



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118546

Record No.: CB 118546

Type: Ordinance (Ord)

Status: Passed

Version: 1

124905

In Control: City Clerk

File Created: 09/16/2015

Final Action: 12/01/2015

**Title:** AN ORDINANCE relating to street and sidewalk use; amending the Street Use Permit Fee Schedule authorized by Section 15.04.074 of the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Licata

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att A - SDOT Street Use Permit Fee Schedule

Drafter: adam.schaefer@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	Mayor	09/28/2015	Mayor's leg transmitted to Council	City Clerk			
	<b>Action Text:</b>		The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk				
	<b>Notes:</b>						
1	City Clerk	10/20/2015	sent for review	Budget Committee			
	<b>Action Text:</b>		The Council Bill (CB) was sent for review. to the Budget Committee				
	<b>Notes:</b>						
1	Full Council	10/26/2015	referred	Budget Committee			
	<b>Action Text:</b>		The Council Bill (CB) was referred. to the Budget Committee				
	<b>Notes:</b>						
1	Budget Committee	11/16/2015	pass				Pass
	<b>Action Text:</b>		The Committee recommends that Full Council pass the Council Bill (CB).				
	<b>Notes:</b>						
			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  
Mayor's signature

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:

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**CITY OF SEATTLE**

**ORDINANCE** 124905

**COUNCIL BILL** 118546

AN ORDINANCE relating to street and sidewalk use; amending the Street Use Permit Fee Schedule authorized by Section 15.04.074 of the Seattle Municipal Code.

WHEREAS, Section 15.04.074 of the Seattle Municipal Code authorizes and directs the Director of Transportation to prepare and recommend to the City Council, for passage by ordinance, a schedule of fees applicable to all street and sidewalk use permits (“the Street Use Permit Fee Schedule”) commensurate with the cost of administering, reviewing, inspecting, and policing involved in issuing and continuing the permits and the uses granted by the permits; and

WHEREAS, Use and Occupation fees currently do not cover the full cost of permit issuance, inspection, and plan review, and Street Use permits must fully recover their cost to comply with the Seattle Municipal Code; and

WHEREAS, it is appropriate that those wishing to use public rights-of-way should bear the costs associated with obtaining appropriate street and sidewalk use permits; and

WHEREAS, Street Use rates were last substantially adjusted on January 1, 2011, with periodic changes since then to address new costs; and

WHEREAS, the Seattle Department of Transportation (SDOT) seeks to maintain adequate staffing as permit volumes fluctuate with the demand for use of the right-of-way; and

WHEREAS, by moving to an hourly basis for recovering plan review and inspection fees, SDOT seeks to incentivize permittees who submit plans largely in conformance with SDOT’s Standard Specifications and manage construction impacts by using the best suited workforce, materials, and methods; NOW, THEREFORE,

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

1           Section 1. The SDOT Street Use Permit Fee Schedule, last substantially amended by  
2 Ordinance 123477, and as further amended by Ordinances 123600, 123611, 123659, 123907,  
3 124159, 124532, 124770, and 123485 as amended by Ordinance 123585, is replaced by the  
4 SDOT Street Use Permit Fee Schedule attached as Attachment A.

