

EXHIBIT A

Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

Master Use Permit (MUP) Overview

June 2, 2011

This Tip is intended to provide an overview of Seattle DCI's land use permit framework, and in particular, the Master Use Permit (MUP). It provides general information about the types of land use permits, the time and approximate costs associated with them, and the processes involved in these permits.

What is Seattle's Framework for Land Use Decisions?

The Land Use Code classifies land use decisions into five (5) categories based on the level of discretion and impact associated with each decision. Procedures are distinguished according to who makes the decision, the type and amount of public notice required, and whether appeal opportunities are provided. Type I and II MUP decisions are made by the Seattle DCI Director.

Type I decisions are nonappealable decisions made by Seattle DCI which require the exercise of little or no discretion. Examples include lot boundary adjustments, street /alley improvement exceptions, temporary uses for less than four weeks, streamlined design review and zoning review on construction permit applications.

Type II decisions are discretionary decisions made by Seattle DCI which are subject to administrative appeals. Examples include environmental review (SEPA), design review, variances, short plats and shoreline substantial development permits. Shoreline decisions may be appealed to the Shoreline Hearings Board, and other Type II decisions may be appealed to the City's Hearing Examiner.

Type III decisions (full subdivisions) are made by the Hearing Examiner after Seattle DCI reviews, prepares and publishes a written recommendation on the

proposal. The Hearing Examiner conducts a public hearing on the proposal together with any appeals of a related environmental decision.

Type IV and V decisions are City Council land use decisions. Examples of a Type IV decision include rezones (site specific) and major institution master plans. Examples of Type V decisions include area-wide rezones and land use code text amendments. Seattle DCI reviews and writes a recommendation on proposals requiring Council decisions. **Type IV** decisions are quasi-judicial decisions made by the Council pursuant to existing legislative standards and based upon the Hearing Examiner's record and recommendation. **Type V** decisions are legislative decisions made by the Council in its capacity to establish policy and manage public lands.

What is a Master Use Permit (MUP)?

A MUP is a single land use permit that integrates the process, procedures, and review of all nonappealable and appealable land use decisions that are made by Seattle DCI. The MUP generally includes discretionary land use decisions associated with a given development or use proposal, and provides for the consolidated appeal of those land use decisions. Examples of the most common types of discretionary decisions made by Seattle DCI include short plats, variances, conditional uses, shoreline substantial development, design review, and environmental review (SEPA). These decision types are components of the MUP, and applications may require one or more components.

How do I apply for a MUP?

Seattle DCI advises that you begin your research of applicable land use provisions as soon as possible in the development process in order to determine if a proposal will require a land use discretionary approval, and to identify applicable regulations related to your property or proposal. More detailed information about the land use permit process, application requirements, and forms are available on Seattle DCI's website at www.seattle.gov/sdci.



Most projects require pre-review by several City departments including Seattle DCI, Seattle Department of Transportation and Seattle Public Utilities for early identification of possible issues related to infrastructure improvements such as street improvements and drainage as well as historic districts/landmark buildings. This review results in an interdepartmental Preliminary Assessment Report (PAR). You will receive your PAR in two to three weeks. In addition, if your proposal involves ground disturbance (including staging areas) or tree or vegetation removal, a pre-application site visit (PASV) by Seattle DCI's site development team may be required.

A pre-submittal conference with a Seattle DCI land use planner is required for proposals involving design review and for full subdivisions, and is recommended for other types of proposals that may be complex or controversial, including rezones and other Council decisions.

Applications for all types of land use decisions require a land use intake appointment and specific plans and associated documentation, such as forms and technical reports, as well as fees.

How long does the process take and how much does it cost?

Generally, less complex proposals take less time to complete reviews than more complex and/or controversial proposals. The review process is dependent upon several factors, only one of which is Seattle DCI review; the quality of plans and associated documentation, applicant response time to correction letters and requests for further information, and public interest are additional factors that affect the time to review a land use proposal.

The costs associated with a Master Use Permit vary with the type of approval and the complexity of the project. Fees and fee collection policies for all services associated with Seattle DCI permit application reviews are detailed in the current Seattle DCI Fee Ordinance, which can be found on Seattle DCI's website at: www.seattle.gov/dpd/codesrules/codes/fees/. Fees are based on the actual hourly cost of reviewing the applications; including time associated with public meetings, responding to phone calls, emails, letters and appeals. Land use permits include a minimum fee to cover processing and review activities, however additional hourly costs may accrue if review time exceeds the time included in the minimum fee that was collected at the time of the application. Monthly

billing keeps the applicant informed about fees as they accrue for hourly reviews.

