

**2011 - 2012 Seattle City Council Green Sheet**

**Ready for Notebook**

Tab	Action	Option	Version
121	1	A	1

**Budget Action Title:** Amend CB 116957, Shoreline Street End and Street Use Term Permit fee schedule, to adopt an accelerated phase-in of new fees, recommend passage as amended, and increase revenue to Transportation Operating Fund

**Councilmembers:** Budget Committee

**Staff Analyst:** Michael Jenkins

**Council Bill or Resolution:** 116957, Tab #33 in gray notebook

Date		Total	SB	BH	SC	TR	JG	NL	RC	TB	MO
	Yes										
	No										
	Abstain										
	Absent										

**Summary of Dollar Effect**

*See the following pages for detailed technical information*

	<b>2011 Increase (Decrease)</b>	<b>2012 Increase (Decrease)</b>
<b>General Subfund</b>		
<b>General Subfund Revenues</b>	\$0	\$0
<b>General Subfund Expenditures</b>	\$0	\$0
<b>Net Balance Effect</b>	\$0	\$0
<b>Other Funds</b>		
<b>Transportation Operating Fund</b>		
<b>Revenues</b>	\$183,328	\$162,019
<b>Expenditures</b>	\$0	\$0
<b>Net Balance Effect</b>	\$183,328	\$162,019
<b>Total Other Funds</b>	\$183,328	\$162,019
<b>Total Budget Balance Effect</b>	\$183,328	\$162,019

**Budget Action description:**

This green sheet would amend, and recommend passage as amended of, Council Bill (CB) 116957, Seattle Department of Transportation (SDOT) proposed update of the fee schedule for Shoreline Street End and Street Use Term Permits. The existing fee schedule for Shoreline Street End and Street Use Term Permits is part of SDOT's Street Use Fee Schedule, adopted in November 2006 under Ordinance 122295. CB 116957 was introduced into the Transportation Committee and was re-referred to the Budget Committee. This green sheet would amend CB 116957 to accelerate the

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phase-in of fee changes, and increase revenue to the Transportation Operating Fund by \$183,328 in 2011 and \$162,019 in 2012 to reflect the accelerated phase-in of fee changes.

CB 116957 revises the current method used by SDOT to determine the yearly fee on Shoreline Street End and Street Use Term permits. The fee for these permits, as detailed in Ordinance 122295, is currently calculated on a case by case basis. CB 116957 would amend the Street Use Permit Fee schedule and adopt a standard method that would be applied to both existing and new Shoreline Street End and Street Use Term permits. The new fee would be based on:

- 1) the area and value of the land being used;
- 2) a standard 8% rate of return; and
- 3) a factor that estimates the loss of the right of way from City use.

Any permits issued after the effective date of the new ordinance would use the proposed standard method. For existing Shoreline Street End Permits, the fee would be retroactive to permits in existence as of January 1, 2010. For existing Street Use Term Permits, the new fee would begin on January 1, 2011.

This green sheet would amend CB 116957 to accelerate the proposed phase-in of fee increases on existing Shoreline Street End and Street Use Term Permits, from four years to two years.

The specific amendments to CB 116957 are shown in double-underline and double-strike-through on the attachment to this green sheet.

The following chart compares revenues between the four-year phase-in schedule as proposed in CB 116957 and the two-year phase-in proposed in this green sheet.

