



City of Seattle
Department of Neighborhoods

Jim Diers, *Director* Norman B. Rice, *Mayor*

**Department of Neighborhoods
 Operating Procedures**

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| Subject: Operating instructions for School Development Standard Departure Advisory Committee Process for Providing Development Standard Departure Recommendations | | Number: SDP - 1 |
| | | Effective: |
| | | Supersedes: |
| Approved: | Department: Neighborhoods | |

1.0 Purpose

- 1.1 To establish procedures for providing development standard departure recommendations.
- 1.2 To convene and establish procedures for the Standard Departure Advisory Committee.

2.0 Organizations Affected

- 2.1 Department of Neighborhoods (DON)
- 2.2 Department of Construction and land Use (DCLU)
- 2.3 Seattle School District #1 (SSD)
- 2.4 Joint Advisory Committee on Education (JACE) or its successor organization
- 2.5 Affected School's Parent Teacher Student Association (PTSA) or other school parent organization
- 2.6 Affect neighborhood community organization(s)

3.0 References

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3.1 Ordinance No. 112539 (SMC 23.79 and other sections of the Seattle Land Use and Zoning Codes)

4.0 Policy

4.1 Land Use Policies for Public Schools, Appendix A, adopted November, 1985.

5.0 Definitions

5.1 PTSA - Parent Teachers Student Association of Parent Teachers Association.

5.2 Advisory Committee - The committee formed to secure comments from the public and to recommend to the Director of the Department of Neighborhoods the recommendations for modifications of development standards.

5.3 Development Standard Departure Procedure - The process by which the Advisory Committee shall recommend the maximum departure which may be allowed for each development standard from which a departure may be required by or requested from the Director of the Department of Construction and Land Use.

6.0 Responsibilities

6.1 The Department of Neighborhoods' responsibilities will include the following:

6.1.1 The Director of the Department of Neighborhoods will prepare rules and procedures and convene a Development Standard Advisory Committee to secure the comments of the public and make recommendations for modifications of development standards. The Director shall also develop procedures for solicitation of candidates for membership and for selecting members for the Advisory Committee.

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6.1.2 The Director of the Department of Neighborhoods will appoint the chairperson of the Development Standard Advisory Committee, who will be the representative of the City and shall be responsible for:

6.1.2.1 Convening the Advisory Committee according to the procedures described in 7.1 and meeting with the Seattle School District to review the list of prospective candidates for the Advisory Committee;

6.1.2.2 Staffing the Advisory Committee as follows:

- a) Develop and administer an orientation process for the Advisory Committee, including functions, mandate and responsibilities of various members.
- b) Present a set of by-laws which will incorporate rules for orderly procedures including processes for considering public comment; and a time guideline for timely discussions in order to accomplish the recommendations within ninety (90) days following the first Advisory Committee regular meeting.
- c) Produce minutes of all Advisory Committee meetings and public meetings.
- d) Develop and maintain a mailing list of committee members, public meeting participants, Seattle School District and others who have requested information.
- e) Send out agendas and meeting notices to all concerned persons on the mailing list after the initial Department of Construction and Land Use notice.

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- f) Distribute minutes of all Advisory Committee meetings and public meetings to all previous attendees or on request.
- g) Provide staff assistance to the Advisory Committee in making arrangements for holding all meetings.
- h) Provide staff assistance to the Advisory Committee to prepare the Committee's report and recommendation for the Director.

6.1.3 The Director of the Department of Neighborhoods shall forward the report and recommendation of the Committee to the Director of the Department of Construction and Land Use and may choose to make comments.

6.2 Department of Construction and Land Use responsibilities will include the following:

6.2.1 The Director of the Department of Construction and Land Use shall determine the amount of departure from established development standards which may be allowed or required, as well as mitigating measures which may be required. The Director of the Department of Construction and Land Uses' decision shall be based on and evaluation of the factors set forth in subsection 23.79.08C, the majority recommendations and minority reports of the Advisory Committee, comment at the public hearings and other comments from the public. If the Director of the Department of Construction and Land Use modifies the recommendations of the Advisory Committee, the reasons for the modifications shall be put forth in writing.

6.2.1.1 Notification of the application and formation of a Development Standard Advisory Committee and the first meeting of the Advisory Committee shall be provided by mailed notice, general mailed release, four placards posted on or near the site and publication or the notice in a newspaper of substantial local circulation. If there is an

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existing parents' organization associated with the school, notice shall be given through its regular processes. Notice shall also be given to community organizations known to the Department of Neighborhoods as representing the local area and to other related organizations who have requested notice.

- 6.2.1.2 Notification of the Director of the Department of Construction and Land Uses' decision shall be published in the City's official newspaper within seven days of the date the decision is made. Notice, including the date of its publication, shall also be posted in a conspicuous place in the Department of Construction and Land Use and shall be included in the General Mailed Release. Notice of the decision shall also be mailed on the date of the decisions to the applicant, to all members of the Advisory Committee, and to persons who have requested specific notice in a timely manner.

