

Amendment 1 to CB 119769 - Allow administrative approval of some certificates of approval in the International Special Review District (ISRD) and prohibit virtual meetings of the ISRD Board
Sponsor: Morales
For April 27, 2020

This amendment would allow the Director of the Department of Neighborhoods to approve certificates of approval for some changes within the International Special Review District (ISRD). It would also remove a provision that would have allowed for virtual meetings of the ISRD Board in lieu of in person meeting. If in person meetings could not be held safely, ISRD Board meetings would not be held for 60 days. The amendment clarifies Council intent regarding prioritizing projects that aren't opposed by community. The amendment also corrects some drafting errors which included incorrect cross references and references to meetings that are not required for Administrative and Streamlined Design Review.

Changes are shown in [track changes](#).

Amend Sections 9, 27, 28, 29, 30, 36, 5 and 6, as follows:

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Section 9. Section 23.66.030 of the Seattle Municipal Code, last amended by Ordinance 125603, is amended as follows:

23.66.030 Certificates of approval-Application, review and appeals

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D. Review

1. Review when no special review board is established

a. When there is no special review board, the Department of Neighborhoods Director shall, within 30 days of a determination that an application for a certificate of approval is complete, determine whether the proposed action is consistent with the use and development standards for the district and shall, within 15 additional days, issue, issue with conditions, or deny the requested certificate of approval.

b. A copy of the Department of Neighborhoods Director's decision shall be sent to the Director and mailed to the owner and the applicant at the addresses provided in the application. Notice of the Director's decision also shall be provided to any person who, prior to

the rendering of the decision, made a written request to receive notice of the decision or submitted written substantive comments on the application.

2. Review when special review board is established

a. When a special review board has been established, the board shall hold a public meeting to receive comments on certificate of approval applications.

b. Notice of the board's public meeting shall be posted in two prominent locations in the district at least three days prior to the meeting.

c. The board, after reviewing the application and considering the information received at the public meeting, shall make a written recommendation to the Department of Neighborhoods Director to grant, grant with conditions, or deny the certificate of approval application based upon the consistency of the proposed action with the requirements of this Chapter 23.66, the district use and development standards, and the purposes for creating the district. The board shall make its recommendation within 30 days of the receipt of a completed application by the board staff, except that the applicant may waive the deadlines in writing for the special review board to make a recommendation or the Director of the Department of Neighborhoods to make a decision, if the applicant also waives any deadlines on the review or issuance of related permits that are under review by the Seattle Department of Construction and Inspections.

d. The Department of Neighborhoods Director shall, within 15 days of receiving the board's recommendation, issue or deny a certificate of approval or issue an approval with conditions.

e. A copy of the decision shall be sent to the Director and mailed to the owner and the applicant at the addresses provided in the application. Notice of the decision shall

be provided to any person who, prior to the rendering of the decision, made a written request for notice of the decision, or submitted substantive written comments on the application.

3. Notwithstanding any contrary provision of Section 23.66.020 or Title 23, while this ordinance is in effect, applications for certificates of approval, ~~in the Pioneer Square Preservation District,~~ whether pending or filed during the foregoing period, for the following items shall be subject to the process in subsection 23.66.030.D.1 rather than the process in subsection 23.66.030.D.2:

a. The installation, removal, or alteration of: fire escapes, ducts, conduits, HVAC vents, grilles, pipes, panels, weatherheads, wiring, meters, utility connections, downspouts and gutters, or other similar mechanical, electrical, or telecommunication elements necessary for the normal operation of the site, building, or structure.

b. Installation, removal, or alteration of exterior light fixtures, exterior security lighting, and security system equipment.

c. Installation, removal, or alteration of exterior or interior signage.

d. Installation, removal, or alteration of awnings or canopies.

e. Alterations to storefront systems, if the proposed alterations are sympathetic to and do not destroy historic building materials.

f. Alteration to interior or exterior paint colors and other finishes when painting a previously painted or otherwise finished material.

g. Installation, removal, or alteration of the following landscape elements: shrubs; perennials; annuals; and similar low-lying plantings.

h. Installation, removal, or alteration of the following site furnishings: benches; movable tables and seating; movable planters; movable water features; trash/recycling receptacles; and bike racks.

i. Right-of-way alterations, including but not limited to alterations to sidewalks, curbs, and the roadway.

j. Installation of improvements for accessibility compliance.

Installation, removal, or alteration of fire and life safety equipment.

k. Installation, removal, or alteration of fire and life safety equipment.

l. Emergency repairs that are not already considered in-kind repair, if the proposed replacement material used for the repair is compatible with the historic building fabric.

m. Change of use, establishment of a new use, or expansion of use, if use is a preferred use per Chapter 23.66 or applicable district rules.

n. The alteration of existing doors and windows, including changing a door to a window or a window to a door, as long as the proposed alterations are sympathetic to and do not destroy historic building materials.

o. Revisions to a previously approved Certificate of Approval, where the design revisions are sympathetic to and do not destroy historic building materials.

p. In the Pioneer Square Special Review District, installation of a penthouse, where the penthouse complies with the applicable Secretary of Interior Standard for Rehabilitation and National Parks Service Preservation Brief 14.

