



Legislation Details (With Text)

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On agenda: 11/23/2015
Final Action: 12/1/2015 **Ord. No.** Ord 124918

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.

Sponsors: Nick Licata

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Signed Ord 124918

Date	Ver.	Action By	Action	Result
12/1/2015	1	City Clerk	attested by City Clerk	
12/1/2015	1	Mayor	returned	
12/1/2015	1	Mayor	Signed	
11/30/2015	1	City Clerk	submitted for Mayor's signature	
11/23/2015	1	City Council	passed	Pass
11/16/2015	1	Select Budget Committee	pass	Pass
10/26/2015	1	City Council	referred	
10/20/2015	1	City Clerk	sent for review	
9/28/2015	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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 ((~~sub~~title)) 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 ((~~sub~~title)) 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 ((~~sub~~title)) Subtitle IX. Where "DPD hourly rate" is specified in this ((~~sub~~title)) 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 APPROVALS	
Hours worked beyond those covered by minimum will be charged the Land Use hourly rate, unless otherwise specified at the 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 day care centers, private senior care facilities and public and private libraries in single family and multi-family zones shall be charged a minimum fee of 20 hours. Additional hours shall be charged at the rate of ((\$250) <u>\$280</u>) an hour. This exception applies to applications for ACUs only, or an ACU combined with a variance application.	
2. Design Review The minimum fee for Administrative Design Review, Master Planned Community Design Review is ((\$2,500) <u>\$2,800</u>). The minimum fee for full Design Review is ((\$5,000) <u>\$5,600</u>) for full Design 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.	
7. Special exceptions	
8. Variances ² Variances for community centers, child care centers, adult care centers, private senior care facilities and public and private libraries in single family and multi-family zones shall be charged a minimum fee of \$1,620. Additional hours shall be charged at the rate of ((\$250) <u>\$280</u>) an hour. This exception applies if the application is for a variance combined only with an ACU application.	

9. Type II land use approvals such as, but not limited to, planned community/ residential development 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 II uses 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	
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 specified on 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 25.11.07 and 25.11.080 to protect exceptional tree if no other review required	Land Use Hourly × 10
b. Design review elected by applicant for tree protection	Land Use Hourly × 10
16. Other Environmentally Critical Area (ECA) (SMC) Chapter 25.09 or Chapter 23.60A	Land Use Hourly × 1
a. ECA review for Wetlands, Fish & Wildlife Areas on land use or construction permits shall be charged on an hourly basis	
b. Review to determine Environmentally Critical Areas for Wetlands and Riparian Corridor and Shoreline 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 #10 for 22.900D.010 for additional fees that may apply	Land Use Hourly × 2
19. Extensions of Type IV Council Land Use Development	Land Use Hourly × 2
20. Land Use Code Interpretations ⁶	Land Use Hourly × 10
21. Letters for detailed zoning analysis or permit	Land Use Hourly × 4
22. Lot Boundary Adjustment, Temporary Use Permits: Refer to Table D-2 #10 for 22.900D.010 for additional fees for this permit type	Land Use Hourly × 5
23. Major Institution - review of annual plan	Land Use Hourly × 6
24. Major phased development permit - minor adjustments	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	Land Use Hourly × 4

28. Pre-application conference ⁷	Land Use Hourly × 2
29. Property Use and Development Agreement amendment	Land Use Hourly × 2
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 advisor reviews	Land Use Hourly × 10
34. Shoreline exemptions	Land Use Hourly × 1
35. Shoreline permit revisions not due to require	Land Use Hourly × 2
36. Special accommodation	Land Use Hourly × 2
37. Structural building overhangs and areaways component	Land Use Hourly × 2
38. Tree and Vegetation Restoration Review in minimum threshold where SEPA is not required restoration (25.09.320.A.3.c(2)(b))	Land Use Hourly × 2
39. Street Improvement Exceptions on a Land U	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 each occurrence	DPD Base Fee × 1
43. Notice. All notice is charged based upon type 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 Cd	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 definition of "housing, low income" in Section 23.84A.016; and (2) where at least 50 percent of the site on the site is committed to low-income housing use for at least 20 years. ² The single variance fee requires one or multiple variances. ³ Includes short subdivisions in environmentally critical areas. ⁴ Includes subdivisions in environmentally critical areas. ⁵ This fee applies if design review is initiated only if the project has no other review under Items 1-14. ⁶ The fees for interpretations of ((SMC)) Chapters 25.12, 25.13, 25.14, 25.15, 25.16, 25.17, 25.18, 25.19, 25.20, 25.21, 25.22, 25.23, 25.24, 25.25, 25.26, 25.27, 25.28, 25.29, 25.30, 25.31, 25.32, 25.33, 25.34, 25.35, 25.36, 25.37, 25.38, 25.39, 25.40, 25.41, 25.42, 25.43, 25.44, 25.45, 25.46, 25.47, 25.48, 25.49, 25.50, 25.51, 25.52, 25.53, 25.54, 25.55, 25.56, 25.57, 25.58, 25.59, 25.60, 25.61, 25.62, 25.63, 25.64, 25.65, 25.66, 25.67, 25.68, 25.69, 25.70, 25.71, 25.72, 25.73, 25.74, 25.75, 25.76, 25.77, 25.78, 25.79, 25.80, 25.81, 25.82, 25.83, 25.84, 25.85, 25.86, 25.87, 25.88, 25.89, 25.90, 25.91, 25.92, 25.93, 25.94, 25.95, 25.96, 25.97, 25.98, 25.99, 26.00 by the Director of the Department of Neighborhoods. ⁷ The pre-application conference fee covers the research and/or follow-up review time that normally occurs, for a total of two hours. Additional fees are charged at the Land Use hourly rate. See also Section 22.900C.010.E. ⁸ Additional notice may be required, limited to the following: reinstallation of environmental review signs, reposting of the land use review component reviews added subsequent to the original notice, revised decisions, and changes to the project. ⁹ Additional 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 ____ day of _____, 2015, and signed by me in open session in authentication of its passage this ____ day of _____, 2015.

 President _____ of the City Council

Approved by me this ____ day of _____, 2015.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)