	Two-year phase-in				Four-year phase-in					
	2009	2010	2011	2012	2009	2010	2011	2012	2013	2014
<b>Term Permits</b>	\$298,000	\$298,000	\$304,571	\$362,711	\$298,000	\$298,000	\$275,502	\$278,972	\$333,641	\$362,711
<b>Shoreline Street End Permits</b>	\$149,295	\$264,413	\$379,531	\$379,531	\$149,295	\$225,273	\$225,273	\$301,251	\$301,251	\$379,531
<b>TOTAL</b>	<b>\$447,295</b>	<b>\$562,413</b>	<b>\$684,103</b>	<b>\$742,242</b>	<b>\$447,295</b>	<b>\$523,273</b>	<b>\$500,775</b>	<b>\$580,223</b>	<b>\$634,892</b>	<b>\$742,242</b>

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**Budget Action Transactions**

**Budget Action Title:** Amend CB 116957, Shoreline Street End and Street Use Term Permit fee schedule, to adopt an accelerated phase-in of new fees, recommend passage as amended, and increase revenue to Transportation Operating Fund

#	Transaction Description	Position Title	Number of Positions	FTE	Dept	BCL or Revenue Source	Summit Code	Fund	Year	Revenue Amount	Expenditure Amount
1	Increase revenue from shoreline street end and street use term permit fees				SDOT	Other Street Use & Curb Permits	422490	10310	2011	\$183,328	
2	Increase revenue from shoreline street end and street use term permit fees				SDOT	Other Street Use & Curb Permits	422490	10310	2012	\$162,019	
3	Increase fund balance to reflect higher revenue from shoreline street end and street use term permit fees				SDOT	Use of (Contribution to) Cash	379100	10310	2011	(\$183,328)	
4	Increase fund balance to reflect higher revenue from shoreline street end and street use term permit fees				SDOT	Use of (Contribution to) Cash	379100	10310	2012	(\$162,019)	

**ORDINANCE \_\_\_\_\_**

1  
2 AN ORDINANCE relating to Shoreline Street End permits, and skybridge and other structure  
3 term permits; amending the current Seattle Department of Transportation Street Use Fee  
4 Schedule, Exhibit A to Ordinance 122295, by amending the Shoreline Street End permit  
5 fee methodology, adopting a term permit schedule of fees, and establishing a term permit  
6 fee methodology; repealing Section 1 and Attachment A of Ordinance 119673 Shoreline  
7 Street End Permit Fee Methodology; and ratifying and confirming certain prior acts.

8 WHEREAS, by Resolution 29370, the City Council adopted policies to guide the development  
9 of public access improvements to Shoreline Street Ends, requiring their preservation as  
10 public right-of-way, establishing criteria to evaluate the suitability of a street end for  
11 public use improvements, and providing that new private use permits will be granted only  
12 when there is not a proposal for a public street improvement; and

13 WHEREAS, by Ordinance 119673, the City clarified the policy for the Shoreline Street End  
14 program and designated a Shoreline Street End permit type and fee methodology in the  
15 Street Use Permit Fee Schedule; and

16 WHEREAS, Section 15.04.074 of the Seattle Municipal Code authorizes and directs the Seattle  
17 Department of Transportation (SDOT) Director to prepare and recommend to the City  
18 Council, for adoption by ordinance, a schedule of permit fees applicable to all permits for  
19 the use of public places under the jurisdiction of the Seattle Department of  
20 Transportation. The fees are to be commensurate with the cost of administration, review,  
21 inspection, and policing involved in issuing and continuing the permits and may take into  
22 consideration the undesirability of the use or occupation relative to the rights of the  
23 public such as the City policy of discouraging encroachments inconsistent with the  
24 public's right of access to the shorelines or right-of-way; and

25 WHEREAS, Section 15.64.010 of the Seattle Municipal Code directs the Council to limit the  
26 proliferation and adverse effects of skybridges; and

27 WHEREAS, by Ordinance 121855, the City authorized the SDOT Director to adjust the annual  
28 term permit fee amount in accordance with a term permit fee schedule adopted by the  
Council; and

WHEREAS, Ordinance 122295 amended the Street Use Permit Fee Schedule by adding term  
permit use codes for long-term uses of the right-of-way and the subsequent fees were to  
be determined by ordinance; and

WHEREAS, Attachment A to Ordinance 119673 authorized the City Appraiser to establish the Street Use permit land values based on multiple properties surrounding a shoreline street end; and

