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| DPD |  | **Director’s Rule 3-2011** |

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| **Applicant:**  City of Seattle  Department of Planning and Development | Page 1 of 14 | **Supersedes:**  N/A |
| **Publication:**  12/6/10 | **Effective:**  1/1/2011 |
| **Subject:**  Refund of Development Fees | **Code and Section Reference:**  Seattle Municipal Code 22.900 Fee Subtitle | |
| **Type of Rule:**  Code Interpretation | |
| **Ordinance Authority:**  SMC 3.06.040 | |
| **Index:**  Fee Ordinance - Procedural Requirements | Approved Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Diane M. Sugimura, Director, DPD | |

### **22.900B.050 Refunds**

Applicants may apply for refunds when an application or permit is withdrawn or canceled prior to the completion of the review and inspection process. The Director shall establish reasonable procedures for refund requests, including limitations on the time at which refund requests may be submitted. As authorized in Section 22.900B.050, Refunds, the Director hereby establishes by Rule, the terms and conditions upon which a refund of payments received will be administered and reviewed.

To request a refund, the applicant shall submit a request to the Director on a refund request form. The Director shall determine whether a refund is appropriate according to this subtitle and pursuant to Director’s Rule.

### *Background:* Prior to 2011 the Fee Subtitle included information on calculating payment of refunds for some but not all development fees. Each permit type requires a different calculation for refunds and more detail and clarification is provided in this Director’s Rule. The intent of the Rule is to provide clarification and consistency for refund processes and to consolidate all refund information into one easily accessible document.

The Fee Subtitle, Chapter 22.900 of the Seattle Municipal Code, prescribes fees for various permits, reviews and inspections. This Rule provides clarification for the following sections of the Fee Subtitle. Code citations in the tables in this rule reference the Fee Subtitle, Chapter 22.900, of the Seattle Municipal Code.

*Rule:*The following outline provides guidance in determining the payment for refunds. Some permit fee categories have additional component fees beyond the primary permit fee that must be considered in calculating payment refunds. Generally, refund eligibility is determined by type of permit and status of review. For fees and services not addressed in this rule, or for unanticipated special circumstances, the Director may make a determination on amount of refund based on authority in the Fee Subtitle (Chapter 22.900 of the Seattle Municipal Code) and the principles in this rule.

*Type of Permit*

1. Those that require review prior to issuance (routed)
2. Those that are issued without detailed review (OTC / STFI)
3. Miscellaneous fees associated with permit review (services)

*Status of the permit in question:*

1. Application filed
2. Application filed, reviews complete
3. Permit issued, no work started
4. Permit issued, work started

*Reason:* Refund of development permits and services are set at a level to return money to applicants who have paid for services that were not rendered.

**THE FOLLOWING FEES ARE NOT REFUNDABLE**

|  |  |
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| **GENERAL** | |
| Failure to cancel missed appointments | 22.900B.020 |
| Address change | 22.900B.020 |
| Special investigation | 22.900B.020 |
| Re-inspection | 22.900B.020 |
| Revisions and additions to applications | 22.900B.020 |
| Correction fees | 22.900C.010 E |
| Miscellaneous and Special fees[[1]](#footnote-1) | 22.900B. 020 |
| **LAND USE** | |
| Minimum Land Use Fees | 22.900C.010 |
| Pre-application conference | Table C-1 B #26 |
| Curb Cut | Table C-1 C #37 |
| Intake appointment for land use reviews | Table C-1 C #38 |
| Rebuild Letters | Table C-1 C #40 |
| Record Research by PRC | Table C-1 C #41 |
| **CONSTRUCTION** | |
| Noise Survey Reviews | Table D-2 # 10 |
| Development permit renewal fees | 22.900D010L and  Table D-2 # 12 a-c |
| Special inspection | Table D-2 # 14 |
| Phased Permit non value base charge | Table D-2 # 18 |
| ECA Small Project Waiver on a building permit | Table D-2 # 19 |
| Street Improvement Exceptions on a building permit | Table D-2 # 20 |
| Building Permit Shop Drawings | Table D-2 # 21 |
| Sprinkler Shop Drawings | Table D-2 # 22 |
| Code Alternate Request | Table D-2 # 24 |
| Revisions to issued permits | 22.900D.010 G |
| Certificate of Occupancy | 22.900D.010 H |