5

**Seattle Department of Transportation Street Use Permit Fee Schedule, Effective March 31, 2016**

**Activities that use the public right-of-way and that block mobility**

Use Code	Use Description	Applicable Base Permit Fee (see explanation below)	Use Fee (Short Term)
3A	street or sidewalk barricading for temporary private use (e.g.: grand openings, special activities)	\$146	<p>ON NON-ARTERIAL mo 1 = no fee mo 2&amp;3 = \$.10/sf/10d mo 4&amp;5 = \$.20/sf/10d mo 6&amp;7 = \$.40/sf/10d mo 8&amp;9 = \$.80/sf/10d mo 10+ = \$1.20/sf/10d</p> <p>ON ARTERIAL mo 1 = \$.10/sf/10d mo 2 = \$.20/sf/10d mo 3 = \$.40/sf/10d mo 4 = \$.80/sf/10d mo 5 = \$1.20/sf/10d</p>
3B	street or sidewalk barricading associated with the Farmers Market Program		None
3C	street barricading associated with the Festival Street Program		None
13	temporary placement of materials not for construction use (e.g.: bus or horse carriage staging)		<p>ON NON-ARTERIAL mo 1 = no fee mo 2&amp;3 = \$.10/sf/10d mo 4&amp;5 = \$.20/sf/10d mo 6&amp;7 = \$.40/sf/10d mo 8&amp;9 = \$.80/sf/10d mo 10+ = \$1.20/sf/10d</p>
15	Installing or removing public art	\$305	<p>ON NON-ARTERIAL mo 1 = no fee mo 2&amp;3 = \$.10/sf/10d mo 4&amp;5 = \$.20/sf/10d mo 6&amp;7 = \$.40/sf/10d mo 8&amp;9 = \$.80/sf/10d mo 10+ = \$1.20/sf/10d</p>
22	shoring and excavation within and adjacent to right-of-way (may be associated with DPD building permits)		<p>ON ARTERIAL mo 1 = \$.10/sf/10d mo 2 = \$.20/sf/10d mo 3 = \$.40/sf/10d mo 4 = \$.80/sf/10d mo 5 = \$1.20/sf/10d</p>
29B	installing or removing fences, stairs, overhead structures, and other related private structures		
29C	installing or removing rockeries, retaining walls, and other related retaining structures		
31	construction use, including staging and material storage, in transportation corridors		
27	installing, maintaining, or removing awnings or marquees		None
			1

Att A – SDOT Street Use Permit Fee Schedule  
 V1

Use Code	Use Description	Applicable Base Permit Fee (see explanation below)	Use Fee (Short Term)
40	street and alley paving less than 750 sq. ft.	\$305	ON NON-ARTERIAL mo 1 = no fee mo 2&3 = \$.10/sf/10d mo 4&5 = \$.20/sf/10d mo 6&7 = \$.40/sf/10d mo 8&9 = \$.80/sf/10d mo 10+ = \$1.20/sf/10d  ON ARTERIAL mo 1 = \$.10/sf/10d mo 2 = \$.20/sf/10d mo 3 = \$.40/sf/10d mo 4 = \$.80/sf/10d mo 5 = \$1.20/sf/10d
41	transit-stop-related infrastructure, including shelter, signage, bench installation, repair, or removal; does not include utility installations		
44	use of mobile crane, manlift, boom truck, pump truck, etc.		
50	scaffold, swing staging, scissor lift with mobility impacts		
45	commercial or multi-use construction street improvement (public improvements by private development)		
45A	single family residential construction street improvement (public improvements by private development)		
45B	minor improvement projects		
33A	contractors' trucks/equipment working within ROW (per vehicle/calendar yr) no ground breaking allowed	\$138	None
33B	utility agencies' trucks/equipment working within ROW (per vehicle/calendar yr) no ground breaking allowed		
31B	Single-family construction/debris dumpster or storage containers (residential use)		
			ON NON-ARTERIAL mo 1 = no fee mo 2&3 = \$.10/sf/10d mo 4&5 = \$.20/sf/10d mo 6&7 = \$.40/sf/10d mo 8&9 = \$.80/sf/10d mo 10 + = \$1.20/sf/10d  ON ARTERIAL mo 1 = \$.10/sf/10d mo 2 = \$.20/sf/10d mo 3 = \$.40/sf/10d mo 4 = \$.80/sf/10d mo 5 = \$1.20/sf/10d