The attached table provides information about estimated costs and timelines with a variety of MUP components, based on data collected for past application reviews.

In 2011, Seattle DCI initiated a monthly billing process in 2011 for all Master Use Permit applications. The financially responsible party will receive monthly invoices for hourly fees associated with work performed on a project once Seattle DCI staff have exceeded the hours that are covered in the minimum land use fee paid at permit application.

What about Public Notice and Appeals?

The City of Seattle's Land Use Code has specific requirements for notifying the public of opportunities to comment on proposed land use activities. The type and extent of this notice generally depends on the type of project in question. Our primary notice methods include one or more of the following: notice mailed to nearby property owners/residents; lawn signs posted on the proposal site, large environmental signs on the proposal site, and Seattle DCI's online Land Use Information Bulletin.

After staff review a land use permit application and any/all corrections or revisions have been completed by the applicant, a decision is issued, which may be appealed by interested parties – the applicant and/or members of the public. An appeal is an opportunity to challenge a Seattle DCI decision without having to go to court. Shoreline permits are appealable to the Shoreline Hearings Board. (Department of Ecology.)

Can a MUP Expire?

In most cases, the approval expires three years from the date a permit is approved for issuance. Land use permits may be extended or renewed for an additional two or three years depending on certain facts of the permit application. Shoreline permits are subject to different expiration and renewal regulations pursuant to state requirements.

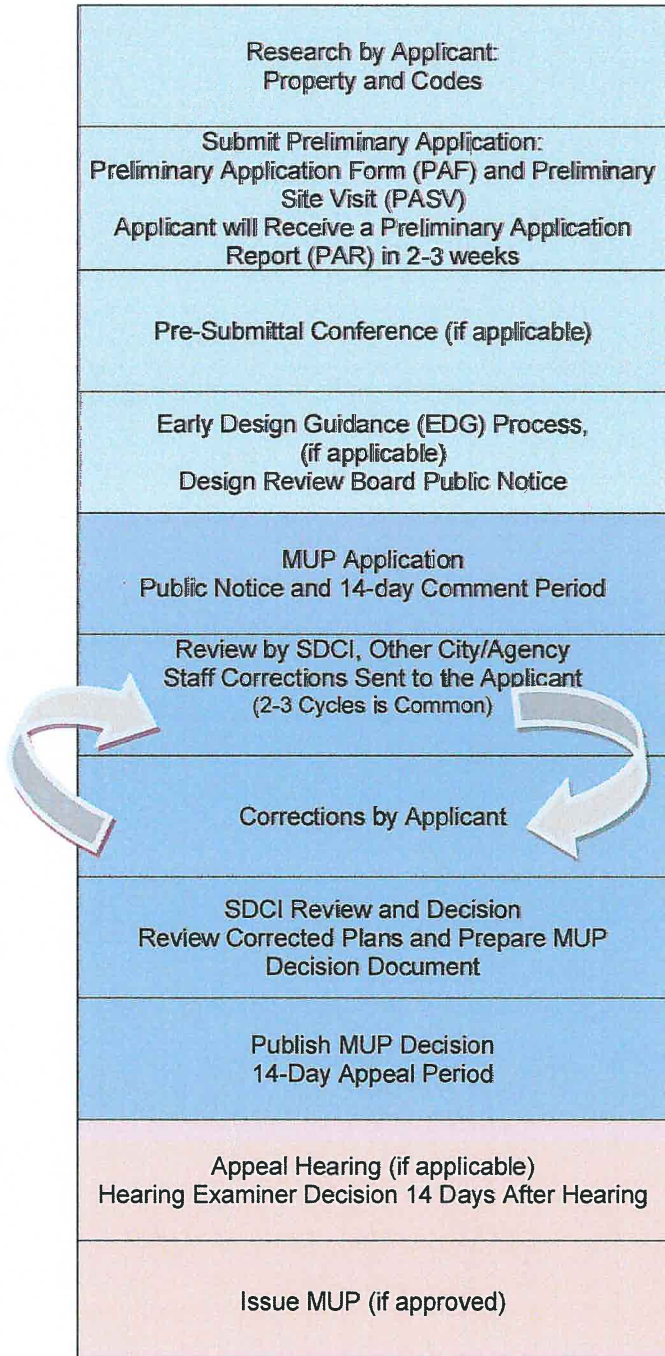
When can I apply for my Building Permit?