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| Required Building Pre-application Conferences [[2]](#footnote-2) | 22.900D.010 I 1 |
| Other Building Pre-application conferences | 22.900D.010 I 2 |
| Correction Fee | 22.900D.010 J |
| Reestablishment – Development permit renewal fees | 22.900D.010 M |
| Concrete Mix design approval | 22.900D.030 |
| Floodplain development approval or license fee | 22.900D.070 |
| **FURNACE, REFRIGERATION, BOILER** | |
| Renewal or Reestablish of Furnace permit | 22.900D.090 C |
| Renewal or Reestablish of Refrigeration permit | 22.900D.100 D |
| Refrigeration systems annual operating permit fee | 22.900E.040 and Table E-3 |
| Alteration or repair to boiler or pressure vessel | 22.900D.110 A |
| Renewals or Reestablish of Boiler permit | 22.900D.110 B |
| Boiler, refrigeration and gas piping licenses and examinations | 22.900E.050 and Table E-4 |
| Fees for Certificates of Operation for Boilers and Pressure Vessels | 22.900E.020 and Table E-1 |
| Shop and field assembly inspections | 22.900D.130 A-C |
| **ELECTRICAL** | |
| Electrical administrative fees when plans are not required [[3]](#footnote-3) | Table D-15 |
| **ELEVATOR AND CONVEYANCE** | |
| Renewal or Reestablish of elevator or conveyance permit | 22.900D.140 D |
| Fees for Elevator Certificates of Inspection | 22.900E.030 and Table E-2 |
| **SITE, GEOTECHNICAL, GRADING,** **DRAINAGE** | |
| Pre application Site Visit | Table-D-SR 1 |
| Drainage and Grading separate from a development permit | Table- D-SR 2 |
| Review to determine ECA exemption | Table D-SR 3 |
| Site located in ECA unless full exempt for ECA standards | Table D-SR 4 |
| Sites requiring Drainage or Geotechnical review or both | Table D-SR 5 |
| Post Issue Geotechnical review of Geotechnical Special Inspection | Table D-SR 6 |

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| **MISCELLANEOUS** | |
| Design Commission fees | 22.900D.170 |
| Fees for certificates | 22.900E |
| Off-premises Advertising sign (billboard) | 22.900E.010 |
| Registration of special inspectors | 22.900E.060 |
| Certification of fabrication plants | 22.900E.070 |
| Revisions to current special inspection authorizations | 22.900E.080 |
| Compliance and other inspections | 22.900F |
| Monitoring vacant buildings | 22.900F.010 And Table F-1 |
| Noise fees | 22.900F.020 and Table F-2 |
| Research and inspection on Notice of Violation | 22.900F.030 |

**THE FOLLOWING FEES ARE ELGIBLE FOR REFUND**

**22.900C.010 LAND USE FEES**

Fees for services listed below may be eligible for refund.

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| **LAND USE FEES** | | |
| Land Use Notice | If not completed | Table C-1 C 39 a-e |
| Public meeting room rental if room is booked | If room is not reserved | Table C-1 C 39 f |
| Recording fees, for LBA, Short Subdivision | If document is not recorded | Table C-1 C 42 |

**22.900D.010 DEVELOPMENT PERMIT FEES**

Fifty percent (50%) of the estimated permit fee is paid at the time the application is submitted, thus the amount refunded before the permit is issued is based on 50% of the permit fee.

One hundred percent (100%) of the permit fee has been paid after the permit is issued, thus the amount to be refunded after issuance is based on 100 % of the permit fee.

Refunds of development permit fees shall be calculated with criteria as specified in reference tables appended as Calculation Tables 1-5. Except for the services listed below, all development permit fees in Tables D 1-16, and D-SR of the Fee Subtitle are refunded pursuant to the appended tables. The chart below references the appended tables.