WHEREAS, the SDOT Director has prepared and recommended the repeal of Section 1 and Attachment A of the Shoreline Street End Fee Methodology Ordinance 119673 and proposed an amendment to the Street Use Fee Schedule for a new Shoreline Street End and Term Permit Fee methodology to provide transparency and equity, and to simplify program administration; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Street Use Permit Fee Schedule, Exhibit A to Ordinance No. 122295, is amended as follows:

Exhibit A: Street Use Permit Fee Schedule

\* \* \*

<b>Long term uses of the Right-of-Way (Council approved term permits)</b>					
<b>Use Code</b>	<b>Use Description</b>	<b>Base Permit Fee</b>	<b>Franchise and Utility Map Surcharge</b>	<b>Occupation Fee (Long Term)</b>	<b>Use Fee (Short Term)</b>
<del>((61))</del>	<del>((term uses for long-term street level occupations (structures in right-of-way)))</del>	Fees determined by ordinance			
<del>((61A))</del>	<del>((term uses for skybridges or bridges over right-of-way))</del>				
<del>((61B))</del>	<del>((Term uses for tunnels under right-of-way))</del>				
61C	<del>((Term uses for p))</del> Pipelines and steam mains <del>((in right-of-way))</del>				
61D	Other <del>((term uses in right-of-way (including utility franchises)))</del> miscellaneous long-term uses				

1	<del>((61B))</del> 61E	<u>Sub- surface:</u>	<u>Utility tunnels/structures</u>	<u>(Land value) x (Use area) x (Rate of return)</u> <u>x (Degree of alienation*) = Annual fee</u>  <u>* Refer to Table A: Degree of Alienation Factor</u>
2	<del>((61C))</del> 61F		<u>Vehicle/pedestrian tunnels</u>	
3	<del>((61D))</del> 61G	<u>At-grade:</u>	<u>Public plazas, artwork</u>	
4	<del>((61E))</del> 61H		<u>Structures, restricted access</u>	
5	<del>((61F))</del> 61I		<u>Utility structures</u>	
6	<del>((61G))</del> 61J	<u>Above grade:</u>	<u>Overhead building structures (excluding skybridges and vehicle bridges/ramps)</u>	
7	<del>((61H))</del> 61K		<u>Skybridges (private use)</u>	
8	<del>((61I))</del> 61L		<u>Skybridges (public use)</u>	
9	<del>((61J))</del> 61M		<u>Skybridges (semi- public use)</u>	
10	<del>((61K))</del> 61N		<u>Vehicle bridge</u>	
11	<del>((61L))</del> 61O		<u>Vehicle ramp</u>	
12				

\* \* \*

<b>Per ordinance or council action</b>					
<b>Use Code</b>	<b>Use Description</b>	<b>Base Permit Fee</b>	<b>Franchise and Utility Map Surcharge</b>	<b>Occupation Fee (Long Term)</b>	<b>Use Fee (Short Term)</b>
11	Shoreline street ends [land portion]	<del>((Fees determined by ordinance))</del> <u>(Land value) x (Use area) x (Rate of return)</u> <u>x (Demand probability<sup>≠</sup>) = Annual fee</u>  <u>*Refer to Table B: Demand Probability</u>			

		<u>Factor</u>
		<u>\$97/ minimum fee</u>
		* * *

\* \* \*

**Other Fees and Charges**

Hourly Charge for Street Use service including but not limited to:		\$150
Review, investigation, inspection, drafting, design guidance, document preparation and other activities related to the administration of the permit		
Penalty Fee (No Job Start Call, No Permit)		\$300
Pre-Submittal Consultation Fee		\$375
A Deposit may be required	Amount determined based on services requested	

**Fee Methodology Factors and Descriptions**

**Factor**

**Description**

Land value:

For Term permits, the value of the use area in the right-of-way shall be based on the abutting parcel's current land value as determined by the King County Assessor. If the use area extends beyond the centerline or abuts multiple parcels, the permit fee shall be calculated by averaging the abutting parcels' current land values.