Most land use permit approvals must be issued before an associated construction, grading or demolition permit can be issued.

Many MUP decisions include conditions that must be satisfied at various stages of the permit process

(for example; prior to MUP issuance, prior to building permit application, prior to building permit issuance, prior to construction, and during construction). It is important that you review the MUP decision or recommendation to assure that you meet the conditions required at the various permit stages. This is an important aspect in keeping your permit and construction processes moving forward smoothly without unnecessary delays.

MUP Process



Access to Information

Links to electronic versions of Seattle DCI **Tips**, **Director's Rules**, and the **Seattle Municipal Code** are available our website at www.seattle.gov/sdci. Paper copies of these documents, as well as additional regulations mentioned in this Tip, are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave. in downtown Seattle, (206) 684-8467.

LEGAL DISCLAIMER: This Tip should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this Tip.

Application Type	Project Types	Estimated Permitting Timeline	Basic LU Hourly Range**	Basic Hourly Cost Range* @ \$250/hr
Lot Boundary Adjustment	Basic	2-4 months	5-7 hrs	\$1250-\$1750
Short Plats	Basic	3-4 months	10-16 hrs	\$2500-\$4000
Full Subdivisions	Preliminary Phase	8-10 months	25-40 hrs	\$6250-\$10,000
*Final plat submittal is initiated @ SDOT, who may have separate additional fees	Final Plat Phase	2 months	10-30 hrs	
SEPA	Basic	4-10 months	15-25 hrs	\$3750 - \$6250
Administrative *** Conditional Use	Basic	5-7 months	15-20 hrs	\$3750 - \$5000
	Minor Communication Utilities		10-15	\$2500 - \$3750
	Human Services	1-6 months	10-35 hrs	\$2500 - \$8750***
Variances	Basic	5-8 months	20-30 hrs	\$5000 - \$7500
Temporary Uses (up to 6 mos.)	Basic	2-3 months	10-20 hrs	\$2500 - \$5000
Early Design Guidance	For all types of DR projects	2-4 months	15-25 hrs	\$3750 - \$6250
Design Review	Basic w/SEPA	6-12 months	65-70 hrs	\$16,250 - \$17,500
	Additional for All projects	2-4 months	15-25 hrs	\$3750 - \$6250
	Downtown Zones		70-150 hrs	\$17,500 - \$37,500
	w/Council Action such as rezone, alley vac.		120-200 hrs	\$30,000 - \$50,000
Design Review, Streamlined	Townhouse housing type only	3-5 months	20-25 hrs	\$5000 - \$6250
Design Review, Administrative	Townhouses	3-5 months	20-25 hrs	\$5000 - \$6250
	Other Types		25-35 hrs	\$6250 - \$8750
Shoreline permits	Basic	5-6 months	15-25 hrs	\$3750 - \$6250
	Complex/Controversial	6-10 months	25-50 hrs	\$6250 - \$12,500
Rezoning	Basic w/Development proposal	6-14 months	120-200 hrs	\$30,000 - \$50,000
	w/o Development proposal		80-100 hrs	\$20,000 - \$25,000
Council Actions such as public facilities like fire stations, not meeting development status	Basic	4-12 months	40-80 hrs	\$10,000 - \$20,000

Additional Cost or Complexity Factors Which Increase The Overall Cost of MUP Permits

Some development proposals experience one or more of the complexity factors that can increase the cost and overall timing of the permit review process. If more than one application type is involved and/or if more than one complexity factor is in play, applicants should anticipate that review time spent and the overall timeline to obtain the permit will increase above the added impacts for a single application type or complexity factor.

Applicants are advised to review the list of factors and consider how they can play a proactive role in managing the complexity in the permit process.