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| **DEVELOPMENT PERMIT FEES** | | | | | | |
| Dish or panel antennae | | | Refund calculation table “2” (for STFI, use calculation table “1) | | 22.900D.010 C 2 | |
| Development fee for parks or playgrounds | | | Refund calculation table “2” (for STFI, use calculation table “1) | | 22.900D.010 C 3 | |
| Phased permits | | | Refund calculation table “2” | | 22.900D.010 D | |
| Building, with or without mechanical, with or without use | | | Refund calculation table “2” | | Table D-2 # 1 | |
| STFI (Subject to field inspection) building and/or mechanical | | | Refund calculation table “1” | | Table D-2 # 2 | |
| Energy code compliance review using Target UA and/or System Analysis (RS29). | | | Refund calculation table “2” | | Table D-2 # 3 | |
| Mechanical permit submitted as part of a building permit application (if associated with other work) | | | Refund calculation table “2” | | Table D-2 # 4 a | |
| Mechanical permit submitted separately from a building permit application (if associated with other work) or if applied for as a mechanical only permit | | | Refund calculation table “2” | | Table D-2 #4 b | |
| Blanket permit review fees | | | Refund calculation table “2” | | Table D-2 # 5 | |
| Initial tenant alterations applied for within 18 months of the date of issuance of the first tenant permit (non-blanket permit initial tenant improvements to shell and core) | | | Refund calculation table “2” | | Table D-2 # 6 | |
| Establishment of standard plan, including temporary structures (for swimming pools, see Item 15 below) | | | Refund calculation table “2” | | Table D-2 # 7 a | |
| Establishment of already permitted plan as standard plan | | | Refund calculation table “2” | | Table D-2 # 7 b | |
| Subsequent reviews of standard plan, other than temporary structures | | | Refund calculation table “2” | | Table D-2 # 7 c | |
| Subsequent reviews of standard plans for temporary structures | | | Refund calculation table “2” | | Table D-2 # 7 d | |
| Factory-built housing and commercial structures | | | Refund calculation table “2” | | Table D-2 # 8 | |
| Establish use for the record with no construction | | | Refund calculation table “3” | | Table D-2 # 9 a | |
| Establish Use for the record with construction (refer to Table C-1, item #17, for additional Land Use Fees that apply to this permit type) | | | Refund calculation table “2” | | Table D-2 # 9 b | |
| SF earthquake retrofit permit for work in full compliance with Project Impact Standards/Plans | | | Refund calculation table “3” | | Table D-2 # 13 a | |
| Permit for work in partial compliance with Project Impact Standards/Plans with additional engineering design of those portions not in compliance | | | Refund calculation table “4” | | Table D-2 # 13 b | |
| Voluntary seismic upgrades requiring full engineering/design and not per Project Impact Standards/Plans | | | Refund calculation table “2” | | Table D-2 # 13 c | |
| Swimming pool, unenclosed, accessory to Group R-3 | | | Refund calculation table “3” | | Table D-2 # 15 a | |
| Swimming pool, unenclosed, accessory to occupancies other than Group R-3 | | | Refund calculation table “3” | | Table D-2 # 15 b | |
| Principal use, unenclosed swimming pools | | | Refund calculation table “3” | | Table D-2 # 15 c | |
| Future construction of an unenclosed swimming pool | | | Refund calculation table “3” | | Table D-2 # 15 d | |
| Initial approval of standard plan for swimming pool accessory to Group R-3 Occupancy | | | Refund calculation table “3” | | Table D-2 # 15 e | |
| Subsequent review of application based on approved swimming pool standard plan | | | Refund calculation table 3” | | Table D-2 #15 f | |
| Temporary structure such as Commercial Coaches | | | Refund calculation table “3” | | Table D-2 # 16 | |
| Temporary Use Less than 4 weeks | | | Refund calculation table “3” | | Table D-2 # 17 a | |
| Temporary Use More than 4 weeks | | | Refund calculation table “3” | | Table D-2 # 17 b | |
| Blanket Permits | | | Refund calculation table “2” | | 22.900D.010 F | |
| Sprinkler Only Permit Submittals (New and/or Add/Alt) | | | No Refund on base fee | | Table D-2 # 23 | |
| **PARKING FACILITIES OUTSIDE BUILDINGS Table D-7 22.900D.060** | | | | | |
| Parking facilities within or on a building | | Refund calculation table “2” | | Table D-2 # 11 b | |
| Parking facilities outside a building | | Reference 22.900D.060 in following table | | Table D-2 # 11 a | |
| ***Type of Parking Facility*** | | ***Stage in Review Process*** | | ***Reference Table*** | |
| Parking lot outside bldg >4,000 sq ft | | No building or use 3X | | Refund calculation table “3” | |
| Parking lot outside bldg >4,000 sq ft | | With building or use 2.5X | | Refund calculation table “3” | |
| Parking lot outside bldg 2,000-4,000 | | No building or use 2.5X | | Refund calculation table “3” | |
| Parking lot outside bldg 2,000-4,000 | | With building or use 1.5X | | Refund calculation table “3” | |
| Parking lot outside bldg <2,000 sq ft, | | No building or use 1X | | Refund calculation table “3” | |
| Parking lot outside bldg <2,000 sq ft, | | With building or use | | No Fee, No Refund | |
| **MECHANICAL EQUIPMENT AND SYSTEMS 22.900D.090** | | | | | |
| Furnace Permits | | Refund calculation table “3” | | Table D-8 | |
| **REFRIGERATION EQUIPMENT AND SYSTEMS 22.900D.100** | | | | | |
| Refrigeration Permit Fees | | Refund calculation table “3” (Base fee non-refundable) | | 22.900D.100 A and Table D-10 | |
| Temporary installation of refrigeration system for 10 days or less | | Refund calculation table “3”  (Base fee non-refundable) | | 22.900D.100 B | |
| **BOILERS AND PRESSURE VESSSELS 22.900D.110** | | | | | |
| Boiler and Pressure Vessel permit fees | | Refund calculation table “3” (Base fee non-refundable) | | Table D-12 | |
| Emergency inspection | | No Refund | | 22.900D.130 D | |
| **ELEVATORS AND OTHER CONVEYANCES 22.900D.140** | | | | | |
| New Installation & alteration of elevators and other conveyance Table D-13 | | Refund calculation table “5” | | 22.900D.140 A and Table D-13 | |
| Permit for alteration and repair of elevators and other conveyance Table D-13 not to exceed the cost of a new installation | | Refund calculation table “5” | | 22.900D.140 B | |
| Fee for temporary 60 day operation permit | | Refund calculation table “3” | | 22.900D.140 C | |

