

Director’s Report and Recommendation

Interim Suspension Ordinance Reenactment and Extension– Implementing HB 1293

Proposal Summary and Background

During the 2023 session, the State legislature passed [House Bill \(HB\) 1293](#), which requires Seattle and other cities and counties that have a design review program to meet certain requirements by June 30, 2025.

HB 1293 requirements include:

- Using objective rather than subjective guidelines;
- Having only one public meeting as part of the review process;
- Regulating building exteriors only;
- Maintaining the density, height, bulk, or scale at what zoning allows; and
- Integrating design review into the development permit process.

The Seattle Department of Construction and Inspections (SDCI) is proposing a reenactment and extension to the interim suspension of required Design Review established by Ordinance 127309, which expired on April 26, 2026. This Ordinance also extends temporary regulations established by Ordinance 126854 for an additional six months, to exempt from Design Review housing projects that meet Mandatory Housing Affordability requirements using on-site performance units and low-income development.

The proposed reenactment and extension will temporarily suspend required design review for an additional six -months, making design review voluntary for proposed development. These regulations will be in place while SDCI works to update the design review program and guidelines as required by ESHB 1293, as well as updating affordable housing measures. These permanent changes are intended to update the design review program to be more efficient; better meet the current needs of the city for new investment, particularly in varying and more housing options throughout the city; and focus the program on good design outcomes for developments that are most likely to impact the character of neighborhoods with the highest concentrations of residents and visitors. The additional time is needed for City staff to respond to the stakeholder and public engagement recommendations and to work through code amendments, Director’s Rules, Tips, and guidance documents to clarify code requirements and procedures. Permanent legislation and new Design Guidelines are anticipated for council review in the 1st Quarter of 2027.

The interim suspension applies to three types of design review: Streamlined Design Review (SDR), Administrative Design Review (ADR), and Full Design Review (FDR) with Design Review Board (DRB) input. Design review does not apply to single-family detached residences. Design review does not include life and safety reviews which are regulated by other permits and other parts of the Seattle Municipal Code. Design review is focused on building appearance and functionality of site design.

This legislation also extends temporary regulations established by Ordinance 126854 for an additional six months. The temporary regulations exempt proposed development that meet Mandatory Housing Affordability requirements using on-site performance units and low-income housing from Design Review, but allow the Director to approve departures for qualifying proposed development as a Type I decision.

Public Outreach

In 2022 the City Council also adopted a Statement of Legislative Intent (SLI), [City Council SLI SDCI 4A1](#). The SLI directed SDCI and the Office of Planning to work with a stakeholder group to analyze the outcomes of Seattle’s design review program and recommend best practices, and options for program modifications, including addressing barriers to equitable participation. SDCI and OPCD delivered this [analysis](#) to Council in August 2024.

In October-November 2024, SDCI worked with a consultant (Seva Workshop) to conduct public outreach focused on Design Review Program changes, including recommendations related to the overall Design Review Program, Design Guidelines, prioritizing important community assets through design review, public engagement, and equitable development.

SDCI recommends the interim suspension Ordinance Extension to allow for additional outreach and further development of the permanent legislation to address SHB1293

One Seattle Comprehensive Plan Goals and Policies

The proposal is consistent with relevant goals and policies in the One Seattle Plan including:

LU 1.3 Apply development standards such that new uses and buildings protect public health and safety and minimize impacts on adjacent homes and businesses.

LU 1.4 Encourage development that contributes to vibrant, equitable, complete and walkable neighborhoods.

LU 1.5 Seek to balance that benefits of regulating land use development with the impacts to property owners and cost of housing and non-residential space.

LU G2 Seattle’s unique character and sense of place, including its natural setting, history design quality, and community identity, is maintained and enhanced as the city grows and changes.

LU 2.9 Encourage preservation of characteristics and features that contribute to communities' multiple identities, including in areas of historic, architectural, cultural, or social significance.

LU G 4 Development standards effectively guide building design to serve each zone's function; produce the scale and building forms desired; protect public health, safety, and welfare; protect the environment; and address the need for new housing and commercial space.

LU 4.1 Allow for flexibility in development standards so existing structures can be maintained and improved and new developments can respond to site-specific conditions.

LU 4.2 Develop and apply development standards that provide predictability regarding the allowed intensity of development and expected development types for each zone.

LU 4.5 Consider opportunities to create gradual transitions in allowed building height and scale within blocks, across alleys, and between areas of higher density and lower density when modifying maximum heights.

LU 4.18 Seek excellence in new development through a design review process that complements development regulations and allows for flexibility in the application of development standards to achieve quality design.

Recommendation

The Director of SDCI recommends that the City Council adopt the proposed reenactment and extension of the interim design review legislation to avoid potential preemption by ESHB 1293. It allows for additional time for City staff to respond to the stakeholder and public engagement recommendations to work through code amendments, Director's Rules, Tips, and guidance documents to clarify code requirements and procedures. In addition, since the passage of ESHB 1293, the State Legislature passed SB 5571, which further reforms permitting requirements and requires additional time to integrate into new legislation and design guidelines. Permanent legislation and new Design Guidelines are anticipated for Council review in 1st Quarter, 2027.

This legislation also extends temporary regulations established by Ordinance 126854 for an additional six months. The temporary regulations exempt proposed development that meet Mandatory Housing Affordability requirements using on-site performance units and low-income housing from Design Review, but allow the Director to approve departures for qualifying proposed development as a Type I decision.

The proposal is consistent with the Comprehensive Plan and with recently adopted State law directing the adoption of proposed land use code amendments for design review.