Complexity Factor - Environmentally Critical Areas (ECA)

Developments on sites with ECAs will always requires more review time, and will have higher permit fees. Reviews by technical staff such as geotechnical engineers, wetland and fish and wildlife experts add billable time. Technical reports may be needed as well as requirements for mitigation, surveying and ECA covenants, etc. **Additional billable time for ECA review may add 30-50 percent or more to the cost of the permit and timelines as shown in the estimate table.**

Complexity Factor - Applicant Responsiveness

To help minimize the number of hours spent by a planner on a project, applicants should:

- Submit a complete set of plans and reports at intake
- Respond to all corrections requested by all reviewers
- At the time of correction re-submittal, show where to find the corrected info on the plans
- Ask for clarification when needed, but minimize repeat conversations or arguing about details (refer to ***How to Resolve a Permit Disagreement*** form at: http://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web_informational/dpdp025794.pdf)
- Check for project status on our website versus contacting the reviewers, unless they are behind target dates. Permit & Complaint status web link: <http://web6.seattle.gov/dpd/permitstatus/>
- **Additional Billable time for lack of applicant responsiveness may add 10-20 percent or more to the cost of the permit and timelines as shown in the basic estimate table.**

Complexity Factor - Public Opposition and/or Appeal

Public inquiry and opposition regarding a development can add billable hours to the overall cost of the project. Planners may bill additional time in the following ways:

- Responding to phone or email inquiries about the project impacts
- Spending time coordinating with applicants to address public concerns
- Scheduling and staffing additional public meetings if significant public concern
- Preparing for and attending an appeal hearing
- **Additional billable time related to public inquiry and opposition, or appeal of the project to the Hearing Examiner may add 20-50 percent or more to the cost of the permit and timelines as shown in the basic estimate table.**

*** Basic Hourly Cost Range and Complexity Factors** – Due to the nature or location of some development proposals, the review process may experience one or more complexity factors that may increase the cost and overall timing of the permit review process. If more than one application type is involved and/or more than one complexity factor is in play, applicants should anticipate that review time spent and the overall timeline to obtain the permit will increase above the added impacts for a single application type or complexity factor. Applicants are advised to review the list of factors and consider how they play a role in creating or managing the complexity in the permit process.

****Basic Hourly Costs for Master Use Permits** - Below is a list of tasks for which your land use reviewer will charge an hourly fee. Please talk with your land use planner if you have questions about fees for your project.

- Site visits
- Research, such as past permit history, precedents in similar discretionary decisions, etc.
- Zoning review
- Pre-submittal assistance
- Review of file application materials in preparation for written analysis and decision
- Corrected plan review (time and number dependent on quality and completeness of application materials)
- Land use review on building permits
- Phone calls and/or meeting with neighbors (Applicants are encouraged to discuss development proposals with affected parties early and often.)
- Phone calls with project contact person, owner, and architect
- Meetings with applicant, contact person, owner, architect
- Coordination and/or meeting with other City departments (Seattle Transportation, Seattle City Light, Department of Neighborhoods, Seattle Public Utilities, etc.)
- Coordination and/or meeting with State agencies (DOE, Fish & Wildlife, etc.)
- Coordination and/or meeting with other Seattle DCI reviewers (geotech, shorelines, wetlands specialists, etc.)
- Presentation/discussion of project issues at team meetings, code clarification meetings
- Design review public meetings
- Preparation of design guidelines and recommendations
- Work with in-house Design team
- Drafting land use decisions
- Review of decision by supervisor
- Edits of decision for publication
- Reviewing project after published decision to assure conditions are met and plans are updated
- Preparation for appeal hearings
- Appeal hearings
- Demolition, Tenant Relocation Assistance Ordinance coordination
- Final review of MUP issuance
- Coordination and enforcement of land use conditions and design review design elements during construction of the project.

*****Fees for Human Service Uses** – Some human service uses receive a fee subsidy for their permit application. Per Fee Subtitle 22.900C, Table C-1, Administrative Conditional Uses (ACU) for community centers, child care centers, adult care centers, private schools, religious facilities and public and private libraries in single-family and multi-family zones shall be charged a lesser minimum fee of \$1,620 for the first 20 hours. Additional hours shall be charged at the rate of \$250 per hour. This exception applies when the application is for an ACU only, or an ACU combined with a variance application.