4. A decision denying a certificate of approval shall state the specific reasons for the denial and explain why the proposed changes are inconsistent with the requirements of this Subchapter I and adopted use and development standards for the district.

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Section 27. All public meetings of the Landmarks Preservation Board provided for in Sections 25.12.380, 25.12.390, 25.12.420, 25.12.500, 25.12.520, and 25.12.720 of the Seattle Municipal Code are suspended until the earlier of (a) 60 days after the effective date of this ordinance; (b) the date the Department places in operation a system, consistent with applicable statutory requirements, for holding meetings of the Landmarks Preservation Board, ~~Landmark District Boards, Special Review District Boards and Historical Commissions~~ that do not involve in-person contact but that do provide access to all interested parties in languages commonly spoken in the area; or (c) the date when the Landmarks Preservation Board resumes meetings involving in-person contact consistent with applicable statutory and public health requirements.

Section 28. All public meetings provided for in Sections and subsections 23.66.030.D.2, 23.69.032, 23.76.015, 23.78.010, 23.79.008, 25.16.100, 25.20.090.A, 25.21.110.A, 25.22.110.A, 25.24.070.A, and 25.30.090.A of the Seattle Municipal Code are suspended until the earlier of (a) 60 days after the effective date of this ordinance; (b) the date the City places in operation a system, consistent with applicable statutory requirements, for holding meetings of the Landmarks Preservation Board, Landmark District Boards, ~~Special Review District Boards~~ Pioneer Square Preservation Board, Historical Commissions, and ~~other review bodies~~ Development Standard Advisory Committees without in-person contact but that do provide access to all interested parties in languages commonly spoken in the area; or (c) the date when the meetings can resume with in-person contact consistent with applicable statutory and public health requirements.

Section 29. The time periods provided for in Sections and subsections 23.66.030.D.2, 23.79.008.D, 25.12.730, 25.16.100.A, 25.20.090.A, 25.20.100.A, 25.21.110.A, 25.21.120, 25.22.110.A, 25.22.120, 25.24.070.A, 25.30.090.A, and 25.30.100 of the Seattle Municipal

Code, to the extent those periods are linked to public meetings suspended according to sections 25 and 26 of this ordinance or to actions that depend on the occurrence of such public meetings, are suspended and tolled for the period of time during which those meetings are suspended according to sections ~~25-27~~ and ~~26-28~~ of this ordinance.

Section 30. The requirements of Sections and subsections 25.12.770, 25.12.850.B, and 25.30.070 of the Seattle Municipal Code wherein approval is deemed to be granted or work may proceed if a decision is not issued in a given time, or a proceeding terminates upon the failure of an event to occur, are suspended for the period of time during which any meeting relevant to the matter in question is suspended according to sections 25 and 26 of this ordinance and any time limit leading to automatic approval or termination under those provisions is tolled for the period of time during which such a meeting is suspended according to sections ~~25-27~~ and ~~26-28~~ of this ordinance.

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Section 36. When meetings of the International Special Review District Board, Landmarks Preservation Board and other Historic, Landmarks, and Special Review District Boards and Commissions resume, the Council requests that those boards and commissions apply an equity lens and prioritize projects ~~with-without~~ strong community ~~support~~ opposition in scheduling their agendas, to the extent possible taking into account existing rules and regulations.

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Section 5. Subsection 23.41.016.B of the Seattle Municipal Code, which section was last amended by Ordinance 125429, is amended as follows:

23.41.016 Administrative design review process

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B. Community outreach

1. Applicants shall prepare a community outreach. The outreach plan shall include, at minimum, the following outreach methods: printed, electronic or digital, and in-person; except that, while this ordinance is in effect, a high impact electronic or digital outreach method from Seattle Department of Construction and Inspections Director's Rule 4-2018, or its successor rule, that is not already being used to meet the electronic or digital outreach requirement, shall satisfy the requirement for in-person outreach methods regardless of the contents of an outreach plan, and a project may ~~proceed to the early design guidance process be scheduled for an early design guidance meeting, to the extent such a meeting may be held according to subsection 23.41.004.D,~~ notwithstanding a lack of in-person outreach.

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Section 6. Subsection 23.41.018.B of the Seattle Municipal Code, which section was last amended by Ordinance 125429, is amended as follows:

23.41.018 Streamlined administrative design review (SDR) process

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B. Community outreach

1. Applicants shall prepare a community outreach. The outreach plan shall include, at minimum, the following outreach methods: printed, electronic or digital, and in-person; except that, while this ordinance is in effect, a high impact electronic or digital outreach method from Seattle Department of Construction and Inspections Director's Rule 4-2018, or its successor rule, that is not already being used to meet the electronic or digital outreach

requirement, shall satisfy the requirement for in-person outreach methods regardless of the contents of an outreach plan, and a project may proceed to the early design guidance process be scheduled for an early design guidance meeting, to the extent such a meeting may be held according to subsection 23.41.004.D, notwithstanding a lack of in-person outreach.