For Shoreline Street End permits, the value of the use area in the right-of-way shall be based on the abutting parcel's current land value as determined by the King County Assessor. If the use area extends beyond the centerline of the right-of-way or abuts multiple parcels, the permit fee shall be calculated for each portion of the use area according to the current value of the adjoining parcels. If

1 one of the adjoining parcels is publicly-owned, the permit  
2 fee for that portion of the use area abutting the publicly-  
3 owned parcel shall be calculated using the current land  
4 value of the private parcel abutting the largest portion of  
5 the use area occupying the right-of-way.

6 Use area: Square footage of the permitted encroachment in the  
7 right-of-way, as authorized by Seattle Department of  
8 Transportation.

9 Rate of return: Annualized rate of return on market value of right-of-  
10 way, as established by the City Appraiser or a State of  
11 Washington Certified General Real Estate Appraiser  
12 retained by the Director of Transportation.

13 Degree of alienation: For Term permits, the degree of impact on the public,  
14 utilities, right-of-way, and other potential uses of the  
15 right-of-way based on City policy, as established by  
16 Seattle Department of Transportation. Refer to Table A:  
17 Degree of Alienation Factor.

18 Demand probability For Shoreline Street End permits, the estimated demand of  
19 probable use based on location, access, size, view, and  
20 topography, as established by the City Appraiser or a  
21 State of Washington Certified General Real Estate  
22 Appraiser retained by the Director of Transportation.  
23 Refer to Table B: Demand Probability Factor.

**Table A: Degree of Alienation Factor**

Use code:	Use description:	Examples:	Factor rate:
<del>((61B))</del> 61E	Sub-surface*:	Utility tunnels/structures	Privately-maintained utility tunnels connecting parcels
<del>((61C))</del> 61F		Vehicle/pedestrian tunnels	Underground pedestrian concourses
<del>((61D))</del> 61G	At-grade:	Public plazas, artwork	Privately-maintained public plazas
<del>((61E))</del> 61H		Structures/restricted access	Building encroachments, skybridge columns
<del>((61F))</del> 61I		Utility structures	Wastewater pump stations
<del>((61G))</del> 61J	Above grade*:	Overhead building structures	Building roof projections
<del>((61H))</del> 61K		Skybridges (private use)	Skybridges connecting office building or condominium garage access
<del>((61I))</del> 61L		Skybridges (public use)	Skybridges connecting to the public transportation network
<del>((61J))</del> 61M		Skybridges (semi-public use)	Skybridges connecting hospitals, department stores, hotels/convention centers
<del>((61K))</del> 61N		Vehicle bridges	Overhead vehicle bridges connecting private structures
<del>((61L))</del> 61O		Vehicle ramps	Privately-owned vehicle ramps

			connecting to a portion of the public transportation network (portion of ramp may be at-grade)	
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\* Portions of sub-surface or above-grade structures, such as columns or stairwells, may be located at grade. Except for vehicle ramps, the total value of the term permit annual fee shall be calculated by adding the value of the at-grade use area to the value of the sub-surface or above-grade use area.