EXHIBIT B

3. [CB 118893](#) AN ORDINANCE relating to land use and zoning; amending Sections 3.58.040, 3.58.060, 23.22.062, 23.24.040, 23.24.045, 23.40.002, 23.41.004, 23.41.012, 23.41.014, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.022, 23.45.510, 23.45.512, 23.45.514, 23.45.518, 23.45.524, 23.45.528, 23.45.536, 23.45.570, 23.47A.004, 23.47A.005, 23.47A.008, 23.47A.009, 23.47A.012, 23.47A.016, 23.47A.022, 23.48.020, 23.48.025, 23.48.085, 23.48.220, 23.48.245, 23.48.420, 23.49.008, 23.49.011, 23.49.015, 23.49.019, 23.49.028, 23.49.058, 23.49.164, 23.50.020, 23.53.006, 23.53.015, 23.53.030, 23.54.015, 23.54.030, 23.54.040, 23.55.014, 23.55.015, 23.55.020, 23.66.140, 23.66.338, 23.71.044, 23.73.008, 23.73.009, 23.73.014, 23.73.015, 23.76.004, 23.76.006, 23.76.060, 23.84A.024, 23.84A.032, 23.84A.036, 23.84A.038, 23.86.006, 23.86.007, 23.86.028, and 25.11.070 of the Seattle Municipal Code; and repealing Section 22.202.070 of the Seattle Municipal Code, to correct typographical errors, correct section references, clarify regulations, and make minor amendments.

Attachments: [Full Text: CB 118893 v1](#)

Supporting Documents: [Summary and Fiscal Note](#)
 [Director's Report](#)
 [SDCI Memo \(01/19/17\)](#)

Discussion (15 minutes)

Presenters: Mike Podowski and Bill Mills, SDCI; Ketil Freeman and Eric McConaghy, Council Central Staff

E. Adjournment

1 **23.76.006 Master Use Permits required**

2 A. Type I, II, and III decisions are components of Master Use Permits. Master Use
3 Permits are required for all projects requiring one or more of these decisions.

4 * * *

5 C. The following are Type II decisions:

6 1. The following procedural environmental decisions for Master Use Permits
7 and for building, demolition, grading, and other construction permits are subject to appeal to
8 the Hearing Examiner and are not subject to further appeal to the City Council (supplemental
9 procedures for environmental review are established in Chapter 25.05, Environmental Policies
10 and Procedures):

- 11 a. Determination of Non-significance (DNS), including mitigated DNS;
- 12 b. Determination that a final Environmental Impact Statement (EIS) is
13 adequate; and
- 14 c. Determination of Significance based solely on historic and cultural
15 preservation.

16 2. The following decisions are subject to appeal to the Hearing Examiner
17 (except shoreline decisions and related environmental determinations that are appealable to
18 the Shorelines Hearings Board):

- 19 a. Establishment or change of use for temporary uses more than four
20 weeks not otherwise permitted in the zone or not meeting development standards, including
21 the establishment of temporary uses and facilities to construct a light rail transit system for so
22 long as is necessary to construct the system as provided in subsection 23.42.040.F, but
23 excepting temporary relocation of police and fire stations for 24 months or less;

- 1 b. Short subdivisions;
- 2 c. Variances, provided that the decision on variances sought as part of a
3 Council land use decision shall be made by the Council pursuant to Section 23.76.036;
- 4 d. Special exceptions, provided that the decision on special exceptions
5 sought as part of a Council land use decision shall be made by the Council pursuant to Section
6 23.76.036;
- 7 e. Design review decisions, except for streamlined design review
8 decisions pursuant to Section 23.41.018 if no development standard departures are requested
9 pursuant to Section 23.41.012, and except for design review decisions in a MPC zone
10 pursuant to Section 23.41.020 if no development standard departures are requested pursuant to
11 Section 23.41.012;
- 12 f. Administrative conditional uses, provided that the decision on
13 administrative conditional uses sought as part of a Council land use decision shall be made by
14 the Council pursuant to Section 23.76.036;
- 15 g. The following shoreline decisions, provided that these decisions shall
16 be made by the Council pursuant to Section 23.76.036 when they are sought as part of a
17 Council land use decision (supplemental procedures for shoreline decisions are established in
18 Chapter 23.60A):
- 19 1) Shoreline substantial development permits;
- 20 2) Shoreline variances; and
- 21 3) Shoreline conditional uses;
- 22 h. Major Phased Developments;
- 23 i. Determination of project consistency with a planned action ordinance,

1 only if the project requires another Type II decision;

2 j. Establishment of light rail transit facilities necessary to operate and
3 maintain a light rail transit system, in accordance with the provisions of Section 23.80.004;

4 k. Downtown planned community developments;

5 l. Establishment of temporary uses for transitional encampments,
6 except transitional encampment interim uses provided for in subsection 23.76.006.B.2;

7 m. Determination of requirements according to subsections
8 23.58B.025.A.4 and 23.58C.030.A.3; and

