
Division I. General Provisions

The chapters in Division I primarily relate to how the Zoning Code is administered and interpreted. Generally, the procedures and regulations set forth in this Division are not related to any specific geographic location or to any particular land use or zoning designation.

Procedures and criteria for variances, conditional use permits, siting of essential public facilities and change of zone classification are included in this Division, as are definitions and methods of calculation and measurement.

Procedures for how the City of SeaTac processes applications for land development and other land use permits are contained in Chapter 16A of the SeaTac Municipal Code.

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Chapter ~~15.05-100~~

Authority, Purpose, Interpretation and Administration

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~~15.05.010~~100.005 Title

This title shall be known as the City of SeaTac Zoning Code, hereinafter referred to as “the code.” (Ord. 92-1041 § 1)

~~15.05.020~~100.010 Authority to Adopt Code

The code is adopted by City of SeaTac ordinance, pursuant to Article XI, Section 11 of the Washington State Constitution. (Ord. 92-1041 § 1)

~~15.05.030~~100.015 Purpose

- A. To implement the SeaTac Comprehensive Plan’s policies and objectives and the goals of the State Growth Management Act (GMA);
- B. To protect health, safety and general welfare;
- C. To provide for the economic, social, and aesthetic advantages of orderly development and redevelopment through harmonious groupings of compatible and complementary land uses and the application of appropriate development standards;
- D. To provide for adequate public facilities and services in conjunction with development;

- E. To ensure public safety by restricting development of lands containing physical hazards and to minimize the adverse environmental impacts of development; and
- F. To ensure that land use decisions are made in accordance with the public interest and applicable laws of the State of Washington, including the Growth Management Act and subsequent amendments. (Ord. 92-1041 § 1)

15.05100.040-020 Requirement of Code Conformity

- A. No use or structure shall be established, substituted, expanded, constructed, altered, moved, maintained, or otherwise changed except in conformance with the code.
 - 1. **Permits Required.** To ensure that code requirements are met, any action that establishes or changes a use or structure, or alters site conditions such as landscaping or parking, shall be subject to review through submittal of an application for a permit for such action in accordance with the requirements of SMC Title 16A.
 - 2. **Site Plan Review.**
 - a. Building permits, grading permits, and other applicable nonplanning permits requiring compliance with zoning code standards shall be reviewed through a Planning Department site plan review to ensure compliance with the requirements of this code.
 - b. In the event that no other permit application applies to the review of an action requiring zoning code compliance, a “site plan review” permit shall be obtained from the Department of Planning and Community Development. The requirements for the site plan review permit are outlined in an application form available from the Department. The site plan review shall be a Type I permit, unless deemed by the Director of Planning and Community Development to warrant Type II review with public notification.
 - 3. Notwithstanding subsections (A)(1) and (2) of this section, the following actions are exempt from any permit requirements, although they must still meet the requirements of the code:
 - a. Construction of an accessory building of less than one hundred twenty (120) square feet;
 - b. Fences of six (6) feet or less in height;
 - c. The cutting of one or more trees by the owner of a single-family property on which is an existing single-family home, unless such trees are in a steep

slope, wetland, or other sensitive area, or sensitive area buffer, or unless such trees are required to be retained by covenants on the property.

- B. Creation of, or changes to, lot lines shall conform with the use provisions, dimensional and other standards, and procedures of the code and SMC Title 14, Subdivisions.
- C. All land uses and development authorized by the code shall comply with all other regulations and requirements of the code or any other local, state or federal agency that has jurisdiction over land uses and development. Where a difference exists between the code and other regulations, the more restrictive requirements shall apply.
- D. Where more than one (1) part of the code applies to the same aspect of a proposed use or development, the more restrictive requirements shall apply. (Ord. 03-1020 § 15; Ord. 93-1036 § 17; Ord. 92-1041 § 1)

15.05100.050-030 Minimum Requirements

In interpretation and application, the requirements set forth in this title shall be considered the minimum requirements necessary to accomplish the purposes of the code. When deemed appropriate, the City Council or the Hearing Examiner, in the course of a quasi-judicial hearing, may impose property-specific development standards pursuant to SMC 15.05.055. Additionally, the City Manager, or designee, shall issue an interpretation on areas of question as set forth in SMC 15.05.060. (Ord. 99-1030 § 1; Ord. 95-1012 § 1; Ord. 92-1041 § 1)

15.05100.055-040 Property-Specific Development Standards

- A. In addition to the minimum requirements of this title, property-specific development standards further restricting development may be imposed by the City Council or the City Hearing Examiner in either an individual or City-initiated zoning reclassification; provided, that all other zone reclassification criteria as specified in SMC 15.22.050 are met. The property-specific development standards are for the purpose of ensuring the public health and safety, neighborhood compatibility, and environmental protection and may include, but are not limited to, increased development standards, limits on permitted uses, or special conditions of approval. Such property-specific development standards shall not reduce the development standards specified elsewhere in this title.
- B. An asterisk (*) shall be shown on the official zoning map and on appropriate GIS databases to provide notice of the property-specific development standards. The asterisk shall reference an appendix to the Zoning Code which shall detail the adopting ordinance for the property-specific standard and any other details deemed appropriate. The Director of the Department of Planning and Community Development is hereby authorized and directed to cause the official zoning map to be amended to notate properties subject to property-specific conditions, and to update the zoning map upon adoption of future standards and agreements. (Ord. 01-1001 § 1; Ord. 99-1030 § 2)

15.05100.057-050 Development Agreements

- A. If it is determined, as a discretionary matter, that particular and demonstrable public benefits will accrue to the City, development agreements may be entered into by and between the City and persons and entities having ownership or control of real property, pursuant to RCW 36.70B.170 through 36.70B.200 to establish development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of specific real property, to engender funding or providing of services, infrastructure, and other facilities, including potential reimbursement over time for private financing of public facilities, and to permit imposition of impact fees, inspection fees, dedications, other financial contributions, and mitigation measures where the same are expressly authorized by provisions of state law.
- B. The terms of any such development agreement shall be consistent with the Comprehensive Plan and with the development regulations of this code, and shall conform to the purpose of SMC 15.22.010 and the criteria set forth in SMC 15.22.055. Development agreements are subject to the public hearing notice requirements contained in SMC 16A.13.010.
- C. The Director of the Department of Planning and Community Development is hereby authorized and directed to cause the official zoning map to be amended to notate properties subject to approved development agreements, and to update the zoning map upon adoption of future agreements. A notation shall be placed upon the official zoning map and on appropriate GIS databases to provide notice of the development agreement. The notation shall reference an appendix to the Zoning Code which shall identify the development agreement and any other details deemed appropriate. (Ord. 01-1022 § 1; Ord. 01-1001 § 2; Ord. 99-1045 § 1)

15.05100.060 Interpretation – General

- A. Regulations, conditions or procedural requirements that are specific to an individual land use shall supersede regulations, conditions or procedural requirements of general application.
- B. A land use includes the necessary structures to support the use unless specifically prohibited or the context clearly indicates otherwise.
- C. Chapter and section headings, captions, illustrations and references to other sections or titles are for reference or explanation only and shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any section.
- D. The word “shall” is mandatory and the word “may” is discretionary.

- E. Unless the context clearly indicates otherwise, words in the present tense shall include past and future words defined in this title; all words and terms used in this code shall have their customary meanings.
- F. The City Manager, or designee, shall issue administrative interpretation on the Zoning Code in order to clarify the intent and standards. The interpretation shall have the stated issue, findings of fact, and conclusions and shall be considered during the annual review of the code for inclusion as a standard. (Ord. 95-1012 § 1; Ord. 92-1041 § 1)

15.05100.070 Interpretation – Boundaries

Where uncertainties exist as to the location of any zone boundaries, the following rules of interpretation, listed in priority order, shall apply:

- A. Where the boundaries are not clearly designated in regard to rights-of-way, the City Manager, or designee, shall determine the nearest lot line to be the boundary for a zone boundary;
- B. Where boundaries are indicated as following lines of ordinary high water, or government or meander line, the lines shall be considered to be the actual boundaries, and if these lines should change, the boundaries shall be considered to move with them;
- C. Where a public right-of-way is vacated, the vacated area shall have the zone classification of the adjoining property with which it is first merged; and
- D. If none of the rules of interpretation described in subsections (A) through (C) apply, then the zoning boundary shall be determined by map scaling. (Ord. 95-1012 § 1; Ord. 92-1041 § 1)

15.05100.080 Administration and Review Authority

- A. The Hearing Examiner shall have the authority to hold public hearings and make decisions and recommendations on reclassification, subdivisions and other development proposals and appeals as set forth in City ordinances, including Chapter 15.22 SMC, and subsequent amendments. The Hearing Examiner shall also have the authority to impose property-specific development standards pursuant to SMC 15.05.055.
- B. The City Manager, or designee, shall have the authority to grant, condition or deny commercial and residential building permits, grading and clearing permits, in violation or noncompliance with this code.
- C. The City Manager, or designee, shall have the sole authority to issue official interpretations of the Zoning Code, in accordance with the criteria set forth in SMC 15.05.060. Such decisions shall be considered administrative decisions which can be appealed through the Hearing Examiner. (Ord. 99-1030 § 3; Ord. 95-1012 § 1; Ord. 92-1041 § 1)

15.05100.090 Severability

Should any chapter, section, subsection, paragraph, sentence, clause or phrase of this title be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this title. (Ord. 92-1041 § 1)

15.12100.018-100 Accommodation of Persons with Disabilities

- A. Purpose. The City recognizes the need to make reasonable exceptions to its Zoning Code, if requested, to accommodate the special needs of persons with disabilities.
- B. Application. Such exceptions may include:
 - 1. Increasing the number of nonrelated persons allowed to live together in a single-family house;
 - 2. Reducing setback requirements to retrofit a house with handicap accessible facilities;
 - 3. Other modifications to the Zoning Code necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling, provided such modification does not reduce public safety nor keep the intent of the code from being met.
- C. Authority. Exceptions from code requirements are made pursuant to the requirements of the Federal Fair Housing Amendments Act of 1988, 42 U.S.C. Section 3604(f)(3)(B); and Washington Law Against Discrimination, Chapter 29.60 RCW for persons with disabilities as defined by Federal law in 42 U.S.C. Section 3602(h). See SMC 15.10.176 for the definition of disability.
- D. Accommodation Procedure.
 - 1. Request for Accommodation. Any person claiming to have a disability, or someone acting on his or her behalf, who wishes to be excused from an otherwise applicable requirement of this Zoning Code must provide the Planning Director with verifiable documentation of the disability and need for accommodation.
 - 2. Decision Process.
 - a. Director Authority. If disability and need for accommodation are demonstrated, the Planning Director, in consultation with the City Attorney, is hereby authorized to vary, modify, or waive the provisions of the Zoning Code, in order to provide reasonable accommodation necessary to afford a disabled person the opportunity to use a dwelling.

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- b. Prompt Action. The Director shall act promptly on the request for accommodation.
 - c. No Fee. The Director shall not charge a fee for responding to such request.
 - d. Appeal. The Director's decision shall constitute final action by the City on the request for accommodation, and review of that decision will be available only in court. An action seeking review must be filed no more than twenty-one (21) days after the director's decision.
3. Decision Criteria.
- a. Reasonable Response. The city's duty to accommodate is an affirmative one, and the Director is thereby authorized to provide accommodations in a thoughtful and reasonable manner.
 - b. No Loss of Code Purpose or Safety. No reasonable accommodation shall be provided to any chapter of the Zoning Code, or other code adopted pursuant thereto, which does not substantially accomplish the purposes of that chapter or which would reduce the public safety.
 - c. Burden of Proof on Applicant. The applicant shall have the burden of establishing that the proposed modification, waiver, or variance accomplishes substantially the same purpose without reduction of safety.
 - d. Minimum Accommodation Needed. The accommodation shall be the minimum necessary to grant relief to the applicant.
4. Procedure Upon Change of Use.
- a. Accommodation Personal Unless Similar Use Re-established within Six (6) Months. The accommodation provided shall be personal to the applicant and shall not run with the land; provided, however, that a change in a residential structure necessary to accommodate the operation of a residential care provider to the disabled may be continued by future operations of similar facilities at the site which establish the same use within six (6) months of the date the prior use by disabled persons or residential care provider ceases.
 - b. Structure May Be Required to Be Brought Back Into Compliance. The Director may direct that any physical change in the structure which would otherwise be illegal under the Zoning Code, or other section of the SeaTac Municipal Code, be brought into compliance six (6) months after the date of sale or transfer of a residential structure to a person or entity not qualifying for the protections of the Americans with Disabilities Act (ADA), Fair Housing Act (FHA) and the Washington Law Against Discrimination (WLAD). (Ord. 99-1005 § 15)

15.32-100.110 Code Enforcement**A. ~~15.32.010~~ Authority of City Manager**

The City Manager, or designee, is authorized to utilize the procedures of this code and adopted ordinances to enforce any and all violations of land use, health and business regulatory ordinances of the City, and shall establish an Office of Code Enforcement in the Building Division of the Public Works Department for those purposes. (Ord. 95-1012 § 1; Ord. 92-1041 § 1)

~~15.32.035-B.~~ Severability

Should any section, paragraph, sentence, clause or phrase of this chapter, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this chapter be pre-empted by state or federal law or regulation, such decision or legislation shall not affect the validity of the remaining portions of this chapter or its application to other persons or circumstances. (Ord. 92-1041 § 1)

Chapter 15.105

Land Use Definitions

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~~15.10.490~~ Produce Stand
~~15.16.020~~ Property Line
~~15.10.495~~ Public Access
~~15.10.500~~ Public Access Pier or Boardwalk
~~15.10.501~~ Public Agency Office
~~15.10.502~~ Public Agency Yard
~~15.10.503~~ Public Archives
~~15.35.080~~ Public Facility
~~15.31A.022~~ Public Safety Communications Equipment
~~15.10.505~~ Quasi-Public Utility
~~15.31A.022~~ Radio Frequency Emissions
~~15.10.510~~ Radio Tower
~~15.16.020~~ Readerboard
~~15.10.511~~ Reasonable Use
~~15.10.515~~ Recreation, Community (Recreational Center)
Recreation Facility, Indoor
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~~15.10.520~~ Recreation, Public
~~15.10.530~~ Recreational Vehicle (RV)
~~15.26.015~~ Recreation Vehicle (RV)
~~15.10.535~~ Recycling Products

~~15.10.537~~ Regional Utility Corridor

~~15.10.540~~ Regulated Wetland

~~15.10.541~~ Religious Use Facility

~~15.10.540~~ Religious Use Facility Accessory

~~15.10.545~~ Replacement Cost

Research and Development Testing

~~15.10.550~~ Restaurant (now Food Establishment, Sit Down)

~~15.10.551~~ Restaurant, Fast Food-, (now Food Establishment, Fast Food)

~~15.10.552~~ Restoration

Retail, Big Box

~~15.10.555~~ Retail Establishment, General

~~15.10.556~~ Retail Food Shop

~~15.10.557~~ Retention/Detention Facility

~~15.10.558~~ Retention/Detention Facility, Regional

~~15.10.560~~ Right-of-Way

~~15.16.020~~ Roof Sign

Rubber/Plastic/Leather/Mineral Products

~~15.31A.022~~ Satellite Earth Station (Satellite Dish)

~~15.16.020~~ Scrolling

~~15.16.020~~ Secondary Signs

~~15.10.561~~ Secondhand Store (now part of Retail, General)

~~15.10.561.05~~ Secure Community Transition Facility (SCTF)

~~15.10.562~~ Seismic Hazard Area

~~15.10.563~~ Self-Service Storage (now Storage, Self Service)

~~15.10.220~~ Senior Citizen Residence Housing (now Multi-Family, Senior)

~~15.10.564~~ Sensitive Area

~~15.10.565~~ SEPA

~~15.10.567~~ Setback

15.10.025 Adult Entertainment Sexually-Oriented Business

~~15.10.030~~ Adult Theater (Now part of “Sexually-Oriented Business”)

~~15.10.035~~ Adult Use Establishment (Now part of “Sexually-Oriented Business”)

~~15.10.570~~ Shared Access Point

Shed

~~15.10.575~~ Shoreline Master Program

~~15.16.020~~ Sign

~~15.16.020~~ Sign, Off-Premises

~~15.16.020~~ Sign, On-Premises

~~15.10.605~~ Significant Tree

~~15.10.606~~ Single Attached Dwelling Unit, Caretaker/Manager

~~15.10.225~~ Single Detached Dwelling Unit, Detached

Single-Family, Small Lot**Single-Family Zone****15.16.020 Single-Occupancy Building****Site****Site Area, Gross****Site Area, Net****15.10.610 Small, Resident-Oriented Uses****15.10.611 Social Service Office****15.10.612 Specialized Instruction School****15.10.612.1 Sports Club (Now moved to Recreational Facility, Indoor)****15.10.612.5 Sponsoring Agency****Stable****Stadium/Arena/Auditorium****15.12.080 State Siting Criteria****15.10.613 Steep Slope Hazard Areas****15.10.563 Self Service Storage, Self-Service****Storage, Large Vehicle and Equipment****15.10.615 Storm Drainage****15.10.620 Stream****15.10.623 Stream Functions****15.16.020 Streamer****15.10.625 Street, Private****15.10.630 Street, Public****15.10.631 Structure****15.16.020 Subdivision Signs****15.10.635 Support Structure****15.16.020 Surface Area****15.16.020 Surface Area of Facade****15.31A.022 Telecommunications Master Plan****15.16.020 Temporary Freestanding Sign****15.10.639 Temporary Wireless Telecommunications Facility (Temporary WTF)****15.31A.022 Temporary Wireless ~~Telecommunications~~ Communications Facility (Temporary ~~WTF~~WCF)****15.10.639.05 Tent Structure, Residential****Theater/Night Club/Entertainment Club****Tire Retreading****15.10.640 Topsoil****15.31A.022 Tower****Towing Operation**

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~~15.10.710~~ Wet Pond
~~15.16.020~~ Window Sign
~~15.31A.022~~ Wireless Communications
~~15.31A.022~~ Wireless Communications Facility (WCF)
~~15.31A.022~~ Wireless Communications Facility, Attached

~~**15.31A.022** Wireless Communications Facility, Concealed Attached~~
~~**15.31A.022** Wireless Communications Facility, Concealed Freestanding~~
~~**15.31A.022** Wireless Communications Facility, Nonconcealed Attached~~
~~**15.31A.022** Wireless Communications Facility, Nonconcealed Freestanding~~
~~**Wood Products**~~
~~**15.31A.022** Zones, High Intensity~~
~~**15.31A.022** Zones, Low Intensity~~
~~**15.10.715** Zoning Map~~
~~**15.26.015** Definitions (From Mobile, Manufactured and Modular Homes)~~

~~**15.31A.022** Abandonment*~~

Intentional discontinuation of electrical service to a wireless communications facility (WCF) for sixty (60) or more days.

~~**15.10.010** Abut~~

To be contiguous with or touching property lines or right-of-way.

~~**15.31A.022** Accessory Building~~

A building used exclusively or primarily to contain and conceal radio or other equipment necessary for the transmission or reception of wireless communication signals.

~~**15.10.016** Accessory Dwelling Unit (ADU)~~

A habitable living unit created within, attached to, or detached from a single-family residence that provides the basic requirements of shelter, heating, cooking and sanitation within the unit.

~~**15.10.017** Accessory Structure~~

A nonattached structure which is subordinate and incidental to the main structure on the property.

~~**15.10.020** Accessory Use~~

A use which is subordinate and incidental to the main activity or structure on the subject property.

~~**15.10.025** Adult Entertainment (now Sexually Oriented Business)~~

~~**15.10.030** Adult Theater (now part of Sexually Oriented Business)~~

~~15.10.035 Adult Use Establishment (now part of Sexually Oriented Business)~~**~~Aerospace Equipment~~**

~~Establishments primarily engaged in manufacturing aircraft, missiles, space vehicles and their engines, propulsion units, auxiliary equipment, and parts thereof.~~

~~15.10.036 Agricultural Crops~~

The products of agriculture which include fruits, vegetables, grains, seed, feed, flowers, ornamental and food-bearing plants and trees, as well as animal products.

~~15.10.038 Agricultural Crop Sales~~

The sale of agricultural products, produced on or off the site, which include fruits, vegetables, grains, seed, feed, flowers, ornamental and food-bearing plants and trees, as well as animal products.

~~15.10.040 Aircraft Storage Area~~

A building used to store private or public aircraft for short- or long-term periods of time.

~~15.10.042 Air Freight Terminal~~

A building used by public and private aircraft for the on- or off-loading of air freight for distribution to wholesale and retail customers.

~~15.10.045 Airport~~

Any runway, landing area or other facility directly designed or used by either public or private aircraft for the landing and taking off of aircraft, transfer of passengers and/or cargo, surface access, and other support facilities typically associated with airports, including:

- A. Taxiway;
- B. Control tower;
- C. Communication, maintenance facilities;
- D. Passenger, cargo terminals.

~~15.10.047 Airport Terminal Facilities~~

The complex of buildings, parking garages, and associated structures and improvements which provide access, activities, and facilities for the use, support, and convenience of the traveling public and other airport users and employees. Airport terminal facilities are generally located in proximity to each other, with reasonable pedestrian access among them.

~~15.10.050~~ **Air Rights**

The right to, in some manner, control the use of space above the surface of the ground.

~~15.10.056~~ **Alley**

A service drive providing a secondary means of access to abutting property and not intended for general traffic circulation.

~~15.10.060~~ **Alter/Alteration**

Any change, addition or modification in construction. Additionally, any human activity which results or is likely to result in any impact upon the existing condition of a sensitive area.

Amusement Park

A facility, primarily outdoors, that may include structures and buildings, where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, buildings for shows and entertainment, and restaurants and souvenir sales.

~~15.10.061~~ **Amendment**

A change in the wording of this title, adoption of a zoning map hereunder, a change in the zone boundaries upon zoning maps adopted hereunder, or the adoption of a planned unit development.

~~15.31A.022~~ **Ancillary Structure**

Any form of development associated with a wireless communications facility, including but not limited to: foundations, concrete slabs on grade, guy anchors, generators, and transmission cable supports; however, specifically excluding equipment cabinets, and enclosures.

~~15.16.020~~ **Animation**

Movement or the appearance of movement of a sign display through the use of patterns of lights, changes in color or light intensity, computerized special effects, video display, or through any other method; except for the scrolling of a static message or scene onto or off a sign board in one (1) direction per message. Note that animation is prohibited per **SMC 15.16.110(D)**.

~~15.31A.022~~ **Antenna-**

Any apparatus designed for transmitting and/or receiving electromagnetic waves, including, but not limited to telephonic, radio or television communications. Types of elements include, but are not limited to, wireless internet, omni-directional (whip) antennas, sectorized (panel) antennas, multi or single bay (FM and TV) antennas, and yagi or parabolic (dish) antennas.

~~15.31A.022~~ **Antenna Array**

One (1) or more antennas and their associated mounting hardware, feed lines, or other appurtenances, such as a platform, which share a common attachment device, such as a mounting frame, or mounting support structure.

~~15.31A.022~~ **Antenna Element Combining**

A change that results in an antenna or an array of antennas providing services for more than one (1) wireless provider for the same or similar type of services.

~~15.31A.022~~ **Antenna Element Replacement**

The changing of a single antenna or of an array antenna unit with another single antenna or array unit with different mechanical or electromagnetic specifications.

~~15.31A.022~~ **Antenna-Supporting Structure**

A ground-based vertical projection composed of metal or other substance with or without foundation that is for the express purpose of accommodating antennas at a desired height above grade.

~~15.10.200~~ **Dwelling Unit, Apartment**

A building or part of a building, containing three (3) or more dwelling units.

Apparel/Textile Products

Establishments primarily engaged in manufacturing or finishing clothing, yarn, or textile fabrics.

Arcade (Games/Food)

Any establishment, room, place, or business location where more than five amusement devices are available for play or use by the general public.

~~15.16.020~~ **Area or Surface Area of Sign**

The area of a sign excluding sign support structures, which do not form part of the sign proper or the display. (Note: Section in quotes within parentheses is now located in Division I Calculations Chapter “Surface area shall be measured as follows:

- A. The “surface area” of the sign is determined by the height times the width of a typical rectangular sign or other appropriate mathematical computation of surface area for nonrectangular signs.
- B. “Surface area” includes only one (1) face of a double-faced sign where the faces of the sign are parallel. If any face is offset from parallel by more than five (5) degrees, such face shall be counted as a separate surface area.
- C. “Surface area” of a sign with more than two (2) faces, such as a cube or pyramid, shall be calculated as the sum of the surface area of all faces, divided by two (2).
- D. In the event of an irregular, three-dimensional object that serves as signage, where the surface area is not readily measurable, the surface area shall be calculated by the largest area of the three-dimensional object visible from any one (1) viewing angle.

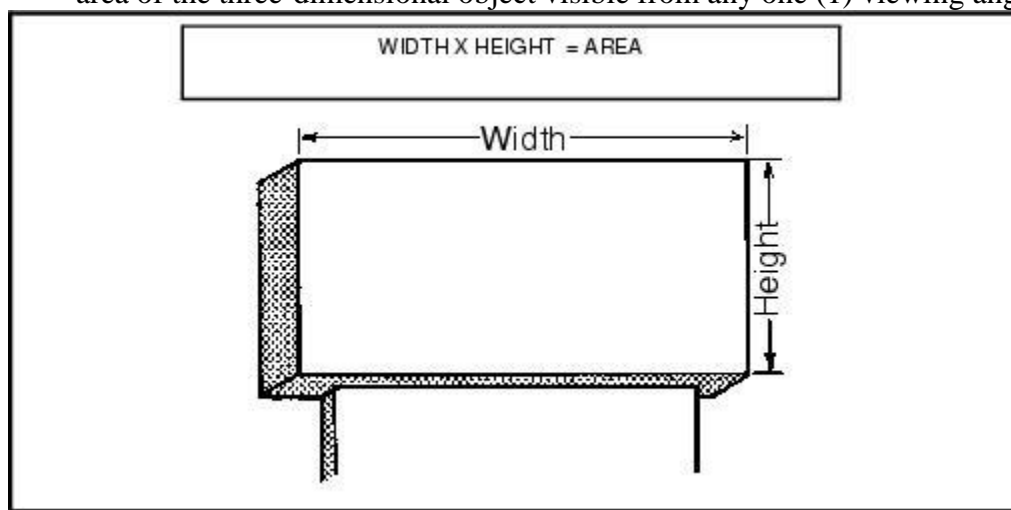


Figure 15.16.020a. SIGN SURFACE AREA CALCULATION”

~~15.10.063~~ Area Zoning

The procedures initiated by the City which result in the adoption or amendment of the zoning map on an area-wide basis. This type of zoning is characterized by being comprehensive in nature, dealing with natural homogeneous communities, distinctive geographic neighborhoods and other types of districts having unified interests within the city. Area zoning, unlike a reclassification (rezone), usually involves many separate properties under various ownerships and utilizes several of the zoning classifications available to express the City’s current land use policy in zoning map form.

~~15.10.065~~ Auction House

An establishment where the property of others is sold by a broker or auctioneer to persons who attend scheduled sales periods or events.

~~15.10.066~~ Auto Court

An access drive that is bounded on two or more sides by the walls of buildings, providing primary and/or secondary means of access to abutting property but not intended for general traffic circulation.

~~15.10.067~~ Automobile Repair (now called Vehicle Repair, Small or Vehicle Repair, Large)

~~Automobile repair includes fixing, incidental body or fender work, painting, upholstering, engine tune-up, major engine or transmission repair, adjusting lights or brakes, brake repair, other similar repair work and supplying and installing replacement parts of or for small vehicles. (Ord. 08-1010 § 1; Ord. 04-1010 § 20)~~

Automobile Supply Store

An automobile retail sales and service use in which goods are rented or sold primarily for use in motorized vehicles, but excluding gas stations and the provision of services primarily relating to electric scooters or electric assisted bicycles.

~~15.10.072~~ Automobile Towing/Storage Operation

Any person, corporation or enterprise engaged in the moving of inoperable motor vehicles and storing (long term or short term) in an enclosed area. All such operations shall be in compliance with minimum State standards prior to commencing.

~~15.10.073~~ Automobile Wrecking Operation

Any person, corporation or enterprise engaged in the dismantling or wrecking of motor vehicles or trailers, or in the storage, sale or dumping of dismantled or wrecked vehicles or their parts.

~~15.10.074~~ Automotive Service Center

Establishment primarily engaged in small vehicle repair and detailing, including the sale and installation of lubricants, tires, batteries, mufflers and similar accessories.

~~15.10.075~~ Average Building ElevationHeight

The vertical distance from established ground elevation ~~(finished foundation) measured~~ to the highest average part point of the ~~copings of a flat roof, or to the deck line of a mansard roof or the average height of the highest gable of a pitched or hipped roof~~ (See Figure 15.10.075a). For

~~sloped property the average of the lowest and highest ground elevation shall be considered the point of measurement. (Ord. 92-1041 § 1)The City's standard method for calculating Average Building Height can be found in Division I, Calculation Methods. (NOTE: calculation method moved to Division I, Calculation Methods (formerly 15.13.020 – figure here deleted because it is repeated in that part of the code)~~

~~15.16.020~~ **Awning**

A roof-like cover that projects from the wall of a building for the purpose of shielding a door or window from the elements. See Figure 15.16.020(a)(1).

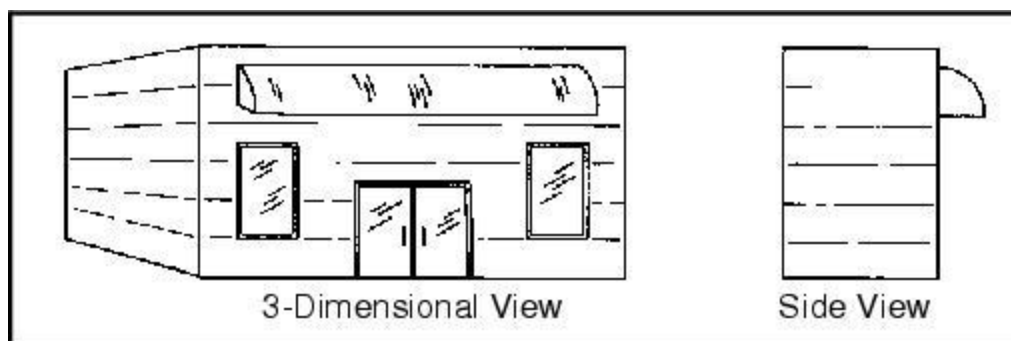


Figure 15.16.020a.1. AWNING

~~15.16.020~~ **Awning Sign**

Any sign erected upon, or against, an awning.

~~15.16.020~~ **Banner**

A sign of a nonpermanent nature constructed of nonrigid materials.

~~15.16.020~~ **Banner, Decorative Pole-Mounted**

A cloth or fabric banner without text or corporate logos mounted to a pole and secured at the top and bottom.

~~15.10.078~~ **Base Area**

The total area of the horizontal cross-section of a tree as measured at four (4) feet above grade.

~~15.10.076~~ **Base Flood**

A flood having a one percent (1%) chance of being equaled or exceeded in any given year, often referred to as the “100-year flood.”

~~15.10.077~~ Base Flood Elevation

The water surface elevation of the base flood in relation to the National Geodetic Vertical Datum of 1929.

~~15.10.078.05~~ Batch Plant

The manufacturing of asphalt or concrete which may include the storage of related component materials. Cement batch plants are prohibited.

~~15.10.078.07~~ Bay Windows

The combination of three or more separate window units, attached to project from the building at various angles. The center section is normally fixed, with the end panels operable as single-hung windows, double-hung windows, casement windows or another type of operable window. A bay window may be rectangular, semi-polygonal or semi-circular (See Figure [15.10.078.07a](#)), shall be a minimum of twenty-four (24) inches above grade, shall not include doors of any kind, and shall be limited to no more than one-story in height. A bay window can have floor area.

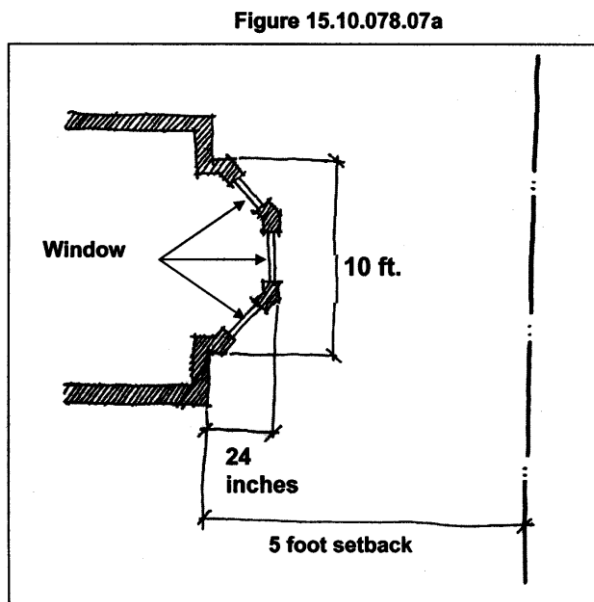


Figure [15.10.078.07a](#). BAY WINDOWS

~~15.10.079~~ Beauty Salon

~~A service business operating to provide services related to hair, skin, nail and cosmetology care.~~

~~15.10.080~~ Bed and Breakfast/Guesthouse

A dwelling unit within which bedrooms are available for paying guests. The number of guests is limited to no more than six (6) at any time.

~~15.10.081~~ Berm

A formed mound of earth that creates a visual and physical barrier between developments, roads, and/or sensitive areas.

~~15.16.020~~ Billboard

Generally, a large outdoor advertising sign, containing a message, commercial or otherwise, unrelated to the use or activity on the property on which the sign is located, and which is customarily leased for commercial purposes, but not including attached directional signs (not within the billboard face) as defined herein. The approximate sizes of the billboard faces range from twelve (12) to fourteen (14) feet in height and twenty-four (24) to forty-eight (48) feet in width.

~~15.10.083~~ Biomedical Product Facility

An entity, business, or establishment that is involved in the design, development, assembly and/or manufacture of products developed specifically for the diagnosis, treatment or correction of medical disorders. Products produced by a biomedical product facility include pharmaceuticals, implants or prostheses.

~~15.35.530~~ Blank Wall

~~The definition of a “blank wall” is any wall or portion of a wall that is located within forty (40) feet of a street or pedestrian-only corridor and is without a ground level window, door or facade opening along any street-facing facade section of twenty (20) feet in length or more.~~

~~15.38.430~~ Blank Wall

The definition of a “blank wall” is any wall or portion of a wall that is visible from or located within forty (40) feet of a street or pedestrian-only corridor and is without a ground level window, door or facade opening along any street-facing facade section of twenty (20) feet in length or more.

~~15.10.085~~ Book, Stationery, Video, Audio and Art Supply Store

~~Establishment engaged in retail sales of new books and magazines, stationery, video and art supplies.~~

~~15.10.090~~ Buffer

Any structural, earth or vegetative form that is for the purpose of minimizing visual and noise impacts. Buffers may include, but are not limited to, berms, high shrubs, dense stands of trees, trellises and fences.

~~15.10.092~~ Building

A structure that is designed to provide a place of business, residence or shelter to occupants. For the purposes of setback standards, it does not include minor utility structures, light poles, utility boxes, benches, signs, bus shelter, security gatehouses, ticket booths or other similar structures.

~~15.10.093~~ Building Code

The City of SeaTac Building Code, as set forth in Chapter **13.110** SMC.

~~15.10.095~~ Building, Hardware and Garden Materials Store

Establishment engaged in the selling of lumber and other building materials, feed, lawn and garden supplies.

~~15.16.020~~ Building-Mounted Sign

A single- or multiple-faced sign of a permanent nature, made of rigid material, attached to the facade of a building or the face of a marquee.

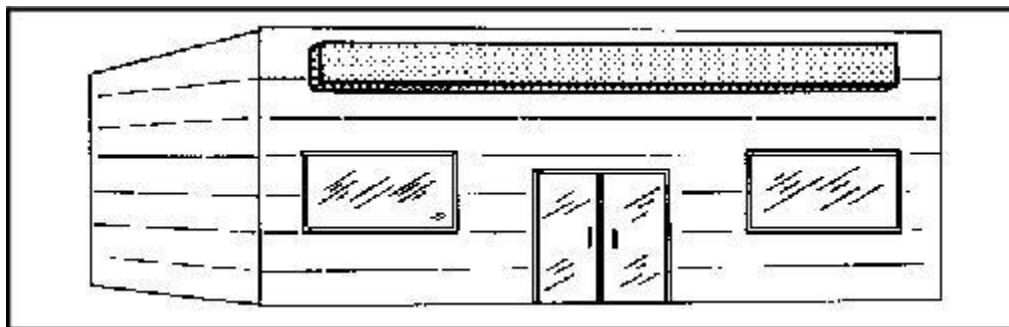


Figure **15.16.020b**. BUILDING MOUNTED (WALL) SIGN

Bulkhead

A vertical or nearly vertical erosion protection structure placed parallel to the shoreline consisting of concrete, timber, steel, rock, or other permanent material not readily subject to erosion.