Att A – SDOT Street Use Permit Fee Schedule  
V1

Utility activities that use the public right-of-way and that block mobility			
Use Code	Use Description	Applicable Base Permit Fee (see explanation below)	Use Fee (Short Term)
51	utility system construction	\$305	<p>ON NON-ARTERIAL</p> <p>mo 1 = no fee</p> <p>mo 2&amp;3 = \$.10/sf/10d</p> <p>mo 4&amp;5 = \$.20/sf/10d</p> <p>mo 6&amp;7 = \$.40/sf/10d</p> <p>mo 8&amp;9 = \$.80/sf/10d</p> <p>mo 10+ = \$1.20/sf/10d</p> <p>ON ARTERIAL</p> <p>mo 1 = \$.10/sf/10d</p> <p>mo 2 = \$.20/sf/10d</p> <p>mo 3 = \$.40/sf/10d</p> <p>mo 4 = \$.80/sf/10d</p> <p>mo 5 = \$1.20/sf/10d</p>
51A	utility main line or inserts		
51B	installing, maintaining, replacing, or removing utility poles or street lights		
51C	installing, maintaining, replacing, or removing utility aerial lines		
51D	installing or maintaining natural gas lines and short segments (less than 100 lineal feet) of natural gas mains		
51E	utility maintenance work that does not require any restoration		
51G	utility service connections installed by private party		
51H	installing or maintaining electrical or telecommunication lines		
51I	preparatory or exploratory work for upcoming projects, including surveying, installing monitoring wells, and soil sampling		
51J	Installing or maintaining water lines by a public utility agency		
51K	Installing or maintaining sewer or drainage lines		
51L	maintaining existing transportation infrastructure		
51M	utility cut pavement restoration		
51N	franchise utility maintenance, including steam mains, pipelines, and railroads		
51F	use of right-of-way for staging, curb crossing or excavation related to side sewer work	None	None
51O	private water service lines less than 2 inches in diameter	\$305	

Att A -- SDOT Street Use Permit Fee Schedule  
V1

Activities that use the public right-of-way that involve little to no mobility blockage			
Use Code	Use Description	Applicable Base Permit Fee (see explanation below)	Use Fee (Long Term)
22B	permanent soldier pile located within the right-of-way (must be removed to a point 4 feet below adjacent grade)	\$305	\$1011/pile
25	construct, repair, maintain, or remove asphalt driveway		N/A
26	construct concrete driveways ("Curb Cut" permits issued by DPD)		
26A	remove concrete driveway and restore curb ("Curb Cut Closure")		
31D	construction use in unimproved right-of-way, including staging or material storage that is not in a transportation corridor		\$51/sf
34	grade and rock (temporary)		None
35	clear and grub with ground disturbance greater than 1 cubic yard		
38	paving or pavement removal in planting strip or shoulder		
38A	Green Factor as approved by DPD		
47	cross curb and sidewalk with equipment		
50A	scaffold or other barrier that provides for pedestrian mobility and public protection with no mobility impacts		
52A	event pole banners of limited duration [up to four contiguous blocks per permit]		
52C	seasonal lights/decorations of limited duration		
54A	miscellaneous private temporary uses	\$305	
		4	



Att A – SDOT Street Use Permit Fee Schedule  
 V1

<b>Activities that have value to the general citizenry</b>				
<b>Use Code</b>	<b>Use Description</b>	<b>Applicable Base Permit Fee (see explanation below)</b>	<b>Use Fee (Short Term)</b>	
1	planting strip beautification, may include planting flowers, shrubs, and other vegetation and installing low planting boxes and pavers related to gardening	None	None	
1A	tree pruning			
1B	tree planting			
1C	tree removal			
1D	unimproved right-of-way and shoulder beautification, including cleaning underbrush and planting vegetation with minimal ground disturbance of 1 cubic yard or less			
5A	clocks with Historic or Landmark designation			
54	miscellaneous uses for use of public places per SMC 15.04.100			
54B	residential street barricading associated with a Neighborhood Block Party			
54C	temporary barricading associated with emergency landslide or other debris			
55	sidewalk, driveway, or curb repair and maintenance (less than 100 sq. ft.) including caulking, sealing, or grinding			
55A	sidewalk, driveway, or curb repairs and maintenance (between 100 -1,999 sq. ft.)			\$305

Att A – SDOT Street Use Permit Fee Schedule  
VI

<b>Miscellaneous</b>		
<b>Use Code</b>	<b>Use Description</b>	<b>Applicable Base Permit Fee (see explanation below)</b>
57	nonvending-related impound fee	\$97 per occurrence
58	sign removal	\$78 per sign or poster
59	mobility impact surcharge	\$360
45D	DPD project-related review, including MIMP, SUAC, SDAC	Hourly Fee
45P	plat reviews	