9 n. Except for projects determined to be consistent with a planned action
10 ordinance, decisions to ~~((approve,))~~ condition~~((,))~~ or deny based on SEPA policies if such
11 decisions are integrated with the decisions listed in subsections 23.76.006.C.1 or
12 23.76.006.C.2.a. through 23.76.006.C.2.i, and further including any other land use decision
13 that is subject to public notice and administrative appeal; provided that, for decisions listed in
14 subsections 23.76.006.C.2.c, 23.76.006.C.2.d, 23.76.006.C.2.f, and 23.76.006.C.2.g that are
15 made by the Council, integrated decisions to ~~((approve,))~~ condition~~((,))~~ or deny based on
16 SEPA policies are made by the Council pursuant to Section 23.76.036.

17 * * *

18 Section 63. Section 23.76.060 of the Seattle Municipal Code, last amended by
19 Ordinance 123913, is amended as follows:

20 **23.76.060 Expiration and extension of Council land use decisions**

21 * * *

22 E. Extensions. The Council may extend the time limits on Type IV land use decisions
23 for ~~((no more than))~~ two years or such other time as the Council may determine appropriate,

EXHIBIT C

1. [CB 118893](#) AN ORDINANCE relating to land use and zoning; amending Sections 3.58.040, 3.58.060, 23.22.062, 23.24.040, 23.24.045, 23.40.002, 23.41.004, 23.41.012, 23.41.014, 23.44.010, 23.44.012, 23.44.014, 23.44.016, 23.44.022, 23.45.510, 23.45.512, 23.45.514, 23.45.518, 23.45.524, 23.45.528, 23.45.536, 23.45.570, 23.47A.004, 23.47A.005, 23.47A.008, 23.47A.009, 23.47A.012, 23.47A.016, 23.47A.022, 23.48.020, 23.48.025, 23.48.085, 23.48.220, 23.48.245, 23.48.420, 23.49.008, 23.49.011, 23.49.015, 23.49.019, 23.49.028, 23.49.058, 23.49.164, 23.50.020, 23.53.006, 23.53.015, 23.53.030, 23.54.015, 23.54.030, 23.54.040, 23.55.014, 23.55.015, 23.55.020, 23.66.140, 23.66.338, 23.71.044, 23.73.008, 23.73.009, 23.73.014, 23.73.015, 23.76.004, 23.76.006, 23.76.060, 23.84A.024, 23.84A.032, 23.84A.036, 23.84A.038, 23.86.006, 23.86.007, 23.86.028, and 25.11.070 of the Seattle Municipal Code; and repealing Section 22.202.070 of the Seattle Municipal Code, to correct typographical errors, correct section references, clarify regulations, and make minor amendments.

The Committee recommends that Full Council pass as amended the Council Bill (CB).

In Favor: 2 - Johnson, Herbold

Opposed: None

Attachments: [Full Text: CB 118893 v2](#)

Supporting

Documents: [Summary and Fiscal Note](#)

[Director's Report](#)

PARKS, SEATTLE CENTER, LIBRARIES AND WATERFRONT COMMITTEE:

1 i. Determination of project consistency with a planned action ordinance,
2 only if the project requires another Type II decision;

3 j. Establishment of light rail transit facilities necessary to operate and
4 maintain a light rail transit system, in accordance with the provisions of Section 23.80.004;

5 k. Downtown planned community developments;

6 l. Establishment of temporary uses for transitional encampments,
7 except transitional encampment interim uses provided for in subsection 23.76.006.B.2;

8 m. Determination of requirements according to subsections
9 23.58B.025.A.4 and 23.58C.030.A.3; and

10 n. Except for projects determined to be consistent with a planned action ordinance,
11 decisions to approve, condition, or deny based on SEPA policies if such decisions are
12 integrated with the decisions listed in subsections 23.76.006.C.2.a. through 23.76.006.C.2.i;
13 provided that, for decisions listed in subsections 23.76.006.C.2.c, 23.76.006.C.2.d,
14 23.76.006.C.2.f, and 23.76.006.C.2.g that are made by the Council, integrated decisions to
15 approve, condition, or deny based on SEPA policies are made by the Council pursuant to
16 Section 23.76.036.

