions currently performed by that department; transferring functions currently performed by other departments in the executive branch; making provisions for transition; adding Chapter 3.23; repealing Chapters 3.22 and 18.14; and amending Sections 3.39.020, 4.13.010, 5.09.020, 10.02.060, 15.32.300, and 21.60.040 of the Seattle Municipal Code.

Date of publication in the Seattle Daily Journal of Commerce, December 15, 2015.

12/15(331452)