



CITY OF SEATAC

PLANNING COMMISSION MEETING

City Council Chambers, SeaTac City Hall, 4800 S. 188th Street
September 6, 2016, 5:30 p.m.

MEETING AGENDA

- 1) Call to Order/Roll Call – 5:30 p.m.
- 2) Public Comment: Public comment will be accepted on items not scheduled for a public hearing
- 3) Approval of minutes of August 16, 2016 regular meeting (Exhibit A)
- 4) Public Hearing: Low Impact Development (L.I.D.) Code amendments (SMC Titles 13, 14 15 & 18) (Exhibit B & appendices)
- 5) Final Worksession: Urban Agriculture Code Amendments (Exhibit C)
- 6) CED Director's Report
- 7) Planning Commission Comments (including suggestions for next meeting agenda)
- 8) Adjournment

A quorum of the City Council may be present.

The Planning Commission consists of five members appointed by the Mayor and confirmed by the City Council. The Commission primarily considers plans and regulations relating to the physical development of the city, plus other matters as assigned. The Commission is an advisory body to the City Council.

All Commission meetings are open to the public and comments are welcome. Please be sure to be recognized by the Chair prior to speaking.

**CITY OF SEATAC
PLANNING COMMISSION
Minutes of August 16, 2016
Regular Meeting**

Members present: Joe Adamack, Roxie Chapin, Tom Dantzler, Jim Todd
Members absent: Robert Scully (excused)
Staff present: Acting Community Development Director Jeff Robinson; Steve Pilcher, Planning Manager; Don Robinett, Stormwater Manager; Kate Kaehny, Senior Planner

1. Call to Order

Chair Adamack called the meeting to order at 5:34 p.m.

2. Public Comment

Earl Gipson inquired as to which Planning Commissioners' terms were expiring in September. Mr. Pilcher stated that included Commissioners Adamack, Chapin and Dantzler and that since that notice was posted, he had been advised by the City Clerk that sitting Commission members simply need to indicate to the Mayor whether they wish to continue and their terms will be extended.

3. Approval of Minutes

Moved and seconded to approve the minutes of the August 2, 2016 regular meeting. **Passed 4-0.**

4. Worksession: Low Impact Development (L.I.D.) Code Integration

Stormwater Manager Don Robinett reminded the Commission these code changes are being proposed as required by the City's NPDES Phase II permit. He emphasized that these are just recommendations at this time and that staff is looking for input at this time.

Mr. Robinett reviewed the L.I.D. mandate and reviewed the process that has occurred to date. He noted that range of codes and planning documents that have been reviewed.

Rebecca Dugopolski of Herrera Environmental Consultants reviewed the key revisions being proposed to the various chapters of the SeaTac Municipal Code, including Chapter 11.10, 12.10 and Titles 13, 14, 15 and 18. She noted there are two definitions of "open space" in Title 14 and that staff will need to determine which one should be retained.

In the Zoning Code (Title 15), she noted the proposal will require retention of trees on single family lots. Several Planning Commissioners expressed concern about this requirement. Mr.

Gipson expressed strong objections. After discussion, it was agreed to remove this from the proposal.

Ms. Dugopolski then reviewed the changes under consideration to the other portions of the Municipal Code. She stated that various Public Works standards are being evaluated, including the stormwater manual.

Mr. Robinett then reviewed the concept of “infeasibility” and how developer-friendly recommendations will be employed. A project to map areas of “infeasibility” will be completed by January 1, 2017.

Mr. Robinett then reviewed the planned path of moving forward, with a targeted Council adoption date of November 22, 2016. The Commission will conduct a public hearing on this matter at their September 6 regular meeting.

5. Worksession: Urban Agriculture Code Amendments

Senior Planner Kate Kaehny re-introduced Kara Martin. Kara is the consultant working with staff on developing regulations concerning urban agriculture. Ms. Martin has experience in doing so for a number of King County cities.

Ms. Kaehny reviewed the proposed code addressing community gardens, market gardens, urban farms and produce stands. Staff is recommending community gardens be allowed in all but industrial zones and is still exploring the issue of whether parking should be required.

Concerning market gardens (<10,000 sq. ft. in size), staff was asking for direction as to whether allow both wholesale and retail sales. The Commission indicated that given the size restriction for market gardens, wholesale sales should be allowed. The Commission also recommended that market gardens only be allowed on owner-occupied properties.

Staff is recommending not allowing urban farms in single family residential zones, but has found at least two sites in north SeaTac that appear to be urban farms. After discussion, the Commission recommended that urban farms be an allowed use in single family areas, provided they are on owner-occupied properties. Ms. Kaehny indicated that staff will be reviewing possible off-street parking standards.

Regarding produce stands, staff is recommending that only one per site be allowed in single family residential zones, 200 sq. ft. maximum size. The front yard setback standard will need to be waived for these structures.

Staff will continue to work on these proposals, with the intent of having a public hearing on September 20th.

6. Keeping of animals in residential zones

Planning Manager Steve Pilcher stated he had nothing new to report, as he is waiting for information from the Police Department.