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| **SITE POST ISSUANCE TABLE D-SR** | | |
| Post issuance fees | Refundable if project cancelled, where work not started or ground not disturbed... otherwise Not Refundable | Table D-SR Post issuance Inspection Fees |
| **ELECTRICAL 22.900D.150** | | |
| When plans required | Refundable | Table D-14 |
| Application filed, review not started | 80% of plan review fee as calculated | Table D-14 |
| Application review started, initial review not complete | 60% of plan review fee as calculated | Table D-14 |
| Initial review complete, plans not approved | 50% of plan review fee as calculated | Table D-14 |
| Permit ready to issue, not issued | 40% of plan review fee as calculated | Table D-14 |
| Permit issued, no work started | 25% of plan review fee as calculated | Table D-14 |
| When plans are not required | Administrative fee not refundable. Other electrical permit fee not refundable if work has commenced. | Table D-15 |
| **SIGN, BILLBOARD, AWNING, AND CANOPY 22.900D.160** | | |
| Sign, billboard, awning and canopy permit | Refund calculation table “3” | 22.900D.160 |
| **MISCELLANEOUS** | | |
| Advisory Housing and Building Maintenance Code and Condominium Conversion inspection | Refund calculation table “3” | 22.900F.040 |
| **DEMOLITION AND RELOCATION** | | |
| Demolition | Refund calculation table “3” | 22.900D.080 A |
| Relocation other than floating home from within the city to outside the city | Refund calculation table “3” | 22.900D.080 B 1 |
| Fee to relocate a building within the city, fee associated with foundation or additions to the building | Refund calculation table “2” | 22.900D.080 B 2 a |
| Value-based fee for alteration to building | Refund calculation table “2” | 22.900D.080 B 2 b |
| Demolition fee for the site from which the building is being moved | Refund calculation table “3” | 22.900D.050 B 2 c |
| Deposit of Bond | Released or Refunded upon completion and approval of foundation and framing, if deposit or bond not used. | 22.900D.080 B 3 |
| Floating Home Relocation | Refund calculation table “3” | 22.900D.080 C |

**CHAPTER 22.900G FEES COLLECTED FOR OTHER DEPARTMENTS**

Refunds for Fees collected for other Departments and agencies for pre submittal conferences and plan review will be determined by the department or agency for which the fee is collected. Participating departments and agencies include but are not limited to: Department of Neighborhoods; Seattle Department of Transportation; Seattle Parks; Seattle Public Utilities, Office of Arts and Cultural Affairs, Seattle Fire Department and Seattle-King County Department of Public Health.

