



PERMITTING REQUIREMENTS FOR STREET IMPROVEMENTS

Last Revised 8/20/18

INTRODUCTION

The Land Use Code may require applicants to complete improvements within the right of way as part of private development projects. The required improvements are dictated by the Land Use Code based on zoning, the number and type(s) of facilities to be constructed and the type(s) of abutting street(s) or alley(s). In some instances, the street improvements are limited and will not require a Street Use Major (Type 45) Street Improvement Permit. The intention of this Client Assistance Memo is to:

- clarify the types of street improvements that can be constructed with an Over the Counter (OTC) permit issued by SDOT.
- identify the types of improvements that will require a Street Use Major (Type 45) Street Improvement Permit.
- provide a timeframe for applicants to obtain the necessary SDOT permits for their projects.

Access to Information

Client Assistance Memos are available online at: www.seattle.gov/transportation/document-library/client-assistance-memos. Paper copies of these documents are available at our Permit Services Counter located on the 23rd floor of the Seattle Municipal Tower at 700 5th Avenue in downtown Seattle; phone number (206) 684-5253.

As with all permitting requirements, it is the sole responsibility of the applicant to obtain the necessary permits for their project.

Your DPD permit does not include any permission to do any construction within the right of way and it is important to obtain and coordinate the required SDOT permits prior to any construction.

Problems that occur during construction that are due to the lack of coordination with SDOT are the responsibility of the Applicant.

There are three major groups of permits issued by SDOT for street improvements done in conjunction with private development:

- **Group 1:** Over-the-Counter (OTC) permits that can be obtained any time prior to construction or installation of the improvement.
- **Group 2:** Over-the-Counter (OTC) permits that should be obtained concurrently with a building permit.
- **Group 3:** Street Use Major permits (Type 45) Street Improvement Permits (SIP). 60% Complete SIP Plans must be approved by SDOT prior to DPD construction intake.

LEGAL DISCLAIMER: This Client Assistance Memo (CAM) should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this CAM.

GROUP 1

The following improvements can be done individually or in combination with any other improvements in Group 1 by obtaining an OTC permit from SDOT at any time prior to construction and/or installation.

Permit Type	Permit Description
Tree Planting and Beautification – Type 1 and 1A	Landscaping in the right of way including trees, small shrubs, plants and/or ground cover. This permit is used by applicants who do not have specific landscaping requirements. (No permit is required for planting grass.)
Concrete Driveways and Curb Cut – Type 26	Construction of driveway approaches/aprons along a street frontage with existing curbs. (These permits are issued by DPD.)
Clear and Grub – Type 35	Removal of vegetation (other than trees) in a street or alley right of way provided the project is not within any identified Environmentally Critical Areas (ECAs). A Type 35 permit does NOT include any grading.
Planting Strip includes Required Landscaping – Type 38	Completion of the planting strip including required paving and/or landscaping.

GROUP 2

Some street improvements (other than those listed in Group 1) can be done by obtaining an OTC permit from SDOT. Group 2 street improvements include:

1. Structures and/or encroachments in the right of way, and/or
2. Right of way improvements which are dependent on building grades and existing or future street or alley grades.

Permit Type	Permit Description
Structures and Overhangs – Type 7, 7A and 7B	All buildings, loading platforms, bridges, ramps, steps leading to buildings and/or building overhangs in the right-of-way.
Driveways with No Curb – Type 25	Construction of a driveway where there is no curb. These driveways are generally asphalt concrete but sometimes a cement concrete driveway is required.
Fences and Non-Structural Walls – Type 29	Installation of walls, rockeries and stairs. Fences and non-structural walls are generally not permitted in the right of way unless they are required for access with no feasible alternative for placement on private property.
New Sidewalk with an Existing Curb (less than 750 square feet) – Type 37	Construction of a new sidewalk where there is an existing curb provided that the total impervious area is less than 750 square feet.
Grade and Rock – Type 34	Temporary and/or replacement of crushed rock surfacing. A Type 34 permit only applies where the cuts and/or fills are less than 1 foot high.
Roadway Paving – Type 40	Replace existing asphalt concrete pavement. This does not include paving projects where existing pavement is widened and/or the road is re-graded.
Tree Removal – Type 43	Removal of trees in the right of way.
Sidewalk Repair – Type 55A	Repair or replacement of less than 750 square feet.

Applicants will need to carefully review the right of way improvements required for their project. If the project falls into the type of improvements in Group 2 and are not reviewed and/or permitted by SDOT at the time the applicant is obtaining their building permit, the applicant may be required to make significant changes to their private property development plans to construct their project to the appropriate grade, consistent with SDOT standards and Title 15.

As a matter of policy, SDOT considers the public benefit of structures placed in the right of way when determining if such an improvement will be permitted. Several Group 2 permits include structures and/or encroachments into the right of way such as awnings, overhangs, stairways, loading platforms (Types 7), and fences, rockeries and walls, both structural and nonstructural (Type 29). Applicants considering constructing stairways, loading platforms, fences, rockeries or structural or nonstructural walls in the right of way should contact SDOT as early as possible to determine if this improvement will be permitted. Generally, SDOT views these types of improvements as a benefit to the adjacent property owner rather than a benefit to the public. Where this is the case, it is unlikely that an applicant will be granted a permit for these types of improvements within the right of way, even if there was a prior development on the property and a fence, wall or other structure previously occupied a portion of the right of way.