7. CED Director's Report

Mr. Pilcher reported that two new staff will be starting in the CED Department: a new Code Compliance Program Coordinator on Monday, August 22 and a new Associate Planner on Monday, August 29. The department is also currently interviewing candidates for a Permit Coordinator position and recruiting for an Administrative Assistant to provide support in Code Compliance.

Mr. Pilcher also announced there will be a farewell party for retiring Senior Planner Mike Scarey on Thursday, September 1 at 2:30 p.m. in the Council Chambers. He also noted that The Reserve retirement apartments are now leasing and that the Angle Lake Station remains on track to open in late September.

8. Commissioner Comments

Commissioner Dantzler asked that staff investigate what it would take to set up a separate Port district for the City and also a Free Trade Zone.

9. Adjournment

Moved and seconded to adjourn. Motion passed 4-0. The meeting adjourned at 7:25 p.m.

Chapter 13.190

CLEARING AND GRADING CODE

Sections:

- 13.190.010 Purpose.
- 13.190.020 Definitions.
- 13.190.030 Administration.
- 13.190.040 Hazards.
- 13.190.050 Clearing and grading permit required – Exceptions.
- 13.190.055 Permit exception criteria.
- 13.190.060 Temporary permits.
- 13.190.070 Applications – Complete applications.
- 13.190.080 Permit requirements.
- 13.190.090 Liability insurance required – Exception.
- 13.190.100 Operating conditions and standards of performance.
- 13.190.110 Land restoration.
- 13.190.120 Shorelines.
- 13.190.130 Enforcement.
- 13.190.140 Forest practices.
- 13.190.150 Clearing standards.
- 13.190.160 Financial guarantees authorized.

13.190.010 Purpose.

A. This chapter is intended to regulate clearing and removal of vegetation, excavation, grading and earthwork construction including cuts and fills, gravel pits, dumping, quarrying and mining operations within City of SeaTac in order to protect public health, safety and welfare by:

1. Minimizing adverse storm water impacts generated by the removal of vegetation and alteration of landforms;
2. Protecting water quality from the adverse impacts associated with erosion and sedimentation;
3. Minimizing aquatic and terrestrial wildlife habitat loss caused by the removal of vegetation;
4. Protecting sensitive areas from adverse clearing and grading activities;
5. Facilitating and encouraging long-term forest practice and agricultural production operations where appropriate;
6. Minimizing the adverse impacts associated with quarrying and mining operations;
7. Preventing damage to property and harm to persons caused by excavations and fills;

8. Establishing administrative procedures for the issuance of permits, approval of plans, and inspection of clearing and grading operations; and

9. Providing penalties for the violation of this chapter.

B. This chapter establishes the administrative procedure for issuance of permits, provides for approval of plans and inspection of clearing and grading operations, and provides for penalties for the violation of this chapter.

C. Conflicts. In case of a conflict between these provisions and those relating to clearing and grading found in any of the other technical codes adopted by this title, these provisions shall apply. (Ord. 13-1009 § 6 (part); Ord. 04-1008 § 3)

13.190.020 Definitions.

The definitions in this section apply throughout this chapter, unless otherwise clearly indicated by their context, and mean as follows:

A. “Applicant” means a property owner or a public agency or a public or a private utility which owns a right-of-way or other easement or has been adjudicated the right to such an easement pursuant to RCW 8.12.090, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit or approval.

B. “Bench” means a relatively level step excavated or constructed on the face of a graded slope surface for drainage and maintenance purposes.

C. “Berm” means a mound or raised area used for the purpose of screening a site or operation.

D. “Best Management Practice (BMP)” means any schedule of activities, prohibition of practices, maintenance procedure, or structural and/or managerial practice that, when used singly or in combination, prevents or reduces the release of pollutants and other adverse impacts to surface water, stormwater and groundwater.

DE. “Civil engineer” means an engineer who is licensed as a professional engineer in the branch of civil engineering by the State of Washington.

FE. “Clearing” means the cutting or removal of vegetation or other organic plant material by physical, mechanical, chemical or any other means.

GF. “Clearing and grading permit” means the permit required by this chapter for clearing and grading activities, including temporary permits.

HG. “Compaction” means the densification of a fill by mechanical means.

IH. “Cutting” means the severing of the main trunk or stems from close to or at the soil surface or at a point up to twenty-five percent (25%) of the total vegetation height.

J. “Director” means the Director or the authorized agent of the City of SeaTac Public Works Department or designee.

KJ. “Duff” means decaying vegetation matter covering the ground under trees, or organic soils.

LK. “Earth material” means any rock, natural soil or any combination thereof.

ML. “Erosion” means the wearing away of the ground surface as the result of the movement of wind, water and/or ice.

NM. “Excavation” means the removal of earth material.

O. “Erosion and sediment control (ESC)” means any temporary or permanent measures taken to reduce erosion, control siltation and sedimentation, and ensure that sediment-laden water does not leave the site, adversely impact LID BMPs, or enter into wetlands or aquatic areas.