Att A – SDOT Street Use Permit Fee Schedule  
 V1

<b>Activities that occur over more than one year ("Annual Permit")</b>			
<b>Use Code</b>	<b>Use Description</b>	<b>Applicable Base Permit Fee (see explanation below)</b>	<b>Use Fee (Short Term)</b>
2	small directional signs	\$146 (first year); \$140 (subsequent years)	N/A
2B	portable signs (i.e.: sandwich board signs, "A" frames, etc.)		
3D	street and sidewalk barricading for annual private use		
5	clocks		
6	signs, flags, or other advertising projecting over right-of-way (minimum 3 inches not to exceed 6 foot maximum)		
6A	wayfinding kiosks		
7B	ramp primary access over underwater street		
8	private mechanical or electrical building appurtenances		
9	private underground vaults or ducts		
14	miscellaneous renewable uses		
15A	long-term maintenance of privately-owned-public art		
16A	areaways existing prior to January 1, 1995: inactive		
17	existing sidewalk elevator doors		
18C	tables and chairs open to the public: maximum of 4 tables with 2 chairs each		
19A	vending activity in an attended newsstand		
21A	non-public utilities		
21B	underground storage tank: decommissioned		
27A	stanchions		
29A	long-term maintenance of fences, stairs, handrails, rockeries, retaining walls and related structures		
48	building maintenance over ROW (per building)		
52	street decorations, including benches, planters, bike racks, decorations, etc.		
52B	identification pole banners annual use (up to four contiguous blocks per permit)		

Att A – SDOT Street Use Permit Fee Schedule  
VI

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Long term uses of the right-of-way authorized by City Council ("Term Permit")			
Use Code	Use Description		Applicable Base Permit Fee (see explanation below)
61C	pipelines and steam mains under franchise agreement		Fees determined by ordinance
61D	other miscellaneous long-term uses		
61E	sub-surface:	utility tunnels/ structures	$(\text{Land value}) \times (\text{Use area}) \times (\text{Rate of return}) \times (\text{Degree of Alienation}) = \text{Annual fee}$ Refer to Table A: Degree of Alienation Factor
61F		vehicle/ pedestrian tunnels	
61G	at-grade:	public plazas, artwork	
61H		structures, restricted access	
61I		utility structures	
61J	above grade*:	overhead building structures (excluding skybridges and vehicle bridges/ ramps)	
61K		skybridges (private use)	
61L		skybridges (public use)	
61M		skybridges (semi-public use)	
61N		vehicle bridge	
61O		vehicle ramp	
61P	sub-surface, at-grade, or above-grade:	sustainable building features**	

Att A – SDOT Street Use Permit Fee Schedule  
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Occupation of right-of-way ("Annual Permit")			
Use Code	Use Description	Applicable Base Permit Fee (see explanation below)	UseFee (Long Term)
2A	fixed ground signs	\$146 (first year); \$140 (subsequent years)	\$590/yr
21	underground storage tank: non-decommissioned		
7	long-term maintenance of structures and overhangs		\$.51/sf/yr
12	material storage including storage associated with commercial/industrial long-term uses with no mobility impacts		

Att A – SDOT Street Use Permit Fee Schedule  
VI

16	areaways existing prior to January 1, 1995: active	
18B	sidewalk cafes	\$1.56/sf/yr
18A	merchandise displays	

<b>Occupation of underwater street ("Annual Permits")</b>				
Use Code	Use Description	Applicable Base Permit Fee (see explanation below)	Use Fee (Long Term)	
7A	structures and overhangs in underwater streets	\$146 (first year); \$140 (subsequent years)	\$0.14/sf/mo	
12A	moorage in underwater street			
WW100	installations and overhangs in state waterways			
WW200	moorage in state waterways			
WW250	temporary moorage or other uses of state waterways			
WW150	non-profit organizations water safety for youth		None	