Applicants should be sure that they know where their property lines are located and where SDOT's right of way begins when planning their project to avoid encroachments into the right of way. When new construction takes place SDOT will try to get private structures or other encroachments out of the right of way and located on private property, whenever possible. If SDOT approves placement of a structure, overhang or underground encroachment, the applicant will be required to obtain a separate Annual Use permit.

Permits for new driveways where there is no existing curb (Type 25) must be engineered to meet the geometric requirements stated in the Seattle Right-of-Way Improvements Manual. In addition, SDOT requires that street improvements such as driveways and new sidewalks are built to elevations that are consistent with future street or alley grades. The online building grade calculator tool can only be used when the roadway or alley adjacent to the project site is improved. Visit www.seattle.gov/transportation/gradesheetintro.htm. If the roadway or alley adjacent to the site is not improved a Type 45 Street Improvement Permit will be required to establish the road or alley profile. In order to be sure that driveways and sidewalks can be permitted, SDOT recommends that applicants obtain their right of way permits at the same time that they are applying for their building permit. This will avoid unnecessary building grade changes after building permit issuance.

Tree removal permits (Type 43) will only be granted when removal of the tree is absolutely required for access onto private property. Because of the potential impact to the access point to private property, an applicant should contact SDOT Urban Forestry as soon as possible in the permitting process to obtain a tree removal permit.

New Sidewalk and Sidewalk Repair Permits (Type 37 and 55A), Grade and Rock Permits (Type 34) and Paving Permits (Type 40) should be obtained at the same time as the building permit so that sidewalks, grading and/or paving meets the existing and/or future street cross section and grade.

The following improvements individually or combined with any other improvements in Group 1 or Group 2 should be obtained concurrently with a building permit from DPD.

GROUP 3

Examples of street improvements that require a Street Use Major (Type 45) Street Improvement Permit include, but are not limited to:

- projects with new curb. New curbs are curbs that are constructed where none previously existed or curbs that are removed and relocated.
- projects with more than 750 square feet of new impervious surface (crushed rock is considered an impervious surface).
- projects where a previously unopened alley or street will be opened for access.
- projects where an existing alley (either paved or surfaced with crushed rock) is widened more than 2 feet.
- projects with Green Factor elements in the ROW.
- projects where the future grade of an existing street or alley used for access is different than the existing street/alley grade.
- projects that include installation of a new utility main.
- improvements that include any other elements beyond those listed in Group 1 or Group 2 will most likely require a Street Use Major (Type 45) Street Improvement Permit.

Permit Type	Permit Description
Commercial or Multi Use Construction street improvement - type 45	Construction of street paving, curb, walk and associated public utilities and landscaping. Public improvements by private development.
Single Family Residential construction street improvement - type 45a	Construction of street paving, curb, walk and associated public utilities and landscaping. Public improvements by private development.

SDOT must approve a 60% Complete SIP plan prior to DPD construction permit intake. The following CAMs and Checklists and be found at www.seattle.gov/transportation/permits-and-services/permits/street-improvement-permits and may assist in the 60% Complete SIP plan development:

- CAM 2200
- CAM 2211
- CAM 2212
- CAM 2213
- Base Map Checklist
- Survey Checklist
- 60% Complete Street Improvement Checklist

SDOT will notify the applicant and DPD once the 60% Complete SIP plan has been approved. After approval the applicant can submit plans for SIP formal review. The following references may help in the development of 90% Complete SIP Plans for formal review:

- CAM 2214
- 90% Complete Street Improvement Plan (SIP) Checklist

If you need assistance preparing a 90% complete engineered plan, SDOT strongly recommends that you apply for SDOT Street Improvement Permitting (SIP) Design Guidance. See CAM 2211 www.seattle.gov/Documents/Departments/SDOT/CAMs/cam2211.pdf for information regarding the SDOT Street Improvement Permitting Design Guidance process.

The time frame involved in the plan review process is based on the completeness and accuracy of the plans that the applicant submits.

ASSISTANCE WITH STREET IMPROVEMENT PERMITTING

Questions regarding the Street Improvement Permitting process may be directed to a SDOT SIP Project Manager at (206) 684-5044 or emailed to SDOTASC@Seattle.gov.

SDOT Coaching is available at the Street Use Counter located on the 23rd Floor of 700 5th Ave.

RESOURCES

Contact the following City of Seattle offices for more information:

SDOT Street Use Permits

Street Use
Seattle Municipal Tower, 23rd Floor
700 - 5th Avenue
P.O. Box 34996
Seattle, Washington 98124-4996
(206) 684-5253
www.seattle.gov/transportation

SDOT Street Trees

City Arborist
Seattle Municipal Tower, 23rd Floor
(206) 684-TREE (8733)
www.seattle.gov/transportation/projects-and-programs/programs/trees-and-landscaping-program

Dept of Planning and Development (DPD)

Applicant Services Center (ASC)
Seattle Municipal Tower, 20th Floor
700 - 5th Avenue
(206) 684-8850
www.seattle.gov/dpd/permits/

Seattle Public Utilities (SPU)

(206) 684-3000
www.seattle.gov/util/Engineering/index.htm

Seattle City Light (SCL)

(206) 684-3000
www.seattle.gov/light/Business.asp

Seattle Parks and Recreation

(206) 684-4075
www.seattle.gov/parks/reservations/ParkPropertyUse.htm

Seattle Department of Neighborhoods

(206) 684-2489
www.seattle.gov/neighborhoods/programs-and-services/historic-preservation

A Certificate of Approval may be required if your project is in a Landmark District or is listed as a Historical Landmark.