~~15.10.097~~ Butterfly/Moth Breeding, Wholesale/Retail

The breeding of butterflies and moths for the purpose of wholesale or retail sales. This includes the entire life cycle of butterflies and moths and accessory activities such as the manufacture of

enclosed biospheres for the butterflies and moths. This definition shall only include those butterflies and moths indigenous to the Pacific Northwest, which do not have a negative impact on forest and agricultural products or on ornamental trees, shrubs and vegetation, as determined by the City and applicable Washington State agencies. The breeding of butterflies and moths not indigenous to the Pacific Northwest shall be prohibited unless otherwise approved by the City and the applicable Washington State agencies.

15.16.020 Canopy

A freestanding structure affording protection from the elements to persons or property thereunder.

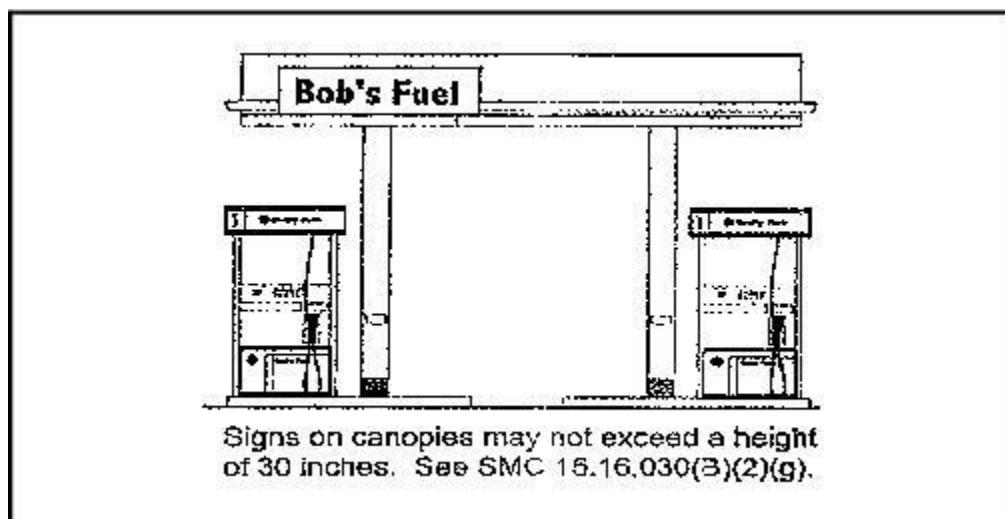


Figure **15.16.020c**. CANOPY

15.16.020 Canopy-Mounted Sign

Any sign or awning erected upon or against a canopy.

15.10.098 Cargo Containers

A standardized, reusable vessel, designed without an axle or wheels, which was:

- A. Originally, specifically, or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or
- B. Designed for or capable of being mounted or moved on a rail car; and/or
- C. Designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

When used for any purpose other than those listed in subsection A of this section, a cargo container is a structure (SMC **15.10.631**).

~~15.10.100~~ Cemetery

Land used or intended to be used for the burial of the human dead.

~~15.31A.022~~ Certain Rights-of-Way

Nonarterial rights-of-way unless otherwise approved by the Public Works Director. See SMC [15.31A.036\(F\)\(4\)](#) regarding requirements for placement in rights-of-way.

Chemical/Petroleum Products

Products formulated based on the transformation of organic and inorganic raw materials by a chemical process.

~~15.10.106.05~~ Circular Driveway

A driveway on a single lot that has two (2) access points to a public right-of-way.

~~15.10.107~~ City Center

A portion of the City of SeaTac Urban Center delineated as the City Center area on the City Center vehicular and pedestrian access plan (SMC [15.35.210](#)). Within the City Center area, design standards shall apply to all properties, except those zoned residential low (RL), aviation operations (AVO), and aviation commercial (AVC).

~~15.10.107.05~~ City Hall

A structure maintained and used as a place to transact business, legislative and administrative functions, public meetings and hearings, and other operations of a Code City as defined under RCW 35A.01.035. City Hall may include a municipal court for the purpose of providing for the administration of justice, including court offices, court rooms and facilities for processing civil and/or criminal cases and related functions.

~~15.10.108~~ Classification

A refined identification of uses which, either individually or as a type, possess similar characteristics or performance standards and are permitted as possessing compatible uses in a zone. A classification as the term employed in this title includes provisions, conditions and requirements related to the permissible location of permitted uses.

~~15.10.109~~ Colleges—Universities—College/Universities

Institutions of higher learning authorized to confer associate degrees, baccalaureate degrees and/or post graduate degrees, accredited by the Northwest Association of Schools and Colleges.

~~15.31A.022~~ Collocation

The practice of installing and operating multiple and various wireless carriers, service providers, government wireless and/or radio common carrier licensees on the same antenna-supporting structure using different and separate antenna arrays, feed lines and radio frequency generating and/or receiving equipment.

~~15.10.109.08~~ Commercial/Industrial Accessory Uses

A commercial/industrial accessory use shall be a use similar in type to the permitted or allowed conditional uses on the property and directly related to the permitted or allowed conditional use. In no case shall a commercial/industrial accessory use, which is neither a permitted or conditional use of the underlying zone, occupy an area that is more than twenty-five percent (25%) of the gross floor area of all buildings on the subject property.

Commercial/Industrial Machinery

Establishments which create end products that apply mechanical force, for example, the application of gears and levers, to perform work. Processes for the manufacture of machinery are forging, stamping, bending, forming, welding and assembling.

~~15.10.112~~ Commercial Marine Supplies

A business that provides for retail/wholesale purchase of supplies related to commercial marine activities, not to include the retail sales of boats.

~~15.10.110~~ Commercial Recreation Area and Use

An area and use operated for profit, with private facilities, equipment or services for recreational purposes including swimming pools, tennis courts, playgrounds and other similar uses. The use of such an area may be limited to private membership or may be open to the public upon payment of a fee.

~~15.10.115~~ Common Recreational Open Space Usable for Many Activities

Any area available to all residents of the subject property that is appropriate for a variety of active and passive recreational activities, if that area:

- A. Is not covered by residential buildings, parking or driving areas; and
- B. Is not covered by any vegetation that impedes access; and
- C. Has an average four percent (4%) slope of all areas, with no slope that exceeds six percent (6%).

~~15.31A.022~~ Communication Facility, Major

A communication facility for transmission of UHF and/or VHF television signals, FM and AM radio signals, and/or signals through FM translators or boosters not related to wireless telecommunications facilities.

~~15.31A.022~~ Communication Facility, Minor

A communication facility for the transmission and reception of amateur (ham) radio signals.

~~15.10.126~~ Community Center

A facility used for and providing recreational and/or social programs, but not including overnight shelters as defined in SMC [15.10.440](#).

~~15.10.130~~ Community Residential Facility (CRF)

Publicly or privately operated residential facilities, limited to: group homes for children, for those with disabilities, or for the elderly; homes for recovering, non-using alcoholics and addicts; or shelters for domestic violence victims. Community residential facilities do not include halfway houses, overnight shelters, or transitional housing.

~~15.16.020~~ Community Use

A public community center, library, museum, park, City Hall, fire station or other public use operated for the benefit of the community.

~~15.10.135~~ Compensatory Storage

New excavated storage volume equivalent to any flood storage which is eliminated by filling or grading within the floodplain. For the purpose of this definition, equivalent flood storage capacity is that which is replaced by an equal volume as measured between corresponding one (1) foot contour intervals which are hydraulically connected to the floodway.

~~15.10.136~~ Comprehensive Plan

The officially adopted SeaTac Comprehensive Plan, including all the components thereof adopted by reference or lawfully incorporated parts thereof. It includes, but is not limited to, components required by State law, State growth management and subdivision law as referenced in the RCW.

Computer/Office Equipment

Establishments that manufacture computers, computer peripherals, communications equipment, and similar electronic products, and establishments that manufacture components for such products.

~~15.10.140~~ **Conditional Use, Major**

A use which is not permitted outright in a zone classification due to the nature of impacts created by the use, but which may be authorized after review and approval by the Hearing Examiner under specific conditions based upon decision criteria of SMC ~~15.22.030. (Ord. 97-1011 § 3; Ord. 92-1041 § 1)~~ **15.XX.XXX**.

~~15.10.142~~ **Conditional Use, Minor**

~~The administrative review and approval of a Conditional Use Permit for any of the following:~~

- ~~A. Expansion of an existing and authorized major conditional use within a zone classification, after review and approval by the City Manager or designee. Minor conditional uses for the purposes of this subsection are those which are compatible with the pre-existing major conditional use and satisfy the requirements of SMC 15.22.030(E);~~

~~Construction of certain categories of wireless communication facilities, per SMC 15.31A.031. (Ord. 04-1030 § 3; Ord. 97-1011 § 4) A use which is not permitted outright in a zone classification due to the nature of impacts created by the use, but which may be authorized after review and approval by the Planning Director under specific conditions based upon decision criteria of SMC **15.XX.XXX**.~~

~~B.—~~

~~15.10.145~~ **Conference/Convention Center**

An establishment developed primarily as a meeting facility; including access facilities for recreation, overnight lodging, and related activities provided for conference participants.

~~15.10.150~~ **Conforming Building Use**

An activity or use which is permitted in the zone classification in which the property on which it is established is located.

Construction Business

Establishments primarily engaged in the construction of buildings or engineering projects; the preparation of sites for new construction; the subdivision of land for sale as building sites; and activities to produce a specific component (e.g., masonry, painting, and electrical work) of a construction project. Work may include new work, additions, alterations, or maintenance and repairs.

~~15.16.020~~ Construction Sign

An informational sign which identifies the architect, engineers, contractors and other individuals of firms involved with the construction of a building, or announcing the character of the building or enterprise, which is erected during the building construction period.

~~15.10.155~~ Convalescent Center/Nursing Home

Residential facilities offering twenty-four (24) hour skilled nursing care for patients who are recovering from an illness, or receiving care for chronic conditions, mental or physical disabilities, terminal illness, or alcohol or drug detoxification. Care may include in-patient administration of medicine, preparation of special diets, bedside nursing care, and treatment by a physician or psychiatrist. Out-patient care is limited to prior patients only, and excludes any opiate substitution treatment.

~~15.10.156~~ Court

A facility used by any public agency, political subdivision or unit of local government of this State including but not limited to municipal corporations, special purpose districts, and local service districts, and agency of the State of Washington or of the United States or any state thereof which has responsibility for, and jurisdiction to process and provide for the handling of administration of justice, including court offices, court rooms and facilities for processing civil and/or criminal cases and related functions, for the purposes of such administration of justice functions; provided, that where such activities occur at a regular office of the public agency responsible for such functions, the provisions applicable to public agency office, as that term is defined in this code, shall control.

~~15.10.157~~ Courtyard

An open space area that is bounded on two or more sides by the walls of adjacent buildings.

~~15.10.160~~ Critical Drainage Area

An area which has been formally defined in the City Surface Water Management Program to require more restrictive regulation than is standard in noncritical areas of the City in order to mitigate severe flooding, water quality issues, erosion or sedimentation problems which result from the cumulative impacts of development and urbanization.

~~15.10.161~~ Cross-Section

A visual representation of a vertical cut through a structure, a proposed fill pad or any other three (3) dimensional form. (See Figure [15.10.161a.](#))

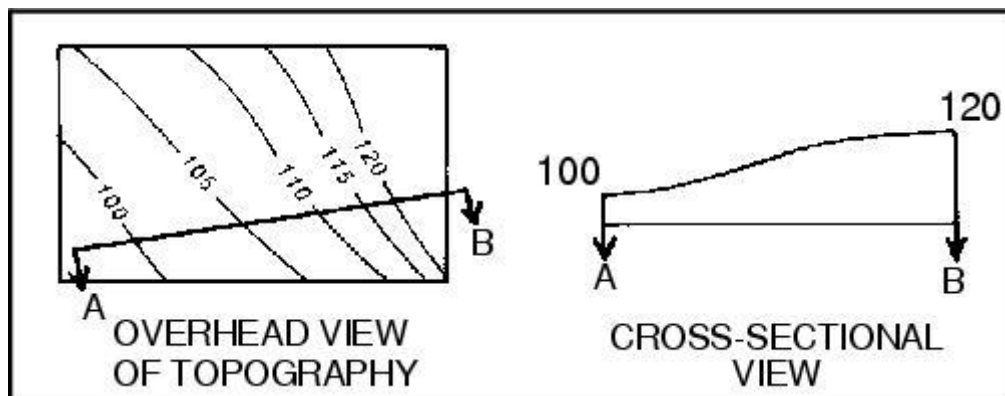


Figure 15.10.161a. EXAMPLE OF A CROSS-SECTION

15.10.165 Dairy

Any premises where three (3) or more cows, three (3) or more goats, or any combination thereof are kept, milked or maintained.

15.16.020 Dawn to Dusk

That time of day between sunrise and sunset.

Day Care 1

A day care facility that provides for the group care of a maximum of twelve (12) children in any twenty four (24) hour period. Day Care I facilities may be located within the caregiver's place of residence.

Day Care 2

A day care facility that provides for the group care of over (twelve) 12 children in any 24-hour period.

15.10.166 Day Care Facility

An establishment for the group care of nonresident children in any twenty four (24) hour period. Day care facilities include:

1. Nursery schools and preschools for children under minimum age for education in public schools;
2. Privately conducted kindergartens or pre-kindergartens when not a part of a public or parochial school; and,
3. Programs covering after-school care for school-aged children.

~~(Excludes afterschool programs sanctioned by the City.) Establishments for group care of children; provided such establishments are licensed by the State and conducted in accordance with State requirements, including:~~

- ~~• Nursery schools for children under minimum age for education in public schools;~~
- ~~• Privately conducted kindergartens when not a part of a public or parochial school;~~
- ~~A. Day Care I. Twelve (12) children maximum in any twenty four (24) hour period;~~
- ~~B. Day Care II. Over twelve (12) children in any twenty four (24) hour period.~~

~~It is provided, however, that for the purposes of this title the City's regulatory role for family day cares, defined as those day care facilities providing in-home care for twelve (12) or fewer children and which are licensed by the State of Washington, is limited to the following:~~

~~Family day care facilities shall:~~

- ~~1. Comply with all building, fire, safety, health code and business licensing requirements;~~
- ~~2. Conform to lot size, building size, setbacks and lot coverage standards applicable to the zoning district except if the structure is a legal nonconforming structure;~~
- ~~3. Be certified by the State Department of Licensing as providing a safe passenger loading area;~~
- ~~4. Include signage, if any, that conforms to applicable City regulations;~~
- ~~5. Limit hours of operation to facilitate to neighborhood compatibility while at the same time providing an appropriate opportunity for persons who use family day care and who work a nonstandard work shift; and~~
- ~~6. Provide, prior to State licensing, written proof of notification to adjoining property owners, informing them of the intent to locate and maintain such a facility; provided, that if a dispute arises between the neighbors and the family day care provider over licensing requirements, the State may provide a forum to resolve the dispute. (Ord. 94-1030 § 1; Ord. 92-1041 § 1)~~

15.10.170 Dedication

The deliberate appropriation of land by an owner for public use or purposes, reserving no other rights than those that are compatible with the full exercise and enjoyment of the public uses or purpose to which the property has been devoted.

15.10.172 Density Bonus

A commercial or residential bonus in density units granted to developers for providing public benefits in their development plans.

15.10.175 Department and Variety Store (now part of Retail, General)

~~Establishment engaged in the retail sales of a variety of lines of merchandise such as: dry goods, apparel and accessories, home furnishings, housewares, travel accessories and electronic items and accessories.~~

15.10.175.03 Development Site — Stand-Alone Parking Structures

A development site is the sum total of all parcels of property incorporated into the development at any point of time. This includes the incorporation of any additional properties into the development site. (See Figure [15.10.175.03a](#))

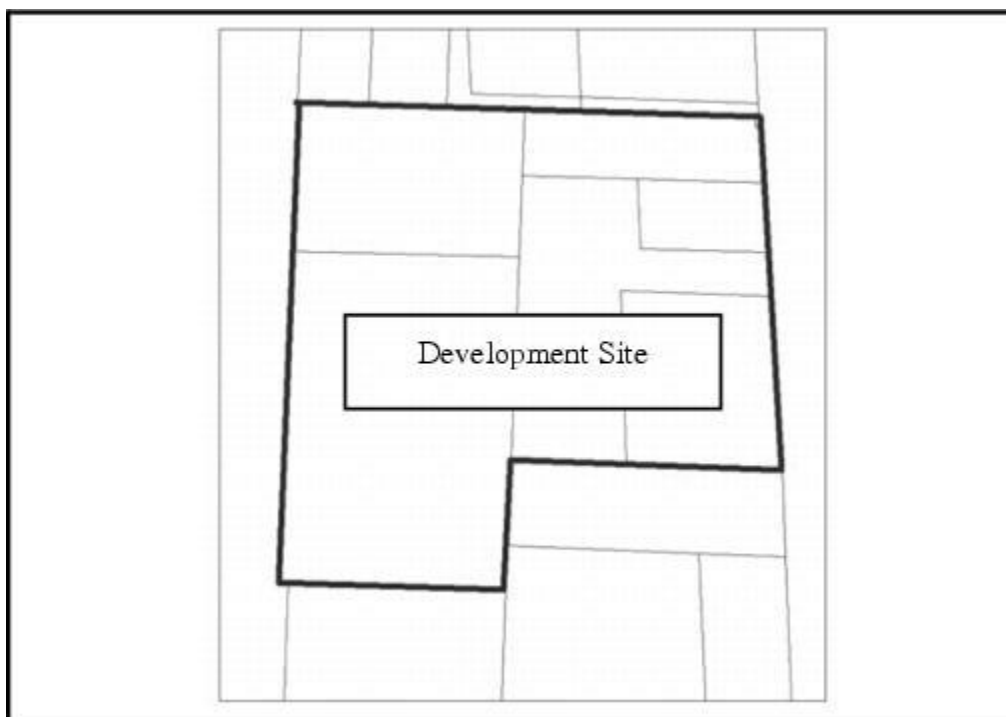


Figure [15.10.175.03a](#) DEVELOPMENT SITE

15.16.020 Directional Sign

A single- or double-faced sign not exceeding nine (9) square feet in surface area designed to guide or direct pedestrian or vehicular traffic to an area, place or convenience.

Interior Directional Sign. Directional signs oriented to the interior of a site and at least thirty (30) feet from the right-of-way, or not readable from the street.

Perimeter Directional Sign. Directional signs oriented to and readable from the street.

15.10.176 Disability

As used in SMC [15.12.017](#) and [15.12.018](#), a “handicap” as defined in the Federal Fair Housing Amendments Act of 1988 at 42 U.S.C. Section 3602(h):

with respect to a person--

1. *a physical or mental impairment which substantially limits one or more of such a person’s major life activities,*
2. *a record of having such an impairment, or*

3. *being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in [21 U.S.C. § 802]).*

Persons with disabilities include those who are developmentally disabled, mentally ill, as well as those in recovery for alcohol and drug addiction.

15.16.020 Display

The visual information shown on a sign, including text, graphics, pictures, lights and background.

Distribution Center/Warehouse

A building, often with refrigeration or air conditioning, which is stocked with products (goods) to be re-distributed to retailers, wholesalers or directly to consumers. May also be known as: a DC, a fulfillment center, a cross-dock facility, a bulk break center, and/or a package handling center. Does not include truck terminals. (Definition under development)

15.10.180 Domestic Animals

Dogs, cats, birds, snakes, small rodents, rabbits, goats, pygmy goats, pot-bellied pigs, chickens (including roosters), miniature horses not exceeding forty (40) pounds, and ducks and other fowl, which can be and are continually kept or raised in a home or on a lot. Animals not considered to be domestic animals include, but are not limited to, the following: horses, cows, donkeys, and any endangered or exotic species of animals. The number of inside or outside domestic animals shall be limited as shown in Table 15.12.015a.

15.10.185 College Dormitory

An accessory residential building to an educational institution consisting of individual rooms for sleeping and may include common dining, cooking, and interior recreation facilities.

15.10.638 Tavern Drinking Establishment

A commercial establishment, other than a Food Establishment, licensed to sell alcoholic beverages for consumption on premises that limits patronage to adults of legal age for the consumption of alcohol. Limited food service may be accessory to the service of alcoholic beverages. Such establishments also usually offer food for on-site consumption, which may be prepackaged or prepared on premises. Drinking establishments may be included within food establishments.

15.38.030 Drive-Through Facility

A business or portion of a business where a consumer is permitted or encouraged, either by the design of physical facilities or by the provisions of services and/or packaging procedures, to carry on business while seated in a motor vehicle.

~~15.10.187~~ Driveway

An access which serves a lot, structure, or parking surface.

~~15.10.190~~ Drug Store

Establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics and related supplies, including tobacco stores.

Dry Cleaner

An establishment engaged in the cleaning of clothing or fabrics with chemical solvents that have little or no water

~~15.10.191~~ Duplex, Side-By-Side

A building containing two (2) dwelling units totally separated from each other by an unpierced wall extending from basement to roof.

~~15.10.192~~ Duplex, Up-Down

A building containing two (2) dwelling units totally separated from each other by an unpierced ceiling and floor extending from exterior wall to exterior wall.

~~15.10.195~~ Dwelling Unit

Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation for not more than one (1) family.

~~15.10.200~~ Dwelling Unit, Apartment (Note: Now called Apartment)

~~A building or part of a building, containing three (3) or more dwelling units.~~

~~15.10.205~~ Dwelling Unit, Efficiency

~~A dwelling unit containing only one (1) habitable room and not having a kitchen.~~

~~15.10.606~~ Single Attached Dwelling Unit, Caretaker/Manager

A dwelling unit attached to a non-residential building.

15.10.225 ~~Single Detached Dwelling Unit, Detached~~

A dwelling unit that is not attached to any other dwelling units by any means.

Dwelling Unit, High Density Single Family

Land use that provides an alternative to traditional multi-family development in the form of detached dwelling units located on lots smaller than those permitted in single-family zones. See **SMC 15.515** High Density Single-Family Design Standards.

15.10.210 Dwelling Unit, Manufactured Home (Note: Now called Manufactured Home)

A detached building containing one (1) dwelling unit for a family permanently affixed on a foundation, constructed within HUD standards, as defined at 24 CFR Part 3280. (Ord. 97-1008 § 1; Ord. 92-1041 § 1)

15.10.215 ~~Dwelling Unit, Mobile Home (Note: Now called Mobile Home)~~

A detached building containing one (1) dwelling unit for a family, but not constructed within HUD standards, with running gear, attached or detachable, that allows it to be relocated.

15.10.217 ~~Dwelling Unit, Modular Home (Note: Now called Modular Home)~~

A detached building containing one (1) dwelling unit for a family located on a permanent foundation, constructed within UBC standards, but constructed off-site and assembled on-site. This term is identical to “factory built home.”

15.10.220 Dwelling Unit, Senior Citizen Assisted (Moved to Multi-Family, Senior)

A building or part of a building containing two (2) or more dwelling units restricted to occupancy by senior citizens, and may include support services not limited to:

- A. Food preparation;
- B. Transportation; and
- C. Medical supervision

15.31A.022 E-911 Enhanced

A federally mandated upgrade to a WCF or handheld device that enables an emergency call center to track the approximate location of a wireless caller dialing 911.

15.10.235 Easement

Land which has specific air, surface or subsurface rights conveyed for use by someone other than the owner of the subject property or to benefit some property other than the subject property.

~~15.10.237~~ Efficiency Unit

~~Living quarters consisting of one (1) habitable space as defined in the Building Code. (Ord. 04-1008 § 6; Ord. 93-1014 § 10)~~

Electronic Assembly

Establishments that assemble products that generate, distribute and use electrical power such as lighting equipment, household appliances, electrical equipment, devices for storing electrical power or transmitting electricity, and wiring devices.

15.16.020 Electronic Sign

A sign containing a display that can be changed by electrical, electronic or computerized process. See SMC **15.16.115** for requirements regarding electronic signs.

Elementary – Middle School

Any school licensed by the state and that meets the state requirements for elementary and middle school education.

~~15.10.240~~ Employees

All persons, including proprietors, performing work on-premises, or on all shifts, unless otherwise stated in specific sections of this code.

~~15.10.241~~ Enhancement

An action which increases the functions and values of a stream, wetland or other sensitive area or buffer.

15.31A.022 Equipment Compound

An outdoor fenced area occupied by all the equipment associated with a wireless communications facility, including antenna-supporting structure(s), equipment shelters, equipment cabinets or pedestals, feed lines, generators, and ancillary structures, but excluding parking and access ways.

~~15.31A.022~~ Equipment Shelter Enclosure

Any structure including: cabinets, shelters, pedestals, and other similar structures used exclusively to contain radio or other equipment necessary for the transmission and/or reception of wireless communication signals.

Heavy Equipment Rental, Large

Establishments primarily engaged in renting or leasing heavy equipment without operators that may be used for construction, mining, or forestry, such as bulldozers, earthmoving equipment, well-drilling machinery and equipment, or cranes.

Misc. Equipment Rental Facility, Small

Establishments primarily engaged in the rental of equipment other than automotive or as defined by Heavy Equipment Rental.

Heavy Equipment Repair, Large

Establishments primarily engaged in the repair and maintenance of commercial and industrial machinery and equipment. This may include the following or similar activities: sharpening and installing commercial and industrial machinery blades and saws, providing welding repair services, repairing agricultural and other heavy and industrial machinery and equipment.

15.10.286 General Equipment Repair, Small

The repair of appliances, stereo equipment, electronic pieces and computers. This term does not include the repair of motor vehicles in any form.

15.10.243 Equipment Shelter

See "Equipment Enclosure," SMC 15.31.022.

15.10.245 Erosion and Deposition

The removal of soils and the placement of these removed soils elsewhere by the natural forces of wind and/or water runoff.

15.10.247 Espresso Stand

A walk-up or auto-oriented (drive-through) business that dispenses hot and/or cold beverage.

15.10.249 Essential Public Facility

A facility providing public services, or publicly funded services that is difficult to site or expand and which meets any of the following criteria: meets the Growth Management Act definition of an essential public facility (EPF), at RCW 36.70A.200, as now existing or hereafter amended, is on the State, King County or City list of essential public facilities, serves a significant portion of the County or region, or is part of a County-wide or multi-County service system, and is difficult to site or expand. Essential public facilities include, but are not limited to, the following: airports, State and local correction facilities, State educational facilities, State and regional transportation

facilities, landfills, solid waste handling facilities, sewage treatment facilities, major communication facilities and antennas (excluding wireless telecommunications facilities); and in-patient facilities such as group homes (excluding those facilities covered by the Washington Housing Policy Act), mental health facilities, secure community transition facilities (SCTF), and substance abuse facilities, including opiate substitution treatment facilities.

~~15.10.250~~ **Excavate(tion)**

The mechanical removal of soils and/or underlying strata.

~~15.31A.022~~ **Existing Structure**

An existing structure to which wireless telecommunications antenna(s) may be attached. For the purpose of siting wireless telecommunications facilities, existing structures shall include only the following: buildings (other than single-family residential), and water towers.

~~15.31A.022~~ **FAA**

The Federal Aviation Administration.

Fabricated Metal Products

Establishments that transform metal into intermediate or end products (other than machinery, computers and electronics) or treat metals and metal formed products fabricated elsewhere. Fabricated metal processes can include forging, stamping, bending, forming, machining, welding and assembling.

~~15.16.020~~ **Façade**

The exterior wall face of a building, extending from the ground to the top of the parapet or eaves, but not including any portion of the roof. Each side of a building (i.e., each architectural elevation) is considered one (1) facade (see Figure 15.16.020(c)(1)). For buildings with more than one (1) occupant, the facade for each occupant shall be that portion of the exterior wall face between the points where the interior walls between tenants intersect with the exterior wall.

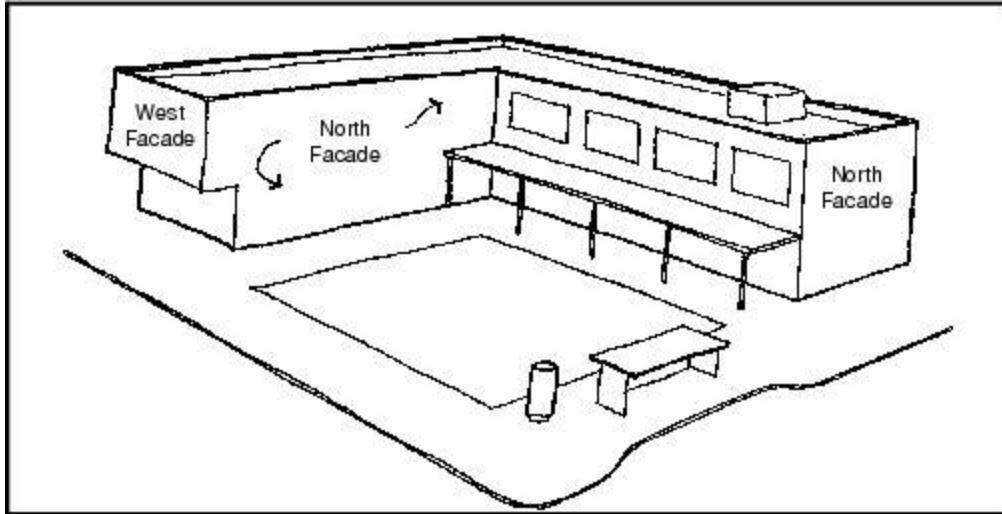


Figure 15.16.020c.1. FAÇADE

15.10.255 Family

An individual or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than five (5) persons (excluding servants) who need not be related by blood or marriage living together in a dwelling unit.

Farmers/Outdoor Market

A public market at which farmers and often other vendors sell agricultural produce and a variety of goods, which includes the sale of flowers directly to consumers.

15.31A.022 FCC

~~The Federal Communications Commission.~~

15.10.261 Federal Emergency Management Agency (FEMA) Floodway

The channel of the stream and that portion of the adjoining floodplain which is necessary to contain and discharge the base flood flow without increasing the base flood elevation more than one (1) foot.

15.31A.022 Feed Lines

Cables used as the interconnecting media between the transmission/receiving base station and the antenna.

Fence

An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

~~15.10.265~~ Fill Material

Dirt, structural rock or gravel and similar structural substances, not including any inert waste as defined by Department of Ecology, customarily used to raise the level of the ground. Excludes topsoil, bark, ornamental rocks or gravel placed on the surface of the ground. Individual fill material shall not exceed twelve (12) inches in diameter, width, depth, or height.

Financial Institution

Establishments such as banks and savings and loans, credit agencies, investment companies, brokers and dealers of securities and commodities, security and commodity exchanges, insurance agents, lessors, lessees, buyers, sellers, agents, and developers of real estate.

~~15.10.263~~ Fire Code

The City of SeaTac Fire Code, as set forth in Chapter 13.150 SMC.

~~15.10.264~~ Fire Facility

A facility used by any public agency, political subdivision or unit of local government of this State including but not limited to municipal corporations, special purpose districts, and local service districts, and agency of the State of Washington or of the United States or any state thereof which has responsibility for fire suppression, fire prevention, other functions of fire departments, for the purposes of such fire department functions; provided, that where such activities occur at a regular office of the public agency responsible for such functions, the provisions applicable to public agency office, as that term is defined in this code, shall control.

15.16.020 Flashing

Flashing. A sign display that appears for less than one and one-half (1.5) consecutive seconds.

~~15.10.266~~ Flood Fringe

That portion of the floodplain outside of the zero-rise floodway (See Floodway, Zero-Rise) which is covered by floodwater during the base flood, generally associated with standing water rather than rapidly flowing water.

~~15.10.267~~ Flood Hazard Areas

Those areas in the City subject to inundation by the base flood including, but not limited to, streams, lakes, wetlands and closed depressions.

~~15.10.268~~ Flood Insurance Rate Map (FIRM)

The official map on which the Federal Insurance Administration has delineated some of the major areas of flood hazard.

~~15.10.269~~ Flood Insurance Study for King County

The official report provided by the Federal Insurance Administration which includes flood profiles and the flood insurance rate map.

~~15.10.270~~ Floodplain

The total area subject to inundation by the base flood.

~~15.10.271~~ Floodproofing

Adaptations, pursuant to the Building Code, which will make a structure that is below the flood protection elevation substantially impermeable to the passing of water and resistant to hydrostatic and hydrodynamic loads including the impacts of buoyancy.

~~15.10.272~~ Flood Protection Elevation

An elevation which is one (1) foot above the base flood elevation.

~~15.10.273~~ Floodway, Zero-Rise

The channel of a stream and that portion of the adjoining floodplain which is necessary to contain and discharge the base flood flow without any measurable increase in flood height. A measurable increase in base flood height means a calculated upward rise in the base flood elevation, equal to or greater than .01 foot, resulting from a comparison of existing conditions and changed conditions directly attributable to development in the floodplain. This definition is broader than that of the FEMA floodway, but always includes the FEMA floodway. The boundaries of the one hundred (100) year floodplains, as shown on the FIRM maps for King County, are considered the boundaries of the zero-rise floodway unless otherwise delineated by a sensitive area special study.

~~15.10.274~~ Floor Area, Gross

The sum of the gross horizontal areas of all enclosed floors of a building. See SMC 15.100.170, Floor Area, for the calculation method.

~~The total floor area within the walls of all buildings on a lot or building site, except for the spaces therein devoted to vents, shafts, and lighting courts, and except for the area devoted exclusively to loading and unloading facilities or parking of motor vehicles.~~

Floor Area, Net

The sum of the usable floor area of a building. See SMC 15.100.170, Floor Area, for the calculation method.

15.31A.022 Flush-Mounted

Any antenna or antenna array attached directly to the face of the support structure or building such that no portion of the antenna extends above the height of the support structure or building. Where a maximum flush mounting distance is given that distance shall be measured from the outside edge of the support structure or building to the inside edge of the antenna.

15.10.551 ~~Restaurant~~, Food Establishment, Fast Food

Commercial use which serves food or beverages, ~~is built to encourage drive-through business,~~ and minimizes the number of interior accommodations for on-site consumption of the product.

15.10.550 ~~Restaurant~~ Food Establishment, Sit Down

Commercial use (excluding Food Establishment, Fast Food ~~fast-food~~ restaurants) which sells prepared food or beverages and generally offers accommodations for consuming the food or beverage on the premises.

15.10.275 Food Processing

An industrial production of food from a natural state to a packaged state through approved FDA processes and standards.

15.10.276 Forest Product Sales

The sales of goods produced, extracted, consumed, gathered or harvested from a forest including, but not limited to:

- A. Trees;
- B. Logs;
- C. Cones;
- D. Wood chips;
- E. Fuel wood;
- F. Herbs.

15.10.280 Forest Product Sales, Temporary

The sales of goods produced and extracted from a forest including, but not limited to:

- A. Christmas trees;
- B. Pine boughs;
- C. Mushrooms/berries.

15.16.020 Freestanding Sign

A sign permanently mounted into the ground, supported by poles, pylons, braces or a solid base and not attached to any building. Freestanding signs include those signs otherwise known as “pedestal signs,” “pole signs,” “pylon signs,” and “monument signs.”

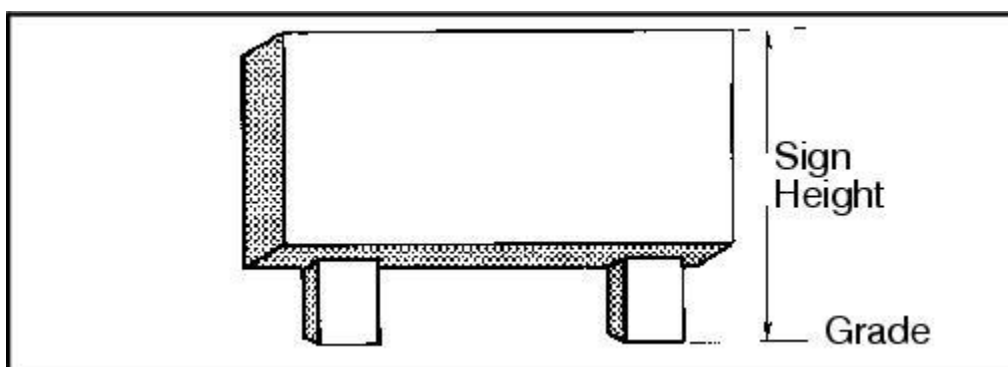


Figure 15.16.020d. FREESTANDING SIGN

Funeral Home/Crematory

A building used for the preparation of the deceased for burial; the use heat or fire to reduce human or animal remains to ashes; the display of the deceased; and rituals connected therewith before burial or cremation.