NP. “Fill” means a deposit of earth material placed by mechanical means.

QQ. “Geotechnical engineer” means a person licensed by the State of Washington as a professional civil engineer who has expertise in geotechnical engineering.

RP. “Grade” means the elevation of the ground surface.

1. “Existing grade” means the grade prior to grading.
2. “Rough grade” means the stage at which the grade approximately conforms to the approved plan as required in SMC 13.190.080.
3. “Finish grade” means the final grade of the site which conforms to the approved plan as required in SMC 13.190.080.

SQ. “Grading” means any excavating, filling, removing of the duff layer, or combination thereof.

T. “Low Impact Development (LID)” means a stormwater and/or land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

U. “Low Impact Development (LID) Best Management Practices (BMP)” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, permeable pavement, limited infiltration systems, roof downspout controls, dispersion, soil amendments, and minimal excavation foundations.

V. “Native vegetated surface” means a surface in which the soil conditions, ground cover, and species of vegetation are like those of the original native condition for the site. More specifically, this means (1) the soil is either undisturbed or has been treated according to the "native vegetated landscape" specifications in Appendix C of the Surface Water Design Manual; (2) the ground is either naturally covered with vegetation litter or has been top-dressed between plants with 4 inches of mulch consistent with the native vegetated landscape specifications in Appendix C of the Surface Water Design Manual; and (3) the vegetation is either (a) comprised predominantly of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and that reasonably could have been expected to occur naturally on the site or (b) comprised of plant species specified for a native vegetated landscape in Appendix C of the Surface Water Design Manual. Examples of these plant species include trees such as Douglas fir, western hemlock, western red cedar, alder, big- leaf maple and vine maple; shrubs such as willow, elderberry, salmonberry and salal; and herbaceous plants such as sword fern, foam flower, and fireweed.

WR. “Reclamation” means the final grading and land restoration of a site.

XS. “Shorelines” means those lands defined as shorelines in the State Shorelines Management Act of 1971.

YF. “Site” means any lot or parcel of land or contiguous combination thereof where projects covered by this chapter are performed or permitted where a public street or way may intervene.

ZU. “Slope” means an inclined ground surface, the inclination of which is expressed as a ratio of vertical distance to horizontal distance.

AA. “Stormwater facilities” means drainage facilities or features used to meet water quality treatment and/or flow control requirements by utilizing processes such as infiltration, dispersion, storage, evaporation, and transpiration.

BBV. “Structure” means that which is built or constructed, 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.

CC. “Surface Water Design Manual” means the King County Surface Water Design Manual (KCSWDM), as amended by the City of SeaTac Addendum to the KCSWDM adopted in SMC 12.10.010.

DDW. “Terrace” means a relatively level step excavated or constructed on the face of a graded slope surface for drainage and maintenance purposes.

XEE. “Tree” means a large woody perennial plant usually with a single main stem or trunk and generally over twelve (12) feet tall at maturity.

YFF. “Understory” means the vegetation layer of a forest that includes shrubs, herbs, grasses, and grasslike plants, but excludes native trees.

GG. “Vegetated LID BMPs” means LID BMPs that utilize landscaping.

ZHH. “Vegetation” means any and all organic plant life growing at, below, or above the soil surface. (Ord. 13-1009 § 6 (part): Ord. 04-1008 § 3)

13.190.030 Administration.

The Director is authorized to enforce the provisions of this chapter.

A. Inspections. The Director is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

B. Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the Director has reasonable cause to believe that any land, building, structure, premises, or portion thereof is being used in violation of this chapter, the Director may enter such land, building, structure, premises, or portion thereof at all reasonable times to inspect the same or perform any duty imposed upon the Director by this chapter; provided, that if such building, land, structure, premises or portion thereof is occupied, he shall first present proper credentials and demand entry; and if such land, building, structure, premises, or portion thereof be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the land, building, structure, premises, or portion thereof and demand entry.

No owner or occupant or any other person having charge, care or control of any building, land, structure, premises, or portion thereof shall fail or neglect, after proper demand, to promptly permit entry thereon by the Director for the purpose of inspection and examination pursuant to this chapter. Any person violating this subsection is guilty of a misdemeanor. (Ord. 13-1009 § 6 (part): Ord. 04-1008 § 3)

13.190.040 Hazards.

Whenever the Director determines that an existing site, as a result of clearing or grading, excavation, embankment, or fill, has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the clearing, grading, excavation or fill is located or other person or agent in control of said property, upon receipt of notice in writing from the Director, shall within the period specified therein restore the site affected by such clearing or grading or repair or eliminate such excavation or embankment or fill so as to eliminate the hazard and be in conformance with the requirements of this chapter. (Ord. 13-1009 § 6 (part): Ord. 04-1008 § 3)

13.190.050 Clearing and grading permit required – Exceptions.

No person shall do any clearing or grading without first having obtained a clearing and grading permit from the Director, unless it meets one (1) of the exception criteria identified in SMC 13.190.055 and meets all of the conditions identified below:

A. The project includes less than seven thousand (7,000) square feet of land disturbing activity; and

B. The performance and restoration requirements of this chapter are met and best management practices are utilized to protect water quality; and

C. The activity does not occur in a sensitive area or its buffer regulated under SMC Title 15. (Ord. 13-1009 § 6 (part): Ord. 04-1008 § 3)

13.190.055 Permit exception criteria.

A. An on-site excavation or fill for basements and footings of a building, retaining wall, or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation, nor exempt any excavation having an unsupported height greater than four (4) feet after the completion of such structure;

B. The depositing or covering of any garbage, rubbish or other material at any solid waste facility operated by City of SeaTac or King County;

C. Maintenance of existing driveways or private access roads within their existing road prisms;

D. Any grading within a publicly owned road right-of-way;

E. Clearing or grading by a public agency for the following routine maintenance activities:

1. Roadside ditch cleaning, provided the ditch does not contain salmonids;
2. Pavement maintenance;
3. Normal grading of gravel shoulders;
4. Maintenance of culverts;
5. Maintenance of flood control or other approved surface water management facilities;
6. Routine clearing within road right-of-way;

F. Maintenance or reconstruction of the facilities of a common carrier by a rail in interstate commerce within its existing right-of-way; provided restoration is consistent with SMC 13.190.110;

G. Excavation less than four (4) feet in vertical depth not involving more than fifty (50) cubic yards of earth or other material on a single site. This exception does not apply within an area placed into tracts or easements for a wildlife habitat corridor pursuant to SMC Title 15 unless the proposed activity is otherwise exempt under SMC Title 15;

H. Fill less than three (3) feet in vertical depth not involving more than fifty (50) cubic yards of earth or other material per SMC 13.190.110 on a single site. This exception does not apply within an area placed into tracts or easements for a wildlife habitat corridor pursuant to SMC Title 15 unless the proposed activity is otherwise exempt under SMC Title 15. This exception does not apply to the placing of fill in fifty (50) cubic yard increments over time on a single site; fill shall not be placed on a single site in fifty (50) cubic yard increments to avoid the need to obtain a permit;

I. Minor stream restoration projects for fish habitat enhancement by a public agency, utility or tribe as set out in SMC Title 15;

J. Clearing and grading, performed as Class I, II, III or IV special forest practice in the City of SeaTac, that is conducted in accordance with Chapter 76.09 RCW and WAC Title 222;

K. Within environmentally sensitive areas, as regulated in SMC Title 15, the following activities are exempt from the clearing requirements of this chapter and no permit shall be required:

1. Normal and routine maintenance of existing lawns and landscaping subject to the limitations on the use of pesticides in sensitive areas as set out in SMC Title 15.
2. Permitted agricultural uses; provided the clearing is consistent with the agricultural exemptions in sensitive areas as regulated in SMC Title 15.
3. Emergency tree removal to prevent imminent danger or hazard to persons or property.
4. Normal and routine horticultural activities associated with commercial orchards, nurseries, or Christmas tree farms in existence on November 27, 1990, subject to the limitations on the use of pesticides in environmentally sensitive areas as set out in SMC Title 15. This does not include clearing or grading in order to develop or expand such activities.
5. Normal and routine maintenance of existing public parks trail easements owned by the City of SeaTac or dedicated to and accepted for maintenance by the City of SeaTac, and private and public golf courses. This does not include clearing or grading in order to develop or expand such activities in environmentally sensitive areas. For the purpose of this subsection, a park is defined as any real property managed for public use which has been previously maintained as a park or has been developed as a park pursuant to a properly issued permit.
6. Removal of noxious weeds from steep slope hazard areas and the buffers of streams and wetlands subject to the limitations on the use of pesticides in sensitive areas as set out in SMC Title 15.
7. Pruning and limbing of vegetation for maintenance of above ground electrical and telecommunication facilities; provided, that the clearing is consistent with the electric, natural gas, cable communication and telephone utility exemption in environmentally sensitive areas as regulated in SMC Title 15; that said utility has a franchise agreement or master use permit with the City of SeaTac; and that said utility obtains the required right-of-way use permit per Chapter 11.10 SMC.
8. Class II, III and IV special forest practices, provided they occur on parcels that meet all of the following criteria for long-term forestry:
 - a. The parcel is enrolled under the current use taxation program as timber land pursuant to Chapter 84.34 RCW or as forest land pursuant to Chapter 84.33 RCW;
 - b. A long-term management plan is approved for the parcel by the Washington Department of Natural Resources;
 - c. The parcel equals or exceeds five (5) acres in size;

L. Clearing within seismic hazard area, except on slopes greater than fifteen percent (15%) and subject to clearing restrictions contained in SMC Title 15, wildlife habitat corridors pursuant to SMC Title 15, critical drainage areas established by administrative rule or property-specific development standards pursuant to SMC Title 15; and provided the site contains no other sensitive area features;