**Table B: Demand Probability Factor**

<u>Shoreline Street End Number:</u>	<u>Shoreline Street End Name:</u>	<u>Demand Probability:</u>
<u>4</u>	<u>SW Alaskan Street</u>	<u>0.50</u>
<u>10</u>	<u>SW Bronson Street</u>	<u>1.0</u>
<u>12</u>	<u>Chelan Avenue SW</u>	<u>0.50</u>
<u>27</u>	<u>South Front Street</u>	<u>0.50</u>
<u>32</u>	<u>South Riverside Drive (north)</u>	<u>0.50</u>
<u>33</u>	<u>7<sup>th</sup> Avenue South</u>	<u>0.50</u>
<u>34</u>	<u>South Riverside Drive (south)</u>	<u>0.50</u>
<u>40</u>	<u>72<sup>nd</sup> Avenue South</u>	<u>0.50</u>
<u>42</u>	<u>South Norfolk Street</u>	<u>0.50</u>
<u>43</u>	<u>South Perry Street</u>	<u>0.25</u>
<u>45</u>	<u>South Willow Street</u>	<u>0.25</u>
<u>47</u>	<u>South Warsaw Street</u>	<u>0.50</u>
<u>48</u>	<u>South Eddy Street</u>	<u>0.50</u>
<u>49</u>	<u>South Holgate Street</u>	<u>0.10</u>
<u>50</u>	<u>South Massachusetts Street</u>	<u>0.50</u>
<u>52</u>	<u>South Irving Street</u>	<u>0.50</u>
<u>53</u>	<u>South Judkins Street</u>	<u>0.50</u>
<u>56</u>	<u>South Dearborn Street</u>	<u>0.25</u>
<u>60</u>	<u>East Pine Street</u>	<u>0.50</u>
<u>61</u>	<u>East Olive Street</u>	<u>0.50</u>
<u>63</u>	<u>East Harrison Street</u>	<u>0.50</u>

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<u>64</u>	<u>East Mercer Street (north portion)</u>	<u>0.50</u>
<u>64</u>	<u>East Mercer Street (south portion)</u>	<u>0.25</u>
<u>69</u>	<u>East Roanoke Street (east)</u>	<u>0.75</u>
<u>71</u>	<u>East Hamlin Street (east)</u>	<u>0.25</u>
<u>72</u>	<u>East Shelby Street</u>	<u>0.50</u>
<u>73</u>	<u>East Allison Street (east)</u>	<u>0.25</u>
<u>74</u>	<u>East Martin Street (east)</u>	<u>0.25</u>
<u>75</u>	<u>University Bridge (south)</u>	<u>1.0</u>
<u>77</u>	<u>East Martin Street (west)</u>	<u>1.0</u>
<u>78</u>	<u>East Allison Street (west)</u>	<u>1.0</u>
<u>80</u>	<u>East Edgar Street (west)</u>	<u>1.0</u>
<u>81</u>	<u>East Roanoke Street (west)</u>	<u>1.0</u>
<u>82</u>	<u>East Louisa Street</u>	<u>1.0</u>
<u>83</u>	<u>East Boston Street</u>	<u>1.0</u>
<u>84</u>	<u>East Newton Street</u>	<u>1.0</u>
<u>86</u>	<u>Terry Avenue North</u>	<u>1.0</u>
<u>89</u>	<u>Crockett Street</u>	<u>1.0</u>
<u>90</u>	<u>McGraw Street</u>	<u>1.0</u>
<u>98</u>	<u>6<sup>th</sup> Avenue West</u>	<u>0.50</u>
<u>100</u>	<u>West Cramer Street</u>	<u>0.50</u>
<u>102</u>	<u>47<sup>th</sup> Avenue West</u>	<u>0.10</u>
<u>103</u>	<u>48<sup>th</sup> Avenue West</u>	<u>0.10</u>
<u>104</u>	<u>West Bertona Street</u>	<u>0.25</u>
<u>105</u>	<u>West Dravus Street</u>	<u>0.25</u>
<u>107</u>	<u>West Armour Street</u>	<u>0.25</u>
<u>108</u>	<u>West Raye Street</u>	<u>0.25</u>
<u>109</u>	<u>West McGraw Street</u>	<u>0.25</u>
<u>110</u>	<u>32<sup>nd</sup> Avenue West</u>	<u>0.25</u>
<u>114</u>	<u>Broad Street</u>	<u>1.0</u>
<u>115</u>	<u>Vine Street</u>	<u>1.0</u>
<u>118</u>	<u>University Street</u>	<u>1.0</u>
<u>119</u>	<u>Madison Street</u>	<u>1.0</u>
<u>122</u>	<u>NE 135<sup>th</sup> Street</u>	<u>0.50</u>
<u>125</u>	<u>NE 85<sup>th</sup> Street</u>	<u>0.25</u>
<u>126</u>	<u>NE 43<sup>rd</sup> Street</u>	<u>0.50</u>
<u>127</u>	<u>51<sup>st</sup> Avenue NE</u>	<u>0.50</u>
<u>130</u>	<u>NE 31<sup>st</sup> Street</u>	<u>0.50</u>
<u>132</u>	<u>Brooklyn Avenue NE</u>	<u>1.0</u>
<u>133</u>	<u>Eastlake Avenue NE/University Bridge</u>	<u>1.0</u>