<b>Per ordinance or council action ("Annual Permits")</b>				
Use Code	Use Description	Applicable Base Permit Fee (see explanation below)	Occupation Fee (Long Term)	Use Fee (Short Term)
11	shoreline street ends [land portion]	$(\text{Land value}) \times (\text{Use area}) \times (\text{Rate of return}) \times (\text{Demand probability}) \times (\text{Maritime Industrial Use Discount Factor}) = \text{Annual fee}$ \$140 minimum fee		

<b>Vending Permits</b>				
Use Code	Use Description	Applicable Base Permit Fee (see explanation below)	Parking/ Occupation Fee (Long Term)	Program Administration Fee
19B	1 <sup>st</sup> Amendment vending	\$40/yr	\$35/mo	None
19C	Stadium Event vending (April-September)	\$146	\$170/mo	
19D	Stadium Event vending (October-March)		\$110/mo	
19E	vending from a public place sidewalk or plaza DAY 6am-8pm	\$1.56/sf	\$1.56/sf	\$344
19F	vending from a public place sidewalk or plaza NIGHT 8pm-6am			\$688
19G	food-vehicle zone vending (DAY 6am-8pm)			\$468 (each 4-HR period x

Att A – SDOT Street Use Permit Fee Schedule  
VI

19H	food-vehicle zone vending (NIGHT 8pm-6am)	each day of the wk)	\$688
19I	temporary curb space vending	N/A	None
19J	mobile-food vending		



<b>Other Fees and Charges</b>	
Hourly Charge for Plan Review	\$196
Hourly Charge for Inspection	\$196
Premium hourly rate (e.g. Overtime Inspections)	\$344
Modification of Permit – Modifications to previously-approved and issued permits are limited to unforeseen physical circumstances that arise in the course of construction. Modifications do not require a new base fee. Hourly plan review and inspection fees still apply.	\$155
Work Performed without Prior Arrangement (inspection and plan review hourly fees apply)	\$300
A Deposit may be required	Amount determined based on services requested
Hourly Charge for Department of Planning and Development project-related review, that includes but is not limited to project permits defined by RCW 36.70B.020, project--related Environmental Impact Statements, and pre-submittal conferences and coordination.	\$196
Base Permit Fee	Base Permit Fee allows for multiples use codes to be reviewed as part of the overall project permit. The time to review and inspect, as needed, is not included in the base permit fee.

The Department of Transportation is directed to use the vending Street Use permit fees credited to the Transportation Operating Fund for the following purposes: administering the vending program, including notifying property owners abutting a proposed vending site designated by the Department of Transportation; verifying property boundaries and square footage of usage; designating pre-approved vending sites by the Department of Transportation; signing and demarcating designated vending sites and food-vehicle zones; attending meetings or hearings; preparing documents, legislation, forms, and notices; inspecting and enforcing permitted or illegal vending activity; or engaging in any other vending-related activity as directed by the Director of Transportation.

#### 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 per-square-foot land value as determined by the King County Assessor. If the use area extends beyond the right-of-way 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 per-square-foot 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 per-square-footland value of the abutting parcels.

If all parcels abutting the Term or Shoreline Street End permitted use area are government-owned and the parcels are not tax assessed in whole or in part by King County, the parcels shall be excluded when establishing the Term or Shoreline Street End permit fee. To determine the permit fee, the current per-square-foot land value as determined by the King County Assessor of the closest privately-owned parcel or parcels with the same zoning or shoreline designation of the Term or Shoreline Street End permitted use area shall be averaged. If the next closest privately-owned parcel or parcels do not have the same underlying zoning or shoreline designation as the abutting government-owned parcel, the Seattle Department of Transportation shall consult with the City Appraiser. The City Appraiser shall determine if the next closest parcel or parcels with similar zoning or shoreline designation reasonably establishes the current per-square-foot land value of the use area in the right of way for fee calculation purposes.