M. Clearing within coal mine hazard area, subject to clearing restrictions contained in this section, wildlife habitat corridors pursuant to SMC Title 15, critical drainage areas established by administrative rule or property-specific development standards pursuant to SMC Title 15; and provided the site contains no other environmentally sensitive area features; and

N. Normal and routine maintenance of trail easements owned by the City of SeaTac or dedicated to and accepted for maintenance by the City of SeaTac. (Ord. 13-1009 § 6 (part))

13.190.060 Temporary permits.

The Director shall have the authority to issue temporary permits for excavations, processing, quarrying and mining, and removal of sand, gravel, rock and other natural deposits, together with the necessary buildings, apparatus or appurtenances incident thereto for specific jobs on application for highway, road, street, airport construction, flood control and other public works projects. In conjunction with such operations, allied uses such as, but not limited to, rock crushers, concrete-batching plants and asphalt-batching plants may be authorized by this temporary permit. The Director shall also have the authority to issue temporary permits for the removal of existing stockpiles of previously mined materials for the reclamation of land to its best use, consistent with the underlying zoning.

A. The Director shall consider the effect of the proposed operation on the City road system and any effect it may have on surface or groundwater drainage and flood control, and shall make such recommendations as are necessary to protect the public interest in this regard.

B. The Director shall also consider the effect of the proposed operation on the current and future land use in the area affected by the proposed operation and shall condition permits as necessary to protect the public interest in this regard. Temporary permits are good for the life of the contract of the specific job but must be reviewed annually. Each temporary permit site shall be fully restored during the term of the temporary permit. (Ord. 13-1009 § 6 (part); Ord. 04-1008 § 3)

13.190.070 Applications – Complete applications.

A. For the purposes of determining the application of time periods and procedures adopted by this chapter, applications for permits authorized by this chapter shall be considered complete as of the date of submittal upon determination by the Director that the materials submitted comply with SMC Title 16A and contain the following:

1. For clearing and grading permits:

a. A legal description and boundary sketch of the property;

b. A one to two thousand (1:2,000) scale vicinity map with a north arrow;

c. Grading plans on a sheet no larger than twenty-four (24) inches by thirty-six (36) inches and including:

i. A horizontal scale no smaller than one (1) inch equals thirty (30) feet;

ii. Vertical scale;

iii. Size and location of existing improvements within fifty (50) feet of the project, indicating which will remain and which will be removed;

- iv. Existing and proposed contours at two (2) foot intervals, and extending for one hundred (100) feet beyond the project edge;
 - v. At least two (2) cross-sections, one (1) in each direction, showing existing and proposed contours and horizontal and vertical scales;
 - vi. Temporary and permanent erosion-sediment control facilities;
 - vii. Permanent drainage facilities prepared per SMC 12.10.010;
 - viii. Structures to be built or construction proposed in landslide hazard areas; and
 - ix. Proposed construction or placement of a structure.
2. A completed environmental checklist, if required by Chapter 15.700 SMC, Environmentally Sensitive Areas.
 3. Satisfaction of all requirements for grading permits under SMC 13.190.080.

B. Applications found to contain material errors shall not be deemed complete until such material errors are corrected.

C. The Director may waive specific submittal requirements determined to be unnecessary for review of an application. (Ord. 16-1007 § 14; Ord. 13-1009 § 6 (part); Ord. 04-1008 § 3)

13.190.080 Permit requirements.

A. Except as exempted in SMC 13.190.050, no person shall do any clearing or grading without first obtaining a clearing and grading permit from the Director. A separate permit shall be required for each site and may cover both excavations and fills.

B. Application. To obtain a permit, the applicant shall first file an application in writing on a form furnished for that purpose. The Director shall prescribe the form by which application is made. No application shall be accepted unless it is completed consistent with the requirements of this chapter and the requirements of SMC Title 16A, Development Review Code. In addition to the requirements of SMC Title 16A, every application shall:

1. Identify and describe the work to be covered by the permit for which application is made;
2. Describe the land on which the proposed work is to be done, by lot, block, tract and house and street address, or similar description that will readily identify and definitely locate the proposed site;
3. Identify and describe those environmentally sensitive areas, as defined in SMC Title 15, on or adjacent to the site;
4. Indicate the estimated quantities of work involved;
5. Identify any clearing restrictions contained in SMC 13.190.150, wildlife habitat corridors pursuant to SMC Title 15, critical drainage areas established by administrative rule or property-specific development standards pursuant to SMC Title 15;

6. Be accompanied by plans and specifications as required in subsections (B) and (C) of this section;

7. Designate who the applicant is, on a form prescribed by the Department, except that the application may be accepted and reviewed without meeting this requirement when a public agency or public or private utility is applying for a permit for property on which the agency or utility does not own an easement or right-of-way and the following three (3) requirements are met:

- a. The name of the agency or public or private utility is shown on the application as the applicant;
- b. The agency or public or private utility includes in the complete application an affidavit declaring that notice of the pending application has been given to all owners of property to which the application applies, on a form provided by the Department; and
- c. The form designating the applicant is submitted to the Department prior to permit issuance; and

8. Give such other information as may be required by the Director.

C. Plans and Specifications. When required by the Director, each application for a grading permit shall be accompanied by four (4) sets of plans and specifications and other supporting data as may be required. The plans and specifications shall be prepared and signed by a civil engineer registered to practice in the State of Washington when required by the Director; provided, the Director may require additional studies prepared by a qualified geotechnical engineer. If the plans and specifications are returned as a result of permit denial or any other reason, they shall be returned to the applicant.