<u>134</u>	<u>Latona Avenue NE</u>	<u>1.0</u>
<u>135</u>	<u>Sunnyside Avenue NE</u>	<u>1.0</u>
<u>137</u>	<u>NW 39<sup>th</sup> Street</u>	<u>0.50</u>
<u>138</u>	<u>6<sup>th</sup> Avenue NW/NW Bowdoin Place</u>	<u>0.50</u>
<u>139</u>	<u>NW 40<sup>th</sup> Street</u>	<u>0.50</u>
<u>140</u>	<u>11<sup>th</sup> Avenue NW</u>	<u>0.50</u>
<u>143</u>	<u>20<sup>th</sup> Avenue NW</u>	<u>0.50</u>
<u>145</u>	<u>28<sup>th</sup> Avenue NW</u>	<u>0.50</u>
<u>147</u>	<u>36<sup>th</sup> Avenue NW</u>	<u>0.50</u>

The Department of Transportation is directed to use the shoreline street end permit fees credited to the Transportation Operating Fund for the following purposes:

- (a) Notification to property owners abutting street ends of the need for permits for private use and occupation of shoreline street ends, and of the fees schedule;
- (b) Administration and inspection of shoreline street end use;
- (c) Verification of property boundaries and square feet of area of usage;
- (d) Matching funds for neighborhood improvements of shoreline street ends for public use;
- (e) Signage, demarcation, and maintenance of shoreline street ends;
- (f) City-funded street and sidewalk improvements within a half-block radius of any of the shoreline street ends indentified in Exhibit A to Ordinance 119673 that directly contribute to public access to the shoreline street end.

1  
2 Section 2. Attachment A and Section 1 of the Shoreline Street Ends Permit Fee  
3 Methodology Ordinance 119673, which are shown in Attachment A of this ordinance, are  
4 repealed.

5  
6 Section 3. Term permit fee implementation schedule. Term permits existing on the  
7 effective date of this ordinance shall have new annual fees applied starting on January 1, 2011, as  
8 authorized in Section 4 of this ordinance. All new or renewed term permits that will be approved  
9 by Council after the effective date of this ordinance shall have the annual fees applied using the  
10 new methodology adopted in Section 1 ~~as authorized in Section 8~~ of this ordinance.  
11

12  
13 Section 4. Term permit fee phase-in schedule. Annual term permit fees for existing  
14 permitted term permits shall be phased in over a ~~two~~ four-year period. Starting in January 2011,  
15 the annual term permit fee will increase ~~by 50~~ 25 percent of the difference between the 2010  
16 annual term permit fee and the new annual term permit fee based on the term permit fee  
17 methodology. ~~Each of the subsequent three years, the annual term permit fee will increase by an~~  
18 ~~additional 25 percent of the difference between the 2010 annual term permit fee and the new~~  
19 ~~annual term permit fee based on the term permit fee methodology.~~ Starting in January 2012, the  
20 annual term permit fee will increase to the full new annual term permit fee based on the term  
21 permit fee methodology.  
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1  
2 By the end of 201~~2~~<sup>4</sup>, the phase-in period will be complete and all existing permitted term  
3 permits will be determined using the term permit fee methodology on an annual cycle.