17 * * *

18 Section 63. Section 23.76.060 of the Seattle Municipal Code, last amended by
19 Ordinance 123913, is amended as follows:

20 **23.76.060 Expiration and extension of Council land use decisions**

21 * * *

22 E. Extensions. The Council may extend the time limits on Type IV land use decisions
23 for ~~((no more than))~~ two years or such other time as the Council may determine appropriate,

EXHIBIT D

CITY OF SEATTLE
ORDINANCE 124378
COUNCIL BILL 117952

AN ORDINANCE relating to land use and zoning; amending Sections 23.22.062, 23.22.066, 23.22.074, 23.22.100, 23.24.020, 23.24.040, 23.24.045, 23.28.030, 23.40.020, 23.41.004, 23.41.012, 23.42.124, 23.43.008, 23.43.010, 23.43.012, 23.44.014, 23.44.016, 23.44.018, 23.44.026, 23.44.028, 23.44.030, 23.44.036, 23.44.041, 23.44.044, 23.45.502, 23.45.508, 23.45.510, 23.45.514, 23.45.518, 23.45.520, 23.45.522, 23.45.526, 23.45.529, 23.45.532, 23.45.536, 23.45.545, 23.45.570, 23.47A.004, 23.47A.005, 23.47A.008, 23.47A.009, 23.47A.013, 23.47A.014, 23.47A.032, 23.49.013, 23.49.014, 23.49.015, 23.49.025, 23.49.181, 23.50.038, 23.50.044, 23.52.002, 23.52.008, 23.53.005, 23.53.006, 23.53.035, 23.54.015, 23.54.025, 23.54.030, 23.55.034, 23.55.040, 23.58A.024, 23.66.030, 23.66.032, 23.66.115, 23.66.318, 23.69.032, 23.71.014, 23.71.018, 23.72.008, 23.72.010, 23.75.015, 23.75.020, 23.75.140, 23.75.170, 23.76.004, 23.76.012, 23.76.020, 23.76.022, 23.76.024, 23.76.026, 23.76.032, 23.76.046, 23.76.050, 23.76.056, 23.79.010, 23.84A.002, 23.84A.006, 23.84A.018, 23.84A.028, 23.84A.030, 23.84A.032, 23.84A.036, 23.84A.038, 23.84A.040, 23.84A.048, 23.86.007, 23.86.016, 23.88.020, 23.90.018, 23.90.019, 23.91.002, 25.05.350, and 25.05.675 of the Seattle Municipal Code, to correct typographical errors, correct section references, clarify regulations, and make minor amendments.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.22.062 of the Seattle Municipal Code, last amended by Ordinance 123495, is amended as follows:

23.22.062 Unit lot subdivisions

A. The provisions of this Section 23.22.062 apply exclusively to the unit subdivision of land for townhouse, rowhouse, ~~((and))~~ cottage housing developments in all zones in which these uses are permitted, ((as permitted in Single-Family, Residential Small Lot and Lowrise zones)) existing apartment structures built prior to January 1, 2013, but not individual apartment units, and for single-family dwelling units in ((Lowrise))LR zones, or any combination of the above types of residential development, as permitted in the applicable zones.

* * *

D. Access easements and joint use and maintenance agreements shall be executed for use

Section 76. Section 23.76.004 of the Seattle Municipal Code, last amended by Ordinance 123963, is amended as follows:

23.76.004 Land use decision framework

C. Type IV and V decisions are Council land use decisions. ~~((Type IV))~~ Type IV decisions are quasi-judicial decisions made by the Council pursuant to existing legislative standards and based upon the Hearing Examiner's record and recommendation. Type IV decisions may be subject to land use interpretation pursuant to Section 23.88.020. ~~((Type V))~~ Type V decisions are legislative decisions made by the Council in its capacity to establish policy and manage public lands.

~~((Table A for 23.76.004~~

~~LAND USE DECISION FRAMEWORK¹~~

~~DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS))~~

Table A for 23.76.004 LAND USE DECISION FRAMEWORK¹	
((DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS))	
<u>DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS</u>	
TYPE I	
Director's Decision	
(Administrative review through land use interpretation as allowed by Section 23.88.020 ²)	
*	((Compliance with)) <u>Application of development standards for decisions not otherwise designated Type II, III, IV, or V</u>
*	Uses permitted outright
*	Temporary uses, four weeks or less
*	Renewals of temporary uses, except for temporary uses and facilities for light rail transit facility construction and transitional encampments
*	Intermittent uses
*	Interim use parking authorized under subsection 23.42.040.G
*	Uses on vacant or underused lots pursuant to Section 23.42.038