D. Information on Plans and in Specifications. Plans shall be drawn to an engineer's scale upon substantial paper or mylar and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this chapter and all other relevant laws, rules, regulations and standards. The first sheet of each set of plans shall give the location of the work and the name and address of the owner and the person by whom they were prepared. The plans shall include the following minimum information:

1. General vicinity of the proposed site;
2. Property limits and accurate contours of existing ground and details of terrain and area drainage;
3. Limiting dimensions, elevations or finished contours to be achieved by the grading, and proposed drainage channels and related construction;
4. Location of all proposed cleared areas, including areas for soil amendment;
5. Location of any open space tracts or conservation easements if required pursuant to:
 - a. SMC 13.190.150;

- b. SMC Title 15;
 - c. Critical drainage area; or
 - d. Property-specific development standards pursuant to SMC Title 15;
6. Calculations of the total proposed area cleared on site as a percentage of the total site area;
 7. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams, berms, settling ponds and other protective devices to be constructed with or as a part of the proposed work, together with the maps showing the drainage area and the estimated runoff of the area served by any drains;
 8. A determination of whether drainage review applies to the project pursuant to Chapters 12.05 and 12.30 SMC, and, if applicable, all drainage plans and documentation consistent with City of SeaTac Surface Water Design Manual (SMC 12.10.010) requirements;
 9. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners which are within fifty (50) feet of the property or which may be affected by the proposed grading operations;
 10. Landscape and rehabilitation plan as required by SMC 13.190.110;
 11. Other information as may be required by the Director; and
 12. If the clearing or grading is proposed to take place in or adjacent to a sensitive area as regulated in SMC Title 15, provide information as required by that title.

E. Granting of Permits.

1. The Director shall determine if the proposed grading will adversely affect the character of the site for present lawful uses or with the future development of the site and adjacent properties for building or other purposes as indicated by the comprehensive plan, the shoreline master program, and the zoning code.
2. After an application has been filed and reviewed, the Director shall also ascertain whether such grading work complies with the other provisions of this chapter. If the application and plans so comply, or if they are corrected or amended so as to comply, the Director may issue to the applicant a grading permit. A grading permit shall be valid for the number of days stated in the permit but in no case shall the period be more than two (2) years; provided, that when operating conditions have been met, the permit may be renewed every two (2) years, or less if a shorter approval and/or renewal period is specified by the Director.
3. No grading permit shall be issued until approved by Federal, State and local agencies having jurisdiction by laws or regulations.
4. Upon approval of the application and issuance of the grading permit, no work shall be done that is not provided for in the permit. The Director is authorized to inspect the premises at any reasonable time to determine if the work is in accordance with the permit application and plans.

5. The permits from the Director shall be required regardless of any permits issued by any other department of City government or any other governmental agency who may be interested in certain aspects of the proposed work. Where work for which a permit is required by this chapter is started or proceeded with prior to obtaining the permit, the violator shall be subject to such civil penalties as provided in Chapter 1.15 SMC. However, the payment of such civil penalties shall not relieve any persons from fully complying with the requirements of this chapter in the execution of the work nor from any other penalties prescribed thereon. (Ord. 13-1009 § 6 (part): Ord. 04-1008 § 3)

13.190.090 Liability insurance required – Exception.

The permittee shall maintain a liability policy in an amount not less than five hundred thousand dollars (\$500,000) per individual, five hundred thousand dollars (\$500,000) per occurrence, and one hundred thousand dollars (\$100,000) property damage, and shall name City of SeaTac as an additional insured. Exception: Liability insurance requirements may be waived for projects involving less than ten thousand (10,000) cubic yards. Liability insurance shall not be required of City of SeaTac departments, divisions, or bureaus. (Ord. 13-1009 § 6 (part): Ord. 04-1008 § 3)

13.190.100 Operating conditions and standards of performance.

A. Any activity that will clear, grade or otherwise disturb the site, whether requiring a clearing or grading permit or not, shall provide erosion and sediment control (ESC) that prevents, to the maximum extent possible, the transport of sediment from the site to drainage facilities, water resources and adjacent properties. Erosion and sediment controls shall be applied as specified by the temporary ESC measures and performance criteria and implementation requirements in the City of SeaTac erosion and sediment control standards. Activities performed as Class I, II, III or IV special forest practices shall apply erosion and sediment controls in accordance with Chapter 76.09 RCW and WAC Title 222.

