

The City of Seattle

Ordinance _____

Council Bill _____

..title

An ordinance relating to land use and zoning; adopting temporary regulations

previously in Ordinance 127309 for six months to exempt housing projects that meet Mandatory Housing Affordability requirements using on-site performance units from Design Review, and allowing permit applicants for all housing subject to Full Design Review the option of complying with Design Review pursuant to Administrative Design review; temporarily suspending mandatory, and allowing voluntary, design review of proposed development in Titles 23 and 25 of the Seattle Municipal Code, consistent with Chapter 333, Laws of 2023 and previously in Ordinance 127309; and amending Sections 23.41.002 and 23.41.004 of the Seattle Municipal Code.

..body

Recitals:

Engrossed Substitute House Bill 1293 (Chapter 333, Laws of 2023) added new requirements for local design review programs starting June 30, 2025.

In September 2025, the City passed Ordinance 127309 adopting interim suspension regulations of Design Review and extension of affordable housing exemptions with an effective date of October 27, 2025, and an expiration date of April 27, 2026.

This ordinance reenacts the temporary interim suspension regulations and affordable housing Design Review regulations.

The Seattle Department of Construction and Inspections (SDCI) is working on permanent legislation to amend the Design Review Program to comply with Engrossed Substitute House Bill 1293 and to respond to the stakeholder and public engagement recommendations, including reducing design review requirements and design review permit review times to promote housing production and thereby reduce housing costs in a time of great need in the City and region.

SDCI is also working on updates to the Seattle Design Guidelines and Design Guidelines for Downtown Development to make project design and permitting simpler to promote housing production and reduce housing costs.

This reenactment makes the Design Review Program voluntary for another six months to give Seattle additional time to comply with Engrossed Substitute House Bill 1293.

By making the Design Review Program voluntary, the proposed ordinance will decrease permit review times to promote housing production and reduce housing costs at a time of great need in the City and region. Therefore,

Be it ordained by The City of Seattle as follows:

Section 1. Section 23.41.002 of the Seattle Municipal Code, last amended by Ordinance 127309, is amended as follows:

23.41.002 Purpose

The purpose of Design Review is to:

A. Encourage better design and site planning to help ensure that new development enhances the character of the city and sensitively fits into neighborhoods, while allowing for diversity and creativity; and

B. Provide flexibility in the application of development standards to better meet the intent of the Land Use Code as established by City policy, to meet neighborhood objectives, and to provide for effective mitigation of a proposed project's impact and influence on a neighborhood; (~~and~~)

C. Promote and support communication and mutual understanding among applicants, neighborhoods, and the City early and throughout the development review process((-)) ; and

D. Promote the consideration of public safety in design as a way to reduce crime and improve quality of life.

Section 2. Section 23.41.004 of the Seattle Municipal Code, last amended by Ordinance 127375, is amended as follows:

23.41.004 Applicability

E. Temporary provisions

1. Developments with units provided on-site to comply with Chapter 23.58C through the performance option

a. Notwithstanding any contrary provision of this Title 23, the Director may consider requests for departures from any development standard in this Title 23, except as otherwise limited in subsection 23.41.012.B, for a development proposal that is complying with Chapter 23.58C solely through the performance option by providing affordable units on-site according to subsection 23.58C.050.C.

b. Requests for departures according to subsection 23.41.004.E.1.a shall be evaluated and may be granted by the Director as a Type I decision if the departure would result in additional housing units being constructed.

c. The design review exemption under this subsection 23.41.004.E.1 shall be rescinded for a development proposal that changes from the performance option to the payment option at any time prior to issuance of a building permit.

d. The provisions of this subsection 23.41.004.E.1 shall be in effect for six months from the effective date of this ordinance.

2. Low-income housing

a. Notwithstanding any contrary provision of this Title 23, the Director may consider requests for departures from any development standard in this Title 23, except as otherwise limited in subsection 23.41.012.B, for low-income housing.

b. Departures decision. Requests for departures shall be evaluated by the Director, in consultation with the Office of Housing, in light of the particular population designed to be served by the project, and may be granted by the Director as a Type I decision if the departure would result in additional housing units being constructed.

c. The provisions of this subsection 23.41.004.E.2 shall be in effect for six months from the effective date of this ordinance.

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F. Interim suspension of required design review for all proposed development

1. Notwithstanding any contrary provision of this Title 23 and Title 25, including but not limited to Chapters 23.40, 23.41, 23.42, 23.45, 23.47A, 23.48, 23.49, 23.57, 23.58B, 23.58C, 23.60A, 23.61, 23.73, 23.76, 25.05, 25.11, 25.16, 25.20, and 25.22, required design review is temporarily suspended for all proposed development.

2. Applicants of proposed development that is being reviewed pursuant to the full, administrative, or streamlined design review process as of the effective date of this ordinance may elect to continue review under the design review process or withdraw the proposed development from the design review process. Applicants of all other proposed development may elect, at any time during the effective period of this ordinance, their proposed development be reviewed pursuant to the full, administrative, or streamlined design review process. Applicants with projects meeting the thresholds for full design review pursuant to subsection 23.41.004.A that elect to continue review, or elect review, under the design review process may choose administrative design review.

3. The provisions of this subsection 23.41.004.F shall be in effect for six months from the effective date of this ordinance.

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Section 3. The interim regulations set forth in Sections 1 and 2 of this ordinance shall be in effect for a period of six months from the effective date of this ordinance and shall automatically expire after the six month period unless the same is extended as provided by statute, or unless terminated sooner by the City Council.

Section 4. The City may renew these interim regulations in accordance with RCW 36.70A.390.

This ordinance shall take effect as provided by Seattle Municipal Code Sections
1.04.020 and 1.04.070.

Passed by the City Council and signed in open session in authentication of its
passage on _____.

President _____ of the City Council

_____ on _____

Katie B. Wilson, Mayor

Attested on _____.

Scheereen Dedman, City Clerk

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