**Table A for 23.76.004
 LAND USE DECISION FRAMEWORK¹**

((DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS))

* Certain street uses
* Lot boundary adjustments
* Modifications of features bonused under Title 24
* Determinations of significance (EIS required) except for determinations of significance based solely on historic and cultural preservation
* Temporary uses for relocation of police and fire stations
* Exemptions from right-of-way improvement requirements
* Special accommodation
* Reasonable accommodation
* Minor amendment to a Major Phased Development ((P))permit
* Determination of public benefit for combined lot FAR
* Determination of whether an amendment to a property use and development agreement is major or minor
* Streamlined design review decisions pursuant to Section 23.41.018; if no development standard departures are requested, and design review decisions in an MPC zone pursuant to Section 23.41.020 if no development standard departures are requested
* Shoreline special use approvals that are not part of a shoreline substantial development permit
* Adjustments to major institution boundaries pursuant to subsection 23.69.023.B
* Determination that a project is consistent with a planned action ordinance
* Decision to approve, condition, or deny, based on SEPA policies, a permit for a project determined to be consistent with a planned action ordinance
* Other Type I decisions that are identified as such in the Land Use Code
TYPE II Director's Decision (Appealable to Hearing Examiner or Shorelines Hearing Board³)
* Temporary uses, more than four weeks, except for temporary relocation of police and fire stations
* Variances
* Administrative conditional uses
* Shoreline decisions, except shoreline special use approvals that are not part of a shoreline substantial development permit ³
* Short subdivisions
* Special ((E))exceptions
* Design review decisions, except for streamlined design review pursuant to Section 23.41.018 if no development standard departures are requested, and except for design review decisions in an MPC zone pursuant to Section 23.41.020 if no development standard departures are requested
* Light rail transit facilities
* The following environmental determinations:
1. Determination of non-significance (EIS not required)
2. Determination of final EIS adequacy
3. Determinations of significance based solely on historic and cultural preservation
4. A decision to ((approve,))condition or deny a permit for a project based on SEPA policies , except for a project determined to be consistent with a planned action ordinance
* Major Phased Developments

**Table A for 23.76.004
 LAND USE DECISION FRAMEWORK¹**

((DIRECTOR'S AND HEARING EXAMINER'S DECISIONS REQUIRING MASTER USE PERMITS))

* Downtown Planned Community Developments
* <u>Other Type II decisions that are identified as such in the Land Use Code</u>
TYPE III Hearing Examiner's Decision (No Administrative Appeal)
* Subdivisions (preliminary plats)
COUNCIL LAND USE DECISIONS TYPE IV (Quasi-Judicial) ((Council Land Use Decisions))
* Amendments to the Official Land Use Map (rezones), except area-wide amendments and correction of errors
* Public projects that require Council approval
* Major Institution master plans, including major amendments, renewal of a master plan's development plan component, and master plans prepared pursuant to subsection 23.69.023.C after an acquisition, merger, or consolidation of major institutions
* Major amendments to property use and development agreements
* Council conditional uses
* <u>Other decisions listed in subsection 23.76.036.A</u>
TYPE V (Legislative) ((Council Land Use Decisions))
* Land Use Code text amendments
* Area-wide amendments to the Official Land Use Map
* Corrections of errors on the Official Land Use Map due to cartographic and clerical mistakes
* Concept approvals for the location or expansion of City facilities requiring Council land use approval
* Major Institution designations and revocations of Major Institution designations
* Waivers or modifications of development standards for City facilities
* Adoption of or amendments to Planned Action Ordinances
* <u>Other decisions listed in subsection 23.76.036.C</u>

Footnotes for Table A for 23.76.004:
 ((1))¹ Sections 23.76.006 and 23.76.036 establish the types of land use decisions in each category. This ((1))Table A for 23.76.004 is intended to provide only a general description of land use decision types.
 ((2))² Type I decisions are subject to administrative review through a land use interpretation pursuant to Section 23.88.020 if the decision is one that is subject to interpretation.
 ((3))³ Shoreline decisions, except shoreline special use approvals that are not part of a shoreline substantial development permit, are appealable to the Shorelines Hearings Board along with all related environmental appeals.

Section 77. Section 23.76.012 of the Seattle Municipal Code, last amended by Ordinance 123963, is amended as follows: