

Seattle Mayor's Office Proposes Emergency Action to Keep City's Land Use Process Moving During COVID-19 Slowdown

Legal Alert
April 3, 2020

In an effort to keep Master Use Permit applications moving through the review process during the COVID-19 emergency, on April 2, Seattle Mayor Jenny Durkan's office proposed an emergency ordinance that, if adopted, would allow the Seattle Department of Construction and Inspections and the Department of Neighborhoods to review applications and make key decisions without in-person meetings.

The goal of the ordinance is economic recovery: get projects fully entitled and shovel-ready, so as soon as the COVID-19 emergency passes, Seattle's construction industry can roar back to life, rebuilding the City's economy while building the City.

The proposed ordinance would:

- Allow any in-person community outreach requirements to be satisfied by electronic or digital methods, regardless of the contents of the project's outreach plan;
- Give applicants for permits that are subject to design review the option of using administrative design review, removing the Design Review Board from the process;
- Allow applicants for affordable housing projects to opt out of design review altogether, while retaining the possibility of obtaining certain development standard departures through a Type I decision;
- In Yesler Terrace, subject proposals requiring departures to administrative design review, while treating highrise proposals as non-highrise;

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- Allow the Director of the Department of Neighborhoods, without the involvement of the relevant advisory board (depending on the structure/location, the Landmarks Preservation Board, the relevant special review board, or the relevant landmark district board), to approve Certificates of Approval for certain enumerated alterations to:
 1. Designated landmarks,
 2. Structures in Special Review Districts (such as Pioneer Square and the International District), or
 3. Structures within designated landmark districts (such as Ballard Avenue and Pike Place Market).

The ordinance would remain in effect for the shortest of (1) six months, (2) SDCI/DON devises a way to effectively host meetings electronically, or (3) the various boards begin holding in-person meetings.

Review a copy of the [draft ordinance](#). Foster Garvey land use attorney Steve Gillespie is tracking this bill through Council, so if you have questions about how this ordinance could affect the processing of your permit, or how you can provide Council with your opinions about the bill, please contact him.

For additional resources on how to navigate the business disruptions caused by COVID-19, please visit our [COVID-19 Resource Center](#) and reach out to the Foster Garvey team with any questions.