Furniture/Fixtures Manufacturing

Establishments which design or manufacture furniture and related articles, such as mattresses, window blinds, cabinets, and fixtures using processes such as the cutting, bending, molding, laminating, and assembly of such materials as wood, metal, glass, plastics, and rattan, or the extruding and molding of plastics.

Garage

A deck, building or parking structure, or part thereof, used or intended to be used for the parking and storage of vehicles.

Garden Window

A specialty window that forms a glass box that extends beyond the exterior of the house for the purpose of cultivating house plants.

~~15.10.282 Gasoline/Service Station~~

A building or lot having pumps and storage tanks where fuels, oils or accessories for motor vehicles are dispensed, sold or offered for sale at retail only; auto repair service is incidental and no storage or parking space is offered for rent.

~~15.10.285 General Business Service/Office~~

~~Establishment engaged in providing personal services to business establishments and citizens from an office setting, with no visible outdoor storage areas, including, but not limited to, the following uses:~~

- ~~A. Financial institutions;~~
- ~~B. Security and commodity brokers, dealers, exchanges and services;~~
- ~~C. Insurance agents and carriers;~~
- ~~D. Real estate business offices and agents;~~
- ~~E. Legal services;~~
- ~~F. Membership organizations;~~
- ~~G. Nontesting research labs;~~
- ~~H. Emergency services administration and substations.~~

~~15.10.286 General Repair~~

~~The repair of appliances, stereo equipment, electronic pieces and computers. This term does not include the repair of motor vehicles in any form.~~

15.31A.022 Geographic Search Area

An area designated by a wireless provider or operator for a new base station facility, produced in accordance with generally accepted principles of radio frequency wireless engineering.

~~15.10.290 Glare~~

The reflection of harsh, bright light, or the physical effect resulting from high luminance or insufficiently shielded light sources in the field of view.

Golf Course

A tract of land laid out for at least nine holes for playing the game of golf that may include a clubhouse, dining and snack bars, pro shop, and practice facilities.

~~15.16.020~~ **Grade (Ground Level)**

The elevation or level of the street (or parking lot) closest to the sign to which reference is made. In cases where the property on which the sign is located is lower than the immediately adjacent street level, the ground level shall be considered the street level to facilitate visibility of signage. In no case shall a sign be higher than twenty-five (25) feet from the lowest grade of the property adjacent to the street level where the sign is proposed.

~~15.10.295~~ **Grading**

Any excavation, filling, removing the duff layer or any combination of topsoils thereof.

~~15.10.296~~ **Group Home**

See definition of Community Residential Facility, SMC 15.10.130.

Ground Floor

The street level of a building.

~~15.10.297~~ **Habitable Space**

Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas alone, are not considered habitable space.

~~15.10.298~~ **Halfway House**

State-licensed work/release facilities and other housing facilities serving as an alternative to incarceration.

~~15.10.300~~ **Hangar/Service Bay**

A building used for service and maintenance of private and public aircraft.

~~15.10.305~~ **Hazardous Production Material (HPM)**

A solid, liquid or gas that has a degree of hazard rating in health, flammability or reactivity of 3 or 4 as ranked by Fire Code Standard No. 79-3 and which is used directly in research, laboratory or production processes which have, as their end product, materials which are not hazardous.

15.10.310 Hazardous Waste

All dangerous and extremely hazardous waste, including substances composed of radioactive and hazardous components (as defined in RCW 70.105.010(15)). (Note: The two definitions of Hazardous Waste will be reconciled)

15.12.080 Hazardous Waste

~~All dangerous and extremely hazardous waste as defined in RCW 70.105.010(15), except for moderate risk waste as set forth in RCW 70.105.010(17). (Note: The two definitions of Hazardous Waste will be reconciled)~~

15.12.080 Hazardous Waste Generator

Any person or site whose act first causes a dangerous waste to become subject to regulation under the Dangerous Waste Regulations, Chapter 173-303 WAC.

15.12.080 Hazardous Waste Storage

The holding of hazardous waste for a temporary period, as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC.

15.10.320 Hazardous Waste Treatment

~~Repealed by Ord. 94-1039. (Ord. 92-1041 § 1)~~

15.12.080 Hazardous Waste Treatment

The physical, chemical, or biological processing of hazardous waste for the purpose of rendering these wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume, as regulated by the State Dangerous Waste Regulations, Chapter 173-303 WAC.

15.10.324 Health Club (moved to Recreational Facility, Indoor)

~~Facilities offering the use of exercise equipment for public use, and services such as, but not limited to, expertise and instruction for fitness training and aerobics classes. Does not include massage or other medically related services.~~

15.10.325 Health Hazard

Sanitation problems, including, but not limited to, sewage spills, raw sewage in any form, rodent infestation, potential disease causes as determined by an environmental health official, and chemicals that lead to acute or chronic health effects in exposed persons.

~~15.31A.022~~ Height

For the purposes of measuring the height of any WCF, any antenna(s) mounted on a antenna-supporting structure shall be considered part of the antenna-supporting structure and shall be included in measurements to determine overall (i.e., combined) height. For antenna(s) mounted on an existing structure(s), the height of the antenna(s) shall be measured in addition to the height of the existing structure, but the combined height shall be subject to the height limitations specified in this chapter, or of the Federal Aviation Administration (FAA) if applicable.

~~15.16.020~~ Height of Sign

The vertical distance from the grade to the highest point of a sign or any vertical projection thereof, including its supporting columns, or the vertical distance from the relative ground level in the immediate vicinity.

~~15.10.330~~ Heliport

An area of land or water or a structural surface which is used, or intended for use, for the landing and take-off of helicopters, and any direct maintenance or fueling areas.

~~15.10.335~~ Helistop

Same as a heliport, except that no refueling, maintenance, repairs or storage of helicopters is permitted.

~~15.10.336~~ High Capacity Transit (HCT)

Any form of public or private transit (bus, rail, train, Personal Rapid Transit (PRT), People Mover and other new technology) that moves a large number of people to set destination points.

High School

Any school licensed by the state and that meets the state requirements for secondary education.

~~15.10.338~~ Hobby Kennel/Hobby Cattery

A noncommercial establishment at or adjoining a private residence where four (4) or more adult dogs, or five (5) or more adult cats, are bred or kept.

~~15.16.020~~ Holographic Display

Any display that creates a three-dimensional image through projection. (Note: Holographic displays are prohibited by SMC 15.16.110(F)).

~~15.10.340~~ Home Occupation

Any nonresidential use that occurs in a dwelling or accessory structure when such use is clearly incidental and secondary to the use of the dwelling or accessory structure, does not change the character of the dwelling, accessory structure, or neighborhood, and is carried on by a person permanently residing within the dwelling.

~~15.10.342~~ Homeless Encampment

An emergency homeless encampment, hosted by a church or other organization, which provides temporary housing to homeless persons.

~~15.10.345~~ Hospital

An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities, extended care facilities or training facilities.

~~15.10.347~~ Host Agency

The owner of the site property, being a church or other organization, that joins a sponsoring agency in an application for a City temporary use permit for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals, coordination of other needed donations and services, etc.

~~15.10.350~~ Hotel/Motel and Associated Uses/Lodging

A facility consisting of four (4) or more guest rooms offering transient lodging accommodations, including inns, residence or extended stay hotels, other similar facilities, and all businesses subject to collection and payment of the tax levied by Chapter 67.28 RCW or City Code, that offer rental accommodations for periods of generally less than 30 days at a time. Associated uses may include additional services such as meeting rooms, restaurants, health spas, retail shops and beauty shops.

~~15.10.351~~ Impervious Surface

Any nonvertical surface artificially covered or hardened so as to prevent or impede the percolation of water into the soil mantle including, but not limited to, roof tops, swimming pools, paved or graveled roads and walkways or parking areas, but excluding landscaping and surface water retention/detention facilities.

~~15.10.352~~ Improved Public Roadways

Public road rights-of-way that have been improved to an all-weather surface with at least two (2) travel lanes and are maintained by the City or the State of Washington.

15.16.020 Inflatable Object

An inflatable object larger than eighteen (18) inches in diameter, such as a blimp, large air balloon or inflatable sport equipment, used to attract attention to a special event or grand opening.

15.16.020 Informational Sign

A single- or double-faced sign not exceeding nine (9) square feet in surface area, intended primarily for the convenience of the public or to ensure the orderly operation of the site, including but not limited to signs designating restrooms, address numbers, hours of operation, business directories, help wanted, public telephone, and instructions regarding parking.

Interior Informational Sign. Informational signs oriented to the interior of a site and at least thirty (30) feet from the right-of-way or not readable from the street.

Perimeter Informational Sign. Informational signs oriented to and readable from the street.

15.31A.022 Intermodulation Distortion

The preventable and avoidable results of the mixture of two (2) certain and specific radio frequencies (3rd Order); or more certain or specific radio frequencies (5th Order), that creates at least one (1) other unwanted, undesirable, and interfering radio frequency (3rd Order), or multiple other unwanted, undesirable, and interfering radio frequency signals (5th Order).

15.10.353 International Building Code (IBC)

The International Building and related codes as amended and adopted by the City. (Ord. 04-1030 § 3)

15.10.355 Junk

Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, wastes, machinery, scrap wood, or junked, dismantled or wrecked automobiles, or parts thereof; iron, steel, and other old or scrap ferrous or nonferrous material. Includes any other definitions of junk established in City ordinances.

15.10.360 Kennel/Cattery

A commercial establishment which houses, cares for, breeds, raises or sells dogs or cats. Four (4) or more adult dogs or cats or any combination thereof constitute a kennel. Small animal hospitals and clinics and up to two (2) dwelling units, to be used as manager/caretaker

residences, either attached or detached, from the kennel are included. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of six (6) months.

15.10.361 Landscaping Business

A business which provides services to preserve or enhance natural or reconfigured land features, ground cover, grass, sod, and other plantings, to promote naturalistic and aesthetic values, or to effect natural or improved drainage and erosion control. The business may include the arrangement of such tangible objects such as pools, walls, steps, trellises, canopies, and other nonhabitable structures, and other such features as are incidental and necessary to landscaping purposes. A landscaping business does not include the wholesale/retail sale of landscaping products including, but not limited to, trees, shrubs, plants, or any other vegetation (except those planted or installed by the business), or of any equipment that is necessary for the movement, planting, growth, and aesthetics of landscape materials.

15.31A.022 Lattice Tower

A tapered style of antenna-supporting structure that consists of vertical and horizontal supports with multiple legs and cross-bracing and metal crossed strips or bars to support antennas.

15.10.362 Laundromat

A commercial establishment offering self-serve and assisted laundry facilities for public use.

15.26.015 Leasable Space

That area within mobile home parks designated on an approved master plan as lots for locating mobile home units with utility hook-ups.

15.31A.022 Least Visibly Obtrusive

A wireless communication facility (WCF) that is designed to present a visual profile that is the minimum profile necessary for the facility to properly function.

15.10.363 Legal Lot

A lot created by the King County Assessor's Office in accordance with Washington State Laws and Subdivision Code provisions set forth in the Washington State RCW and City of SeaTac Subdivision Code.

Library

A place in which literary, musical, artistic, or reference materials (as books, manuscripts, recordings, or films) are kept for use but not for sale.

Liquor Store

State licensed establishments primarily engaged in retailing packaged alcoholic beverages, such as ale, beer, wine, and liquor.

~~15.10.364~~ Livestock

Domesticated animals, such as horses, cows, goats, sheep, swine and fowl.

Lobby

An entrance area or hall immediately inside the door of a hotel, theater, or other building.

~~15.10.365~~ Lot

A legal lot for building purposes which shall have sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have access to an improved public street, or to an approved private access.

~~15.10.370~~ Lot Area

The total horizontal area within the boundary lines of a lot, including access easements; however, the area contained in tracts or panhandles shall not be included in the lot area of a lot within any plat containing more than two (2) lots. In addition, the area of any easements over one (1) or more servient lots in favor of a dominant lot for the purpose of granting the owner of the dominant lot rights of personal use, possession and occupancy which are typically attributes of ownership shall not be included in the lot area of any servient lot.

~~15.10.375~~ Lot Coverage

~~That percentage of the lot area covered by all buildings including accessory buildings and uses and residential tent structures as defined under SMC 15.10.639.05, excluding driveway and outside parking areas. Coverage is determined by measuring from a horizontal plane from the building footprint as set forth in the Building Code.~~

That percentage of the lot area covered by all buildings and structures.

~~15.10.380~~ Lot Lines

The property lines that establish the boundaries of buildable lots. For information on how lot lines are designated see SMC 15.13.025 Designation of Lot Lines.

~~15.10.385~~ Lot, Substandard

A lot or parcel of land which has less than the required minimum area or width as established by the zone in which it is located; and provided, that such lot or parcel was of record as a legally created lot on the effective date of the Zoning Code ordinance codified by the City.

15.10.390 Lot Types

(See Figure 15.10.390a.)

- A. Corner. A lot situated at the intersection of two (2) or more streets.
- B. Interior Lot. A lot abuts only one street.
- C. Through Lot. A lot other than a corner lot, which abuts two (2) streets.
- D. Panhandle Lot. A lot set back from the public street with long narrow portions, which are also called handles, for access. The handle or access of a panhandle lot is defined as “that portion of a panhandle lot that is a minimum of twelve (12) feet in width and maximum of thirty (30) feet width and a minimum length of fifteen (15) feet in length.”
- E. Internal Lot. A lot with no physical connection to a street that may or may not be served by an access easement.

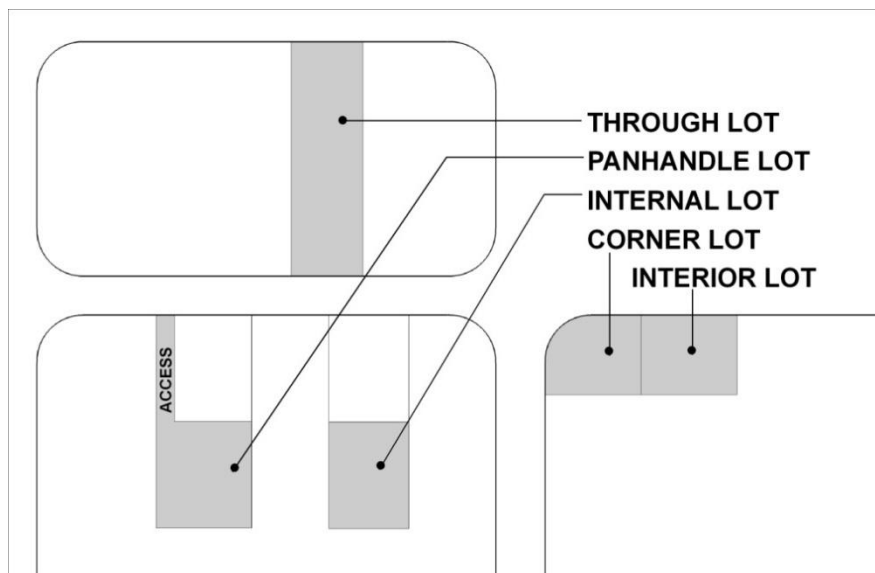


Figure 15.10.390a. LOT TYPES

15.10.395 Lot Width

The distance between the two (2) established side lot lines of the lot; for irregularly shaped lots, the width shall be determined by a lot width circle which is of a diameter that fits within the individual lot (see Figure 15.10.395a), including any access easements. The circle shall not have an average slope exceeding twenty-five percent (25%) nor contain unbuildable, sensitive areas.

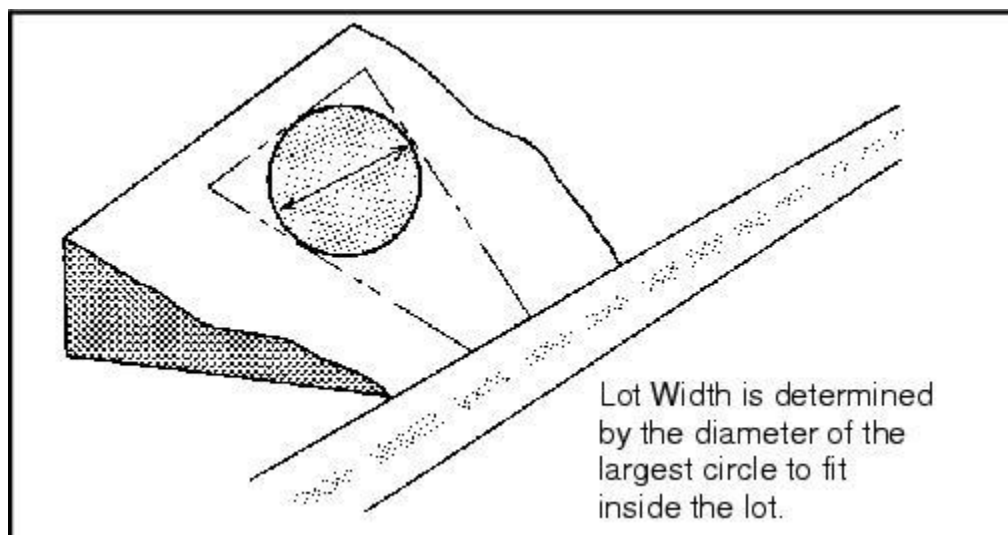


Figure 15.10.395a. LOT WIDTH DETERMINATION

15.31A.022 Maintenance and Repair

Repair or routine maintenance of antennas, equipment and /or feed lines, provided the model, type, mechanical and electrical specifications, size and number remains the same, and a waiver is completed prior to the start of such work, or, for emergencies, within forty-eight (48) hours of such work.

15.10.396 Major Redevelopment

Additions or alterations to a building or site, excluding interior-only improvements, which total fifty percent (50%) or more of the gross square footage (GSF) of the existing building(s) or site.

15.10.210 Manufactured Home

A detached building containing one (1) dwelling unit for a family permanently affixed on a foundation, constructed within HUD standards, as defined at 24 CFR Part 3280.

15.16.020 Marquee

A permanent roof-like structure extending from part of a wall of a building a maximum of six (6) feet and supported solely by the building.

15.16.020 Marquee Sign

Any sign that forms part of or is integrated into a marquee and that does not extend above the height or beyond the limits of such marquee. Also considered an extension of a building-mounted sign.

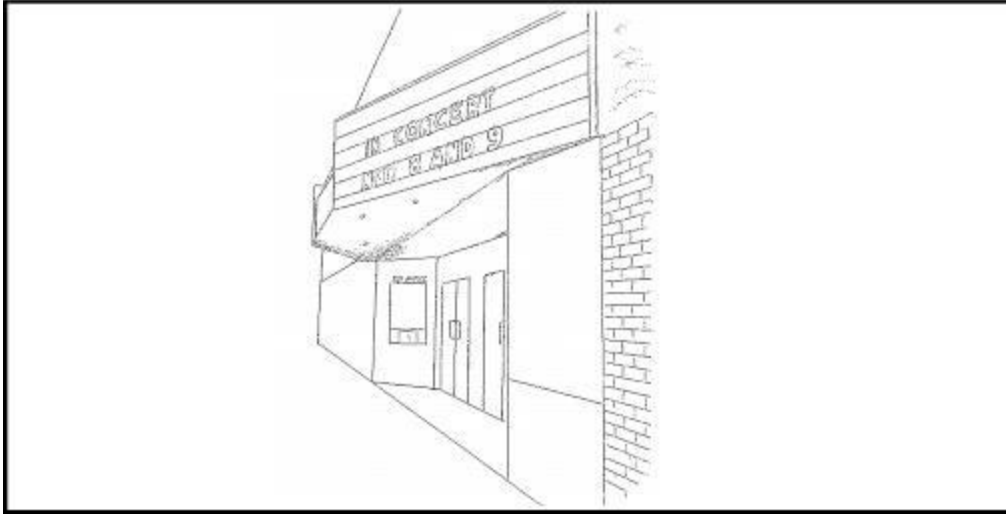


Figure 15.16.020d.1. MARQUEE/MARQUEE SIGN

~~15.10.397~~ Massage Business

A commercial establishment in which massage or other touching (considered medically necessary) of the human body is provided for a fee. Any physical activities beyond the stated purpose of the use shall be dealt with in the same manner as any activities considered illegal by the applicable legal codes.

~~15.10.398~~ Maximum Yard Setback

The maximum distance from a front property line that the edge of a building may be placed

~~15.10.400~~ Medical/Dental Office

An establishment for treatment of outpatients, and providing no overnight care for patients.

Meeting Facility

A facility utilized by persons organized for social, education, literary or charitable purposes. This definition can include private clubs and fraternal or nonprofit organizations. This definition excludes religious use facilities, professional offices, and public agency offices.

15.16.020 Message

In an electronic sign, a set of sequential displays that convey related information about a product, service or company.

Micro-Winery/Micro-Brewery

An eating and drinking establishment which includes the brewing of beer, ale or malt beverage, the process of making wine, and accessory tasting rooms and eating facilities. (Proposed definition modified from the Auburn municipal code)

Mini-Casino

A use governed pursuant to the provisions of chapter 9.46 RCW, 1973 Gaming Act, and licensed by the Washington State Gambling Commission, that is ancillary to a permitted use which is primarily engaged in the selling of food or drink for consumption on the premises, that operates fifteen (15) tables or under, and whose purpose is

Miscellaneous Light Manufacturing

A type of land use including small scale or less intensive production, distribution or fabricating activities.

15.31A.022-Microwave

Electromagnetic waves with a frequency of eight hundred ninety (890) megahertz (mhz) or greater intended for point-to-point communications.

15.31A.022-Mitigation

A modification to replace or remove one (1) or several nonconforming antenna-supporting structure(s) located in close proximity to a proposed new antenna-supporting structure, or to replace or remove one (1) or several nonconforming building-mounted antennas in close proximity of a proposed new building-mounted antennas, in order to encourage compliance with the ordinance, improve aesthetics or functionality of the overall wireless network.

15.10.406-Mitigation of Environmental Impacts

The use of any or all of the following actions, listed in descending order of preference:

- A. Avoiding the impact by not taking a certain action;
- B. Minimizing the impact by limiting the degree or magnitude of the action by using appropriate technology or by taking affirmative steps to avoid or reduce the impact;
- C. Rectifying the impact by repairing, rehabilitating or restoring the affected sensitive area or buffer;
- D. Reducing or eliminating the impact over time by preservation or maintenance operations during the life of the development proposal;
- E. Compensating for the impact by replacing, enhancing or providing substitute sensitive areas and environments; and

- F. Monitoring the impact and taking appropriate corrective measures.

15.35.610 Mixed Use

Mixed use refers to the combining of retail/commercial and/or service uses with residential or office uses in the same building. ~~or on the same site in one (1) of the following ways:~~

~~A. Vertical Mixed Use. A single structure with the above floors used for residential or office use and a portion of the ground floor for retail/commercial or service uses.~~

~~B. Horizontal Mixed Use—Attached. A single structure which provides retail/commercial or service use in the portion fronting the public or private street with attached residential or office uses behind.~~

~~C. Horizontal Mixed Use—Detached. Two (2) or more structures on one (1) site which provide retail/commercial or service uses in the structure(s) fronting the public or private street, and residential or office uses in separate structure(s) behind or to the side.~~

Mixed Use, Residential

~~Mixed use refers to the combining of retail/commercial and/or service uses with residential use in the same building.~~

15.10.215 Dwelling Unit, Mobile Home

A detached building containing one (1) dwelling unit for a family, but not constructed within HUD standards, with running gear, attached or detachable, that allows it to be relocated.

Mobile Home Park

~~Land under single ownership and control designed and used for the temporary or permanent parking of two or more manufactured or mobile homes for human occupancy.~~

15.10.406.05 Mobile Refueling Operation

An operation where a tank delivery vehicle, containing an approved combustible liquids dispensing storage tank with a maximum capacity of two thousand five hundred (2,500) gallons, is used to refuel commercial and construction vehicles with diesel engines for a site that does not include a stationary vehicle refueling station or facility. Mobile refueling operations do not include the mobile refueling of vehicles with gasoline or other alternate fuel powered engines.

15.10.217 Dwelling Unit, Modular Home

A detached building containing one (1) dwelling unit for a family located on a permanent foundation, constructed within Universal Building Code (UBC) standards, but constructed off-site and assembled on-site. This term is identical to “factory-built home.”

15.10.407 Monitoring

Evaluating the impacts of development proposals on biologic, hydrologic and geologic systems and assessing the performance of required mitigation through the collection and analysis of data for the purpose of understanding and documenting changes in natural ecosystems, functions and features including, but not limited to, gathering baseline data.

15.31A022 Monopole

A style of freestanding antenna-supporting structure that is composed of a single shaft usually composed of two (2) or more hollow sections that are in turn attached to a foundation. This type of antenna-supporting facility is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground.

15.16.020 Monument Sign

A ground-mounted, fixed sign with a height ranging from five (5) to fifteen (15) feet above the average ground elevation. The base (not included in the sign surface area calculation) is attached to the ground as a wide base of solid construction.

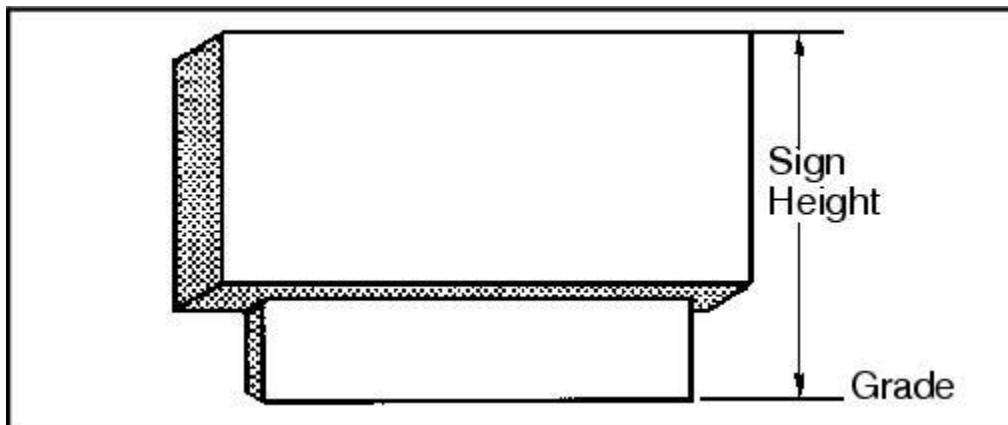


Figure **15.16.020e**. MONUMENT SIGN

Movie Theater

An indoor facility for showing movies, including accessory retail sales of food and beverages. This definitions excludes sexually-oriented businesses and theater/night club/entertainment clubs.

15.10.410 Multi-Family Building

A building containing ~~three two~~ (32) or more dwelling units that does not meet the definition of a ~~duplex or~~ townhouse.

15.10.220 Dwelling Unit, Citizen Assisted Multi-Family, Senior

A building or part of a building containing ~~two three~~ (23) or more dwelling units restricted to occupancy by ~~senior citizens~~ individuals fifty-five (55) years or older, and may include support services not limited to:

- A. Food preparation;
- B. Transportation; and
- C. Medical supervision.

Multi-Family Zone

A zone in which multiple dwelling units are permitted on a lot or parcel.

15.16.020 Multiple Building Complex

A group of structures housing more than one (1) type of retail business, office or commercial venture, and generally under one (1) ownership and control.

15.16.020 Multiple Occupancy Building

A single structure housing more than one (1) type of retail business office or commercial venture.

15.10.415 Multi-Use Complex

A group of separate buildings operating under a common name or management; or a single building containing multiple uses where there are specific exterior entrances for individual uses.

15.16.020 Mural

A design or representation, without letters, numbers, or trademarked graphics, that is painted or drawn on the exterior of a structure facade that does not advertise a business, product, service, or activity of the business contained within the building or structure. A mural may have the signature of the person painting the sign, or copyright ownership of the mural painting.

15.16.020 Mural Sign

A design, or representation with letters, numbers, or trademarked graphics, that is painted or drawn on the exterior of a structure facade that advertises the business, product, service, or

activity contained within the building or structure. A mural sign will include the name of the business or activity being conducted within the building or structure. Off-premises mural signs are not permitted.

Museum

A nonprofit, noncommercial establishment operated as a repository or a collection of natural, historic, scientific, or literary curiosities, or objects of interest or works of art. Restaurants and gift shops may be included as part of any museum, so long as the square footage for these activities constitutes not more than twenty-five (25) percent of the total floor area of the museum building.

~~15.10.416~~ Native Vegetation

Vegetation comprised of plant species, other than noxious weeds, which are indigenous to King County and which reasonably could have been expected to naturally occur on the site.

~~15.10.420~~ Noise

The intensity, duration and character of sound from any and all sources.

~~15.16.020~~ Noncommercial Public Service Sign

Noncommercial signs devoted to religious, charitable, cultural, governmental or educational messages.

~~15.10.425~~ Nonconformance, Legal

Any legally established use, structure, or development standard which was lawfully allowed in the past, but is now not in conformance with the current code.)

~~15.10.430~~ Nonconforming Use

Any use, structure, lot, condition, or development that does not conform to any of the provisions of the current code or that was not approved by the City through the appropriate decision-making process required under this code.

~~15.10.430.05~~ Nonprofit Organization

A non-commercial organization that does not operate to make a profit.

~~15.10.431~~ Noxious Weed

Any plant which is highly destructive, competitive or difficult to control by cultural or chemical practices, limited to those plants on the State noxious weed list contained in Chapter 16-750 WAC.

15.10.433 Nursing Home

See definition of Convalescent Center/Nursing Home, SMC **15.10.155**.

15.12.080 Off-site Hazardous Waste Treatment and Storage

Hazardous waste treatment and storage facilities that treat and store waste from generators on properties other than those on which the off-site facility is located.

15.38.030 Office Use

The use of a room or group of rooms for conducting the affairs of a business, profession, service, or government and generally furnished with desks, tables, files and communication equipment.

15.12.080 On-site Hazardous Waste Treatment and Storage

Hazardous waste treatment and storage facilities that treat and store wastes generated on the same property.

15.10.435 Open Space

A variety of lands which are created and preserved for park and open space purposes, including:

- A. Natural areas with outstanding scenic or recreational (active or passive) value;
- B. Public access areas to creeks, rivers, lakes or Puget Sound;
- C. Lands that define, through natural features, urban and rural areas;
- D. Lands that create corridors between natural features;
- E. Areas defined as sensitive areas under the Sensitive Areas Ordinance;
- F. Any landscaped area that exceeds the minimum adopted landscape requirements;
- G. Active outdoor recreation areas;
- H. Multi-purpose green spaces;
- I. Pedestrian and bicycle-only corridors separate from the public or private roadway system and dedicated to passive recreation, including access links in sensitive area

buffers. The square footage (length times width) of pedestrian and bicycle-only corridor shall be counted as usable open space; and/or

- J. Publicly accessible plazas, courtyards, and pocket parks located either within the front yard setback or elsewhere on site.

~~15.10.435.05~~ Opiate Substitution Treatment Facility

A facility designed to dispense an opiate substitute drug approved by the Federal Drug Administration for the treatment of opiate addiction.

~~15.10.436~~ Ordinary High Water Mark

The mark found by examining the bed and banks of a stream and ascertaining where the presence and action of waters are common and long maintained in ordinary years as to mark upon the soil a vegetative character distinct from that of the abutting upland. In any area where the ordinary high water mark cannot be found, the line of mean high water shall substitute. In any area where neither can be found, the top of the channel or lake bank shall substitute. In braided channels and alluvial fans, the ordinary high water mark or line of mean high water shall be measured so as to include the entire stream feature.

~~15.10.438~~ Other Retail Uses

~~A retail use that is substantially similar to other listed permitted retail uses within a zone and has similar impacts relating to but not limited to: traffic, storm drainage, the generation of light and glare, emissions or pollutants, odors, or electromagnetic radiation.~~

~~15.10.440~~ Overnight Shelter

A facility providing overnight, temporary lodging, with or without meals, for homeless families or individuals and meeting the standards of Chapter 246-360 WAC.

Paper Products

Manufacturers that make pulp, paper, or converted paper products: manufacturing of pulp involves separating the cellulose fibers from other impurities in wood or used paper; manufacturing of paper involves matting these fibers into a sheet; converted paper products are made from paper and other materials by various cutting and shaping techniques and includes coating and laminating activities.

15.16.020 Parapet

That portion of a building wall which extends above the roof of the building on all building facades (see Figure 15.16.020(f)).

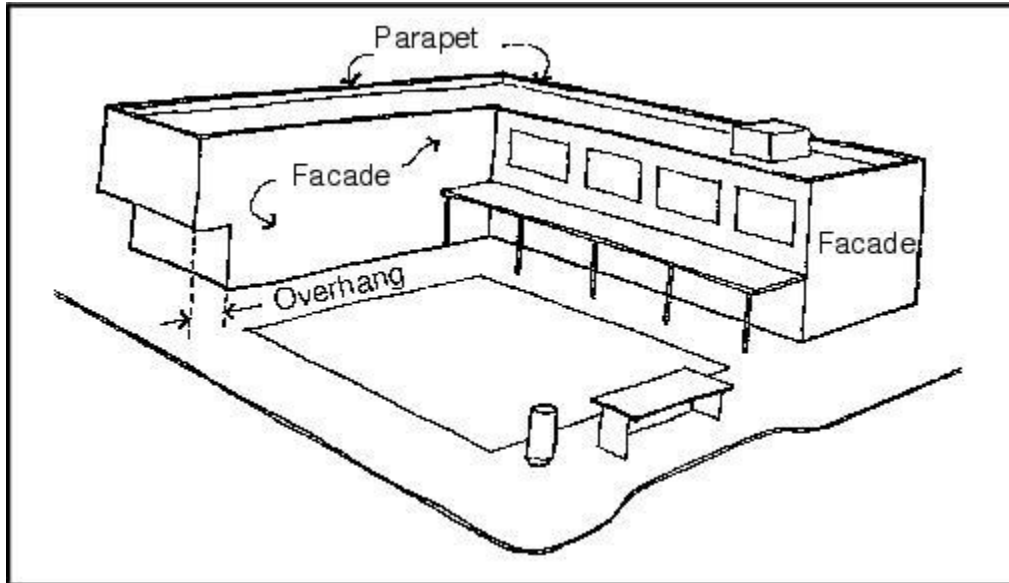


Figure 15.16.020f. PARAPET

15.16.020 Parapet Sign

Any sign erected upon the parapet of a building, not to exceed the height of any roof structures housing building/ventilation equipment.

Park

Land owned by and open to the public used for providing public access in a manner consistent with the preservation of its recreational, educational, cultural, historical, or aesthetic qualities.

15.10.445 Parking Lot

A public or private area other than a street or alley that provides parking for motor vehicles for the primary use on the property including, but not limited to, multi-family, office, retail, or commercial uses (including auto rental/sales). A parking lot is limited in use to the occupants, guests, or employees of the primary use of the property. A parking lot does not include an area used exclusively for the parking of motor vehicles for commercial purposes such as a park and fly lot.

15.10.446 Parking Lot, Public/Private

An area used exclusively for the parking of motor vehicles for a fee for any period of time.

Parking, Commercial/Public

A facility which provides parking space for motor vehicles for which hourly or daily fees are charged. This definition excludes park-and-fly parking intended primarily or entirely for long term airport parking.

Parking, Park-and-Fly

Park-and-Fly Parking is a use of land or a structure for the parking of motor vehicles primarily or entirely for long term airport parking for which hourly, daily or weekly fees are charged.

15.10.448 Parking Space

An area accessible to vehicles, which is provided, improved, maintained and used for the sole purpose of accommodating a motor vehicle.

15.10.450 Parties of Record

Persons which have submitted written comments, testified, asked to be notified, listed on a maintained mailing list, or are the first signatory of a petition which is included as part of the official City record.

15.10.455 Passenger Terminal

A building for on- and off-loading passengers on private and public aircraft or other passenger modes of travel including, but not limited to, HCT, buses, PRTs, public rail systems and ferries.

15.10.465 Pedestrian Access

An area designed to allow access for pedestrians, including handicap access, from the public right-of-way to private land.

15.31A.022 Pedestrian or Higher Elevation Views

Views from higher physical grade, or buildings into equipment installations that are screened by fencing, including views from residential and commercial building windows and decks.

15.38.030 Pedestrian-Oriented Uses

Uses that stimulate pedestrian activity along the sidewalk frontage of a building.

15.16.020 Pennants

A triangular tapering flag made of any lightweight fabric or other nonrigid material suspended in a series from a rope, wire, or string.

15.16.020 Penthouse

A structure on top of a building roof which houses an elevator shaft or similar form.

~~15.10.470~~ Perimeter Landscaping

Landscape buffers provided along the street and exterior boundaries of a site.

~~15.38.030~~ Personal Grooming and Health Services

A business that provides services relating to personal grooming and health. Uses may include but are not limited to barbershops, hair stylists, spas, tanning salons and nail salons.

~~15.31A.022~~ Platform

A mounting structure to which one (1) or more antennas, sufficient to serve the needs of one (1) or more wireless telecommunications carriers' installation(s), are attached, and which is affixed to a antenna-supporting structure.

~~15.10.471~~ Police Facility

A facility used by any public agency, political subdivision or unit of local government of this State including but not limited to municipal corporations, special purpose districts, and local service districts, and agency of the State of Washington or of the United States or any state thereof which has responsibility for law enforcement, and for regular police functions, for the purposes of such law enforcement and regular police functions; provided, that where such activities occur at a regular office of the public agency responsible for such functions, the provisions applicable to public agency office, as that term is defined in this code, shall control.

~~15.16.020~~ Political Sign

Signs advertising a candidate or candidates for public elective office or a political party, or signs urging a particular vote on a public issue decided by ballot.

~~15.16.020~~ Portable Sign

A movable sign that is not permanently attached to a structure or the ground. Portable signs include A-frame signs and signs mounted on a portable base, but not portable readerboards.

~~15.16.020~~ Port-Cochere

A covering structure that is attached to a building, and may project horizontally from the building, which affording provides protection from the elements; typically used for loading and unloading of vehicles.

15.10.480 Preschool

A nursery school or educational program that is geared towards the education of very young children, generally between the ages of three (3) to five (5) years of age in which no child is enrolled on a regular bases for more than four (4) hours per day. but excluding day care uses.

Primary Metal Industry

Establishments that smelt or refine ferrous and nonferrous metals from ore, pig or scrap, using electrometallurgical and other process metallurgical techniques and establishments that manufacture metal alloys and superalloys by introducing other chemical elements to pure metals. Additional operations may include rolling, drawing, and extruding to make sheet, strip, bar, rod, or wire, and the manipulation of molten form to make castings and other basic metal products. Such establishments may include: primary and secondary smelting, primary and secondary refining, iron and steel mills, and the recovery of metals from scrap.

15.16.020 Primary Sign(s)

All permitted permanent monument/freestanding and building-mounted signs (see SMC 15.16.030 and 15.16.040).

15.10.485 Primary Vehicle Access

The major (or highest classification) street from which the majority of vehicles enter the subject property.

Primary Use

The primary or predominant use of any lot or parcel.

Printing/Publishing

Establishments which, as a primary activity, publish or print books, magazines, newspapers, or other periodicals; print small jobs for business clients or the general public, such as photocopying, offset printing, blueprinting, computer plotting; or screen print documents, announcements, business cards, or the like; print maps, posters, and the like. These shops may engage in typesetting, electrotyping and stereotyping photoengraving, engraving, plate-making, and other printing functions incidental to their primary activity.

15.10.285 General Business Service/Office Professional Office

Establishment engaged in providing personal services to business establishments and citizens from an office setting, with no visible outdoor storage areas, including, but not limited to, the following uses:

- A. Financial institutions;

- B. Security and commodity brokers, dealers, exchanges and services;
- C. Insurance agents and carriers;
- D. Real estate business offices and agents;
- E. Legal services;
- F. Membership organizations;
- G. Nontesting research labs;
- H. Emergency services administration and substations.

~~15.10.490~~ Produce Stand

A permanent structure up to five hundred (500) square feet in area used for the retail sale of fresh fruits and vegetables and may include, as an incidental or accessory use, the sale of sealed or prepackaged food products or nonfood items. No more than twenty-five percent (25%) of the gross floor area of the produce stand shall be used for the sale of incidental or accessory uses.

~~15.16.020~~ Property Line

The line denoting the limits of legal ownership of property.

~~15.10.495~~ Public Access

A portion of private property subject to an easement giving the public the right to stand on or traverse this portion of the property.

~~15.10.500~~ Public Access Pier or Boardwalk

An elevated structure which is constructed waterward of the high water line or upland of the water body and intended for public use.

~~15.10.501~~ Public Agency Office

An office maintained and used as a place to transact business, activity and operations of any public agency, political subdivision or unit of local government of this State including but not limited to municipal corporations, special purpose districts, and local service districts, and any agency of the State of Washington or of the United States or any state thereof.

~~15.10.502~~ Public Agency Yard

A yard or facility used as a place to store materials used by any public agency, political subdivision or unit of local government of this State including but not limited to municipal corporations, special purpose districts, and local service districts, and agency of the State of Washington or of the United States or any state thereof, as such materials are used by the “outdoor” operations of the public agency, and further used as a place to maintain equipment and facilities of the public agency.

~~15.10.503 Public Archives~~

~~A facility used by any public agency, political subdivision or unit of local government of this State including but not limited to municipal corporations, special purpose districts, and local service districts, and agency of the State of Washington or of the United States or any state thereof for the purposes of archiving, keeping, maintaining or storing documents, records or other property of the public agency; provided, that where such activities occur at the regular offices of the public agency, the provisions applicable to public agency office, as that term is defined in this code, shall control.~~

~~15.35.080 Public Facility~~

A use which serves the public and is generally of a public service, noncommercial nature.

~~15.31A.022 Public Safety Communications Equipment~~

All communications equipment utilized by the City for the purpose of operation in the interest of the safety of the citizens of SeaTac and operating within the frequency range of eight hundred six (806) MHz and one thousand (1,000) MHz and future spectrum allocations at the direction of the FCC.

~~15.10.505 Quasi-Public Utility~~

A private business organization, such as a public service corporation subject to special governmental regulations; or a governmental agency; performing some public service, which is paid for directly by the recipient; including, but not limited to:

- A. Water supply;
- B. Solid waste;
- C. Electric power;
- D. Sewer;
- E. Natural gas;
- F. Telephone or cellular communications;

G. Transportation for persons and freight.

15.31A.022 Radio Frequency Emissions

Any electromagnetic radiation or other communications signal emitted from an antenna or antenna-related equipment on the ground, antenna-supporting structure, building, or other vertical projection.

15.10.510 Radio Tower

A structure whose purpose or accessory purpose is the transmission of radio waves and the supporting structure for the transmission antenna or device.

15.16.020 Readerboard

A sign or part of a sign on which the letters are replaceable by manual means, such as changing magnetic letters on a sign board.

15.10.511 Reasonable Use

A legal concept articulated by Federal and State courts in regulatory taking cases. Within the context of these cases and for the purposes of this title, reasonable use shall mean any use permitted in each zone classification, outright or through a permit, and shall not mean the subdivision of property.

15.10.515 Recreation, Community (Recreational Center)

~~A recreational use, building, or event maintained and operated by a nonprofit club, or an organization whose membership is for a specified group.~~

Recreation Facility, Indoor

A facility designed and equipped for the conduct of sports and leisure-time activities entirely indoors. Examples include gymnasiums, health and fitness clubs, dance studios, indoor tennis and racquetball courts, and indoor swimming pools. This definition excludes community centers and stadium/arena/auditorium uses.

Recreation Facility, Outdoor

A facility designed and equipped for the conduct of sports and leisure activities that is located outdoors. Partially enclosed or screened facilities are included within this definitions. Small building and sanitary facilities may be included as ancillary to sporting related uses. Examples of outdoor recreational facilities include outdoor tennis courts, public outdoor swimming pools, batting cages, athletic fields, miniature golf courses, golf driving ranges and playgrounds. This definition excludes parks, golf courses and stadium/arena/auditorium uses.

~~15.10.520 Recreation, Public~~

~~A recreation use maintained and operated by a governmental agency or any nonprofit organization on publicly owned or leased land for the benefit of the general public; or on private land for a limited user group if the activity fulfills a recreation need that might otherwise be fulfilled by public agencies.~~

~~15.10.530 Recreational Vehicle (RV)~~

A vehicle designed primarily for recreational camping, travel or seasonal use which has its own motive power or is towed by another vehicle, including, but not limited to:

- A. Travel trailer;
- B. Park trailer;
- C. Folding camper trailer;
- D. Motor home;
- E. Multi-use vehicles;
- F. Truck camper.

~~15.26.015 Recreational Vehicle (RV)~~

~~A vehicle designed primarily for recreational camping, travel or seasonal use which has its own power or is towed by another vehicle, limited to motor home and travel trailer/camping trailer.~~

~~15.10.535 Recycling Products~~

Source separation or the processing of solid waste mechanically or by hand to segregate materials for sale or reuse. Materials which can be removed through recycling include, but are not limited to, mixed paper, newsprint, cardboard, aluminum, glass, plastics, chemicals, oil, wood, compostable organics (food and yard debris), ferrous metal, and inorganics (rubble and inert material).

~~15.10.537 Regional Utility Corridor~~

A right-of-way, tract or easement which contains major transmission lines or pipelines for utility companies, excluding distribution lines contained within street rights-of-way or lines serving individual lots or developments.

~~15.10.540 Regulated Wetland~~

A wetland that meets one or more of the following criteria:

- A. Serves significant biological functions;
- B. Serves significant drainage and sedimentation functions;
- C. Shields other areas from wave action, erosion or storm damage;
- D. Serves as valuable storage area for storm and flood waters;
- E. Is a prime natural recharge area;
- F. Serves significant water purification functions.

Although a site specific wetland may not meet the criteria described above, it will be considered a regulated wetland if it is functionally related to another wetland that meets the criteria. Within the wetlands classification process there are the following classes: Class I, Class II, and Class III (See “Wetland” definition, SMC [15.10.675](#)).

~~15.10.541 Religious Use Facility~~

A structure or place in which worship, ceremonies, rituals, and education pertaining to a particular system of beliefs are held.

~~15.10.542 Religious Use Facility, Accessory~~

Uses which are secondary to the religious purpose of the religious use facility and are considered as providing services to members and other individuals. The uses include, but are not limited to, bookstores, cafeteria, child day care, educational classes, social services, and limited retail sales of only religious use facility related materials, and operation of overnight shelters as limited by SMC [15.12.030](#).

~~15.10.545 Replacement Cost~~

The current cost to reconstruct a structure or part of the structure in a manner similar to its previous condition to the current code standards.

Research and Development

A facility in which scientific research, investigation, testing, or experimentation occur but not including manufacture and sale of products.

~~15.10.550 Restaurant~~

~~Commercial use (excluding fast food restaurants) which sells prepared food or beverages and generally offers accommodations for consuming the food or beverage on the premises. (Now, Food Establishment/Sit Down)~~

~~15.10.551 Restaurant, Fast Food~~

~~Commercial use which serves food or beverages, is built to encourage drive-through business, and minimizes the number of interior accommodations for on-site consumption of the product. (Now Food Establishment/Fast Food)~~

~~15.10.552 Restoration~~

~~Returning a stream, wetland, other sensitive area or any associated buffer to a state in which its stability and functions approach its unaltered (or original) state as closely as possible.~~

~~Retail, Big Box~~

~~An indoor retail or wholesale use in a building no less than thirty thousand (30,000) square feet of gross floor area and typically requires a high parking-to-building area ratio. Big-box retail buildings are typically single-story structures, with a mass that stands more than thirty feet (30') tall. Big-box retail establishments can include, but are not limited to, membership warehouse clubs that emphasize bulk sales, discount stores, and outlet stores.~~

~~15.10.555 Retail Establishment, General~~

~~Establishments within a permanent structure engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods that are no greater than thirty thousand (30,000) square feet of gross floor area. This definition includes multi-story retail use buildings greater than thirty thousand (30,000) square feet that have a minimum of two (2) stories dedicated to retail sales and all parking within a structure. This definition can include but is not limited to; antique/secondhand stores, apparel/accessory stores, drug stores, fabric stores, florist stores, food stores, furniture stores, hobby/toy stores, jewelry stores, media material stores, pet stores, photographic and electronic stores, secondhand stores and sporting goods stores. . This definition excludes pawn shops. A commercial enterprise which provides goods and/or services directly to the consumer, whose goods are available for immediate purchase and removal from the premises by the purchaser, and/or whose services are traditionally not permitted within an office use.~~

~~15.10.556 Retail Food Shop~~

~~Small, resident oriented food shops selling goods, such as baked goods, coffee, and assorted sundries. Baked goods for sale on premises, but not for wider distribution, can be prepared on-site.~~

~~15.10.557 Retention/Detention Facility~~

A type of drainage facility designed either to hold water for a considerable length of time and to release it by evaporation, plant transpiration and/or infiltration into the ground, or to hold runoff via structural controls and then release it to the surface and storm drainage system.

15.10.558 Retention/Detention Facility, Regional

A surface water control structure installed in or adjacent to a drainage facility, stream or wetland of a basin or sub-basin by the City or a project proponent, as required by the City. Such facilities protect downstream properties from predicted significant regional basin flooding or erosion problems.

15.10.560 Right-of-Way

Land dedicated primarily to the movement of vehicles and pedestrians, and for providing primary access to adjacent parcels. Secondly, the land provides space for utility lines and appurtenances and other publicly owned devices.

15.16.020 Roof Sign

A sign or sign structure erected above a roof, parapet, canopy or porte-cochere of a building or structure.

Rubber/Plastic/Leather/Mineral Products

Establishments that:

- 1. Manufacture goods by processing plastics materials and raw rubber, often through production processes that involve more than one material;**
- 2. Transform hides into leather by tanning or curing and fabricating the leather into products for final consumption, or the manufacture of similar products from other materials, including products (except apparel) made from "leather substitutes," such as rubber, plastics, or textiles; or**
- 3. Transforms mined or quarried nonmetallic minerals, such as sand, gravel, stone, clay, and refractory materials, into products for intermediate or final consumption. Such establishments may produce the following: bricks, refractories, ceramic products, glass and glass products, such as plate glass and containers, cement and concrete products, lime, gypsum and other nonmetallic mineral products including abrasive products, ceramic plumbing fixtures, statuary, cut stone products, and mineral wool. Processes used include grinding, mixing, cutting, shaping, and honing; heat and other chemical processes may be used.**

15.31A.022 Satellite Earth Station (Satellite Dish)

A single or group of satellite parabolic (or dish) antennas. These dishes are mounted to a supporting device that may be a pole or truss assembly attached to a foundation in the ground, or in some other configuration. A satellite earth station may include the associated separate equipment shelters necessary for the transmission or reception of wireless communications signals with satellites. Satellite earth stations of one (1) meter or less are used primarily for the purposes of home entertainment and personal data systems.

15.16.020 Scrolling

The vertical movement of a static message or display on an electronic sign.

15.16.020 Secondary Signs

Allowable signage not falling within the definition of a primary sign; includes directional and informational signs, as well as temporary signs and displays (see SMC **15.16.080**).

15.10.561 ~~Secondhand Store~~ (now part of Retail, General)

~~A retail establishment in which the principal portion of the articles, commodities or merchandise handled, offered for sale, or sold on the premises are not new. Secondhand stores shall not be considered as including antique stores or pawn shops.~~

15.10.561.05 Secure Community Transition Facility (SCTF)

An in-patient facility for Level III sex offenders civilly committed and conditionally released to a less restrictive alternative. An SCTF has twenty-four (24) hour supervision and security, and either provides or ensures the provision of sex offender treatment services.

15.10.562 Seismic Hazard Area

(Denoted on critical areas maps.) Those areas in the City subject to severe risk of earthquake damage as a result of soil liquefaction in areas underlain by cohesionless soils of low density and usually in association with a shallow groundwater table or other seismically induced settlement.

15.10.563 ~~Self-Service Storage~~ (now Storage, Self-Service)

~~A building or group of buildings containing separate storage spaces of varying sizes that are leased or rented as individual units.~~

15.10.564 Sensitive Area

Any of those areas in the City which are subject to natural hazards or those land features which support unique, fragile or valuable natural resources including fishes, wildlife and other organisms and their habitat, and such resources which carry, hold or purify water in their natural state. Sensitive areas include coal mine hazard areas, erosion hazard areas, flood hazard areas,

landslide hazard areas, seismic hazard areas, steep slope hazard areas, streams, volcanic hazard areas and wetlands.

~~15.10.565 SEPA~~

The State Environmental Policy Act (Chapter 43.21C RCW) and the adopted City environmental policies.

~~15.10.567 Setback~~

The required distance from the base of a structure, support structure, or the edge of a wireless telecommunications facility equipment shelter to the property line of the parcel on which the structure, support structure or wireless telecommunications facility equipment shelter is located.

~~15.10.025 Adult Entertainment Sexually-Oriented Business~~

Includes any of the following types of establishments:

A. Sexually-Oriented Entertainment

Any exhibition or dance of any type conducted on premises where such exhibition or dance involves the exposure to view of any portion of the breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals.

B. Sexually-Oriented Theater

Any theater while that theater is providing entertainment through the showing of motion picture films predominantly distinguished or characterized by their emphasis on matter explicitly depicting any of the following:

1. Human genitalia in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse or sodomy;
3. Erotic fondling, touching or display of human genitalia, pubic region, buttock or female breast.

C. Sexually-Oriented Establishment

A commercial enterprise predominantly involved in the selling, renting or presenting for viewing of books, magazines, motion pictures, films, video cassettes, cable television, or other media distinguished or characterized by a predominant emphasis on matter explicitly depicting the items set forth in SMC ~~15.10.030~~.

Examples of such establishments include, but are not limited to, adult book or video stores and establishments offering panoramas or peep shows.

~~15.10.570~~ Shared Access Point

A common point of vehicle and pedestrian access from a right-of-way, or a vehicular access easement or tract for more than one (1) lot or use.

Shed

A single story structure with one or more sides enclosed, built for shelter or storage.

~~15.10.575~~ Shoreline Master Program

The applicable City and State laws/codes related to the shoreline programs.

15.16.020 Sign

All surfaces/structures (permitted, exempt, or prohibited) regulated by this chapter that have letters, figures, design, symbols, trademark or devices intended to attract attention to any activity, service, place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever.

15.16.020 Sign, Off-Premises

A sign which displays a message relating to a use of property or sale of goods or services at a location other than that on which the sign is located.

15.16.020 Sign, On-Premises

A sign which displays a message which is directly related to the use of the property on which it is located.

~~15.10.605~~ Significant Tree

An existing healthy tree which, when measured three (3) feet above grade, has a minimum diameter of:

- A. Eight (8) inches for evergreen trees; or
- B. Twelve (12) inches for deciduous trees (excluding poplar trees). (Ord. 92-1041 § 1)
(NOTE: changed to match regulations in Division IV, Landscaping and Trees, Retention of Significant Trees – formerly 15.14.160)

~~15.10.606~~ Single Attached Dwelling Unit (Moved to Dwelling Unit, Caretaker/Manager)

~~A single-family dwelling unit attached to a nonresidential structure.~~

~~15.10.225 Single Detached Dwelling Unit~~

~~A detached building containing one (1) dwelling unit. Such a building may be constructed on-site, or may be a manufactured home or modular home.~~

Single-Family, Small Lot

Land use that provides areas of higher density in small pockets of the single-family zone classifications to encourage infill and allow the development of past platted properties that may have restricted development potential due to the shape or topography of the site.

Single-Family Zone

A zone in which only one (1) dwelling unit is permitted on a lot or parcel.

15.16.020 Single-Occupancy Building

A commercial building or structure with one (1) major enterprise. A building is classified as “single-occupancy” only if:

- A. It has only one (1) occupant;
- B. It has no wall in common with another building; and
- C. It has no part of its roof in common with another building.

15.10.609 Site

One or more contiguous legal lots used as the basis upon which the provisions and standards of this code are applied.

Site Area, Gross

The horizontal area encompassed by a development site’s boundaries.

Site Area, Net

The Gross Site Area minus any areas that are classified as one (1) of the following sensitive areas:

- A. Class I, II, or III wetland;
- B. Class I, II, or III stream;

C. Steep Slope Hazard Area.

~~15.10.610~~ **Small, Resident-Oriented Uses**

Those commercial uses that are geared to primarily serve local residents ~~within a one-half (1/2) mile radius of its location, do not exceed two thousand (2,000) square feet in total gross feet~~, and will not have any significant impacts, such as excessive traffic or noise, that would negatively impact surrounding residential properties.

~~15.10.611~~ **Social Service Office**

An office maintained and used as a place to transact business activity and operations of any agency, association, entity or organization, whether public or private, and whether a business or a nonprofit organization, which provides as a major part of its function charitable, educational, legal, medical, psychological, religious, political entity, services to the community, including but not limited to associations, fraternal organizations and public service organizations; provided, that this definition shall not include hospitals and medical/dental offices as those terms are defined in this code. (Formerly 15.10.612*.* Code reviser's note: This section renumbered to accommodate sections added subsequent to adoption of Ord. 93-1036.)

~~15.10.612~~ **Specialized Instruction School**

A school providing specialized instruction in areas including, but not limited to, art, , music, cooking, and related disciplines. Truck driving instructional schools and heavy equipment operational schools shall not fall within this definition. A specialized instruction school is also to be distinguished from vocational-technical schools, as defined in this code.

~~15.10.612.1~~ **Sports Club** (Moved to Recreational Facility, Indoor)

~~A profit or nonprofit club providing the following activities:~~

- ~~A. The instruction of basketball, softball, baseball, cheerleading fundamentals, martial arts and other similar activities.~~
- ~~B. Weight lifting.~~
- ~~C. Drop in, pick-up game sport activities.~~
- ~~D. Tournaments/competitions related to the instructional activities.~~

~~15.10.612.5~~ **Sponsoring Agency**

A church or other organization that joins in an application with a host agency for a City temporary use permit and assumes responsibility for providing basic services and support to

temporary emergency homeless encampment residents, such as hot meals, coordination of other needed donations and services, etc.

Stable

A land use on which large domestic animals, such as horses, ponies, donkeys, cows, llamas, goats, pigs, or oxen, are kept for sale or hire to the public. Breeding, boarding, or training of large domestic animals may also be conducted.

Stadium/Arena/Auditorium

A large open or enclosed place used for games and major events and partly or completely surrounded by tiers of seats for spectators. This includes accessory eating and drinking establishments.

15.12.080 State Siting Criteria

Criteria for the siting of hazardous waste treatment and storage facilities adopted pursuant to the requirements of RCW 70.105.210.

15.10.613 Steep Slope Hazard Areas

Those areas in the City on slopes of forty percent (40%) or greater within a vertical elevation change of at least ten (10) feet. A slope is delineated by establishing its toe and top, and is measured by averaging the inclination over at least ten (10) feet of vertical relief. Formerly **15.10.611.**)

15.10.563 Self Service Storage, Self-Service

A building or group of buildings containing separate storage spaces of varying sizes that are leased or rented as individual units.

Storage, Large Vehicle and Equipment

An indoor or outdoor area for parking or holding of motor vehicles and boats or wheeled equipment for more than seventy two (72) hours. This definition excludes auto service centers, auto wrecking yards, towing operations and vehicle rental/sales.

15.10.615 Storm Drainage

The movement of water, due to precipitation, either surficially or underground.

15.10.620 Stream

A course or route, formed by nature, including those modified by man, generally consisting of a channel with a bed, banks, or sides substantially throughout its length, along which surface waters naturally and normally flow in draining from higher to lower lands. Normal rainfall is rainfall that is at or near the mean of the accumulated annual rainfall record, based upon the water year as recorded at the Seattle-Tacoma International Airport. Pursuant to the sensitive areas section, there are the following stream classifications:

- A. Class 1 streams, only including streams inventoried as “Shorelines of the State” under the adopted Shoreline Master Program, pursuant to Chapter 90.58 RCW;
- B. Class 2 streams, only including streams smaller than Class 1 streams which flow year-round during years of normal rainfall or those which are used by salmonids; and
- C. Class 3 streams, only including streams which are intermittent or ephemeral during years of normal rainfall and which are not used by salmonids.

~~15.10.623~~ Stream Functions

Natural processes performed by streams including functions which are important in facilitating food chain production; providing habitat for nesting, rearing and resting sites for aquatic, terrestrial and avian species; maintaining the availability and quality of water, such as purifying water; acting as recharge and discharge areas for groundwater aquifers; moderating surface and storm water flows and maintaining the free flowing conveyance of water, sediments and other organic matter.

~~15.16.020~~ Streamer

A long narrow strip of lightweight fabric or other material suspended in a series from a rope, wire, or string.

~~15.10.625~~ Street, Private

Any easement, tract or street for ingress and egress which is not a public street. Driveways which are not part of an easement, tract or street for ingress and egress shall not be considered a street.

~~15.10.630~~ Street, Public

All streets, highways, freeways, avenues, lanes, alleys, courts, places, or other public ways in the City, whether improved or unimproved, held in public ownership and intended to be open as a matter of right to public vehicular and pedestrian access.

~~15.10.631~~ Structure

Anything which is built or constructed (above or below grade), an edifice or building of any kind, or any piece of work artificially built-up or composed of parts joined together in some

definite manner, excluding benches, statuary, utility boxes/lights, light poles, minor utility apertures, planter boxes less than forty-two (42) inches in height, fences seventy-two (72) inches or under in height, and residential tent structures.

~~15.16.020~~ **Subdivision Signs**

Signs used to identify a land development of a residential nature.

~~15.10.635~~ **Support Structure**

See “~~Antenna Supporting Structure,~~” SMC 15.31A.022.

~~15.16.020~~ **Surface Area**

See “Area or Surface Area of Sign.”

~~15.16.020~~ **Surface Area of Façade**

The area of that continuous front, side or back surface, including doors and windows, but excluding any roof area and structures or elevators or air-conditioning equipment thereon; provided, that in the case of a roof sign, the surface area of the facade shall be the area of that continuous front, side or back surface immediately beneath the roof, including doors and windows, but excluding the roof area and structures for elevators or air conditioning thereon.

~~15.31A.022~~ **Telecommunications Master Plan**

A plan developed to enforce applicable development standards, State statutes and Federal regulations related to the deployment of wireless telecommunications infrastructure.

~~15.16.020~~ **Temporary Freestanding Sign**

A nonpermanent sign securely attached to the ground, intended for use for a limited period of time.

~~15.10.639~~ **Temporary Wireless Telecommunications Facility (Temporary WTF)**

See ~~SMC 15.31A.022.~~

~~15.31A.022~~ **Temporary Wireless ~~Telecommunications~~ Communications Facility (Temporary ~~WTF~~ WCF)**

A WCF which is to be placed in use for a limited period of time, is not deployed in a permanent manner, and does not have a permanent foundation.

15.10.639.05-Tent Structure, Residential

A canopy or tent consisting of a metal or plastic frame covered with canvas or other similar material, used in a residential zone (see Figures 15.10.639.05a and b). See Division II, Supplemental Standards for Residential Base Zones, Tents for further regulations of these structures.



Figure 15.10.639.05a

Figure 15.10.639.05b

Theater/Night Club/Entertainment Club

Any facility where live entertainment is provided or dancing occurs as a primary form of entertainment. Uses include but are not limited to live theater; dance performances; musical performances; dinner theater, comedy routines, book/poetry readings; or dancing. Dining facilities may be provided as an ancillary use. This definition excludes sexually-oriented businesses; movie theaters, drinking establishments and fast food and sit down food establishments.

Tire Retreading

Establishments primarily engaged in retreading or rebuilding tires.

15.10.640-Topsoil

The uppermost strata of soil containing a large percentage of organic materials which is capable of providing suitable nourishment for vegetation.

15.31A.022-Tower

A freestanding structure designed solely to support an antenna(s) or antenna platform(s).

Towing Operation

A facility that dispatches tow trucks for hire with associated automotive storage area for impounded vehicles.

~~15.10.641~~ Townhouse

A building containing at least three (3) dwelling units in a row in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

~~15.10.645~~ Traffic Control Devices

Signs, signals, stripes and other mechanical or graphic items which control the flow or direction of vehicular and pedestrian traffic.

~~15.10.646~~ Transit Park and Ride Lot

An approved parking lot used exclusively for providing motor vehicle and vehicular circulation specifically for the purposes of access to a metropolitan (or regional) public transportation system.

~~15.10.649~~ Transitional Housing

Housing provided under a program, offering twenty-four (24) hour access to specific persons, for periods of one month or more for human services purposes, such as helping unemployed, homeless individuals to obtain employment and permanent housing. Transitional housing is not a transient accommodation.

15.16.020 Travelling

The horizontal movement of a static message or display on an electronic sign.

Truck Terminal

A building or area in which semitrailers, including tractor and trailer units, and other trucks are parked or stored for seventy two (72) hours or less before being dispatched. This facility may include incidental servicing and washing facilities.

~~15.10.660~~ Urban Center

An area of the City of SeaTac that is delineated on the City of SeaTac Official Zoning Map where urban densities and design standards are required, specifically within the RH/MU, CH1, CH2, and CM1 zones.

~~15.10.668~~ Use

An activity or purpose for which land, premises or a building thereon is designed, arranged, intended, or for which it is occupied or maintained, let or leased. Formerly **15.10.670**)

~~15.10.668.01 Use, Primary*~~

~~The primary or predominant use of any lot or parcel.~~

~~*—Code reviser's note: This section was renamed and renumbered at the request of the city for alphabetization purposes.~~

~~15.10.668.03 Use, Subsidiary~~

A use on the property that is subordinate to the primary use of a property.

Utilities

Utility lines and facilities related to the provision, distribution, collection, transmission or disposal of water, storm and sanitary sewage, oil, gas, power, and telephone cable, and includes facilities for the generation of electricity. This definition does not include sewage wastewater treatment plants, wireless communication facilities, or solid waste disposal/recycling facilities.

Utilities, Large

Large scale facilities with either major above-ground visual impacts, or serving a regional need such as two hundred thirty (230) kv power transmission lines, natural gas transmission lines, and regional water storage tanks and reservoirs, regional water transmission lines or regional sewer collectors and interceptors.

Utilities, Medium

Moderate scale facilities serving the City, including subregional switching stations (one hundred fifteen (115) kv and smaller), and municipal sewer, water, and storm water facilities.

Utilities, Small

Small scale facilities serving local areas within the City, including underground power lines, water, sewer, and storm water facilities, fiber optic cable, pump stations and hydrants, switching boxes, and other structures normally found in a street right-of-way to serve adjacent properties.

15.26.015 Utility Hook-Ups

The minimum required utility hook-up apparatus (pursuant to city approval) including, but not limited to, sanitary sewer, water and electrical services.

~~15.10.668.05~~ Utility Pole

Utility poles include telephone poles, light poles, and electrical transmission poles.

~~15.10.669~~ Utility Use

~~Facilities serving local areas including power lines, water and sewer lines, storm drainage facilities, transformers, pump stations and hydrants, switching boxes and other structures generally located in public rights-of-way or dedicated easements.~~

~~15.10.670~~ Utility Substation

~~Moderate to large scale facilities serving a sub-area, entire city or region including power substations, water transmission lines, wireless base stations, sewer collectors and pump stations, switching stations, gas transmission lines, water storage tanks and reservoirs and similar structures.~~

~~15.10.670.03~~ Vehicle, Large

Motor vehicles including, motorcycles, passenger cars, trucks, and vans which have gross vehicle weights greater than sixteen thousand (16,000) pounds. In addition, “large vehicle” also includes recreational vehicles, buses, and boats, but does not include aircraft.

~~15.10.670.05~~ Vehicle, Small

Motor vehicles including, motorcycles, passenger cars, trucks, ~~and~~ vans and watercraft, which have gross vehicle weights of sixteen thousand pounds (16,000) or less.

Vehicle Rental, Large

Rental and incidental servicing of motor vehicles including, but not limited to, trucks, recreational vehicles, buses, boats, and heavy equipment, and similar size vehicles which have gross vehicle weights greater than sixteen thousand (16,000) pounds, but excluding airplanes or aircraft. This use excludes small vehicle sales, and large and small vehicle rentals.

Vehicle Rental, Small

Rental and incidental servicing of motor vehicles including, but not limited to, motorcycles, passenger cars, watercraft, light trucks, vans, and similar size vehicles which have gross vehicle weights less than sixteen thousand (16,000) pounds. This use excludes large vehicle sales, and large and small vehicle rentals.

Vehicle Repair, Large

Automobile repair includes fixing, incidental body or fender work, painting, upholstering, engine tune-up, major engine or transmission repair, adjusting lights or brakes, brake repair, other similar repair work and supplying and installing replacement parts of or for large vehicles.

15.10.067 Automobile Vehicle Repair, Small

Automobile repair includes fixing, incidental body or fender work, painting, upholstering, engine tune-up, major engine or transmission repair, adjusting lights or brakes, brake repair, other similar repair work and supplying and installing replacement parts of or for small vehicles.

Vehicle Sales/Dealer, Large

Sales and incidental servicing of motor vehicles including, but not limited to, trucks, recreational vehicles, buses, boats, and heavy equipment, and similar size vehicles which have gross vehicle weights greater than sixteen thousand (16,000) pounds, but excluding airplanes or aircraft. This use excludes small vehicle sales, and large and small vehicle rentals.

Vehicle Sales/Dealer, Small

Sales, rental and incidental servicing of motor vehicles including, but not limited to, motorcycles, passenger cars, watercraft, light trucks, vans, and similar size vehicles which have gross vehicle weights less than sixteen thousand (16,000) pounds. This use excludes large vehicle sales, and large and small vehicle rentals.

Veterinary Clinic

A place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the clinic use.

15.10.671 Vocational-Technical Schools

Schools and institutions providing longer-term (at least one (1) year) programs leading to proficiency, certification and associate degrees in vocational programs including computers, mechanical, food and hospitality service, automotive and aircraft services, surveying, welding, photography, carpentry, agriculture, horticulture, electrical, plumbing and construction trades.

Wall (Rockery)

A system of stacked rocks constructed to retain soil.

15.10.675 Wetland

Those areas in the City which are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. According to the

33 CFR 328.3 (1988), wetlands generally include swamps, marshes, bogs and similar areas. Where the vegetation has been removed or substantially altered, a wetland shall be determined by the presence or evidence of hydric or organic soil, as well as by other documentation, such as aerial photographs of the previous existence of wetland vegetation. When the areas of any wetlands are hydrologically connected to each other, they shall be added together to determine which of the following categories of wetlands apply:

- A. Class I Wetland. Only includes wetlands assigned the Unique/Outstanding #1 rating in the 1983 King County Wetlands Inventory (or the most recent City inventory) or which meet any of the following criteria:
 - 1. Are wetlands which have present species listed by the Federal or State government as endangered or threatened or outstanding actual habitat for those;
 - 2. Are wetlands which have forty percent (40%) to sixty percent (60%) permanent open water in dispersed patches with two (2) or more classes of vegetation;
 - 3. Are wetlands equal to or greater than ten (10) acres in size and have three (3) or more wetland classes, one of which is open water;
 - 4. Are wetlands which have present plant associations of infrequent occurrence;
 - 5. Sphagnum or peat wetlands; or
 - 6. Forested wetlands equal to or greater than one (1) acre in size.

- B. Class II Wetland. Only includes wetlands assigned the Significant #2 rating in the 1983 King County Wetlands Inventory (or the most recent City inventory) or which meet any of the following criteria:
 - 1. Are wetlands greater than one (1) acre in size; or
 - 2. Are wetlands equal to or less than one (1) acre in size and have three (3) or more wetland classes; or
 - 3. Are forested wetlands less than one (1) acre in size but are larger than two thousand five hundred (2,500) square feet; or
 - 4. Are wetlands which have present heron rookeries or raptor nesting trees.

- C. Class III Wetland. Only includes wetlands assigned the Lesser Concern #3 rating in the 1983 King County Wetlands Inventory (or most recent City inventory) or which are wetlands equal to or less than one (1) acre in size and have two (2) or fewer wetland classes. This does not include drainage ditches used as part of an approved public storm drainage system that may support wetland vegetation or retention/detention systems.

~~15.10.680~~ Wetland Edge

The line delineating the outer edge of a wetland established in accordance with the Washington State Department of Ecology's currently adopted *Washington State Wetlands Identification and Delineation Manual* (1997 or as revised).

~~15.10.685~~ Wetland, Forested

A wetland which is characterized by woody vegetation at least twenty (20) feet tall.

~~15.10.690~~ Wetland Functions

Natural processes performed by wetlands including functions which are important in facilitating food chain production, providing habitat for nesting, rearing and resting sites for aquatic, terrestrial and avian species, maintaining availability and quality of water, acting as recharge and discharge areas for groundwater aquifers and moderating surface and storm water flows, as well as providing other functions including, but not limited to, those set forth in 33 CFR 320.4(b)(2), 1988.

~~15.10.700~~ Wetland, Isolated

A wetland which has a total size less than two thousand five hundred (2,500) square feet excluding buffers, which is hydrologically isolated from other wetlands or streams, and which does not have permanent open water.

~~15.10.705~~ Wet Meadow, Grazed

Palustrine emergent wetland typically having up to six (6) inches of standing water during the wet season and dominated under normal conditions by meadow emergents such as reed, canary grass, spike rushes, bulrushes, sedges and other rushes. During the growing season, the soil is often saturated but not covered with water. These meadows frequently have been or are being used for livestock activities.

~~15.10.710~~ Wet Pond

An artificial water body constructed as a part of a surface water management system.

~~15.16.020~~ Window Sign

All signs located inside and affixed to or within three (3) feet of a window of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. The term does not include merchandise located within three (3) feet of a window.

~~15.31A.022~~ Wireless Communications

Any personal wireless service, which includes, but is not limited to, cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), unlicensed spectrum services utilizing Part 15 devices (i.e., wireless internet services) and paging.

15.31A.022 Wireless Communications Facility (WCF)

Any fixed location for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, feed lines, telephone lines, and equipment shelters, and may include an antenna-supporting structure.

15.31A.022 Wireless Communications Facility, Attached

An antenna or antenna array that is secured to an existing building or structure with any accompanying pole or device which attaches it to the building or structure, feed lines, and equipment, which may be located either on the roof or inside or outside of the existing building or structure. An attached wireless communications facility is considered to be an accessory use to the existing principal or structure use on a site.

15.31A.022 Wireless Communications Facility, Concealed Attached

An attached wireless communications facility, ancillary structure, or WCF equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed buildings on a site. A concealed attached facility includes, but is not limited to, flush-mounted antenna and feed lines painted to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure.

15.31A.022 Wireless Communications Facility, Concealed Freestanding

A wireless communications facility, ancillary structure, or WCF equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed uses on a site. A concealed facility may have a secondary function, including, but not limited to, the following: church steeple, windmill, bell tower, clock tower, cupola, light standard, flagpole with a flag, or tree.

15.31A.022 Wireless Communications Facility, Nonconcealed Attached

A nonconcealed attached wireless communication facility is one that is readily identifiable, such as a pole with a mounting platform containing panel antennas, attached to a roof and/or rising above the roofline of a building.

15.31A.022 Wireless Communications Facility, Nonconcealed Freestanding

A freestanding wireless communication facility, ancillary structure, or WCF equipment compound that is readily identifiable, such as a monopole or lattice tower.

Wood Products

Solid products developed from wood materials including lumber, veneer and plywood, furniture, poles, piling, mine timbers, posts, and similar products; and composite wood products such as laminated timbers, insulation board, hard-board, and particle board and similar products.

15.31A.022 Zones, High Intensity

Zones that typically involve commercial or industrial rather than residential uses. Such zones are limited to ~~Community Business (CB and CB-C), Industrial (I), Aviation Business Center (ABC), Business Park (BP), Office Commercial Medium (O/CM)~~ Commercial High (CH1 and 2) Light Industrial (I), Commercial Medium 1 (CM1), Aviation Commercial (AVC) and Aviation Operations (AVO).

15.31A.022 Zones, Low Intensity

Zones that typically include or are adjacent to residential uses, including the ~~Urban Low (UL), Urban Medium (UM), Urban High (UH), Townhouse (T), Office/Commercial Mixed Use (O/C/MU), Neighborhood Business (NB), Mobile Home Park (MHP), and Park (P)~~ Residential Low (RL), Residential Medium (RM), Residential High (RH), Commercial Medium 2 (CM2), Neighborhood Commercial (NC), Mobile Home Park (MHP), and Park and Recreation (PR) Zones.

15.10.715 Zoning Map

The map designated as such and adopted by the City showing the geographical location of use zones within the municipal boundaries. ~~(Ord. 92-1041 § 1)~~

Chapter 15.110

Calculation and Measurement Methods

SECTIONS:

- 15.110.005 Purpose**
 - 15.110.010 Authority and Application**
 - 15.110.100 Lot Lines**
 - 15.110.110 Yard Setbacks**
 - 15.110.120 Lot Area**
 - 15.110.130 Site Area**
 - 15.110.140 Lot Width**
 - 15.110.150 Density**
 - 15.110.160 Structure Height**
 - 15.110.170 Unit Depth**
 - 15.110.180 Ceiling Height**
 - 15.110.190 Floor Area**
 - 15.110.200 Fence Height**
 - 15.110.210 Building Lot Coverage**
 - 15.110.220 Sign Measurements**
-

15.110.005 Purpose

The purpose of this chapter is to provide clear explanations about how the standards of the Zoning Code are determined, calculated, or measured.

15.110.010 Authority and Application

The regulations of this chapter apply to all properties and developments within the City of SeaTac.

15.110.100 Lot Lines

The property lines that establish the boundaries of buildable lots shall be designated as follows:

A. Front.

Lot Type	Single Family (Except for Small Lot Single Family, duplex, townhouse or lots created through long subdivision.)	Other (Includes Small Lot Single Family, duplex, townhouse, multi-family, lots created through long subdivision and other non-single family uses.)
Interior Lot	The boundary that abuts the public street. In cases where the boundary abuts a private street, the property owner shall pick the front lot line.	The boundary that abuts the public or private street.
Corner Lot	Those boundaries that abut a public street. If a lot abuts three (3) or more public streets, the lot shall have a front lot line only on the two (2) public streets with the highest roadway classifications. If a determination cannot be made as to which of the three (3) public streets have higher classifications, or, where there are multiple private streets, the property owner shall pick the two (2) front lot lines.	Those boundaries that abut a public or private street. If a lot abuts three (3) or more public or private streets, the lot shall have a front lot line only on the two (2) public or private streets with the highest roadway classifications. If a determination cannot be made as to which of the three (3) public streets have higher classifications, or, where there are multiple private streets, the front lot lines shall be determined by the Director of Planning and Community Development, taking into consideration pedestrian and vehicle connectivity and the surrounding pattern of development.

Lot Type	Single Family (Except for Small Lot Single Family, duplex, townhouse or lots created through long subdivision.)	Other (Includes Small Lot Single Family, duplex, townhouse, multi-family, lots created through long subdivision and other non-single family uses.)
Through Lot	The boundary that abuts the public street with the highest street classification according to the City of SeaTac Comprehensive Plan. If the two (2) public streets have the same classification, then the property owner shall choose which is the front lot line.	Those boundaries that abut a public or private street.
Panhandle Lots	The handle or access portion of the lot shall not be used to determine lot lines. Lot lines shall be determined as if no handle was on the lot. The front lot line shall be determined by the property owner at the time of construction.	The front lot line shall be determined by the Director of Planning and Community Development, taking into consideration pedestrian and vehicle connectivity and the surrounding pattern of development.
Internal Lots	The front lot line shall be determined by the property owner at the time of construction.	The front lot line shall be determined by the Director of Planning and Community Development, taking into consideration pedestrian and vehicle connectivity and the surrounding pattern of development.

- B. Rear. The line opposite, most distant and most parallel with the front lot line. For irregularly shaped lots, a line ten (10) feet in length within the lot and farthest removed from the front line and at right angles to the line comprising the depth of the lot shall be used as the rear lot line.
- C. Side. All lot lines which do not qualify as a rear or front lot line. (Ord. 08-1042 § 6)

15.110.110 Yard Setbacks

The following shall apply to all properties except those created through a subdivision of three (3) or more lots with an access easement, which shall take the respective setback from the easement, not the lot line.

- A. Front Yard. The front yard setback shall be measured from the front lot line as established in **SMC 15.13.025 (A)**.
- B. Rear Yard. The rear yard setback shall be measured from the rear lot line as established in **SMC 15.13.025(B)**.
- C. Side Yard. The side yard setback shall be measured from the side lot lines as established in **SMC 15.13.025 (C)**.

15.110.120 Lot Area

- A. Lot Area is the total horizontal area within the boundaries of a lot, including access easements.
- B. The following do not count toward the Lot Area:
1. Tracts;
 2. Panhandles or handles for plats of three (3) or more;
 3. Servient easements.

~~D.— Lot area shall be the total horizontal land area contained within the boundaries of a lot, calculated pursuant to SMC 15.10.370 and 15.13.020(E), but all subdivisions and short plats shall maintain required front, side and rear setbacks from any access easements. However, any short plat of only two (2) lots shall not be required to meet the side yard setbacks from approved access easements.~~

15.110.130 Site Area

- A. Gross Site Area is the total horizontal area within the boundaries of a site.
- B. Net Site Area is the Gross Site Area minus any areas that are classified as one (1) of the following sensitive areas:

1. Class I, II, or III wetland;
2. Class I, II, or III stream;
3. Steep Slope Hazard Area.

15.110.140 Lot Width

- A. For rectangular lots, lot width shall be determined by the distance between the two established side lot lines.
- B. For irregularly shaped lots, lot width shall be determined by a lot width circle which is the diameter of a circle that fits within the individual lot, and does not exceed that stipulated in the standards chart established lot lines. The circle shall not have an average slope exceeding twenty-five percent (25%) nor contain unbuildable, sensitive areas.

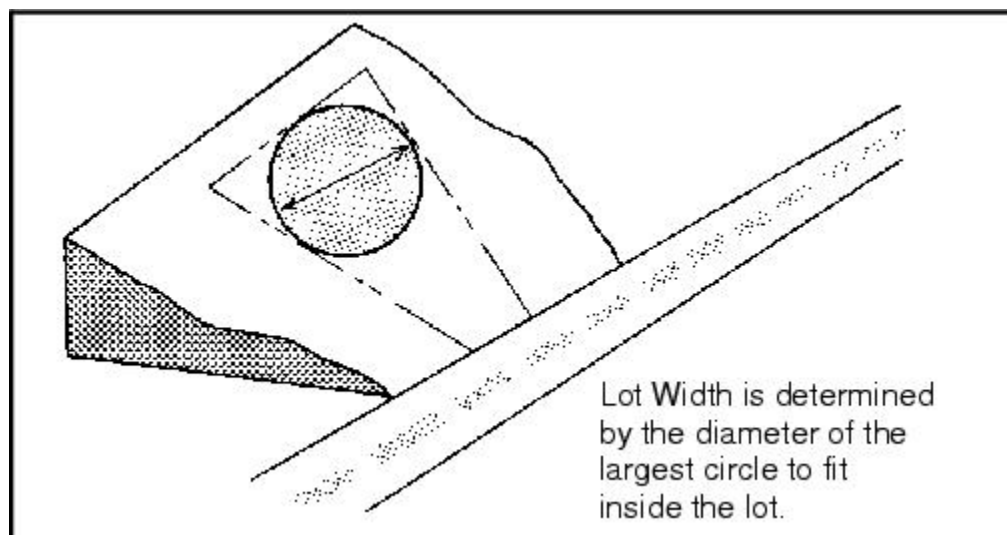


Figure 15.13.020b. LOT WIDTH DETERMINATION

15.110.150 Density

- A. General Density Calculation.
 1. The General Density Calculation applies to all developments except single-family subdivisions in the Residential Low (RL) zone, which uses the method in SMC 15.110.150(B) Single-Family Density Calculation.
 2. The minimum and maximum number of dwelling units permitted shall be determined by multiplying the Net Site Area by the relevant density limit. The result is rounded down to the nearest integer.

Maximum Dwelling Units = Net Site Area * Maximum Density

Minimum Dwelling Units = Net Site Area * Minimum Density

3. Example.

Zone: RH 2

Maximum Density: 48.4 units/acre

Gross Site Area: 5.50 acres

Sensitive Area: 1.99 acres of Class II wetland

Net Site Area = Gross Site Area – Sensitive Area

Net Site Area = 5.50 acres – 1.99 acres = 3.51 acres

Maximum Dwelling Units = Net Site Area * Maximum Density

Maximum Dwelling Units = 3.51 acres * 48.4 units/acre = 169.88 units

Maximum number of units: 169

B. Single-Family Density Calculation.

1. The Single-Family Density Calculation applies only to single-family subdivisions in the Residential Low (RL) zone. All other developments, use the method in SMC 15.110.150(A), General Density Calculation.
2. The maximum number of dwelling units permitted shall be determined by dividing the Gross Site Area, including any area to be dedicated for public right-of-way, by the relevant density limit. The result is rounded down to the nearest integer.

Maximum Dwelling Units = Gross Site Area/Maximum Density

3. Example.

Zone: RL 3

Maximum Density: 6.03 units/acre

Gross Site Area: 5.50 acres

Sensitive Area: 1.99 acres of Class II wetland

Maximum Dwelling Units = Gross Site Area * Maximum Density

Maximum Dwelling Units = 5.50 acres * 6.03 units/acre = 33.17 units

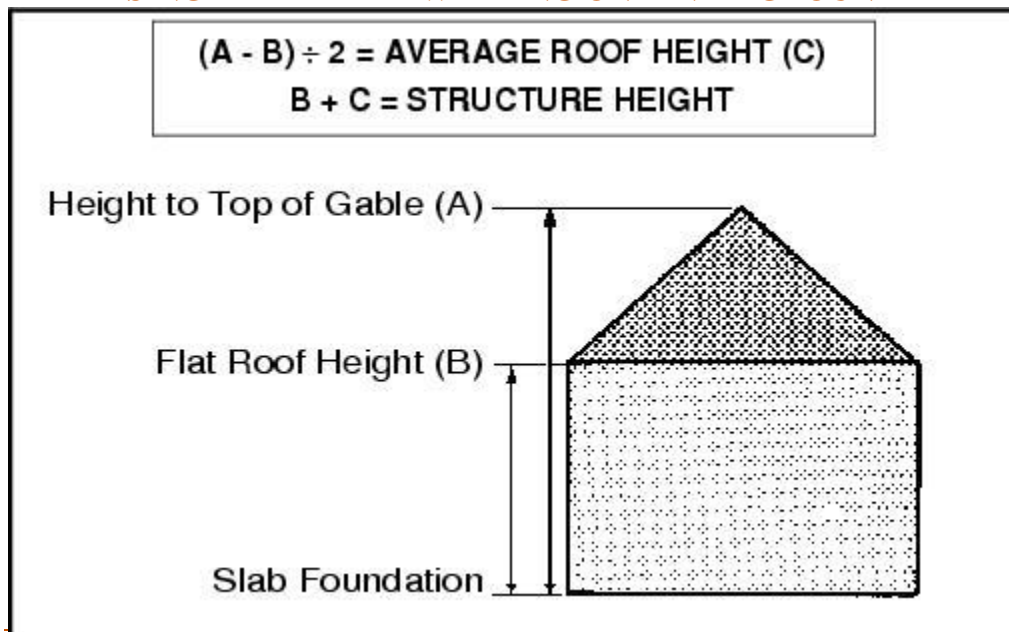
Maximum number of units: 33

E. In determining the lot area of new lots in short plats proposed under SMC Title 14, the area of the original lot area, including any area to be dedicated for public right of way, may be used in the calculation in the number of lots that may be segregated from the original lot. (Ord. 04-1010 § 5; Ord. 98-1038 § 2; Ord. 92-1041 § 1)

15.110.160 Structure Height

C.—Building height shall be measured according to the formula illustrated below (Figure 15.13.020c). For sloped property, the average of the lowest and highest ground elevations shall be considered the finished foundation measurement.

Figure 15.13.020c. HEIGHT CALCULATION FOR SINGLE-FAMILY DWELLING ON LEVEL GROUND



A. Primary Structures.

1. The height of a primary structure is measured from the established ground elevation (finished foundation) to:
 - a. The highest point of the coping of a flat roof;
 - b. The deck line of a mansard roof; or
 - c. The midpoint of a gable, shed, or hipped roof.
2. For primary structures on sloped property, the average of the lowest and highest ground elevation shall be considered the finished foundation measurement.

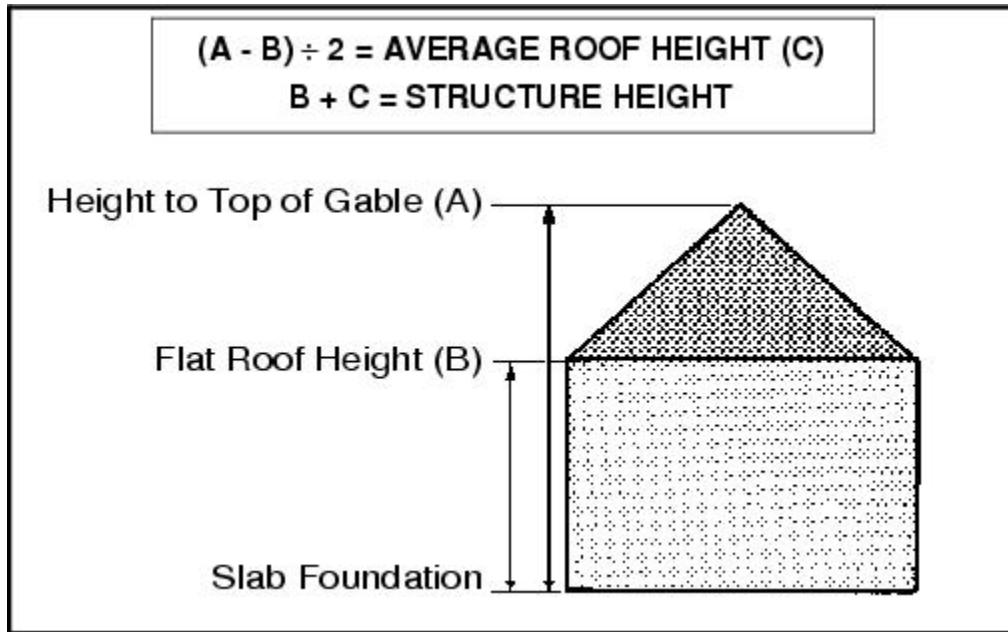


Figure 5.13.020 HEIGHT CALCULATION FOR A PRIMARY STRUCTURE ON LEVEL GROUND

B. Accessory Structures.

1. The height of an accessory structure is measured from the established ground elevation (finished foundation) to the highest point of the roof.
2. For accessory structures on sloped property, the average of the lowest and highest ground elevation shall be considered the finished foundation measurement.

15.110.170 Unit Depth

The depth of a unit shall be measured from the interior face of the front and rear exterior walls of the building except when the unit “wraps” a parking structure, in which case, the measurement shall be from the interior face of the front exterior wall and the interior face of the wall separating the unit from the parking structure.

15.110.180 Ceiling Height

The ceiling height of a ground floor unit shall be measured from the finished floor to the lowest projection (e.g. beams, girders, ducts) of the ceiling.

15.110.190 Floor Area

- A. Gross Floor Area is the sum of the gross horizontal areas of all enclosed floors of a building, including cellars, basements, mezzanines, penthouses, corridors, and lobbies

from the exterior face of exterior walls, or from the centerline of a common wall separating two buildings, but excluding the following:

1. Space with a sloped ceiling and a floor-to-ceiling height of less than five (5) feet; and
2. Space with a furred ceiling and a floor-to-ceiling height of less than seven (7) feet.

B. Net Site Area is the Gross Floor Area minus the following areas:

1. Stairwells and elevator shafts;
2. Equipment rooms;
3. Interior vehicle parking or loading; and
4. All floors below the first or ground floor, except when these are used or intended to be used for human habitation or service to the public.

15.110.200 Fence Height

The height of a fence along property boundaries is to be measured from existing or finished grade, whichever is the lowest grade on the property boundary.

15.110.210 Lot Coverage

A. The following structures are counted towards building lot coverage:

1. Any portion of the building that has a foundation;
2. Any portion of an accessory building that has a foundation;
3. Canopy and tent structures as defined by SeaTac Municipal Code;
4. Roof eaves that extend more than 24” from a building;
5. Uncovered decks, patios, and porches that are more than 18” above grade;
6. Building appurtenances (fireplaces, bay windows, garden windows, enclosed stair landings, closets) that are raised off the ground and protrude more than 24” from the main structure; and
7. Arbors and pergolas with roofs that are more than 50% solid.

B. The following structures are not counted toward building lot coverage:

1. Roof eaves that do not extend more than 24” from a building;
2. Uncovered decks, patios, and porches that are not more than 18” above grade;

3. Building appurtenances (fireplaces, bay windows, garden windows, enclosed stair landings, closets) that are raised off the ground and do not protrude more than 24” from the main structure; and
 4. Arbors and pergolas with roofs that are not more than 50% solid.
- C. Land dedicated to the City without compensation for public rights-of-way and public transit may be included in calculating total land area for the purpose of determining maximum lot coverage.

15.110.220 Sign Measurements

A. Sign Surface Area

Sign surface area shall be measured as follows:

1. The “surface area” of the sign is determined by the height times the width of a typical rectangular sign or other appropriate mathematical computation of surface area for nonrectangular signs.
2. “Surface area” includes only one (1) face of a double-faced sign where the faces of the sign are parallel. If any face is offset from parallel by more than five (5) degrees, such face shall be counted as a separate surface area.
3. “Surface area” of a sign with more than two (2) faces, such as a cube or pyramid, shall be calculated as the sum of the surface area of all faces, divided by two (2).
4. In the event of an irregular, three-dimensional object that serves as signage, where the surface area is not readily measurable, the surface area shall be calculated by the largest area of the three-dimensional object visible from any one (1) viewing angle.

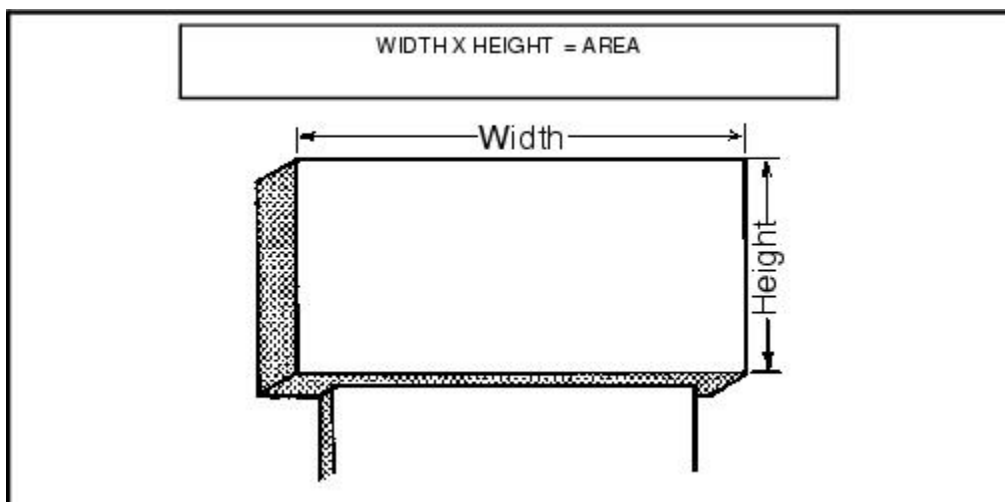


Figure 15.16.020a. SIGN SURFACE AREA CALCULATION

B. Façade Surface Area

Façade surface area shall be measured as the area of the continuous front, side or back surface, including doors and windows, but excluding any roof area and structures or elevators or air-conditioning equipment thereon;

C. Sign Height

The height of a freestanding sign is measured from the established ground elevation (finished foundation) to the highest point of the sign.

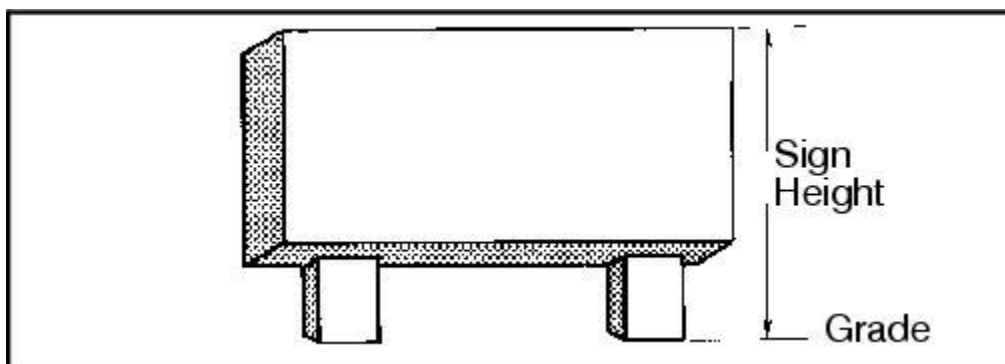


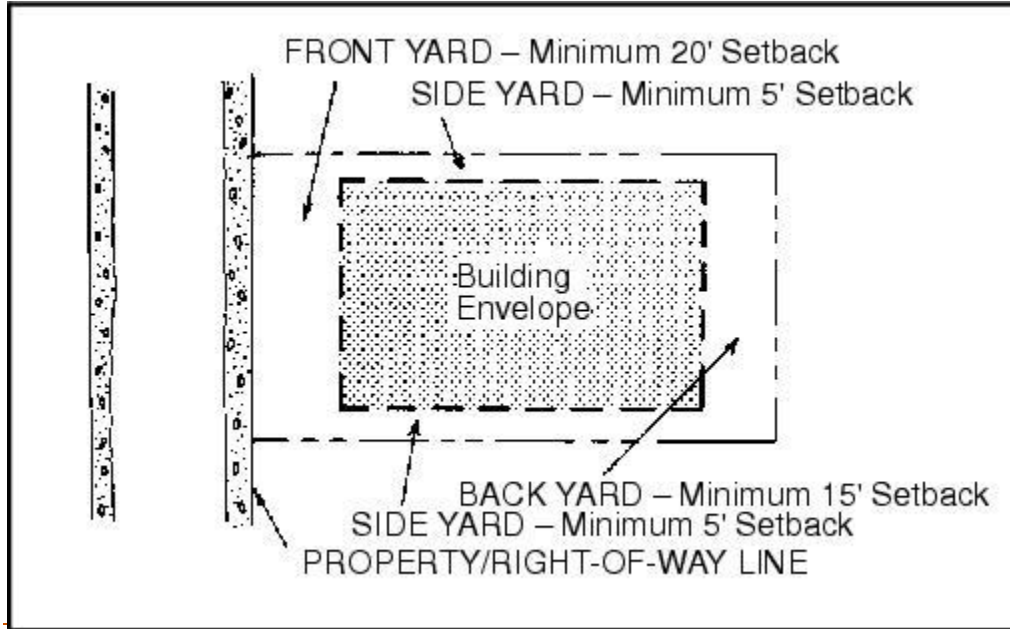
Figure 15.16.020d. FREESTANDING SIGN

15.13.020 Measurement Methods

~~The following provisions shall be used to determine compliance with this code:~~

~~A. Lot lines shall be measured from the existing edge of the street right-of-way.~~

Figure 15.13.020a. LOT SETBACK STANDARDS



Chapter 15.115

Land Use Actions and Permits

SECTIONS:

15.115.005 Purpose

15.115.010 Severability

15.115.015 Hearing Examiner Development Review Process

15.115.020 Appeal Process

15.115.100 Conditional Use Permit (CUP)

15.115.200 Development Agreements

15.115.300 Essential Public Facilities

15.115.400 Special Home Occupation Permit (SHOP)

15.115.500 Temporary Use Permit

15.115.600 Variance

15.115.700 Zone Reclassification (Rezone)

15.22.010 15.005 Purpose

The purposes of this chapter are to allow for consistent evaluation of land use applications and any other quasi-judicial matters considered by the Hearing Examiner pursuant to the applicable ordinances and authority. This chapter also details decision criteria for administrative variances and minor conditional use permits rendered by the City Manager or designee.

The criteria in this chapter are intended to protect nearby properties from the possible effects of land use requests subject to discretionary land use permits by:

- A. Providing clear criteria on which to base a decision;
- B. Recognizing the effects of unique circumstances upon the development potential of a property;
- C. Avoiding the granting of special privileges;
- D. Avoiding development which may be unnecessarily detrimental to neighboring properties;
- E. Requiring that the design, scope and intensity of development is in keeping with the physical aspects of a site and adopted land use policies for the area; and

- F. Providing criteria which emphasize protection of the general character of neighborhoods. (Ord. 03-1020 § 16; Ord. 01-1022 § 2; Ord. 99-1045 § 2; Ord. 92-1041 § 1)

15.22.07015.010 Severability

The standards, criteria and process of this chapter shall be fully governed by the adopted ordinances that provide the authority to the Hearing Examiner. Any conflict of provisions shall require the stricter provision prevailing. The applicable ordinances are Nos. 90-1045 and 90-1051 and any subsequent amendments. (Ord. 92-1041 § 1)

~~15.22.060~~

15.115.015 Hearing Examiner Development Review Process

~~15.22.065~~ Appeal Process

~~15.22.060~~ Hearing Examiner Development Review Process

- A. Purpose. To establish a Hearing Examiner system under the provisions of Chapter 35A.63 RCW to hear and decide applications for amendments to land use regulations and other matters as specifically assigned by the appropriate ordinances (Ord. 90-1045, Section 1).
- B. Office Created. The office of the Hearing Examiner is hereby created to act on behalf of the City Council by considering and applying zoning and regulatory ordinances to the land as provided herein. The Hearing Examiner shall also exercise administrative powers and such other quasi-judicial powers as may be granted by ordinance and code adoption.
- C. Appointment and Terms. The Hearing Examiner shall be appointed by the City Manager, subject to confirmation by the City Council, to serve for a term of two (2) years.
- D. Removal. The Hearing Examiner may be removed from office at any time for just cause by a majority vote of the whole membership of the City Council.
- E. Qualifications. The Hearing Examiner shall be appointed solely on the basis of qualifications for the duties of the office with special reference to training, actual experience in, and knowledge of administrative or quasi-judicial hearings on zoning, subdivision and other land use regulatory enactments as may be granted by ordinance or code adoption.
- F. Examiner Pro Tem. In the event of the absence or the inability of the Hearing Examiner to act on an application, a Hearing Examiner Pro Tem may be appointed, in the manner specified in subsection (C), for such application or period of absence, and shall have all the duties and powers of the Hearing Examiner.

- G. Freedom from Improper Influence. Individual Council members, City officials or any other persons shall not interfere, or attempt to interfere, with the performance of the Hearing Examiner's designated duties (Ord. 90-1045, Section 7).
- H. Functions Relating to Area Zoning. Prior to adopting new area zoning, the City Council may choose to have the Hearing Examiner conduct public hearings to consider individual property requests for changes to the proposed area zoning, in which case such decisions shall be considered as recommendations to the Council (Ord. 90-1045, Section 8).
- I. Decisions Appealable to the City Council. See **SMC 1.20.090**.
- J. Decisions of the Hearing Examiner Which are Final. See **SMC 1.20.110**.
- K. Hearing Procedures. The Hearing Examiner shall have the power to prescribe procedures for the conduct of the hearings subject to confirmation of the City Council; and also to issue summons and subpoenas to compel the appearance of witnesses and production of documents and materials, to order discovery, to administer oaths, and to preserve order.
- L. Public Hearings.
1. Before rendering a decision on any application or appeal, the Hearing Examiner shall hold at least one (1) public hearing thereon. For applications subject to City Council action, the public hearing by the Hearing Examiner shall constitute a hearing by the City Council.
 2. Whenever a project requires more than one (1) permit or approval, the Hearing Examiner may order a consolidation of and conduct the required public hearings to avoid unnecessary costs or delays. Decisions of the Hearing Examiner to order and conduct consolidated hearings shall be final in all cases.
- M. Procedural Notice Requirements. Unless otherwise provided by ordinance, the City Manager, or designee, shall cause the notice of the time and place of the public hearing to be mailed to all persons of record at least fourteen (14) calendar days prior to the scheduled hearing (not including the day the notice is mailed). Additional notice shall be given as provided in the section or ordinance governing the particular type of application or appeal. Public hearings may be continued or reopened by the Hearing Examiner with written notice to all persons of record at least seven (7) calendar days prior to the rescheduled hearing. Public hearings may be continued by the Hearing Examiner without additional written notice; provided the continuance is made during open session to a specific date, time and location.
- N. Planning and Community Development Department Report. When an application or appeal has been set for public hearing, the Department of Planning and Community Development shall coordinate and assemble the reviews of other City departments and

governmental agencies having an interest in the subject application or appeal, and shall prepare a report summarizing the factors involved and the Department of Planning and Community Development's findings and recommendation or decision. At least fourteen (14) days prior to the scheduled hearing, the report, and, in the case of appeals, any written appeal arguments submitted to the City shall be filed with the Hearing Examiner and copies thereof shall be mailed to all persons of record who have not previously received said materials.

O. General Criteria for Examiner Decisions.

1. Each decision of the Hearing Examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision.
2. The Hearing Examiner's findings and conclusions shall carry out and help implement applicable state laws and regulations and the regulations, policies, objectives and goals of the Comprehensive Plan, the Zoning Code, the Subdivision Code and other official laws, policies and objectives of the City, and that the decision will not be unreasonably incompatible with, or detrimental to, affected properties and the general public.
3. The Hearing Examiner shall accord substantial weight to the recommendation of the Department of Planning and Community Development.

P. Additional Criteria for Pending Area Zoning Recommendations. When the Hearing Examiner considers individual property owner requests for pending area zoning, he/she shall prepare a report which contains additional findings based on the applicable proposed Comprehensive Plan causing the pending area zoning.

Q. Additional Criteria for Subdivision Decisions. When the Hearing Examiner issues a decision regarding an application for a subdivision of property and there are conflicts between adopted plans, portions of plans, or zoning, the following criteria shall apply:

1. In case of conflict in use and density designations between adopted Comprehensive Plans, the most current adopted plan shall govern.
2. In case of conflict in use and density designations between adopted Comprehensive Plans and present zoning, the zoning shall govern.

R. Examiner Actions. Within ten (10) working days of the conclusion of a hearing or rehearing, the Hearing Examiner shall render a written recommendation or decision and shall transmit a copy thereof to all persons of record.

1. The Examiner's decision may be to grant or deny the application or appeal, or the Hearing Examiner may grant the application or appeal with such conditions, modifications and restrictions as he/she finds necessary to make the application or appeal compatible with the environment, and carry out applicable state laws and

regulations, and the regulations, policies, objectives and goals of the Comprehensive Plan, the Zoning Code, the Subdivision Code and other ordinances, policies and objectives of the City.

2. The conditions, modifications and restrictions that the Hearing Examiner may impose include additional setbacks, screening in the form of landscaping or fencing, covenants, easements and dedications of additional road rights-of-way. Performance bonds or equivalent measures may be required to insure compliance with the conditions, modifications and restrictions of this code. (Ord. 96-1008 §§ 9, 10; Ord. 95-1012 § 1; Ord. 92-1041 § 1)

15.22.065115.020 Appeal Process

- A. Appeal to the Hearing Examiner – Notice and Content. All notice of appeal regarding any decision being appealed to the Hearing Examiner shall be filed with the City Clerk, only on a form provided by the City Clerk, within fourteen (14) days of the date of the decision together with a filing fee in the amount specified in the City’s schedule of fees or in such other amount as may be specified by resolution of the City Council. All notices of appeal shall state with specificity the decision being appealed and the reasons why the appealed decision should be reversed or modified.
 - B. Appeal to City Council – Notice. Decisions by the Hearing Examiner on cases subject to City Council action may be appealed to the City Council by a person with standing by filing a notice of appeal with the City Clerk within fourteen (14) days of the date the Hearing Examiner’s written decision is mailed, together with a filing fee in the amount specified in the City’s schedule of fees or in such other amount as may be specified by resolution of the City Council.
 - C. Appeal Briefs. If a notice of appeal has been filed, the appellant shall file any supplemental written arguments within twenty-one (21) days of filing the appeal.
 - D. Appeal to City Council – Consideration. Consideration by the City Council of the appeal shall be based upon the record of the Hearing Examiner’s public hearing and upon written appeal statements based upon the record; provided the City Council may allow parties a period of time for oral argument based on the record. The Hearing Examiner may conduct a conference with all parties to the appeal for the purpose of clarifying or attempting to resolve certain issues on appeal; provided such conference shall be informal and shall not be part of the public record.
- After consideration of the record, written appeal statements and any oral argument, City Council may:
1. Affirm the decision of the Hearing Examiner;

2. Determine that an error in fact or procedure may exist or additional information or clarification is desired. The City Council shall then remand the matter back to the Hearing Examiner; or
 3. Determine that the recommendation of the Hearing Examiner is based on an error in judgement or conclusion. The City Council may then modify or reverse the decision of the Hearing Examiner with appropriate findings of fact, conclusions of laws and decision.
- E. Appeal to City Council – City Council Action. The City Council shall take final action by ordinance or resolution on a Hearing Examiner’s recommendation on area zoning or on any appeal of a Hearing Examiner’s decision, and when so doing, the City Council shall make and enter findings of fact and conclusions from the record which support its action. Said findings and conclusions shall set forth and demonstrate the manner in which the action is consistent with, carries out, and helps implement objectives and goals of the Comprehensive Plan, the Zoning Code, the Subdivision Code and other official laws, policies and objectives of the City. The City Council may adopt as its own all or portions of the Hearing Examiner’s findings and conclusions.
- F. Reconsideration of Final Action. The City Council may reconsider any action after it has become final if:
1. The action was based in whole or in part on erroneous facts or information;
 2. The action, when taken, failed to comply with existing laws or regulations applicable thereto; or
 3. An error or procedure occurred which prevented consideration of the interests of persons directly affected by the action.
- G. Review of Final Decisions.
1. Land use decisions of the City Council shall be final and conclusive unless appealed to the King County Superior Court within twenty-one (21) days by filing a land use petition meeting the requirements set forth in Chapter 36.70C RCW. All other final decisions of the City Council shall be final and conclusive unless a petition for review is filed with the King County Superior Court within thirty (30) days.
 2. Land use decisions of the Hearing Examiner shall be final and conclusive, unless appealed to the King County Superior Court within twenty-one (21) days by filing a land use petition meeting the requirements set forth in Chapter 36.70C RCW. All other final decisions of the Hearing Examiner shall be final and conclusive unless a petition for review is filed with the King County Superior Court within thirty (30) days.

3. Notwithstanding the foregoing provisions of this section, final decisions of the City Council relating to matters governed by the State Shorelines Management Act shall be appealed to the State Shorelines Hearing Board as specified in the said Act. (Ord. 03-1020 § 18; Ord. 00-1036 § 6; Ord. 92-1041 § 1)

15.22.03015.100 Conditional Use Permit (CUP)

- A. A major conditional use permit (CUP) is a permit granted by the Hearing Examiner, which sets special conditions regarding a use in a zone where the use is not permitted outright due to the nature of impacts created by the use.
- B. A minor conditional use permit may be granted by the City Manager, or designee, to allow specified uses as listed under subsection (E) of this section.
- C. The CUP process is a means of imposing special conditions and requirements on development, so that the compatibility of uses shall be maintained considering other existing and potential uses within the general area where the conditional use is proposed. Conditions imposed on a CUP will reasonably assure that a nuisance or hazard to life or property will not occur. The CUP process is not a means to reduce the requirements of a zone classification where the conditional use is proposed.
- D. The applicant must show that the proposed development satisfies all of the following criteria for approval by the Hearing Examiner or City Manager, or designee:
 1. The proposed use is listed as a conditional use under the zone classification use charts, Chapter **15.12 SMC**;
 2. The site is adequate in size and shape for the proposed project and the use conforms to the general character of the neighborhood;
 3. The unique character of topography, arterial streets and adjacent land use complement the proposed conditional use;
 4. The conditional use would not be detrimental to surrounding land use;
 5. Modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this code;
 6. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
 7. The conditional use will be supported by adequate public facilities or services, and will not adversely affect public services to the surrounding area unless conditions can be established to mitigate adverse impacts.

- E. A minor conditional use permit may be granted by the City Manager, or designee, only in the following situations:
1. The minor conditional use must conform to the criteria as set forth in this section and all other requirements of this code.
 2. To allow the expansion of an existing, legal conditional use which has previously been permitted within the zone classification, provided the requested expansion of the existing conditional use is either:
 - a. No greater than twenty percent (20%) of the gross floor area of the existing conditional use; and
 - b. Exempt from environmental review under the State Environmental Policy Act (SEPA).
 3. To allow location of a new concealed freestanding WCF in a low intensity zone, subject to the requirements set forth in Chapter 15.31A SMC.
 4. To allow the following uses in school facilities or City facilities within the residential zones and park zone, subject to the following size criteria:

~~a. Religious use facilities, with a congregation of eighty (80) or less persons.~~

~~b. Specialized instruction school with eighty (80) or less students.~~

~~c. Day care II.~~

~~d. A preschool, with an attendance of one hundred thirty (130) or less children.~~

~~e. A sports club with a membership of eighty (80) or less persons.~~

~~f. Nonprofit organizations with a local membership of eighty (80) or less members.~~

~~5. To allow the following uses in existing religious use facilities within the residential zones, subject to size criteria:~~

~~a. Specialized instruction school with sixty (60) or less students.~~

~~b. Day care II.~~

~~c. Nonprofit organizations with a local membership of sixty (60) or less members.~~

The minor conditional use must conform to the criteria as set forth in this section and all other requirements of this code. (Ord. 08-1001 § 5; Ord. 04-1030 § 6; Ord. 03-1020 § 17; Ord. 98-1036 § 2; Ord. 97-1011 § 10; Ord. 92-1041 § 1)

15.22.05515.200 Development Agreements

- A. A person or entity having ownership or control of real property within the City may file an application for a development agreement with the Department of Planning and Community Development, solely and exclusively on the current form approved by the said Department, together with the filing fee set forth in the current edition of the City's Fee Schedule as adopted by resolution of the City Council.

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- B. Terms of the proposed development agreement shall be subject to the Development Review Committee process set forth at **SMC 16A.05.020** and such other provisions of **SMC Title 16A** as may be deemed appropriate by the City.
- C. The City Manager, and such designee or designees as may be appointed for the purpose, is authorized, but not required, to negotiate acceptable terms and conditions of the proposed development agreement with due regard for the following criteria:
1. The development agreement conforms to the existing Comprehensive Plan policies.
 2. The terms of the development agreement are generally consistent with the development regulations of the City then in effect.
 3. Appropriate project or proposal elements such as permitted uses, residential densities, and nonresidential densities and intensities or structure sizes are adequately provided, to include evidence that the site is adequate in size and shape for the proposed project or use, conforms to the general character of the neighborhood, and would be compatible with adjacent land uses.
 4. Appropriate provisions are made for the amount and payment of impact fees imposed or agreed to in accordance with any applicable provisions of State law, any reimbursement provisions, other financial contributions by the property owner, inspection fees, or dedications.
 5. Adequate mitigation measures, development conditions, and mitigation requirements under Chapter 43.21C RCW are provided.
 6. Adequate and appropriate design standards such as maximum heights, setbacks, drainage and water quality requirements, landscaping, and other development features are provided.
 7. If applicable, targets and requirements regarding affordable housing are addressed.
 8. Provisions are sufficient to assure requirements of parks and open space preservation.
9. Interim uses and phasing of development and construction is appropriately provided. In the case of an interim use of a parcel of property, deferments or departures from development regulations may be allowed without providing a demonstrated benefit to the City; provided, that any
- departures or deferments to the Code requested for a final use of the property shall comply with criteria No. 11 below. The agreement shall clearly state the conditions under which the interim use shall be converted to a permanent use

within a stated time period and the penalties for noncompliance if the interim use is not converted to the permanent use in the stated period of time.

10. Where a phased development agreement is proposed, a site plan shall be provided and shall clearly show the proposed interim and final use subject to the agreement.
 11. In the case of a development agreement where the proposed use would be the final use of the property, it shall be clearly documented that any departures to the standards of the Code, requested by the applicant, are in the judgment of the City, off-set by providing a benefit to the City of equal or greater value relative to the departure requested. In no case shall a departure to the Code be granted if no benefit to the City is proposed in turn by the applicant.
 12. Conditions are set forth providing for review procedures and standards for implementing decisions.
 13. A build-out or vesting period for applicable standards is provided.
 14. Any other appropriate development requirements or procedures necessary to the specific project or proposal are adequately addressed.
 15. If appropriate, and if the applicant is to fund or provide public facilities, the development agreement shall contain appropriate provisions for reimbursement over time to the applicant.
 16. Appropriate statutory authority exists for any involuntary obligation of the applicant to fund or provide services, infrastructure, impact fees, inspection fees, dedications, or other service or financial contributions.
- D. If the City Manager deems that an acceptable development agreement has been negotiated and recommends the same for consideration, the City Council shall hold a public hearing and then may take final action, by resolution, to authorize entry into the development agreement. In addition, the Council may continue the hearing for the purpose of clarifying issues, or obtaining additional information, facts, or documentary evidence.
- E. The decision of the Council shall be final immediately upon adoption of a resolution authorizing or rejecting the development agreement.
- F. Following approval of a development agreement by the Council, and execution of the same, the development agreement shall be recorded with the King County Recorder.
- G. Because a development agreement is not necessary to any given project or use of real property under the existing comprehensive plan and development regulations in effect at the time of making application, approval of a development agreement is wholly

discretionary and any action taken by the City Council is legislative only, and not quasi-judicial. (Ord. 01-1022 § 3; Ord. 99-1045 § 3)

15.22.035 Siting of 115.300 Essential Public Facilities

- A. Purpose. The purpose of this section is to establish a formal process for identifying and siting of essential public facilities (EPFs) as defined in **SMC 15.10.249**.
- B. Included Essential Public Facilities. EPFs subject to this section include, but are not limited to, those facilities identified in **SMC 15.10.249**, the Seattle-Tacoma International Airport, Interstate 5, State Route 509 (both current and proposed extensions), State Route 518, the Federal Detention Center, the King County Bow Lake Solid Waste Transfer Station, and the Sound Transit's "LINK" Light Rail System.
- C. Threshold Review. During or within forty-five (45) days subsequent to the mandatory preapplication Development Review Committee meeting required by **SMC 16A.05.020**, the Director of Planning and Community Development shall make a threshold determination, and advise the potential applicant in writing of such determination, whether the proposed project is an EPF and, if so, whether it is difficult to site. In making said determinations, the Director shall broadly and liberally apply the definition of an EPF in consideration of the full range of proposed and potential services to be provided to the public, whether provided directly by, funded by, or contracted for by a governmental agency, or provided by a private entity or entities subject to public service obligations. The determination of whether an EPF will be difficult to site shall be made by the director, upon known or reasonably perceived and articulable facts. Proposed projects determined not to be EPFs, and proposed projects determined to be EPFs but also determined to be not difficult of siting, shall be reviewed and processed as any other similar project pursuant to the City Development Code without regard to this section.

These requirements shall not be construed to limit the appropriate use of schools and other facilities for emergency shelters in disaster situations.

- D. Applications for EPF Projects. All proposed projects determined to be EPFs and determined to be difficult to site or expand shall be reviewed and conditioned in accordance with all requirements of this code and, in addition, with the conditional use permit procedure, herein referred to as the CUP-EPF review procedure. All applications shall contain the following information:
1. A detailed written description of the proposed and potential public services to be provided, the source or sources of funding, and identification of any applicable public regulatory agencies;
 2. A written statement of the need, in statistical or narrative form, for the proposed project currently and over the following ten (10) year period;

3. An inventory of known, existing or proposed facilities, by name and address, within King County, or within the region, serving the same or similar needs as the proposed project;
 4. An explanation of the need and suitability for the proposed facility in the proposed City location(s);
 5. Information regarding the number of jurisdictions affected or served by the proposed EPF;
 6. An analysis of the environmental, social, economic, financial and infrastructure impacts of the proposed EPF, including an assessment of the proportionate financial impacts on affected jurisdictions, and consideration copies of agreements which allocate the financial burdens of the proposed project on the City and other jurisdictions;
 7. An analysis of the proposals consistency with the City of SeaTac Comprehensive Plan and development regulations, and plans and policies of other affected jurisdictions, including but not limited to the King County Countywide Planning Policies;
 8. Documentation of public involvement efforts to date, including public and agency comments received, and plans for future public participation;
 9. Such information as requested by staff to complete the preliminary analysis and/or information to assist the Ad Hoc Committee, City staffs and City Council in making the final determination on the CUP-EPF.
- E. CUP-EPF Review Process. All EPFs shall be subject to the following CUP-EPF review procedure:
1. Project Notification. The applicant, after a preapplication meeting, shall notify the City as soon as possible of intent to submit a CUP-EPF review application. If the applicant does not notify the City of a pending EPF review application, the City may make an initial determination of whether the proposed project is subject to CUP-EPF review, and shall notify the project proponent, in writing, of the City's determination.
 2. Environmental Review. The EPF project shall comply with all applicable SEPA/NEPA requirements and the proponent shall mitigate identified environmental impacts as conditions of CUP-EPF approval.
 3. Formation of Ad Hoc Committee. The City Council shall establish an Ad Hoc Committee by appointing up to seven (7) members and the Planning Commission appointing one (1) member, for each CUP-EPF application. The Ad Hoc Committee may include representatives of the Planning Commission or other

persons with detailed knowledge of City land use or transportation issues. The Ad Hoc Committee shall be appointed by the City Council within seventy-five (75) days of the determination by the Director of Planning and Community Development that the proposed project is an EPF, pursuant to subsection (C) of this section.

- a. The City Council will establish a time frame of not more than sixty (60) days, unless a longer time frame is necessary due to an EPF project timeline, in which the Ad Hoc Committee must review, consult and issue recommended conditions for the EPF. This time frame may be extended only by the authority of the City Council, and shall not be extended more than a maximum of three (3) such time periods, unless the applicant agrees that more time is needed.
 - b. Prior to accepting an appointment on the Ad Hoc Committee, an appointee must divulge any vested interest in any properties or businesses, the value of which could be substantially affected by the committee's recommendations, if any.
4. Ad Hoc Committee Review and Coordination. The Ad Hoc Committee shall make recommendations to the designated hearing body, regarding the appropriate conditions to mitigate the impacts of the proposed EPF under the authority of the City's SEPA regulations, Comprehensive Plan and development regulations. City staff shall prepare an analysis of the CUP-EPF application for use by the Ad Hoc Committee. The Ad Hoc Committee shall review the staff analysis of the proposed EPF project and prepare written recommendations on each of the following:
- a. Any criteria identified in subsection (F) of this section that was reviewed by the Ad Hoc Committee; and
 - b. Whether the project should include a special district overlay zone (defined in Chapter **15.28 SMC**); and
 - c. Any recommended conditions for mitigating the impacts of the proposed EPF under the authority of the City's SEPA ordinances, Comprehensive Plan and development regulations.
- The Ad Hoc Committee shall present its draft recommendations to the Planning Commission and, upon receiving input of the Planning Commission, shall prepare final written recommendations to the designated hearing body.
5. Designated Hearing Body. The Hearing Examiner shall hear an essential public facility application. However, the City Council may determine that the application should be heard by the City Council, and in that case, the City Council will be the

designated hearing body. The City Council's determination should be based on the following criteria:

- a. Size of project;
 - b. Area of City affected by proposed project;
 - c. Environmental impact on sensitive areas;
 - d. Timing of project.
6. Staff Report. The Department of Planning and Community Development shall prepare a staff report, which shall include Planning Commission comments, as well as the final recommendations of the Ad Hoc Committee. The staff report shall also include an evaluation of the consistency of the proposed EPF, as recommended by the Ad Hoc Committee, with the City's adopted Comprehensive Plan and development regulations, and shall include proposed findings, proposed conclusions, and proposed recommendations for disposition of the proposed CUP-EPF to the designated hearing body for a public hearing.
7. Public Hearing and Decision. The designated hearing body shall hold a public hearing pursuant to **SMC 16A.13.020** to make findings and issue a decision. The notice of such public hearing shall be consistent with **SMC 16A.13.010**. A final decision shall be rendered by the designated hearing body in accordance with Chapter **16A.15 SMC**.
- F. Ad Hoc Committee Review Criteria. In making its recommendations the Ad Hoc Committee should consider the following:
1. Whether the proposed site is adequate in size and shape for the proposed project and the use conforms, or can aesthetically conform, to the general character of the neighborhood.
 2. The proportionate financial burdens of the proposed EPF on the City and other affected jurisdictions, and whether they are reasonably mitigated as provided in an inter-jurisdictional agreement, or by other means.
 3. Whether the proposed EPF is compatible with the following:
 - a. Availability and physical constraints of land.
 - b. Compatibility with adjacent and nearby land uses.
 - c. Mitigation of likely adverse environmental impacts, including but not limited to erosion, sensitive areas, noise, odor, traffic, and air and water quality.

- d. Basic infrastructure standards, such as vehicular traffic, and the availability of necessary utilities and services.
 - e. The City of SeaTac's Comprehensive Plan, development regulations, and SEPA regulations.
 - f. Any existing and applicable City inter-jurisdictional agreements.
 - g. Siting of secure community transition facilities must be in accordance with the siting criteria of Chapter 71.09 RCW, and regulations adopted pursuant thereto. In addition, no secure community transition facility shall be sited closer than three hundred thirty (330) feet from any residentially zoned property.
- G. Designated Hearing Body Review Criteria. The designated hearing body, giving substantial weight to the recommendations of the Ad Hoc Committee and the staff report, shall review the application under the following criteria:
- 1. Whether the proposed action is consistent with the criteria under subsection (F) of this section;
 - 2. Whether modifications to recommended conditions or restrictions, if any, are needed to mitigate impacts in a manner which meets the standards of this code and any related development agreement; and
 - 3. Any conditions or restrictions shall be consistent with any development agreements that are in existence at the time of the hearing.
 - 4. Whether project conditions cumulatively are reasonable and would not preclude development of the EPF.
- Should the recommendation of staff conflict with the recommendation of the Ad Hoc Committee the recommendation of staff shall be given greater weight.
- H. Development Agreements. The terms and conditions of a development agreement completed after the decision of the designated hearing body shall supersede the conditions and restrictions imposed by the designated hearing body. (Ord. 05-1021 § 1; Ord. 02-1029 §§ 6 – 9; Ord. 02-1008 § 2; Ord. 00-1001 §§ 1, 2; Ord. 98-1037 § 2)

~~15.17.040~~15.400 Special Home Occupation Permits (SHOP)

- A. Special home occupation permits may be granted by the City Hearing Examiner for any uses providing that not less than eight (8) of the ten (10) criteria set forth in SMC **15.17.020** shall be met, except that compliance with Criteria (I) thereof shall be required.

- B. In considering applications for special home occupations permits, the Hearing Examiner shall consider the nature and conditions of all adjacent uses and structures, and no such special home occupation permit (SHOP) shall be authorized by the Hearing Examiner unless he finds that the authorization of the SHOP will:
1. Not be materially detrimental to the public welfare;
 2. Not have adverse impact on adjacent properties in the zone or vicinity in which the subject property is located; and
 3. Be consistent with the spirit and purpose of this chapter and code.
- C. In authorizing a SHOP, the Hearing Examiner may impose such requirements and conditions with respect to location, installation, construction, maintenance, operation and extent of open spaces in addition to those expressly set forth in this chapter and the code, as may be deemed necessary for the protection of other properties in the zone or vicinity and the public interest.
- D. In addition, the Hearing Examiner may allow the applicant for a special home occupation permit a reasonable period of time, not to exceed one (1) year, in which to bring the home occupation into compliance with existing zoning regulations and the conditions imposed by the Hearing Examiner.
- E. A public hearing shall be conducted on all applications for a SHOP. The hearing shall be held in the same manner as provided by appeals in SMC **15.22.065**. (Ord. 92-1041 § 1)

~~Chapter 15.20 Temporary Uses~~

~~SECTIONS:~~

~~15.20.010 Purpose~~

~~15.20.020 Temporary Uses~~

~~15.20.030 Seasonal Uses~~

~~15.20.040~~15.115.500 Temporary Use Permits

~~15.20.045 Homeless Encampment—Criteria/Requirements for Approval~~

~~15.20.050 Conditions~~

~~15.20.060 Coordination with Other City Codes~~

~~15.20.010~~

15.115.505 Purpose

It is the intent of this ~~chapter~~section to regulate certain temporary uses of property which are not otherwise regulated, beyond business license registration, by other City ordinances or regulations. (Ord. 92-1041 § 1)

15.115.510 Coordination with Other City Codes

- A. Any temporary use permit shall comply with all applicable adopted City ordinances.
- B. Any solicitor who, while selling or offering goods, wares, merchandise or anything of value, displays, advertises, or offers such goods to the passing public while standing on public way or any other place not used and licensed by such person as a permanent place of business, shall secure in addition to a solicitor's license a temporary use permit pursuant to this chapter. Door-to-door solicitors are excluded from this requirement if they are part of a nonprofit organization, school fund-raising project, or charitable organization.
- 20.020 Temporary
- C. Uses regulated by the home occupation regulations (Chapter 15.17 SMC) are not subject to the provisions of this chapter. (Ord. 92-1041 § 1)

15.115.515 Regulated Uses

Temporary uses that shall be regulated are as follows:

- A. Carnivals, street fairs, and outdoor holiday celebrations;
- B. Seasonal sales of Christmas trees, fireworks, flowers, fruits and vegetables;
- C. Temporary construction sheds or trailers only for the duration of the construction activity; provided, that no residential or other use shall be made of such temporary construction sheds or trailers that is unrelated to the construction activity;
- D. Temporary outdoor food events related to, and on the same site as, a restaurant;
- E. Homeless encampments allowed in all zone classifications subject to the criteria and requirements listed under SMC 15.20.045. (Ord. 05-1017 § 1; Ord. 05-1009 § 1; Ord. 04-1010 § 15; Ord. 94-1006 § 15; Ord. 92-1041 § 1)

15.20.03015.520 Seasonal Uses

The City Manager, or designee, may issue a temporary and revocable permit to allow sales of seasonal goods in any nonresidential zone for a period not to exceed ninety (90) days in any twelve (12) month period. The City Manager, or designee, shall consider the following:

- A. The temporary use is not in proximity to a similar permanent use;
- B. The use should be consistent with the permitted uses in the zone;
- C. The use will not result in significant traffic, parking, drainage, fire protection, or other adverse impacts;

- D. The use must provide sanitary facilities if the Health Department finds it is necessary;
- E. The use must not infringe on public right-of-way;
- F. A performance bond, the amount to be determined by the City Manager, or designee, shall be posted to guarantee the removal of the use and that the area be restored to the satisfaction of the City Manager, or designee. (Ord. 95-1012 § 1; Ord. 92-1041 § 1)

15.20.040115.525 Temporary Use Permits

The City Manager, or designee, may issue a temporary use permit to allow a defined temporary use/event if finding the use consistent with the following findings of fact:

- A. No significant capital outlay is required for the use or event to take place;
- B. The use will not result in significant traffic, parking, drainage, fire protection, or other adverse impacts;
- C. The use must provide sanitary facilities if the Health Department finds it is necessary;
- D. A performance bond, the amount to be determined by the City Manager, or designee, shall be posted to guarantee the removal of the use and the area restored to the satisfaction of the City Manager, or designee;
- E. A temporary construction shed or trailer may be located on the subject property or on adjacent property if owned by the same property owner or with permission of the owner. (Ord. 95-1012 § 1; Ord. 94-1006 § 16; Ord. 92-1041 § 1)

15.20.045115.530 Homeless Encampment – Criteria/Requirements for Approval

The City Manager or designee may issue a temporary and revocable permit for a homeless encampment subject to the following criteria and requirements:

- A. Procedure for Approval.
 - 1. The sponsoring agency shall notify the City of the proposed homeless encampment a minimum of thirty (30) days in advance of the proposed date of establishment for the homeless encampment and at least fourteen (14) days before submittal of the temporary use permit application. The advance notification shall contain the following information:
 - a. The date the homeless encampment will encamp.
 - b. The length of encampment.

- c. The maximum number of residents proposed.
 - d. The host location.
2. The sponsoring agency shall conduct at least one (1) public informational meeting within, or as close to, the neighborhood where the proposed homeless encampment will be located, a minimum of two (2) weeks prior to the submittal of the temporary use permit application. The time and location of the meeting shall be agreed upon between the City and sponsoring agency. All property owners within one thousand (1,000) feet of the proposed homeless encampment shall be notified fourteen (14) days in advance of the meeting by the sponsoring agency.

B. Site Criteria.

1. If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the homeless encampment.
2. The property must be sufficient in size to accommodate the tents and necessary on-site facilities, including, but not limited to, the following:
 - a. Sanitary portable toilets in the number required to meet capacity guidelines;
 - b. Hand-washing stations by the toilets and by the food areas;
 - c. Refuse receptacles;
 - d. Food tent and security tent.
3. The host and sponsoring agencies shall provide an adequate water source to the homeless encampment, as approved by the local water district and the City.
4. No homeless encampment shall be located within a sensitive (critical) area or its buffer as defined under Chapter **15.30 SMC**.
5. No permanent structures will be constructed for the homeless encampment.
6. No more than one hundred (100) residents shall be allowed. The City may further limit the number of residents as site conditions dictate.
7. Adequate on-site parking shall be provided for the homeless encampment. No off-site parking will be allowed. The number of vehicles used by homeless encampment residents shall be provided. If the homeless encampment is located on a site with another use, it shall be shown that the homeless encampment

parking will not create a shortage of on-site parking for the other use(s) on the property.

8. The homeless encampment shall be within a quarter (1/4) mile of a bus stop with seven (7) days per week service, whenever possible. If not located within a quarter (1/4) mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).
9. The homeless encampment shall be adequately buffered and screened from adjacent right-of-way and residential properties. Screening shall be a minimum height of six (6) feet and may include, but is not limited to, a combination of fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the City.
10. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the City and may include, but is not limited to, a combination of fencing and/or landscaping.

C. Security.

1. An operations and security plan for the homeless encampment shall be submitted to the City.
2. The host agency shall provide to all residents of the homeless encampment a “code of conduct” for living at the homeless encampment. A copy of the “code of conduct” shall be submitted to the City at the time of application.
3. All homeless encampment residents must sign an agreement to abide by the code of conduct and failure to do so shall result in the noncompliant resident’s immediate and permanent expulsion from the property.
4. The sponsoring agency shall keep a log of all people who stay overnight in the encampment, including names and birth dates, and dates of stay. Logs shall be kept for a minimum of six (6) months.
5. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable ID, such as a driver’s license, government-issued identification card, military identification or passport from prospective and existing encampment residents.
6. The sponsoring agency will use identification to obtain sex offender and warrant checks from the King County Sheriff’s Office or relevant local police department.
 - a. If said warrant and sex offender checks reveal either (i) an existing or outstanding warrant from any jurisdiction in the United States for the arrest

of the individual who is the subject of the check; or (ii) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW 9A.44.130, then sponsoring agency will reject the subject of the check for residency to homeless encampment or eject the subject of the check if that person is already a homeless encampment resident.

- b. The sponsoring agency shall immediately contact the SeaTac Police Department if the reason for rejection or ejection of an individual from the homeless encampment is an active warrant or if, in the opinion of the on-duty executive committee member or the on-duty security staff, the rejected/ejected person is a potential threat to the community.
7. The sponsoring agency shall self-police and self-manage its residents and flatly prohibit alcohol, drugs, weapons, fighting and abuse of any kind, littering, or disturbing neighbors while located on the property.
8. The sponsoring agency will appoint an executive committee member to serve “on-duty” at all times to serve as a point of contact for City of SeaTac Police and will orient the Police as to how the security tent operates. The names of the on-duty executive committee members will be posted daily in the security tent. The City shall provide contact numbers of non-emergency personnel which shall be posted at the security tent.

D. Timing.

1. The duration of the homeless encampment shall not exceed ninety (90) days or exceed one hundred eighty (180) days in any two (2) year period.
2. No more than one (1) homeless encampment may be located in the City at any time.

E. Health and Safety.

1. All temporary structures within the homeless encampment shall conform to all building codes.
2. The homeless encampment shall conform to the following fire requirements:
 - a. Material used as roof covering and walls shall be of flame retardant material.
 - b. There shall be no open fires for cooking or heating.
 - c. No heating appliances within the individual tents are allowed.

- d. No cooking appliances other than microwave appliances are allowed.
 - e. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the Fire Department.
 - f. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Fire Department.
 - g. Adequate separation between tents and other structures shall be maintained as determined by the Fire Department.
 - h. Electrical service shall be in accordance with recognized and accepted practice; electrical cords are not to be strung together and any cords used must be approved for exterior use.
3. The sponsoring and host agencies shall permit inspections by SeaTac staff and the King County Health Department at reasonable times without prior notice for compliance with the conditions of this permit.
- F. Termination. If the sponsoring agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the City learns of uncontrolled violence or acts of undisciplined violence by residents of the encampment and the sponsoring agency has not adequately addressed the situation, the temporary use permit may be immediately terminated. (Ord. 05-1017 § 5; Ord. 05-1009 § 5)

15.20.050115.535 Conditions

In order to reasonably mitigate any adverse impacts associated with a temporary use permit, the permit may be conditioned to assure such mitigation. (Ord. 92-1041 § 1)

15.20.060 Coordination with Other City Codes

- ~~A. Any temporary use permit shall comply with all applicable adopted City ordinances.~~
- ~~B. Any solicitor who, while selling or offering goods, wares, merchandise or anything of value, displays, advertises, or offers such goods to the passing public while standing on public way or any other place not used and licensed by such person as a permanent place of business, shall secure in addition to a solicitor's license a temporary use permit pursuant to this chapter. Door-to-door solicitors are excluded from this requirement if they are part of a nonprofit organization, school fund-raising project, or charitable organization.~~
- ~~C. Uses regulated by the home occupation regulations (Chapter 15.17 SMC) are not subject to the provisions of this chapter. (Ord. 92-1041 § 1)~~

15.22.020115.600 Variance

- A. A variance is a request for an exception to the development standards of the code because of special circumstances (i.e., size, shape, topography of lot, conflict with Growth Management Policies) when the strict application of the code deprives such property of privileges enjoyed by other similar properties. A variance may be granted when a hardship is proven. A variance cannot be used for relief from types of uses permitted within zone classifications.
- B. The applicant must show that the proposed development issue requiring a variance meets all of the following criteria for approval, except as specified in subsection (D) of this section:
1. There are exceptional circumstances applicable to the property;
 2. The variance is necessary to protect a property right possessed by others;
 3. The variance will not harm the public welfare of adjacent properties;
 4. There is no reasonable alternative that will allow a reasonable use of the land or building;
 5. The special circumstances and conditions do not result from the actions of the applicant;
 6. The requested variance will not create a use not generally permitted within the zone classification in which the subject property is located;
 7. The variance is the minimum necessary to grant relief to the applicant.
- C. The requested variance is decided by the City’s Hearing Examiner through a public hearing process, except in cases where the requested change involves less than twenty percent (20%) variance to a standard. In these cases, the variance may be decided by the City Manager or designee, provided the following criteria are met in addition to those in subsection (B) of this section:
1. The variance does not reasonably involve a life/safety issue nor does it reasonably involve damage to or loss of property of any person or entity.
 2. The person or entity requesting the requirements change shall agree to waive all rights to pursue a variance or other process to seek an alternative to the requirements of the City Code; provided, that if no change in the requirements of the City Code is granted to such person or entity, the person or entity would be entitled to pursue a variance or other available procedure in the normal course.

- D. A variance from the standards for WCF regarding height, aesthetics (including concealment), equipment enclosures and the dimensions of freestanding poles specified in Chapter **15.31A SMC** may be granted by the Hearing Examiner only in situations where all of the following criteria are met. These criteria shall apply in lieu of those specified in subsection (B) of this section.
1. The specified standard would have the effect of precluding the provision of commercial wireless communication service;
 2. The variance is necessary to protect a property right possessed by others;
 3. The variance will not harm the public welfare of adjacent properties;
 4. The requested variance will not create a use not generally permitted within the zone classification in which the subject property is located;
 5. The variance is the minimum necessary to grant relief to the applicant;
 6. Any request for a variance from the standards regarding height, aesthetics, equipment enclosures and dimensions of freestanding poles specified in Chapter **15.31A SMC** shall include a written report that specifies:
 - a. The necessity of the site to provide the communication coverage required by the applicant; and
 - b. The necessity of the requested variance as the minimum necessary to provide the communication coverage required by the applicant; and
 - c. An assessment of all possible alternatives that could meet the service provider's system coverage requirements. The alternatives assessment shall include alternative sites, alternative antenna types, and any other mechanism that could make the variance unnecessary in terms of meeting the service provider's system coverage needs. (Ord. 04-1030 § 5; Ord. 04-1010 § 16; Ord. 03-1020 § 16; Ord. 97-1013 § 25; Ord. 92-1041 § 1)

15.22.05015.700 Zone Reclassification (Rezone)

- A. The purpose of a rezone is to provide a change of zoning to allow a new or different land use which conforms with the City Comprehensive Plan. A rezone is necessary when there has been a change in conditions, and the Comprehensive Plan may or may not provide for such a use. A proposed use and site plan must be submitted with the rezone request if there is an upzone of the property (e.g., UL 7,200 to UM 3,600). Property-specific conditions may be imposed as a condition to the rezone pursuant to SMC **15.05.055** and **15.05.080**. In the case of a rezone classification from a more

intensive zone to a less intensive zone (e.g., industrial to commercial), only a description of the proposed use must be submitted with the rezone request. The proposed use may be the existing use on the property, provided the use is a permitted use in the lesser zone classification.

- B. The applicant must show that the proposed development satisfies the following minimum criteria for approval by the Hearing Examiner:
1. The proposal conforms with the Comprehensive Plan policies and the adopted Comprehensive Plan specifies that the property shall be subsequently considered through an individual reclassification application;
 2. The requested reclassification is in the public interest;
 3. The requested reclassification is not hazardous or will not have adverse impacts on adjacent properties;
 4. The requested reclassification does not pose undue burdens on public facilities; and
 5. The requested reclassification has, or will potentially have, an adequate link to a high-capacity transit mode. (Ord. 04-1010 § 17; Ord. 00-1033 § 14; Ord. 96-1008 § 6; Ord. 92-1041 § 1)

15.120 Residential Planned Unit Development (RPUD)

SECTIONS:

15.120.005 Purpose

15.120.010 Authority and Application

15.120.100 Permitted Modifications

15.120.200 Approval Criteria

15.120.300 Procedures

15.120.005 Purpose

The purpose of this chapter is to provide flexibility from the strict application of zoning and subdivision regulations in order to allow for projects that are better designed and offer greater public benefits while still maintaining the character and scale of SeaTac's single-family neighborhoods. More specifically, it is the purpose of this chapter to the following (where applicable):

- A. Allow development of land with physical constraints, while at the same time preserving the natural characteristics of a site, including topography, native vegetation, wildlife habitat, environmentally sensitive areas, and other natural amenities of value to the community;
- B. Create and preserve open space for recreation and aesthetic enjoyment of residents;
- C. Provide for the economic provision of facilities and services by allowing choices in the layout of streets, utility networks, and other improvements through flexible site design and the use of clustering;
- D. Encourage quality infill development where appropriate.

15.120.010 Authority and Application

- A. The provisions of this chapter shall apply to all residential planned unit developments (RPUDs) for which applications are filed after the effective date of the passage of the ordinance codified in this section.
- B. Residential planned unit developments are permitted in all RL zones.
- C. The Department of Planning and Community Development shall be responsible for the general administration and coordination of this section.

D. The Hearing Examiner is designated as the official agency of the City for the conduct of public hearings and for final approval of the RPUD. The Hearing Examiner may approve, approve with conditions, or deny the proposed RPUD.

15.120.100 Permitted Modifications

A. Density.

1. The maximum bonus density shall be limited to an additional thirty-five percent (35%) over the density permitted in the underlying zone.
2. Where a bonus density may already be allowed under SMC Chapter 15.xx, Development Incentives, either the bonus density allowance in these RPUD provisions or that allowed under SMC Chapter 15.x may be utilized in the RPUD, but not both.
3. Based upon attributes of a proposal and the characteristics of the development site, the City may determine that a bonus density of less than thirty-five percent (35%) is appropriate.

B. Permitted Uses.

An RPUD may not allow uses that are not listed as permitted or conditional uses in the underlying zone, except that a RPUD may allow retail/commercial uses based on the approval criteria listed below.

C. Development Standards.

The following development standards may be modified through the RPUD application process:

1. Lot size;
2. Lot width;
3. Building lot coverage; and
4. Setbacks.

15.120.200 Approval Criteria

Residential planned unit developments shall meet the requirements in the subsequent sections (where applicable):

15.120.205 General

The RPUD shall conform to the SeaTac Comprehensive Plan and all provisions of the SeaTac Municipal Code which are not proposed for modification.

15.120.210 Retail/Commercial Uses

Residential planned unit developments proposing a retail/commercial component shall meet the following criteria:

- A. Not more than twenty (20) percent of the building gross floor area of the development is devoted to a retail/commercial use;

- B. The retail/commercial use is adjacent to a principal or minor arterial, as defined by the Comprehensive Plan.
- C. The use is supportive of and complementary to the other uses within the RPUD and scaled primarily to meet the needs of the inhabitants of the project;
- D. The use is compatible with the uses permitted on other properties in the surrounding area; and
- E. There is a community benefit realized by allowing the proposed use.

15.120.215 Site Design

- A. Building Orientation.
 - 1. Houses with street frontage shall be oriented to the street with the highest classification. Units without street frontage shall be oriented to an auto court or common area.

NEED IMAGE

Figure 15.39.220A Example of units oriented to the street.



Figure 15.39.220B Example of units oriented to the auto court.

2. Retail/commercial buildings shall be oriented to the street with the highest classification.

B. Site Layout

Retail/commercial buildings shall conform to the following:

1. Maximum front yard setback: Twenty (20) feet.
2. No parking shall be permitted between a building and the front property line.
3. Parking located next to a building and within forty (40) feet of the property line shall not consist of more than two (2) lengthwise parking stalls and one (1) travel lane or exceed sixty (64) feet in width.

C. Pedestrian Access

1. All developments shall feature a fully integrated pedestrian circulation system that connects buildings, open space, and parking areas with the adjacent street sidewalk system.
2. Pedestrian circulation shall consist of sidewalks or designated pathways, raised or otherwise separated from parking and vehicular circulation. An exception to this is an auto court, which is designed for shared pedestrian and auto use.
3. Internal sidewalks and pedestrian ways shall be a minimum of six (6) feet in width, clear of any vehicle overhangs. Design standards for sidewalks can be found in Title 11 of the SeaTac Municipal Code.
4. Clear pedestrian paths separate from driveways shall connect the main entries of houses that face the street directly to sidewalks.
5. Pedestrian paths shall be visible from buildings or parking areas, and shall be designed to avoid creating “dead ends” or isolated areas.
6. Pedestrian paths shall be illuminated pursuant to Chapter **17.40 SMC**, Walkway, Bikeway and Park Lighting.

D. Vehicular Access, Circulation, and Auto Courts

1. The creation of dead end streets shall be permitted only where there is no feasible connection with an adjacent street.
2. Developments with private streets, alleys, and auto courts shall be required to allow for additional access by adjacent properties when the Director determines that adjacent properties may be developed in the future and that it would be in the public interest to provide a joint access easement. A covenant shall be placed on the subject property(ies) allowing use of the access easement.
3. Street sections shall include a landscaping strip at least six (6) feet in width and planted with trees spaced no more than thirty (30) feet on center and a sidewalk at least six (6) feet in width. Design standards for streets and alleys can be found in Title 11 of the SeaTac Municipal Code.
4. Auto Courts.
 - a. Length, Maximum: One hundred fifty (150) feet.
 - i. The length is measured from the midpoint of the entrance drive as illustrated in Figure **15.39.240a**.
 - ii. The length of an auto court shall also be subject to Fire Department regulations.

NEED IMAGE

Figure 15.39.240A *Illustration of how the length of an auto court is measured.*

- b. Traffic Calming.
- i. Auto courts shall have at least one of the traffic calming elements listed below to reduce the speed of vehicles.
 - (a) Trees;
 - (b) Landscape islands: Minimum depth and width of five (5) feet with Type V landscaping;
 - (c) Raised planters: Minimum height of three (3) feet and depth and width of two (2) feet;
 - (d) Decorative bollards: Minimum height of three (3) feet; or
 - (e) Another element that the director determines accomplishes the intent.
 - ii. Traffic calming elements shall be located on both side of the auto court and spaced no more than twenty-five (25) feet apart (on center for trees and bollards, edge-to-edge for landscaping islands and planters) in either direction. See Figure 15.39.240B for an illustration.

NEED IMAGE

Figure 15.39.240B *Location of traffic calming elements in an auto court.*

- c. Materials. Auto courts shall be constructed with decorative concrete, paving blocks, bricks, or other ornamental pavers to clearly indicate that the entire surface is intended for pedestrians as well as vehicles.



Figure 15.39.240C *Example of auto court constructed with scored and dyed concrete.*

15.120.220 Service and Utility Areas

- A. All exterior maintenance equipment, including HVAC equipment, electrical equipment, storage tanks, satellite dishes, and garbage dumpsters, shall be screened from off-site and on-site common area view in an architecturally integrated manner.
- B. Utility infrastructure shall be located in areas that are not highly visible from the public.

15.120.225 Building Design

A. Residential.

1. Pedestrian Entries

- a. Each dwelling unit shall feature a main entry which includes architectural features that provide weather protection and visual interest to the structure.
- b. The main entry to units adjacent to the street shall face the street and provide direct access to the street sidewalk system.
- c. For units without street frontage, main entries shall connect to the street sidewalk system through auto courts or clear pedestrian paths.



Figure 15.39.310A *Clearly defined main entry with weather protection and various architectural design elements*

2. Character and Massing

- a. Architectural elements and variations shall not be restricted to a single façade. All sides of a building shall display a similar level of quality and architectural interest.
- b. Building facades.
 - i. Dwelling units shall have vertical modulations a minimum of one (1) foot in depth and four (4) feet in width and the sum of these dimensions shall be no less than eight (8) feet.

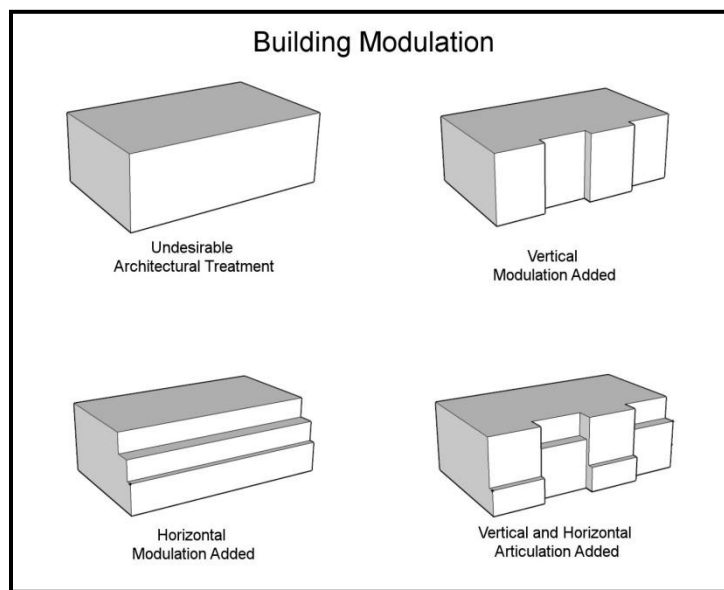


Figure 15.39.320A *Examples of vertical and horizontal modulation.*

- ii. Facades for each dwelling unit shall incorporate at least two of the following architectural elements:
 - (a) Horizontal modulation (upper level step-backs). The modulation shall have a minimum depth of two (2) feet.
 - (b) Bay, bow, or garden windows.
 - (c) Building ornamentation such as a frieze.
 - (d) Another architectural element that the director determines accomplishes the intent.
- iii. Each dwelling shall have at least one balcony, porch, patio, stoop, or deck facing a street, auto court, courtyard, or other common open space. The balcony, porch, patio, stoop, or deck shall be oriented to common areas using the following hierarchy:
 - (a) Street.
 - (b) Auto court.
 - (c) Courtyard or other common open space.
- iv. Windows.
 - (a) Windows shall provide relief, detail and variation on the facade through the use of significant trim and architectural styling that lends human scale to the facade.
 - (b) Windows shall be required on facades facing streets or common areas (alleys, auto courts, open space, etc.) to allow for natural surveillance.[DJH1]
 - (c) At least twenty (20) percent of the area of each floor on façades that face a street or common area shall be windows or pedestrian doors.

- (1) Windows used to meet this standard must allow views from the building to the street and vice versa. Windows composed of glass blocks, garage doors and doors accessing uninhabited spaces, such as utility and service areas, do not count toward meeting this requirement.
- (2) The façade area for each floor is measured vertically floor-to-floor and horizontally edge-to-edge of the unit as illustrated in Figure 15.39.320B

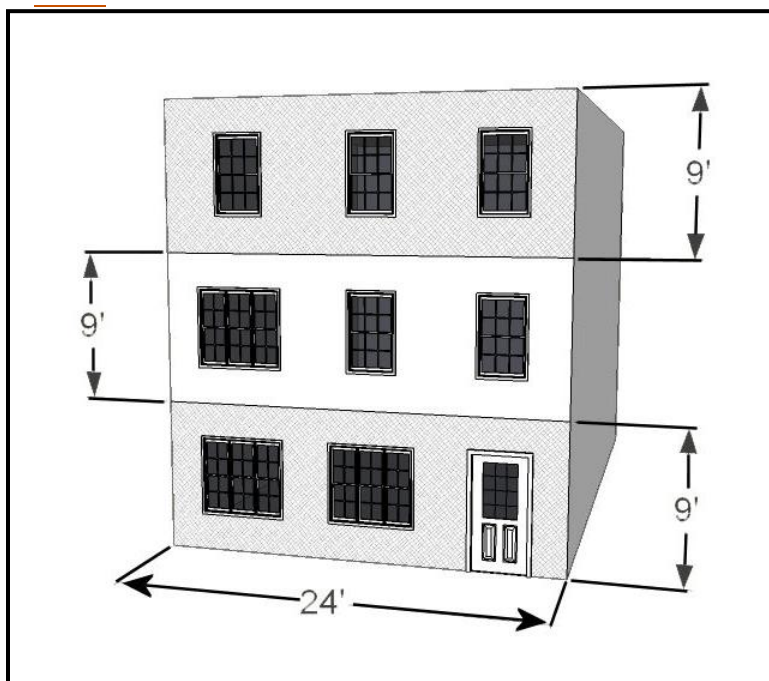


Figure 15.39.320B *Illustration of the window requirement. Each floor has a façade area of 216 square feet and requires 43.2 square feet of windows. The first floor has 66 square feet of windows, meeting the minimum requirement. The second floor has 46.5 square feet of windows, meeting the requirement. The third floor has 36 square feet of windows and DOES NOT meet the requirement.*

- (d) Windows shall be vertically oriented with a height one and one half (1-1/2) to two (2) times the width. See Figure 15.39.320C;

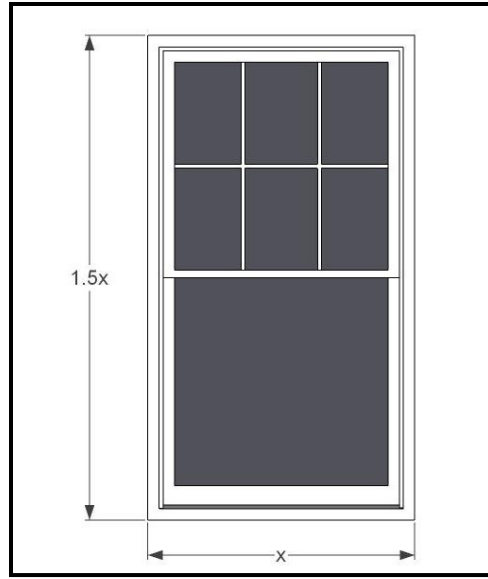


Figure 15.39.320C *Minimum vertical orientation for windows.*

- (e) At least two of the following requirements for windows shall be met:
- (1) Window shall be accented with a drip cap, sill, and trim.
The drip cap shall be a minimum of three (3) inches in height and one (1) inch in depth; sills shall be a minimum of three (3) inches in depth. Trim shall be a minimum of two (2) inches in width and one (1) inch in depth. See Figure 15.39.320D for details;

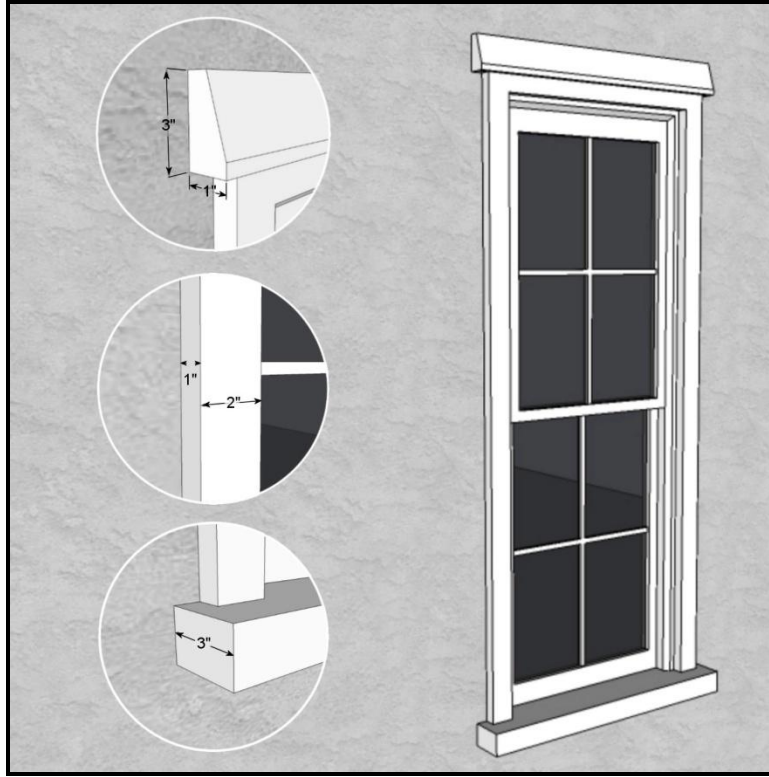


Figure 15.39.3201 Drip cap, sill, and trim details.

- (2) Windows shall be accented through use of multiple panes;
- (3) Windows shall be accented through the use of contrasting trim color and other detailing.
- v. “Blank walls” (building facade sections without windows or doors) greater than twenty (20) feet in length shall not be allowed along facades facing streets or common areas.
- c. Roofs.
 - i. The following roof forms shall be used for dwelling units:
 - (a) Hip
 - (b) Gable
 - (c) Shed
 - (d) Mansard

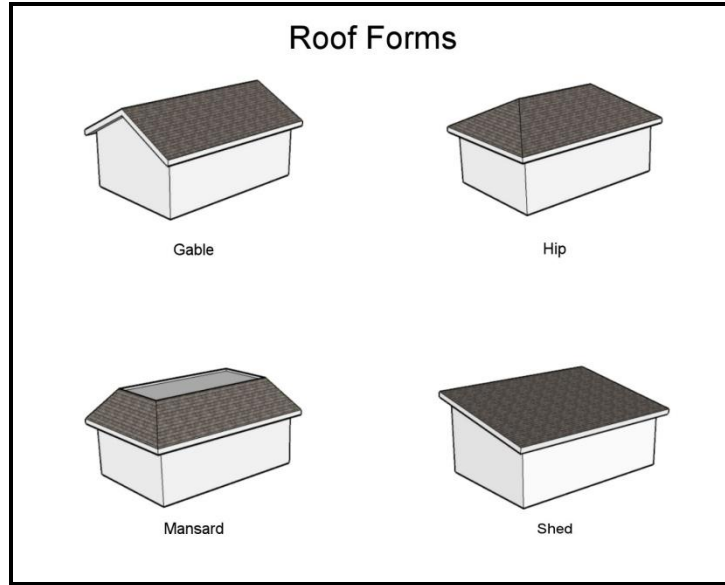


Figure 15.39.320E *Examples of permitted roof forms.*

ii. Roofs shall incorporate at least one (1) of the architectural elements in Group 1 and at least two (2) of the architectural elements in Group 2:

(a) Group 1

- (1) Vertical or horizontal changes in rooflines; and/or
- (2) Varied roof forms.

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Figure 15.39.320F *Example of vertical and horizontal changes in rooflines and variations in roof forms.*

(b) Group 2

(1) Dormers;



Figure 15.39.320G *Example of dormers.*

(2) Deep roof overhangs. To qualify, the overhang shall be at least twenty-four (24) inches;



Figure 15.39.3201 *Example of deep roof overhangs and brackets.*

(3) Rafter tails, brackets, corbels, or other decorative supports; and/or



Figure 15.39.3201 *Example of rafter tails.*



Figure 15.39.3201 *Example of corbels (which are generally thicker than brackets).*

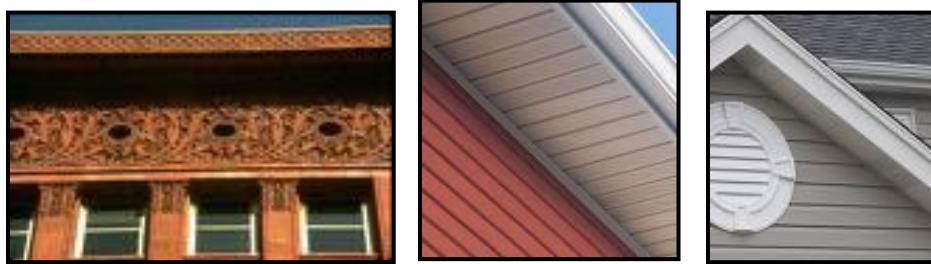
(4) Prominent cornice, soffit, or fascia details.

Figure 15.39.320K Examples of cornice, soffit and fascia details.

iii. Building rooftops shall be designed to effectively screen mechanical equipment from street-level view through at least one (1) of the following methods:

- (a) A concealing roof line;
- (b) A terraced facade;
- (c) A screening wall or grillwork directly surrounding the equipment; or
- (d) Sufficient setback from the facade edge to be concealed from ground-level view.

d. Garages shall be deemphasized through one of the following methods:

- i. Rear or side loaded;
- ii. For front loaded garages, the garage shall be setback at least ten (10) feet from the front façade of the house and the width of the garage shall not exceed fifty percent (50%) of the front facade width.

B. Retail/Commercial.

1. Pedestrian Entries

The primary building entry shall be located on the façade facing the street with the highest classification.

2. Character and Massing.

- a. Buildings shall have vertical modulations a minimum of two (2) feet in depth and six (6) feet in width so that no building has a flat façade that exceeds thirty (30) feet.
- b. Transparency.
 - i. Windows shall cover at least fifty percent (50%) of ground level building facades (surface area) facing streets or common areas.
 - ii. The ground floor façade shall be measured from the finished floor and ceiling of the first floor building space.
 - iii. Windows shall begin twelve (12) to thirty (30) inches above the finished grade of the first floor building space.
- c. “Blank walls” (building facade sections without windows or doors) greater than twenty (20) feet in length shall not be allowed along facades facing streets or common areas.

- d. Building rooftops shall be designed to effectively screen mechanical equipment from street-level view through at least one (1) of the following methods:
- i. A concealing roof line;
 - ii. A terraced facade;
 - iii. A screening wall or grillwork directly surrounding the equipment; or
 - iv. Sufficient setback from the facade edge to be concealed from ground-level view.

15.120.230 Open Space and Private Amenity Space

A. Minimum Open Space and Private Amenity Space Required

1. A minimum of two hundred (200) square feet of common ground related open space is required per dwelling unit.
2. Each dwelling unit shall have a minimum of two hundred (200) square feet of private ground related open space.
3. Each dwelling unit shall have a minimum of one hundred (100) square feet of private amenity space.

B. Location and Layout of Open Space and Private Amenity Space

The location, layout, and proposed type of ground related open space and private amenity space shall be subject to approval by the Director of Planning and Community Development, and shall conform to the following:

1. Private and Common Ground Related Open Space

The following shall not count toward required open space:

- a. Areas with slopes greater than four percent (4%) that do not have an enhanced accessibility system of ramps, stairs, terraces, trails or other site improvements.
- b. Required landscaping (such as façade and perimeter).
- c. Sensitive area buffers without common access links such as pedestrian trails.
- d. Driveways, parking areas, and other vehicular uses.

2. Private Ground Related Open Space

- a. Minimum Width, Depth: Ten (10) feet.
- b. The open space shall only be located in the rear of the unit with the following exception: Units in an auto court fronting on a street are permitted to have open space in the front of the unit provided it is outside of the required setback.
- c. The open space shall be contiguous.

3. Common Ground Related Open Space

- a. Minimum Width, Depth: Twenty (20) feet.
- b. Open space areas shall be centrally located near a majority of units, accessible and usable to residents, and visible from surrounding dwelling units.
- c. In developments greater than fifty (50) units, open space area shall be divided into several, smaller, usable areas located so as to be convenient and accessible to each building.
- d. When the total required open space area is less than three thousand (3,000) square feet, the open space shall be one (1) continuous outdoor site.
- e. If the total required area for open space is more than three thousand (3,000) square feet, the space may be divided into several usable sites, provided at least one (1) outdoor area is at least two thousand (2,000) square feet, and all others at least five hundred (500) square feet.
- f. A Type III landscaping buffer with a minimum width of five (5) feet shall separate the open space from streets, parking areas, and driveways.



Figure 15.39.420b Example of common ground related open space.

4. Private Amenity Space

- a. A private deck, porch, balcony, patio, or roof garden may be counted toward the requirement, provided it has a minimum depth of six (6) feet and width of ten (10) feet.
- b. Portions of a front or rear yard can be counted toward the requirement, provided:
 - i. It has a minimum depth of ten (10) feet and width of ten (10) feet;
 - ii. It is not used to meet the private ground related open space requirement; and
 - iii. It is outside of the front yard setback.



Figure **15.xxx.xxx** Example of private amenity space.

15.120.235 Fences and Walls

A. Maximum Height.

1. Front Yard: The maximum height of a fence or wall shall be three (3) feet.
2. Rear and Side Yard: The maximum height of a fence or wall along rear or side yards shall be six (6) feet.

NOTE: For the purpose of fences, the front yard shall be determined by the location of the dwelling unit's main entry.

B. Materials. Fences and walls shall be constructed of wood, wrought iron, brick, stone, or other high quality material. Chain-link fencing is prohibited.

15.120.300 Procedures

A. Residential planned unit developments shall be processed as a Type III Permit consistent with SMC 16A, Development Review Code.

B. Process for Preliminary Review and Approval.

1. Prior to submittal of a preliminary plan, applicants shall:
 - a. Attend at least one Development Review Committee (DRC) meeting, pursuant to SMC **16A.05.020**;
 - b. Attend at least one Early Design Guidance (EDG) meeting; and
 - c. Perform Neighborhood Contact/Outreach
 - i. The Neighborhood Contact/Outreach process provides a setting for an applicant and neighborhood residents to discuss a proposal in an informal manner at a community meeting. By sharing information and concerns early in the quasi-judicial or permit process, all involved have the opportunity to identify ways to improve a proposal, and to resolve conflicts before the proposal has progressed far into the quasi-judicial or permit process. The discussion at the meeting is advisory only and is not binding on the applicant.
 - ii. The applicant must contact the surrounding community within 1,000 feet of the proposed project site by registered or certified mail, to announce the time,

location, and purpose of a neighborhood meeting. If a neighborhood association exists, the applicant may coordinate the meeting with the neighborhood association.

- iii. A copy of this announcement must also be sent by registered or certified mail to the City as part of the record for the proposed RPUD.
- iv. The meeting must take place at least twenty-one (21) days from the time the letters are mailed. The applicant shall record a written record of the meeting discussion.
- v. After the meeting and before proceeding with the RPUD permit process, the applicant shall send a copy of the written record of the meeting to the City to be held as part of the record for the proposed RPUD.

2. Submittal Requirements.

The applicant shall follow the procedures outlined in SMC [16A.07](#), Determination of Completeness, and the RPUD application.

3. Preliminary Review.

The RPUD proposal shall be reviewed consistent with SMC [16A.11](#), Permit Application Review.

4. Public Hearing.

Once City Staff has completed the review of the RPUD proposal, a public hearing shall be held pursuant to SMC [16A.13](#), Public Hearings.

5. Notice of Decision.

Following the public hearing, the Hearing Examiner shall issue a Notice of Decision pursuant to SMC [16A.15](#), Notice of Decision.

6. Time Limits.

- a. The applicant shall submit a final development plan showing the ultimate design and specific details of the proposed development within two (2) years of the effective date of action by the Hearing Examiner to approve the preliminary plan.
- b. The Hearing Examiner may grant an extension of the approved RPUD for a maximum of twelve (12) months. Application for such extension shall be made at least thirty (30) days prior to the expiration date of RPUD. Only one such extension may be granted.
- c. If a final development plan is not filed within the initial two (2) year period or within the extension period, if any, the approved RPUD shall be deemed to have expired or been abandoned. To activate an expired or abandoned RPUD, a new application is required.

C. Process for Final Review and Approval

1. Submittal Requirements.

The applicant shall follow the procedures outlined in SMC [a 16A.07](#), Determination of Completeness, and the RPUD application.

2. Final Review

City Staff shall review the plan to determine if the final plan is consistent with the approved preliminary plan. Minor adjustments may be permitted, pursuant to SMC [15.15 xxx\(5\)](#), Adjustments.

3. Time Limits.

- a. The applicant shall submit a complete building permit within six (6) months of the final approval of the RPUD.
- b. The Director of Planning and Community Development may grant an extension of the approved final plan for a maximum of six (6) months. Application for such extension shall be made at least thirty (30) days prior to the expiration date of the approved final plan. Only one such extension may be granted.
- c. If a building permit is not filed within the initial six (6) month period or within the extension period, if any, the approved RPUD shall be deemed to have expired or been abandoned. To activate an expired or abandoned RPUD, a new application is required.

D. Phasing.

Residential planned unit developments may be proposed to be developed in one or more phases. If developed in phases, each phase of the RPUD shall contain adequate parking, open space, recreation space, public benefits, landscaping, buffering, circulation, utilities and other improvements necessary so that each phase, together with any earlier phases, may stand alone and satisfy the purposes of this section.

E. Map Designation.

1. Upon approval of the RPUD, the City shall place the designation "RPUD" on the subject property(ies) on the Zoning Map.
2. This RPUD designation means that any (re)development of the subject property(ies) must either:
 - a. Comply with the RPUD as approved; or
 - b. Comply with all of the requirements for development in the zone in which the subject property(ies) is located without a RPUD.

F. Adjustments.

1. The Director of Planning and Community Development may allow minor adjustments to an approved RPUD, provided the following criteria are met:
 - a. Density is not increased above that which is permitted in the underlying zone;
 - b. Minimum setbacks to property lines and sensitive areas are not reduced;
 - c. Open space is not reduced below that which is required for the proposed use;
 - d. Points of ingress or egress are not moved more than ten (10) feet;
 - e. The number of parking spaces is not reduced;
 - f. Traffic volumes are not increased and traffic patterns are not changed;
 - g. The adjustments do not add significant new environmental impacts or significantly increase any adverse impacts disclosed in the original SEPA documents; and
 - h. The Director of Planning and Community Development determines that the change will not increase any adverse impacts or undesirable effects of the project, or that the change in no way significantly alters the project.
2. Adjustments not meeting the above criteria shall be treated as a new application.

Chapter 15.125
Planned Unit Developments

Sections:

RESERVED

Chapter 15.21130

Nonconformance and Reuse of Facilities Nonconforming Land Uses, Sites, Properties and Structures

SECTIONS:

15.21130.01005 Purpose

15.21130.02010 Nonconformance—Authority and ApplicationApplicability

15.21130.0250 Lots of Record

15.21130.100030 Nonconformance—StatusGeneral Determination

15.21130.040 Nonconformance—Abatement of Illegal Use, Structure, or Development

15.21130.050 Nonconformance—Re-establishment of Discontinued Nonconformance

15.21130.11005560 Nonconformance—Uses of Land

15.21130.05770 Nonconformance—Uses of Land, Horses/Equine AnimalsLand Uses

15.130.120 Sites

15.130.130 Structures

15.21130.06080 Nonconformance—Repair or Reconstruction of Nonconforming Structure

15.21130.07090 Nonconformance—Alteration of Nonconforming Structure

15.21130.075100 Nonconformance—Uses of Structures

15.21130.080200440 Nonconformance—Abatement of a Nonconforming ConditionUse of Land, Buildings and Structures

15.21130.09021120 Notice of Abatement or Required Conformance

15.21130.095130 Reuse of Nonresidential Facilities—General Standards

15.21130.10040 Reuse of Facilities—Re-establishment of Closed Public School Facilities

15.21130.11050 Reuse of Facilities—Standards for Conversion of Historic Buildings

15.21.010130.005 Purpose

The purposes of this chapter are to:

- A. Establish when and under what circumstances nonconforming aspects of a land use, site, or structure must be brought into conformance with this Code.
- B. Establish the legal status of a nonconformance by creating provisions through which a nonconformance may be maintained, altered, reconstructed, expanded or terminated.

~~Establish the legal status of nonconformance of structures or use on subject sites by creating provisions through which a nonconformance may be established, maintained, altered, reconstructed, expanded or abated;~~

- ~~B. Recognize public investment in existing facilities; encourage the adaptive reuse which will continue to serve the community; and ensure public review of redevelopment plans by allowing:

 - ~~1. Temporary reuse of closed public school facilities retained in school district ownership, and the reconversion of a temporary reuse back to a school use;~~
 - ~~2. Permanent reuse of surplus nonresidential facilities (e.g., schools, fire stations, government facilities) not retained in school district ownership; or~~
 - ~~3. Permanent reuse of historic structures listed on the National Register or designated as county landmarks. (Ord. 92-1041 § 1)~~~~

15.21.020130.010 Authority and Application ~~Nonconformance~~ Applicability

- A. This chapter applies to any land use, site, or structure that does not conform to the SeaTac Zoning Code as adopted or amended. ~~All nonconformance issues including, but not limited to, buildings, structures, lands and uses shall be subject to the provisions of this chapter.~~
- B. Nonconformance of signs shall be regulated by **SMC 15.600.xxx**, Nonconforming Signs.

- CB. The provisions of this chapter do not supersede or relieve a property owner from compliance with:

1. The requirements of the Building and Fire Codes; or
2. The provisions of this Ceode beyond the specific nonconformance addressed by this chapter. (~~Ord. 04 1008 § 4; Ord. 92 1041 § 1~~)

15.21.025130.020 Lots of Record

~~In any zone in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this title, a single family dwelling may be erected on any single lot which was a lot of record on or before November 26, 1992, and which was a building site pursuant to City of SeaTac Ordinance No. 90-1025. Any request for a variance of the lot size, lot width and/or yard requirements shall be made to the City's Hearing Examiner, and the Hearing Examiner shall render a decision on the request in accordance with the provision of Chapter 1.20 SMC. (~~Ord. 93-1014 § 1~~)~~

15.21130.100030 Nonconformance—StatusGeneral Determination

- A. Any land use, site, or use of a structure or other site improvement (e.g., landscaping or signage) which was legally established prior to the effective date of ~~this title~~ the SeaTac Municipal Code shall be considered nonconforming if:
 1. The land use is now prohibited;
 2. The site or does not comply with cannot meet use limitationsdensity, lot coverage, parking, landscaping, or other applicable applicaberegulations le to the zone in which it is locatedof the SeaTac Municipal Code; or
 3. The structureuse does not comply with the height, setbacks, design standards, or other applicable regulations density, dimensions, landscaping, parking sign or residential design standards of this titlethe SeaTac Municipal Code.; or
- B. Any nonconforming land use, site, or structure that cannot be established with a record of compliance with the Municipal Code in effect at the time of establishment shall be deemed illegal and shall be subject to abatement.
- C. Any nonconformance that is brought into conformance for any period of time shall forfeit the nonconforming status.
 3. ~~A building is conforming, but the landscaping, parking or other standards were established by prior actions of the existing jurisdiction.~~

~~C. Any nonconformance that is brought into conformance for any period of time shall forfeit status as a nonconformance, except as specified in SMC 15.21.060.~~

~~DB. A change in the required permit review process shall not create a nonconformance.~~

~~D. The provisions of Chapter 15.16 SMC, and any subsequent amendments, shall exclusively control the status of a sign to a nonconforming use. (Ord. 92-1041 § 1)~~

~~15.21130.050 Nonconformance Re-establishment of Discontinued Nonconformance~~

~~A nonconforming use may be re-established as a nonconformance, except that any nonconforming use that is discontinued for a period of six (6) continuous months shall not be re-established. Any nonconforming use of a building which is discontinued for a total of one (1) year (twelve (12) months) over a three (3) year period shall not be allowed to continue as the nonconforming use. (Ord. 92-1041 § 1)~~

~~15.21130.055 060110 Land Nonconformance Uses of Land~~

~~A.~~

~~If, at the effective date of the Zoning Code of the CitySeaTac Municipal Code or any amendment thereto, a lawful use of land exists that is made no longer permissible under the terms of the Zoning Code or amendment, such land use may be continued as a nonconforming use so long as it remains otherwise lawful, subject to the following conditions:~~

~~A1. No such nonconforming land use shall not be enlarged or increased nor extended to occupy a greater area of land than was occupied on the effective date of the Zoning CodeSeaTac Municipal Code or amendment that made the land use no longer permissible.~~

~~2B. No nonconforming structure shall not be moved in whole or in part to any other portion of the lot that is subject of the nonconforming land use.~~

~~3. A nonconforming land use may be extended throughout any parts of a building or structure that were manifestly arranged, designed, and constructed for such use at the time of the effective date of the SeaTac Municipal Code or amendment that made the use no longer permissible, but no such use shall be extended to occupy any land outside such building or structure.~~

~~4C. If a any such nonconforming land use of land ceases for any reason for a period of more than six (6) continuous months or a total of twelve (12) months over a thirty-six (36) month period months, that cessation shall constitute prima facie~~

evidence of intent to abandon the land use, and any subsequent use of land shall conform to the regulations specified by ~~this title~~ the SeaTac Municipal Code for the zone in which such land is located. (~~Ord. 93-1014 § 2~~)

B. Stables and

~~15.21.130.057-070 Nonconformance—Uses of Land,~~ Horses/Equine Animals

Any horse/equine animals legally located on property on the effective date of the SeaTac Municipal Zoning Code or amendment thereto shall be allowed to remain on the property; provided, that the horse/equine animal is kept in a clean and safe environment and shall be subject to the following provisions:

~~A1. Should a legal nonconforming horse/equine animal be removed from a parcel of property for a period of more than six (6) months, that cessation shall constitute prima facie evidence of the intent to abandon the use of the property for horses/equine animals.~~

~~B.—~~Should a legal nonconforming horse/equine animal expire/pass away, another horse/equine animal may be moved to the property to replace the expired horse/equine animal; provided, that the new horse/equine animal is moved onto the property within six (6) months.

~~C2.~~ Should a legal nonconforming horse/equine animals produce offspring~~progeny~~, the ~~progeny~~ offspring may be allowed on the property up to a maximum of nine (9) months from the date of birth. (~~Ord. 03-1022 § 5~~)

~~3.~~ If a nonconforming horse/equine animal is removed from a parcel of property for a period of more than six (6) continuous months or a total of twelve (12) months over a thirty-six (36) month period, that cessation shall constitute prima facie evidence of the intent to abandon the use of the property for said horse/equine animal and shall not be replaced.

15.130.120 Sites

If, at the effective date of the SeaTac Municipal Code or any amendment thereto, a lawful site exists that is made nonconforming, such site may be continued as nonconforming so long as it remains otherwise lawful, subject to the following conditions:

A. The site shall not be made more nonconforming in terms of density, lot coverage, parking, landscaping, or other applicable regulations of the SeaTac Municipal Code.

- B. The site shall not be enlarged or increased nor extended to occupy a greater area of land than was occupied on the effective date of the SeaTac Municipal Code or amendment that made the site nonconforming.
- C. A nonconforming site shall be brought into conformance to the greatest extent possible, as determined by the Planning Director, with regulations applicable to the site if:
1. The use of the site ceases for any reason for a period of more than six (6) continuous months or a total of twelve (12) months over a thirty-six (36) month period.
 2. The structure on the site is enlarged or expanded by twenty-five percent (25%).
 3. The total site area, or the area of the site in use, is enlarged or expanded by twenty-five percent (25%).
 4. The land use associated with the site changes to a land use that requires different and greater requirements. For example, if a new land use requires more parking than the previous land use, then the additional parking stalls shall be provided.
 5. The structure on the site is damaged or destroyed and the extent of damage exceeds fifty percent (50%) of the gross floor area.

15.21130.060 ~~080130~~ Nonconformance ~~Repair or Reconstruction of Nonconforming Structures~~

If, at the effective date of the SeaTac Municipal Code or any amendment thereto, a lawful structure exists that is made nonconforming, such structure may be continued as nonconforming so long as it remains otherwise lawful, subject to the following conditions:

- A. The structure shall not be made more nonconforming with the standards of the SeaTac Municipal Code.
- B. Should such structure be moved to another location on-site for any reason, for any distance, it shall hereafter conform to the regulations for the zone in which is located after it is moved.
- C. Permitted Alterations
1. Alterations to a nonconforming structure may be permitted; provided the alteration does not increase the area, height, or degree of an existing nonconformity.
 2. Upkeep, repairs, and maintenance of a nonconforming building is permitted.
 - a. Approval of such a permit shall be based on a finding that the repairs will be done in such a manner as to improve the building's safety or functionality, and thereby make its existence in the area less detrimental to surrounding uses than would be the case if the status quo were maintained.

b. Portions of a structure may be reconstructed provided the gross floor area being reconstructed does not exceed twenty-five percent (25%) of the gross floor area of the structure.

3. A damaged or destroyed nonconforming structure may be repaired or reconstructed provided that:

Aa. The extent of the previously existing nonconformance is not increased, and the extent of damage does not exceed fifty percent (50%) of the ~~King County assessment value of land and improvements~~gross floor area of the structure.

b. The damage or destruction was not intentional on the part of the owner.

cB. The building permit application for repair or reconstruction is submitted within six (6) months of the occurrence of the damage.

~~C.~~ ~~Should such structure be moved for any reason for any distance whatever, it shall hereafter conform to the regulations for the zone in which is located after it is moved. (Ord. 93-1014 § 4; Ord. 92-1041 § 1)~~

15.21130.070-090 ~~Nonconformance—Alteration of Nonconforming Structure~~

~~A.~~ ~~Alterations to a nonconforming structure may be permitted; provided the alteration does not increase the area, height or degree of an existing nonconformity.~~

~~B.~~ ~~Upkeep, repairs and maintenance of a nonconforming building is permitted. Approval of such a permit shall be based on a finding that the repairs will be done in such a manner as to improve the building's safety or functionality, and thereby make its existence in the area less detrimental to surrounding uses than would be the case if the status quo were maintained. (Ord. 92-1041 § 1)~~

15.21130.075-100 ~~Nonconformance—Uses of Structures~~

~~If, at the effective date of the Zoning Code of the City or any amendment thereto, a lawful use of a building or structure exists that is made no longer permissible under the terms of the Zoning Code or amendment, such use may be continued as a nonconforming use so long as it remains otherwise lawful, subject to the following conditions:~~

~~A.~~ ~~No nonconforming structure or building shall be structurally altered or changed other than those alterations or changes required by law.~~

- ~~B. A nonconforming use of a building or structure may be extended throughout any parts of the building or structure that were manifestly arranged, designed and constructed for such use at the time of the effective date of the Zoning Code or amendment that made the use no longer permissible, but no such use shall be extended to occupy any land outside such building or structure.~~
- ~~C. Any structure, or structure and land in combination in or on which a nonconforming use is superseded by a permitted use shall thereafter conform to the regulations for the zone in which such structure is located, and the nonconforming use may not thereafter be resumed.~~
- ~~D. If any such nonconforming use of a building or structure ceases for any reason for a period of more than six (6) months, that cessation shall constitute prima facie evidence of intent to abandon the use, and any subsequent use of the building or structure shall conform to the regulations specified by this title for buildings or structures in the zone in which such land is located. (Ord. 93-1014 § 3)~~

~~15.130.040 Nonconformance — Abatement of Illegal Use, Structure, or Development~~

~~Any use, structure or other site improvement that cannot be established with a record of compliance with Zoning Code standards in effect at the time of establishment shall be deemed illegal and shall be subject to abatement. (Ord. 92-1041 § 1)~~

~~15.21130.080—21100 Nonconformance — Abatement of a Nonconforming Condition~~ Use of Land, Buildings and Structures

The nonconforming land use of land, site, or structure ~~buildings or structures~~ shall be subject to abatement if any of the following circumstances apply:

- A. Any nonconforming land use of land involving a ~~building or a~~ structure as defined by ~~this title~~ the SeaTac Municipal Code which ~~building or structure~~ has an assessed value of more than one hundred dollars (\$100.00) but less than five hundred dollars (\$500.00) on the date of notification shall be completely removed or made to conform within one (1) year from the date of notification as required by SMC 15.13021.090220, Notice of Abatement or Required Conformance.
- B. Any nonconforming land use of a structure ~~building~~ which cannot be legally established with adequate documentation (King County Tax lot number creation date, tax records of business) shall be required to be removed or made to conform within three (3) years from the date of notification as required by SMC 15.21130.090220, Notice of Abatement or Required Conformance. (Ord. 92-1041 § 1)

~~15.21130.090~~ 21210 Notice of Abatement or Required Conformance

When any nonconforming condition exists which is subject to abatement, it shall be the responsibility of the Planning and Community Development Department to ascertain, with all available means, the approximate date upon which the nonconforming use was established or acquired. Upon determination of legal or illegal nonconforming rights, the ~~d~~Department will use ~~follow~~ the following process:

- A. The ~~d~~Department shall notify the owner and lessee of the subject property of the intent to consider the matter and the date of such consideration before the Hearing Examiner.
- B. The ~~D~~Department shall consider all pertinent dates and facts in the written determination and provide the opportunity for the owner or lessee to present such evidence which properly relates to such case. The ~~division~~Department shall establish the facts upon which the determination is made to require such property owner to abate or make the use conforming.
- C. The ~~D~~Department shall notify the owner of record and any occupants, in writing, of the staff determination by certified mail and notify all property owners ~~within three hundred (300) feet of the subject property boundaries of the determination and the appeal process~~ using the method for Notice of Applications as described in SMC 16A.09.030, Distribution.
- D. ~~The staff determination~~Department Staff shall present a ~~method~~decision by which the ~~use or uses~~nonconforming condition(s) shall be abated or made conforming. Any person in opposition of the decision may appeal that decision to the Hearing Examiner per ~~SMC 22.333.333~~.
- E. ~~The appeal shall be filed no more than ten (10) working days from the date of mailing of the decision. (Ord. 92-1041 § 1)~~

~~15.21130.095~~ 130 Reuse of Nonresidential Facilities — General Standards

~~Upon major conditional use permit review and approval an interim or permanent reuse of surplus, nonresidential facilities in residential zone classifications shall require that no more than fifty percent (50%) of the original floor area may be demolished for either permanent or interim reuse of facilities. (Ord. 97-1011 § 7; Ord. 92-1041 § 1)~~

~~15.21130.100~~ 140 Reuse of Facilities — Re-establishment of Closed Public School Facilities

~~Upon major conditional use permit review and approval the re-establishment or reconversion of an interim nonschool use of school facilities back to school uses shall have a site plan approved~~

~~by the Hearing Examiner decision and administered by the City Manager, or designee. (Ord. 97-1011 § 8; Ord. 95-1012 § 1; Ord. 92-1041 § 1)~~

~~15.21130.110 150 Reuse of Facilities — Standards for Conversion of Historic Buildings~~

~~In order to insure that significant features of the property are protected pursuant to City Codes, the following standards shall, through the major conditional use permit review, apply to conversion of historic buildings:~~

- ~~A. Gross floor area of building additions or new buildings required for the conversion shall not exceed twenty percent (20%) of the gross floor area of the building, unless allowed by the zone classifications;~~
- ~~B. Conversions to apartments shall not exceed one (1) dwelling unit for each three thousand six hundred (3,600) square feet of lot area, unless allowed by the zone classifications;~~
- ~~C. Any construction required for the conversion shall require certification of appropriateness from the City and the King County Landmark Commission. (Ord. 97-1011 § 9; Ord. 92-1041 § 1)~~

Chapter 15.13524

Development Incentives ~~Density Incentives~~

SECTIONS:

15.13524.005010 Purpose

15.135.010 Authority and Application

15.13524.015060 Review Process

~~15.24.020 Permitted Locations of Residential Density Incentives~~

~~15.24.030 Maximum Densities Permitted Through Residential Density Incentive Review~~

~~15.24.035 Permitted Locations of Commercial Density Incentives~~

~~15.24.037 Maximum Densities Permitted Through Commercial Density Incentive Review~~

~~15.24.040 Public Benefits and Density Incentives~~ 15.135.100 Development Incentives Chart

~~15.24.050 Rules for Calculating Total Permitted Dwelling Units/Increased Site Coverage~~

~~15.24.070 Tree Retention, Landscaping, and Other Development Standards~~

15.13524.005010 Purpose

The purpose of this chapter is to provide ~~density~~ incentives to ~~developers of~~ residential and commercial development projects ~~lands and rural activity centers~~, in exchange for providing public benefits that help achieve Comprehensive Plan goals of affordable housing, historic preservation, energy conservation and economic redevelopment. This is accomplished through this code by:

- A. Defining, in quantified terms, the benefits that can be used to earn ~~density~~ incentives.
- B. Providing methods ~~rules and formulas~~ for computing ~~density~~ incentives for each benefit.
- C. ~~Providing a method to realize the development potential of sites containing unique features of size, topography, environmental features or shape; and~~
- D. ~~Providing a review process to allow evaluation of proposed public benefits and potential allowances, and to give the public opportunities to review and comment. (Ord. 92-1041 § 1)~~

15.135.010 Authority and Application

15.24.020 Permitted Locations of Residential Density Incentives

~~A. B. Residential Ddevelopments in the ULR, UMR, and UHR zones with property-specific development standards pursuant to Chapter 15.18 SMC, which require any public benefit enumerated in this chapter, shall be eligible to earn incentives bonus dwelling units set forth in the Development Standards Chart subsection (C) of this section by complying with the property specified standards when the public benefits provided exceed the basic development standards of this title. If the basic standards are modified through the application of a zoning special district overlay, bonus points may be earned if the development provides public benefits exceeding corresponding standards of the zoning special district overlay.~~

B. Residential density incentives (RDI) shall be permitted in the following zones: used only on sites served by public sewers and public water and only in the:

1.A. ULR, UMR, UHR, RH-MU, and RTMHP zones; or

2.B. NC, CM-1, CM-2, CH-1, and CH-2CB, O/CM, and ABC zones when part of a residential mixed-use development that includes a residential component.

15.24.030 Maximum Densities Permitted Through Residential Density Incentive Review

15.24.035 Permitted Locations of Commercial Density Incentives

~~C.B. Commercial density incentives (CDI) shall be permitted in the following zones: used only on sites served by public sewers and public water and only in the:~~

1.A. CM-1, CM-2, CH-1, and CH-2CB and ABC zones; or

2.B. ILI and BP zones when part of a mixed-use development.

15.24.037 Maximum Densities Permitted Through Commercial Density Incentive Review

~~D.C. The maximum density permitted as a result of through RDI review shall be one hundred thirty percent (130%) of the base density (dwelling units) of the underlying zone of the development site.~~

E. The maximum density permitted as a result of through CDI review shall be one hundred thirty percent (130%) of the base density (lot coverage or reduction in parking or landscaping) of the underlying zone of the development site.

15.19.070610 Application of Incentives

~~Intent: Support the combination of multiple residential incentives (RDI) and limiting while placing a cap on the total percentage of incentives that keeps the maximum potential density to 30% of the base density within a reasonable limit of the underlying zone.~~

~~The number of allowed units in a development may be increased for incorporation of the incentives in this section. The maximum density incentive that may be achieved through the application of multiple incentives is a thirty percent (30%) increase in the~~

~~base number of permitted units.~~ F. The maximum height incentive that may be achieved through the application of multiple incentives is a fifteen foot (15') increase in the maximum building height identified in ~~Chapter SMC 15.400, Dimensional Standards~~ 13.010 SMC. An incentive used to obtain additional height ~~in this chapter~~ may not be used to obtain additional density. ~~Density incentives as specified in Chapter 15.24 SMC may be combined with these incentives, but the total of all incentives may not exceed a thirty percent (30%) increase in the base number of permitted units.~~ The bonuses shall be on a building by building basis and are not transferable from one building to another.

15.24.0560 Review Process

- A. All RDI/CDI proposals can be reviewed concurrently with other City land use approvals or permits ~~through a public hearing (if necessary for other land use approvals)~~ to consider the proposed site plan and methods used to earn extra density. The following rules shall govern ~~hearing~~ requirements for reviewing RDI/CDI proposals with other land use approvals:
1. The preliminary site plan for any development proposing to use RDI/CDI provisions shall be combined with an application, where applicable, for including, but not limited to: a preliminary subdivision, planned unit development, special overlay, ~~district~~ or rezone.
 2. Applications for incentives through consolidated actions shall contain all of the information that would be required by the City if each application were considered separately.
 3. When a public hearing is necessary, notice of the public hearing shall state clearly if such hearing will consider consolidated application for the proposed development. The notice shall also include the development's proposed density and general description of the public benefits specified in this chapter and offered to earn extra density.
- B. RDI/CDI applications which propose to earn bonus units or additional site coverage by dedicating real property or public facilities shall include a letter from the City certifying that the proposed dedication qualifies for the density incentive.

~~15.24040 Public Benefits and Density Incentives~~

~~A. The public benefits eligible to earn increased densities, and the maximum incentive to be earned by each benefit, are set forth in subsection (C) of this section. For residential developments the density incentive is expressed as bonus dwelling units (or fractions of dwelling units) earned per level of public benefit provided. For commercial or industrial projects, the incentive is expressed as an~~

~~increase in the allowed lot coverage, or a reduction in the required landscaping/parking.~~

~~C. The following are the public benefits eligible to earn density incentives or reduced development standards through RDI/CDI review:~~

15.135.100 Development Incentives Chart

The public benefits eligible to earn incentives and the maximum incentive to be earned by each benefit, are set forth in this chart. For residential developments the density incentive is expressed as bonus dwelling units (or fractions of dwelling units) earned per level of public benefit provided. For commercial or industrial projects, the incentive is expressed as an increase in the allowed lot coverage, or a reduction in the required landscaping/parking.

BENEFIT	INCENTIVE
Affordable Housing	
<p>A. <u>Developments with at least thirty percent (30%) of the units maintained as rental housing permanently priced to serve non-elderly, low-income households <u>not intended for seniors</u> (rent shall be no greater than 30% of gross income for households at or below 50% of King County median income, adjusted for household size).</u></p> <p>A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to the City or authorized housing agency shall be recorded at final approval.</p>	<p><u>Density Bonus: A twenty percent (20%) increase in the allowed number of units shall be permitted. 1.5 bonus units per benefit unit, up to a maximum of 30 low income units per five (5) acres of site area; projects on sites of less than five (5) acres shall be limited to 30 low income units.</u></p>
<p>B. <u>Developments with at least thirty percent (30%) of the units maintained as rental housing designed and permanently priced to serve low-income senior citizens. (i.e., rent shall be no greater than 30% of gross income for one (1) or two (2) person households, one (1) member of which is 62 years of age or older, with incomes at or below 50% of King County median income, adjusted for household size).</u></p>	<p><u>Density Bonus: A twenty percent (20%) increase in the allowed number of units shall be permitted. 5 bonus units per benefit unit, up to a maximum of 60 low income units per five (5) acres of site area; projects on sites of less than five (5) acres shall be limited to 60 low-income units.</u></p>

BENEFIT	INCENTIVE
<p>A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to the City or authorized housing agency shall be recorded before final approval.</p>	
<p>C. Residential developments with a minimum of thirty-five percent (35%) of the units reserved as senior citizen assisted dwellings. <u>This shall not apply to developments designed solely for senior citizen assisted housing.</u></p>	<p><u>Density Bonus: A twenty percent (20%) increase in the allowed number of units shall be permitted. 5 bonus units per benefit unit, up to a maximum of 60 low-income units per five (5) acres of site area; projects on sites of less than five (5) acres shall be limited to 60 low-income units.</u></p>
	<p>Height Bonus: A ten foot (10') increase in the maximum allowed height shall be permitted.</p>

BENEFIT	INCENTIVE
<p>D. Moderate income housing reserved for qualified <u>owner-occupied</u> home buyers (total household income at or below 80% of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing. Prices shall be established based on typical underwriting ratios and other lending standards. There shall be no restriction placed on resale. Final approval conditions shall specify requirements for reporting.</p>	<p><u>The total site density may be increased up to 30% over the base density if at least 50% of the dwelling units are affordable to moderate income households. 75 bonus units per benefit unit. The applicant <u>Must is required to</u> -report to the City or <u>the</u> authorized housing agency on both buyer eligibility and housing prices. <u>The time limit on market price resales shall be at least 10 years subject to City review of the project financial prospectus.</u></u></p>
<p>D. Moderate income housing reserved for qualified home buyers (total household income at or below 80% of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing. Prices shall be established based on typical underwriting ratios and other lending standards. There shall be a 15-year restriction placed on resale. Final approval conditions shall specify requirements for reporting to City or authorized housing agency on both buyer eligibility and housing prices.</p>	<p>1.0 bonus units per benefit unit.</p>

BENEFIT	INCENTIVE
<p>E. Benefit units consisting of moderate income housing reserved for qualified home buyers (total household income at or below 80% of King County median, adjusted for household size). Benefit units shall be limited to owner-occupied housing. Resale prices shall be restricted to same qualified income group, based on typical underwriting ratios and other lending standards for 30 years from date of the first purchase of the housing unit. A covenant on the site that specifies the income level and other aspects of buyer eligibility, price levels and requirements for reporting to the City or authorized housing agency shall be recorded at final approval.</p>	<p>1.5 bonus units per benefit unit.</p>
<p>E. Mobile home park space or pad reserved for the relocation of an insignia or non-insignia mobile home that has been or will be displaced due to closure of a mobile home park located within the City pursuant to Chapter 3.26 and RCW 59.20, the <u>Manufactured Mobile Home Landlord-Tenant Act</u>.</p>	<p>1 bonus unit per benefit unit. <u>The total site density of an allowed manufactured or mobile home development may be increased up to 30% of the base density subject to site plan review.</u></p>
<p>Owner Occupied Housing</p>	
<p>A. Condominium developments with codes, conditions, and restrictions (CCR's) of the homeowners' association or other restrictive covenants to maintain home ownership within the condominium and restrict the number of units that may be used as rental units. CCR's shall be reviewed and approved by the Director of Planning and Community Development prior to recording to ensure this provision cannot be modified or eliminated.</p>	<p>Density Bonus: A thirty percent (30%) increase in the allowed number of units shall be permitted.</p>
	<p>Height Bonus: A fifteen foot (15') increase in the allowed building height shall be permitted.</p>

BENEFIT	INCENTIVE
Residential Unit Mix	
<p>A. Providing a mixture of unit sizes in a residential development with at least thirty-five percent (35%) of the units having at least two (2) bedrooms.</p>	<p>Density Bonus: A ten percent (10%) increase in the base density shall be permitted.</p> <p>Height Bonus: A five foot (5') increase in the allowed height shall be permitted.</p>
Parks and Open Space	
<p>A. Dedication of land for park site or trail right-of-way recreation or open space uses meeting City location and size standards for neighborhood, community or regional parks, and trails and accepted by the City through site plan review.</p>	<p>For an RDI, two (2) bonus additional dwelling units for every per-acre of usable park area exceeding the minimum requiredments of Chapter 15.19 for on-site recreation space, computed on the number of dwelling units permitted by the site's base density.</p>
<p>B. Improvement of dedicated park site to City standards for developed parks.</p>	<p>For an RDI, 75 bonus one (1) additional dwelling units over the base density will be allowed for each \$10,000 of value-added improvements to on-site parks or other parks within ¼ mile of the development. per-acre-of park improvements. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by dedication. 5% increase of site density/coverage for a CDI site.</p>
<p>C. Creation of <u>usable</u> open space/park for general public and employees in a commercial development <u>outside of the City Center or the South 154th Station Area</u>.</p>	<p><u>For each 1,000 square feet of open space/park, no more than a 5% increase in site coverage up to a maximum overall increase of 15%, or and a reduction of on-site surface parking requirements of 2 stalls landscaping by 5%.</u></p>

BENEFIT	INCENTIVE
<p>D. Enhanced pedestrian elements in the commercial development (i.e., mode separations between bicycle/auto/pedestrian; pedestrian corridors; service/retail outlets for employees/citizens).</p>	<p>Reduce overall parking and landscaping requirements by 5%.</p>
<p>D. Providing at least fifteen percent (15%) additional recreation and/or open space in a multi-family development.</p>	<p>Density Bonus: A ten percent (10%) increase in the allowed number of units shall be permitted.</p>
	<p>Height Bonus: A five foot (5') increase in the allowed building height shall be permitted.</p>
<p>Architectural Design</p>	
<p>A. Multi-family developments with the following enhanced design elements: 1. Incorporate all methods of articulation identified in 15.19.220 A; 2. Utilize all methods of window treatment identified in 15.19.220 C; and 3. Incorporate three (3) or more roof line variations identified in 15.19.220 E.</p>	<p>Density Bonus: A ten percent (10%) increase in the allowed number of units shall be permitted.</p>
	<p>Height Bonus: A five foot (5') increase in the allowed building height shall be permitted.</p>
<p>Historic Preservation</p>	
<p>A. Dedication of a <u>historic site or a site or portion of a site</u> containing a historic landmark to the City or a qualifying non-profit organization capable of restoring and/or maintaining the premises to standards set by the City in SMC 15.21.110</p>	<p>For an RDI site, the density of the development may be increased up to 30% over the base density if the appraised value of the dedication is determined to be at least \$100,000. 5 bonus units per acre of historic site for an RDI site. 10% increase of site density/coverage for a CDI site.</p>

BENEFIT	INCENTIVE
<p>B. Restoration of a site or structure designated as a historic landmark in accordance to City standards. Specific architectural or site plan layout, approved by the City.</p>	<p><u>For an RDI, the density of the development may be increased up to 30% over the base density if the value of the restoration is at least \$100,000.</u>5 bonus units per acre of site for an RDI site, or 1,000 square feet of floor area of building. 10% increase site density/coverage for a CDI, a 10% increase in site density/coverage over the allowed coverage may be allowed if the value of the restoration is at least \$100,000 site.</p>
Parking	
<p>A. Projects with a minimum of seventy-five percent (75%) of the parking placed underground.</p>	<p>Density Bonus: A ten percent (10%) increase in the allowed number of units shall be permitted.</p>
<p>B. Projects with a minimum of twenty-five percent (25%) of the parking placed underground.</p>	<p>Height Bonus: A five foot (5') increase in the allowed building height shall be permitted.</p>
<p>C. Projects that include a parking structure with a minimum of two hundred seventy-five (275) stalls.</p>	<p>Lot Coverage: A bonus up to five percent (5%) shall be granted.</p>
Energy Conservation	

BENEFIT	INCENTIVE
<p>A. Incorporation of conservation features in the construction of all on-site dwelling units heated by electricity that save at least 20% of space heat energy use from the maximum permitted by the Northwest Energy Code, as amended. No more than 50% of the required savings may result from the installation of heat pumps. None of the required savings shall be achieved by reduction of glazing area below 15% of floor area. Energy use shall be expressed as allowable energy load per square foot or as total transmittance (UA).</p>	<p>.15 bonus units per base unit that achieves the required savings.</p>
<p>B. Incorporation of conservation features in the construction of all on-site dwelling units heated by natural gas, or other non-electric heat source, that save at least 25% of space heat energy use from the maximum permitted by the Northwest Energy Code, as amended. None of the required savings shall be achieved by reduction of glazing area below 15% of floor area. Energy use shall be expressed as allowable energy load per square foot or as total transmittance (UA).</p>	<p>B. Incorporation of conservation features in the construction of all on-site dwelling units heated by natural gas, or other non-electric heat source, that save at least 25% of space heat energy use from the maximum permitted by the Northwest Energy Code, as amended. None of the required savings shall be achieved by reduction of glazing area below 15% of floor area. Energy use shall be expressed as allowable energy load per square foot or as total transmittance (UA). .10 bonus units per base unit that achieves the required savings. NOTE: When proposed energy conservation bonus units of this section are reviewed in conjunction with a subdivision or a short subdivision, the applicant shall provide data and calculations for a typical house of the type to be built in the development that demonstrates to the City's satisfaction how the required savings will be achieved. A condition of approval shall be recorded with the plat and shown on the title of each lot specifying the required energy savings that must be achieved in the construction of the dwelling unit. The plat notation shall also specify that the savings shall be based on the energy code in effect at the time of preliminary plat application.</p>

BENEFIT	INCENTIVE
Economic Redevelopment	
<p>A. Creation of a pedestrian-oriented core/frontage that incorporates an element of High Capacity Transit (HCT) or the Personal Regional/Rapid Transit (PRT).</p>	<p>Any one or a combination of the three noted benefits qualifies for: 15% increase in site density/coverage and a 10% reduction in required parking spaces.</p>
<p>B. Orientation of buildings to street frontage with parking to the rear or side of the development site, if not otherwise required.</p>	
<p>C. Construction of a HCT/PRT component that will benefit the site and the City's transportation infrastructure.</p>	

~~Any one or a combination of the three noted benefits qualifies for: 15% increase in site density/coverage and a 10% reduction in required parking spaces.~~

~~(Ord. 95 1016 § 27; Ord. 93 1036 § 16; Ord. 92 1041 § 1)15.24.050 Rules for Calculating Total Permitted Dwelling Units/Increased Site Coverage~~

~~A. The total dwelling units permitted through RDI review shall be calculated using the following steps:~~

- ~~1. Calculate the number of dwelling units permitted by the base density of the site in accordance with Chapter 15.13 SMC.~~
- ~~2. Calculate the total number of bonus dwelling units earned by providing public benefits listed in SMC 15.24.040(C).~~
- ~~3. Add the number of bonus dwelling units earned to the number of the dwelling units permitted by the base density.~~
- ~~4. Round fractional dwelling units to the nearest whole number; 0.49 or fewer dwelling units are rounded down.~~
- ~~5. Notwithstanding the number of bonus units earned, the maximum density of the RDI development site shall not exceed one hundred thirty percent (130%) of the site's basic density. On sites with more than one (1) zone or zone density, the maximum density shall be calculated for the site area in each individual zone. Bonus units may be allocated within the zones in the same manner as set forth in base units in Chapter 15.13 SMC.~~

~~B. The formulas for calculating the total number of dwelling units/increased site coverage permitted through RDI/CDI review is as follows:~~

- ~~1. Site Base Density Units + Bonus Density Units = Total Residential Density Units.~~
- ~~2. Site Coverage Allowed + Bonus Site Density Coverage = Total % Site Coverage. (Ord. 95-1016 § 28; Ord. 92-1041 § 1)~~

~~15.24.070 Tree Retention, Landscaping, and Other Development Standards~~

~~A. Any RDI development in the UMRM, UHRH, CBCH1 and ABCCH2 zones which is made up of seventy five percent (75%) or more townhouse and apartment dwellings shall provide perimeter landscaping and tree retention in accordance with the standards of Chapter 15.14 SMC for townhouse and apartment projects.~~

~~B. Landscaping standards for apartment dwellings in RDI developments in the UL, RL or UMRM zones which contain less than seventy five percent (75%) townhouse and apartment dwellings shall have the standards in Chapter 15.14 SMC modified as follows:~~

- ~~1. The perimeter and parking area landscaping requirements for townhouses and apartments shall apply only to the portion or portions of the project containing apartment dwellings;~~
- ~~2. Tree retention requirements of Chapter 15.14 SMC for townhouses and apartments shall apply only to lots containing apartments; and~~
- ~~3. The width of the landscaping required around each townhouse or apartment building may be reduced by eighty percent (80%) if the dwellings are in individual buildings of no more than four (4) units, each of which is at least two hundred (200) feet apart and not located on the site perimeter.~~

~~C. RDI site shall meet the lot coverage, impervious surface, building height limits, and other dimensional requirements of the zone with the base density most clearly comparable to the total approved density. Fractional densities shall be rounded to the nearest whole number (0.49 or less are rounded down) to determine which dimensional requirements apply. (Ord. 95-1016 § 29; Ord. 92-1041 § 1)~~

~~15.19.600 Incentives for Multi Family development~~

~~Purpose: To encourage types of development that are beneficial for the community, or for which there is a particular need. (Ord. 01-1031 § 1; Ord. 00-1002 § 2)~~

~~15.19.620 Senior Housing~~

~~Intent: Encourage the provision of senior housing within the community to allow for a variety of housing options to aging persons as their family size and housing needs change. This incentive is~~

~~not applicable to projects whose sole purpose is senior housing (i.e. adult family homes, assisted living facilities, nursing homes, etc.)~~

~~Density Bonus: A twenty percent (20%) increase in the allowed number of units shall be permitted when a minimum of thirty five percent (35%) of the units within the project are reserved as senior citizen assisted dwellings as defined by 15.10.220.~~

~~Height Bonus: A ten foot (10') increase in the maximum allowed height shall be permitted when a minimum of thirty five percent (35%) of the units within the project are reserved as senior citizen assisted dwellings as defined by SMC 15.10.220. (Ord. 08-1035 §2; Ord. 01-1031 § 1; Ord. 00-1002 § 2)~~

15.19.630 Mixture of Unit Sizes

~~Intent: Promote a mixture of unit sizes within a development, in order to encourage the presence of residents during the daytime. Larger units typically house families, where an adult may be present during the daytime. Having a mixture of unit sizes can contribute to a more secure community.~~

~~Density Bonus: A ten percent (10%) increase in the allowed number of units shall be permitted with a mixture of unit sizes in a development with at least thirty five percent (35%) of the units being two (2) bedroom or larger.~~

~~Height Bonus: A five foot (5') increase in the allowed height shall be permitted with a mixture of unit sizes in a development with at least thirty five percent (35%) of the units being two (2) bedroom or larger. (Ord. 08-1035 § 3; Ord. 01-1031 § 1; Ord. 00-1002 § 2)~~

15.19.640 Condominium/Owner Occupied Housing

~~Intent: Encourage units to be constructed as condominiums, and remain owner occupied through codes, conditions, and restrictions (CCR's) or other restrictive covenants, contributing to a sense of ownership, investment in the community, and stability in the resident population of multi-family areas.~~

~~Density Bonus: A thirty percent (30%) increase in the allowed number of units shall be permitted for a condominium development, where the codes, conditions, and restrictions (CCR's) of the homeowners' association or other restrictive covenants are set up to maintain home ownership within the development and restrict the number of units that may be used as rental properties. CCR's shall be reviewed and approved by the Director of Planning and Community Development prior to recording to ensure this provision cannot be modified or eliminated.~~

~~Height Bonus: A fifteen foot (15') increase in the allowed building height shall be permitted for a condominium development, where the codes, conditions, and restrictions (CCR's) of the homeowners' association or other restrictive covenants are set up to maintain home ownership within the condominium and restrict the number of units that may be used as rental units. CCR's shall be reviewed and approved by the Director of Planning and Community Development prior~~

~~to recording to ensure this provision cannot be modified or eliminated. (Ord. 08-1035 Ord. § 4; 01-1031 § 1; Ord. 00-1002 § 2)~~

~~15.19.650 Underground Parking~~

~~Intent: Promote the placement of parking underground in order to facilitate urban spaces, pedestrian orientation, and greater efficiency in use of land for housing and open space.~~

~~Density Bonus: A ten percent (10%) increase in the allowed number of units shall be permitted for developments where a minimum of seventy five percent (75%) of the parking is placed underground.~~

~~Height Bonus: A five foot (5') increase in the allowed building height shall be permitted for developments where a minimum of twenty five percent (25%) of the parking is placed underground. (Ord. 08-1035 § 5; Ord. 01-1031 § 1; Ord. 00-1002 § 2)~~

~~15.19.660 Outdoor Recreation/Open Space~~

~~Intent: Encourage the placement of additional open space throughout multi-family developments in order to enhance outdoor recreational opportunities for residents.~~

~~Density Bonus: A ten percent (10%) increase in the allowed number of units shall be permitted when at least fifteen percent (15%) additional recreation and/or open space, over that is required, is provided within a multi-family development.~~

~~Height Bonus: A five foot (5') increase in the allowed building height shall be permitted when at least fifteen percent (15%) additional recreation and/or open space, over that is required, is provided within a multi-family development. (Ord. 08-1035 § 6)~~

~~15.19.670 Architectural Design~~

~~Intent: Promote enhanced building layout and design in multi-family buildings through the incorporation of additional design elements and features.~~

~~Density Bonus: A ten percent (10%) increase in the allowed number of units shall be permitted when additional building design is provided within a multi-family development.~~

~~Height Bonus: A five foot (5') increase in the allowed building height shall be permitted when additional building design is provided within a multi-family development.~~

~~The enhanced design elements shall consist of the following:~~

~~A. Incorporate all methods of articulation identified in 15.19.220 A.~~

~~B. Utilize all methods of window treatment identified in 15.19.220 C.~~

~~C. Incorporate three (3) or more roof line variations identified in 15.19.220 E.~~

~~(Ord. 08-1035 § 7)~~

SMC 15.13.110

- ~~i. Park Fund. A lot coverage bonus up to three percent (3%) may be granted upon contribution of five thousand dollars (\$5,000) per acre of land developed. For the purpose of this bonus, per acre of land shall be determined as total parcel area minus any portions of the property that may be constrained due to wetlands, steep slopes, etc. Land may be dedicated to the City for the purpose of parks and/or open space in lieu of payment. Payments may be phased over a five (5) year period with a ten percent (10%) surcharge on all phased payments. Proof of payment or method of payment must be approved prior to the issuance of a building permit. Funds will be administered by the Department of Planning and Community Development and must be spent on projects consistent with an adopted City Parks and Recreation Plan.~~
- ~~ii. Child Care. A lot coverage bonus up to five percent (5%) may be granted for development which provides child care facilities for employees. The facility shall be available to all employees of the development in conformance with the State Department of Social and Health Services requirements. A cooperatively managed child care facility established and run by employees is allowed.~~
- ~~iii. Art Exhibit Area. A lot coverage bonus of one percent (1%) may be granted for each one thousand (1,000) square feet designated for an outdoor art exhibit. A minimum of two thousand (2,000) square feet for exhibiting art must be granted in order to use this option. A maximum bonus of three percent (3%) may be established upon recommendation by the Planning Commission. The art exhibit areas must be established in building and site plans that are submitted for permits. The art exhibit must be easily accessible to the general public.~~
- ~~iv. Transit Center. A lot coverage bonus up to ten percent (10%) may be granted for property dedicated for a transit center. Land donated shall be transferred to and accepted by the local agency and transit operator who will be responsible for development of the transit center site. Proof of an acceptable site must be furnished at the time of submittal of the permit applications. Land area dedicated may be included to determine the maximum lot coverage for the development.~~
- ~~v. Structured Parking. A lot coverage bonus up to five percent (5%) may be granted for projects that include a parking structure with a minimum of two hundred seventy five (275) stalls.~~

~~vi. Mobile Home Relocation Assistance. A lot coverage bonus up to ten percent (10%) shall be granted for redevelopment projects that provide relocation assistance to residents of mobile home parks consistent with an approved relocation plan. The City shall include any lot coverage bonus as part of an approved relocation plan.~~

Chapter 15.27140 **Annexations**

SECTIONS:

15.27140.01005 Purpose

15.27140.020 Conformance to the Comprehensive Plan

15.27140.030 Preannexation Comprehensive Planning and Proposed Zoning Regulations

15.27140.040 Adoption of Comprehensive Land Use Plan and/or Proposed Zoning Regulations

15.27140.050 Notice of Public Hearings

15.27140.010-005 Purpose

The purpose of this section is to define the land use/Comprehensive Plan designations for preannexation into the City. The actual annexation process, standards and requirements are pursuant to adopted state law. (Ord. 92-1041 § 1)

15.27140.020 Conformance to the Comprehensive Plan

All territory which may hereafter be annexed to the City shall be considered to be zoned in conformance with the City Comprehensive Plan for the area to be annexed. In the event the area annexed is not within the area encompassed by the City Comprehensive Plan, its temporary zoning shall be the zone in the City in this code which corresponds in description most closely to the existing zoning of the property in the County until such time as the City has amended its Comprehensive Plan to include the annexed area. (Ord. 92-1041 § 1)

15.27140.030 Preannexation Comprehensive Planning and Proposed Zoning Regulations

The City Council may direct the Planning Commission to prepare a comprehensive land use plan and/or proposed zoning regulations to become effective upon the annexation of any area which might reasonably be expected to be annexed by the City at any future time. (Ord. 92-1041 § 1)

15.27140.040 Adoption of Comprehensive Land Use Plan and/or Proposed Zoning Regulations

Adoption of a comprehensive land use plan and/or proposed zoning regulations for an annexation area shall require a public hearing before the Planning Commission. In addition, a minimum of two (2) public hearings before the City Council shall be held at least thirty (30) days apart. A certified copy of the ordinance adopting such proposed zoning regulation, together with

a copy of a map or plat to which the regulations are applicable, shall be filed with Boundary Review Board and King County. (Ord. 92-1041 § 1)

15.27140.050 Notice of Public Hearings

Notice of the hearings required to be held pursuant to this chapter shall include the date, time and place of the hearing, shall identify in general terms the property affected thereby, shall set forth the action requested and shall invite all persons who desire to be heard to be in attendance. At least ten (10) days prior to the date of the hearing, the notice shall be:

- A. Sent by first class mail to each property owner of record within the subject property and within three hundred (300) feet of the subject property;
- B. Published once in a paper of general circulation in the City; and
- C. Posted in at least three (3) locations within the subject property, at SeaTac City Hall, and in at least one other public place.

When the city, acting in good faith, complies with the above provisions, omission of a property owner in the public notice mailing does not preclude the Planning Commission or City Council from proceeding with the public hearing. All costs of posting, publishing and mailing shall be borne by the applicant, and the applicant may be required to submit preaddressed, stamped envelopes for the notices required to be mailed by this section. The hearing called pursuant to the notice set forth in this section may be continued at the discretion of the body conducting the hearing to another date without the necessity of additional notices being given. (Ord. 92-1041 § 1)