B. Cuts and fills shall conform to the following provisions unless otherwise approved by the Director:

1. Slope. No slope of cut and fill surfaces shall be steeper than is safe for the intended use and shall not exceed two (2) horizontal to one (1) vertical, unless otherwise approved by the Director.
2. Erosion Control. All disturbed areas including faces of cuts and fill slopes shall be prepared and maintained to control erosion in compliance with subsection (A) of this section.
3. Preparation of Ground. The ground surface shall be prepared to receive fill by removing unsuitable material such as concrete slabs, tree stumps, brush and car bodies.
4. Fill Material. Except in an approved sanitary landfill, only earth materials which have no rock or similar irreducible material with a maximum dimension greater than eighteen (18) inches shall be used.
5. Drainage. Provisions shall be made to:
 - a. Prevent any surface water or seepage from damaging the cut face of any excavations or the sloping face of a fill;

b. Carry any surface waters that are or might be concentrated as a result of a fill or excavation to a natural watercourse, or by other means approved by the Department of Natural Resources and Parks.

6. Bench/Terrace. Benches, if required, at least ten (10) feet in width shall be backsloped and shall be established at not more than twenty-five (25) foot vertical intervals to control surface drainage and debris. Swales or ditches on benches shall have a maximum gradient of five percent (5%).

7. Access Roads – Maintenance. Access roads to grading sites shall be maintained and located to the satisfaction of the Director to minimize problems of dust, mud and traffic circulation.

8. Access Roads – Gate. Access roads to grading sites shall be controlled by a gate when required by the Director.

9. Warning Signs. Signs warning of hazardous conditions, if such exist, shall be affixed at locations as required by the Director.

10. Fencing. Fencing, where required by the Director, to protect life, limb and property, shall be installed with lockable gates which must be closed and locked when not working the site. The fence must be no less than five (5) feet in height and the fence material shall have no horizontal opening larger than two (2) inches.

11. Setbacks.

a. The tops and the toes of cut and fill slopes shall be set back from property boundaries as far as necessary for safety of the adjacent properties and to prevent damage resulting from water runoff or erosion of the slopes.

b. The tops and the toes of cut and fill slopes shall be set back from structures as far as is necessary for adequacy of foundation support and to prevent damage as a result of water runoff or erosion of the slopes.

c. Slopes and setbacks shall be determined by the Director.

12. Excavations to Water-Producing Depth. All excavations must either be made to a water-producing depth or grade to permit natural drainage. The excavations made to a water-producing depth shall be reclaimed in the following manner:

a. The depth of the excavations must not be less than two (2) feet measured below the low water mark.

b. All banks shall be sloped to the water line no steeper than three (3) feet horizontal to one (1) foot vertical.

c. All banks shall be sloped from the low-water line into the pond or lake with a minimum slope of three (3) feet horizontal to one (1) foot vertical to a distance of at least twenty-five (25) feet.

d. In no event shall the term “water-producing depth” as herein used be construed to allow stagnant or standing water to collect or remain in the excavation.

e. The intent of this provision is to allow reclamation of the land which will result in the establishment of a lake of sufficient area and depth of water to be useful for residential or recreational purposes.

C. Soil Amendment Requirements. Soil amendments shall be provided in accordance with the specifications in Appendix C of the Surface Water Design Manual.

~~1. The duff layer and native topsoil shall be retained in an undisturbed state to the maximum extent practicable. Any duff layer or topsoil removed during grading shall be stockpiled on site in a designated, controlled area not adjacent to public resources and critical areas. The material shall be reapplied to other portions of the site where feasible.~~

~~2. Except as otherwise provided in this subsection (C)(2), areas that have been cleared and graded shall have the soil moisture holding capacity restored to that of the original undisturbed soil native to the site to the maximum extent practicable. The soil in any area that has been compacted or that has had some or all of the duff layer or underlying topsoil removed shall be amended to mitigate for lost moisture holding capacity. The topsoil layer shall be a minimum of eight inches thick, unless the applicant demonstrates that a different thickness will provide conditions equivalent to the soil moisture holding capacity native to the site. The topsoil layer shall have an organic matter content of between five percent (5%) to ten percent (10%) dry weight and a pH suitable for the proposed landscape plants. When feasible, subsoils below the topsoil layer should be scarified at least four (4) inches with some incorporation of the upper material to avoid stratified layers. Compost used to achieve the required soil organic matter content must meet the definition of “composted materials” in WAC 173-350-220. This subsection does not apply to areas that:~~

~~a. Are subject to a State surface mine reclamation permit; or~~

~~b. At project completion are covered by an impervious surface, incorporated into a drainage facility or engineered as structural fill or slope.~~

D. Best Management Practices. Clearing and grading activities at a minimum shall use the erosion and sediment control best management practices identified in Appendices C and D of the King-County Surface Water Design Manual as necessary to minimize off-site impacts from the project area. (Ord. 13-1009 § 6 (part); Ord. 04-1008 § 3)

13.190.110 Land restoration.

A. Upon the exhaustion of minerals or materials or upon the permanent abandonment of the quarrying or mining operation, all nonconforming buildings, structures, apparatus or appurtenances accessory to the quarrying and mining operation shall be removed or otherwise dismantled to the satisfaction of the Director. This requirement shall not require land restoration on projects completed prior to January 1, 1971, except those covered under previously existing zoning requirements.

