

DPD

Director's Rule 3-2011

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
	(Signature on file) Diane M. Sugimura, Director, DPD	12/28/2010

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Applicants may apply for refunds when an application or permit is withdrawn or canceled prior to the completion of the review and inspection process.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

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	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

¹ Miscellaneous and special fees are generally not refunded unless the fees have been pre-paid.

Required Building Pre-application Conferences 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	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

² Building Pre-application conferences are not refundable, but are credited to building permit if filed within 6 months

³ Administrative fee not refundable. Other electrical permit fees not refundable if work has commenced.

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 ELIGIBLE FOR REFUND

22.900C.010 LAND USE FEES

Fees for services listed below may be eligible for refund.

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.

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 22.900D.060		Table D-7
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
<i>Type of Parking Facility</i>	<i>Stage in Review Process</i>	<i>Reference Table</i>
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 VESSELS 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

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.

FEES COLLECTED FOR OTHER DEPARTMENTS⁴		
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

⁴ Refund of fees collected for other departments will be processed by DPD after review by associated department

REFUND CALCULATION TABLES 1-5

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			
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%

⁵ On energy and mechanical permit review, hourly fees accrued will be deducted from permit or review fees.

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