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| **FEES COLLECTED FOR OTHER DEPARTMENTS[[4]](#footnote-4)** | | |
| Fees for Department of Neighborhoods review. | Refer issue to DON | 22.900G.010 |
| Fees for review by the Seattle Department of Transportation and the Seattle Public Utility | Refer Issue to SDOT or SPU | 22.900 G.020 and Table G-1 |
| Fees for review by the Seattle-King County Department of Public Health | Refer issue to Seattle-King County Department of Public Health | 22.900G.030 |
| Gas Piping Installation Fee | Refer issue to Seattle-King County Department of Public Health | Table G-2 |
| Fees for review by the Seattle Arts Commission | Refer issue to Seattle Arts Commission | 22.900G.040 |
| Pre-submittal conferences for other departments | Refer issue to associated department | 22.900G.050 |
| Fees for review by the Seattle Fire Department | Refer issue to Seattle Fire Department | 22.900G.060 |

**REFUND CALCULATION TABLES 1-5**

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| **CALCULATION TABLE “1”** | | | |
| **STATUS** | **REFUND** | | |
| Application filed, process not started. | 60 % of the permit fee, 100 % of the plan review fee. | | |
| Application filed, process started | 50 % of the permit fee, 50 % of the plan review fee. | | |
| Application filed, process complete, permit not issued | 40 % of the permit fee, 50 % of the plan review fee. | | |
| Permit issued, no work started | 25% of the permit fee, 50 % of the plan review fee. | | |
| Permit issued, work started | NO REFUND | | |
| **CALCULATION TABLE “2”[[5]](#footnote-5)** | | | |
| **STAGE IN REVIEW PROCESS** | | **PERMIT FEE** | **REVIEW FEE** |
| Application filed, plans not routed | | 20% | 90% |
| Plans routed for initial review, review not completed | | 10% | 75% |
| Initial review completed, plans not approved | | 0% | 60% |
| Initial review completed, routed for first correction review, review of first corrections not completed | | 0% | 50% |
| Review of first corrections completed, plans not approved | | 0% | 40% |
| Plans routed for review of second corrections, but review not completed | | 0% | 30% |
| Review of second corrections completed, plans not approved | | 0% | 20% |
| Review of third corrections not completed | | 0% | 15% |
| Review of third corrections completed, plans not approved | | 0% | 10% |
| Application approved, permit not issued. | | 0% | 0% |
| Permit issued, work not started | | 25% | 0% |
| Permit issued, work started | | 0% | 0% |

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| **CALCULATION TABLE “3”** | |
| **STATUS** | **REFUND** |
| Application filed | 50% of permit fee as calculated. |
| Application filed, reviews completed, permit not issued. | 40% of permit fee as calculated. |
| Permit issued, no work started | 25% of permit fee as calculated. |
| Permit issued, work started | NO REFUND |
| **CALCULATION TABLE “4”** | |
| **STATUS** | **REFUND** |
| Application filed | 50% of permit fee as calculated, residual of plan review hourly @ DPD rate with 1 hour minimum. |
| Application filed, reviews complete, permit not issued | 40% of permit fee as calculated, residual of plan review hourly @ DPD rate with 1 hour minimum. |
| Permit issued, no work started | 25% of permit fee as calculated, no refund for plan review. |
| Permit issued, work started | NO REFUND |
| **CALCULATION TABLE “5”** | |
| **STATUS** | **REFUND** |
| Application filed, not processed. | 80% of permit fee as calculated |
| Application filed, in process | 70% of permit fee as calculated |
| Permit issued, no work started | 60% of permit fee as calculated |
| Permit issued, work started | NO REFUND |

1. Miscellaneous and special fees are generally not refunded unless the fees have been pre-paid. [↑](#footnote-ref-1)
2. Building Pre-application conferences are not refundable, but are credited to building permit if filed within 6 months [↑](#footnote-ref-2)
3. Administrative fee not refundable. Other electrical permit fees not refundable if work has commenced. [↑](#footnote-ref-3)
4. Refund of fees collected for other departments will be processed by DPD after review by associated department [↑](#footnote-ref-4)
5. On energy and mechanical permit review, hourly fees accrued will be deducted from permit or review fees. [↑](#footnote-ref-5)