The notice of the decision shall state the address of the school and briefly state the decision made by the Director of the Department of Construction and Land Use. The notice shall also state that the departure from development standards is subject to appeal and shall describe the appropriate appeal procedure.

- 6.3 The Seattle School District #1 responsibilities will include the following:

- 6.3.1 The Seattle School District shall notify the Director of the Department of Construction and Land Use and apply for development standard departure. If a development standard departure is found during the preapplication conference of through zoning plans examination during the Master Use Permit process, the Department of Construction and Land Use shall notify the Seattle School District to apply for the departure and will also notify the Department of Neighborhoods to convene an Advisory Committee.

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When demolition of residential structures is proposed and the public school site includes land acquired for public school use, the School District shall be bound by the development standards which are required in order to reduce demolition of residential structures.

6.3.2 The Seattle School District shall provide existing information needed for reasonable analysis of the development standard departure in a timely manner. At a minimum this should include all data, and studies used by the SSD in determining a need for departure. SSD staff shall also interpret such information as needed to the Advisory Committee.

7.0 Procedures

- 7.1 The Director of the Department of Neighborhoods shall be responsible for the formation and approval of the Advisory Committee. This includes the process for selecting members of the Advisory Committee which shall consist of the following:
- 7.1.1 A representative of the city selected by the Director of the Department of Neighborhoods to act as chairperson;
 - 7.1.2 A representative of the Seattle School District;
 - 7.1.3 A person residing within three hundred (300) feet, selected by the Director of the Department of Neighborhoods in cooperation with the community organization(s) representing the area;
 - 7.1.4 A person owning property of a business within three hundred (300) feet selected by the Director of the Department of Neighborhoods in cooperation with the community organization(s) representing the area;
 - 7.1.5 Two representatives of the neighborhood, selected by the Director of the Department of Neighborhoods in cooperation with the community organization(s) representing the area;

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- 7.1.6 A representative-at-large selected by the Joint Advisory Commission on Education, its successor, or another citywide organization active in promoting educational issues;
 - 7.1.7 A representative of the Department of Construction and Land Use;
 - 7.1.8 A representative of the parents of the school to be replaced, expanded or remodeled, selected by the Director of the Department of Neighborhoods in cooperation with the school's Parent Teacher Student Association or other school parent organization.
- 7.2 The purpose of the Advisory Committee is to advise the City regarding the Seattle School District's development standard departure, particularly providing a process for public input and recommendations on the departure.
- 7.2.1 If the Advisory Committee deems the requested departure to be major, the Advisory Committee will conduct a minimum of three public meetings within a 90-day period from formation of the Advisory Committee. "Major" or "minor" shall refer to the degree of impact and/or size of proposed construction. If the Advisory Committee deems the requested departure from development standards to be minor, it shall conduct a minimum of one public meeting within a 30-day period from formation of the Advisory Committee. (The Department of Construction and Land Use shall provide an evaluation regarding the complexity of the departure process to help the Advisory Committee make an evaluation of whether it is minor or major.)
 - 7.2.2 Gather and evaluate public comment;
 - 7.2.3 Evaluate the departures for consistency with the objectives and intent of the City's Land Use Policies to ensure that the proposed facility is compatible with the character and use of its surroundings;
 - 7.2.4 When the departure process is required because of proposed demolition of housing, the desirability of minimizing the effects of demolition must be weighed against the educational objectives to be served.

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7.2.5 Recommendations must include consideration of the interrelationship among height, setback and landscaping standards when departures from height of setback are proposed. Development standards cannot be made more restrictive than permitted in the Code unless the restriction is necessary as a condition to mitigate the impacts of granting a development standard departure.

7.2.6 The Advisory Committee report and recommendation shall be sent to the Director of the Department of Construction and Land Use from the Director of the Department of Neighborhoods and shall be transmitted no later than 90 days after the first regular Advisory Committee meeting. Such recommendations shall be made after a majority or plurality vote, and the chairperson shall vote only in the case of a tie. If only one meeting is held, departure limits shall be recommended no later than thirty days after the regular meeting. A ten-day extension may be granted by the Director of the Department of Construction and Land Use if requested, in writing by a majority of the Advisory Committee.

7.3 The Advisory Committee meetings shall:

7.3.1 Be open to the public and held in locations accessible to all persons;

7.3.2 Be published by the Department of Construction and Land Use such that notice of the first meeting will include, at a minimum, the following: posting 15 days prior, of four (4) placards on or near the school site considered; mailing 15 days prior, to the neighboring residents or businesses within three hundred (300) feet of the site; publishing in a newspaper of substantial local circulation; giving notice to parents, guardians, etc., of the school to be replaced, expanded or remodeled, through the school's PTSA or other school parent organization's regular processes;

7.3.3 Be published by the Department of Neighborhoods such that notices of subsequent meetings will include, at a minimum, mailing of meeting announcements and agendas to all previous attendees.