Use area:	Square footage of the permitted encroachment in the right-of-way, as authorized by Seattle Department of Transportation.
Rate of return:	Annualized rate of return on market value of the right-of-way, as established by the City Appraiser or a State of Washington Certified General Real Estate Appraiser retained by the Director of Transportation.
Degree of alienation:	For Term permits, the degree of impact on the public, utilities, right-of-way, and other potential uses of the right-of-way based on City policy, as established by Seattle Department of Transportation. Refer to Table A: Degree of Alienation Factor.
Demand probability:	For Shoreline Street End permits, the estimated demand of probable use shall be based on factors that include, but are not limited to, location, access, size, view, and topography; as established by the City Appraiser or a State of Washington Certified General Real Estate Appraiser retained by the Director of Transportation. Refer to Attachment A: Demand Probability Factor. The Director of Transportation is authorized to update Attachment A based upon the recommendations of the City Appraiser or a State of Washington Certified General Real Estate Appraiser. The new Demand Probability Factor shall become effective when the updated Demand Probability Factor is adopted by rule.
Maritime Industrial Use Discount Factor:	To support the City's policies of protecting its maritime uses, a 50 percent discount factor shall apply to that portion of the Shoreline Street End occupied by a legally-established water-dependant or water-related use as defined in Seattle Municipal Code Section 23.60.944.

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) Notifying property owners that abut shoreline street ends of the need for permits for private use of the street end and of the fee schedule;
- (b) Administering and inspecting shoreline street end use;
- (c) Verifying property boundaries and area of use;
- (d) Matching funds for neighborhood improvements of shoreline street ends for public use;
- (e) Signing, demarcating, and maintaining shoreline street ends;
- (f) Funding street and sidewalk improvements within a half-block radius of any of the shoreline street ends identified in Exhibit A to Resolution 29370 that directly contribute to public access to the shoreline street end.

<b>Table A: Degree of Alienation Factor</b>				
<b>Use code:</b>	<b>Use description:</b>		<b>Examples:</b>	<b>Factor rate:</b>
61E	sub-surface*:	utility tunnels/structures	Privately-maintained utility tunnels connecting parcels	0.3
61F		vehicle/pedestrian tunnels	Underground pedestrian concourses	0.25
61G	at-grade:	public plazas, artwork	Privately-maintained public plazas	0.1
61H		Structures/restricted access	Building encroachments, skybridge columns	0.8
61I		utility structures	Wastewater pump stations	0.5
61J	above grade*:	overhead building structures	Building roof projections	0.75
61K		skybridges (private use)	Skybridges connecting office building or condominium garage access	2.0
61L		skybridges (public use)	Skybridges connecting to the public transportation network	0.1
61M		skybridges (semi-public use)	Skybridges connecting hospitals, department stores, hotels/convention centers	0.75
61N		vehicle bridges	Overhead vehicle bridges connecting private structures	0.5
61O		vehicle ramps	Privately-owned vehicle ramps connecting to a portion of the public transportation network (portion of ramp may be at-grade)	0.2
61P		sub-surface, at-grade, or above-grade:	sustainable building features**	A building appurtenance identified as being necessary to achieve the Living Building Challenge or LEED platinum certification; including but not limited to photovoltaic arrays, wind generators, or cisterns.

\* 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.


\*\* In order to qualify for this term permit use code, the development must be participating in the City's Living Building Pilot Program, be capable of achieving Leadership in Energy and Environmental Design (LEED) platinum certification, or both.

1 Section 2. This ordinance and attachment shall take effect on March 31, 2016.


2 Passed by the City Council the 23<sup>rd</sup> day of Nov., 2015, and

3 signed by me in open session in authentication of its passage this

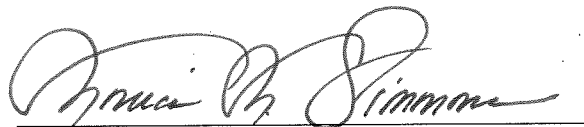
4 23<sup>rd</sup> day of Nov., 2015.

5  
6   
7 President \_\_\_\_\_ of the City Council

8  
9 Approved by me this 7<sup>th</sup> day of December, 2015.

10  
11   
12 Edward B. Murray, Mayor

13  
14 Filed by me this 1<sup>st</sup> day of December, 2015.

15  
16   
17 Monica Martinez Simmons, City Clerk

18  
19  
20 (Seal)

21 Attachments:

22 Attachment A - SDOT Street Use Permit Fee Schedule