4 The new annual term permit fee will not be phased in if the new annual term permit fee is  
5 less than the 2010 annual term permit fee for existing permitted term permits, or an existing term  
6 permit is renewed by Council after the effective date of this ordinance and before December 31,  
7  
8 2011.

9  
10 Section 5. Shoreline Street End permit fee implementation schedule. Shoreline Street End  
11 permits existing on the effective date of this ordinance shall have new annual fees applied  
12 starting on January 1, 2010, as authorized in Section 6 of this ordinance. All new Shoreline  
13 Street End permits that will be approved by the Director of Transportation after the effective date  
14 of the ordinance shall have the annual fees applied using the new methodology adopted in  
15 Section 1 of as authorized in ~~Section 8~~ of this ordinance.  
16

17  
18 Section 6. Shoreline Street End permit fee phase-in schedule. Annual Shoreline Street  
19 End permit fees for existing Shoreline Street End permits shall be phased in over a two ~~four~~-  
20 year period, from 2010 through 201~~1~~<sup>4</sup>. The 2010 permit fee will increase by 50 ~~33~~ percent of the  
21 difference between the 2009 annual Shoreline Street End permit fee and the new Shoreline Street  
22 End permit fee based on the Shoreline Street End permit fee methodology.  
23  
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1  
2 ~~In 2011, the annual Shoreline Street End permit fee will increase by an additional 50~~  
3 ~~percent of the difference between the 2009 annual Shoreline Street End permit fee and the new~~  
4 ~~2012 Shoreline Street End permit fee based on the Shoreline Street End permit fee methodology.~~  
5 Starting in January 2011, the annual term permit fee will increase to the full new annual term  
6 permit fee based on the term permit fee methodology. By the end of 2011 ~~In 2012,~~ the annual  
7 Shoreline Street End permit fee will be calculated at the full rate and the phase-in period will be  
8 complete. All Shoreline Street End permits will be valued using the Shoreline Street End permit  
9 fee methodology on an annual ~~a biennial~~ cycle.

11 The new annual Shoreline Street End permit fee will not be phased in if the new annual  
12 Shoreline Street End permit fee is less than the 2009 annual Shoreline Street End permit fee for  
13 existing Shoreline Street End permits, or a new permit is issued for an existing Shoreline Street  
14 End use after the effective date of this ordinance.

1           Section 7. Sections 5 and 6 of this ordinance apply retroactively to the extent necessary  
2 to ensure their application to periods of time occurring before the effective date of this ordinance.  
3 In no event shall a Shoreline Street End permit be subject to an annual fee or fees for 2010 in a  
4 total amount that exceeds the fee authorized by Sections 5 and 6 of this ordinance.  
5

6           Section 8. Severability. The provisions of this ordinance are declared to be separate and  
7 severable. The invalidity of any portion of this ordinance, or the invalidity of its application to  
8 any person or circumstance, shall not affect the validity of the remainder of this ordinance, or the  
9 validity of its application to other persons or circumstances.  
10

1 Section 9. This ordinance shall take effect and be in force 30 days from and after its  
2 approval by the Mayor, but if not approved and returned by the Mayor within ten days after  
3 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020;  
4 provided that if C.B. 117008 becomes an ordinance, then this ordinance shall take effect no  
5 earlier than one day after the effective date of the ordinance introduced as C.B. 117008.  
6

7  
8 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2010, and  
9 signed by me in open session in authentication of its passage this  
10 \_\_\_\_ day of \_\_\_\_\_, 2010.

11  
12  
13 \_\_\_\_\_  
14 President \_\_\_\_\_ of the City Council

15 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2010.

16  
17 \_\_\_\_\_  
18 Michael McGinn, Mayor

19  
20 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2010.

21  
22 \_\_\_\_\_  
23 City Clerk

24 (Seal)