B. Final grades shall be such so as to encourage the uses permitted within the underlying zone classification.

C. Grading or backfilling shall be made with nonnoxious, nonflammable, noncombustible and nonputrescible solids.

D. Such graded or backfilled areas, except for roads, shall be sodded or surfaced with soil of a quality in conformance with “native vegetated landscape” specifications as identified in Appendix C of the Surface Water Design Manual. ~~at least equal to the topsoil of the land areas immediately surrounding, and to a depth of at least four (4) inches or a depth of that of the topsoil of land area immediately surrounding if less than four (4) inches.~~

E. Such topsoil as required by subsection (D) of this section shall be planted with trees, shrubs, legumes or grasses, and said flora shall be ~~so selected as to be indigenous~~ meet “native vegetated landscape” specifications as identified in Appendix C of the Surface Water Design Manual ~~to the surrounding area.~~

F. Graded or backfilled areas shall be reclaimed in a manner which will not allow water to collect and permit stagnant water to remain. Suitable drainage systems approved by the Department shall be constructed or installed if natural drainage is not possible.

G. Waste or soil piles shall be leveled and the area treated as to sodding or surfacing and planting as required in subsections (D) and (E) of this section. (Ord. 13-1009 § 6 (part); Ord. 04-1008 § 3)

13.190.120 Shorelines.

A. Any fill placed upon land adjacent to or beneath any stream or water body shall be contained and placed so as to prevent adverse effect upon other lands.

B. No permit required by this chapter shall be issued for grading upon the shorelines until approved by the appropriate Federal, State and local authority.

C. For grading which requires a shoreline management substantial development permit, the conditions of the shoreline management substantial development permit shall be incorporated into the conditions of any permit issued pursuant to this chapter and shall be subject to the inspection and enforcement procedures authorized by this chapter. (Ord. 13-1009 § 6 (part); Ord. 04-1008 § 3)

13.190.130 Enforcement.

The Director is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Chapter 1.15 SMC.

If clearing inconsistent with the purposes and requirements of this chapter has occurred on a site, City of SeaTac shall not accept or grant any development permits or approvals for the site unless the applicant adequately restores the site. The Director shall require appropriate restoration of the site under an approved restoration plan which shall include a time schedule for compliance if significant resource damage has or may occur. If restoration has not been completed within the time established by the Department, the Director shall order restoration and seek restitution from the property owner through liens or other available legal methods. (Ord. 13-1009 § 6 (part); Ord. 04-1008 § 3)

13.190.140 Forest practices.

A. Class IV Forest Practice. Under a Class IV forest practice, all clearing not otherwise exempted under this chapter shall be subject to the requirements of this chapter. All such clearing shall be subject to the State Environmental Policy Act, Chapter 43.21C RCW, and City of SeaTac shall accept or assume lead agency status. The review of the Class IV application shall be consolidated with the review of the associated City of SeaTac development permit or approval. Clearing independent of permit or approval shall require a separate clearing and grading permit pursuant to this chapter which meets any applicable clearing standards as defined by SMC 13.190.150. City of SeaTac will also combine its SEPA review of Class IV forest practices and City permits.

B. Development applications on lands cleared or graded pursuant to a Class II, III or IV special forest practice as defined in Chapter 76.09 RCW, or which are commenced without forest practices or City authorization, shall be denied for a period of six (6) years unless:

1. The applicant demonstrates that the clearing was consistent with the Conversion Option Harvest Plan reviewed and approved by City of SeaTac pursuant to the SMC Title 16A land use decision process and incorporated as a condition of the State's forest practice permit, or
2. The Director of the Department of Community and Economic Development determines special circumstances exist which should allow the landowner to be released from the moratorium pursuant to notice, review and appeal process per SMC Title 16A.

C. In all cases, lifting or waiving of the six (6) year moratorium is subject to compliance with all local ordinances. (Ord. 13-1009 § 6 (part); Ord. 11-1002 § 2 (part); Ord. 04-1008 § 3)

13.190.150 Clearing standards.

A. For clearing and grading permits issued under this chapter, the current clearing standards contained in this section and in the following regulations shall apply:

1. Environmentally sensitive areas, SMC Title 15, and its adopted administrative rules;
2. Property-specific development standards pursuant to SMC Title 15;
3. Critical drainage area designations identified by adopted administrative rule; and
4. Wildlife habitat corridors pursuant to SMC Title 15.

[5. Stormwater management, including LID principles and LID BMPs, as identified in the Surface Water Design Manual](#)

B. Within environmentally sensitive areas designated pursuant to SMC Title 15, uses shall be limited to those specified in that chapter. Within any other areas subject to clearing restrictions referenced or contained in this section, the following uses are allowed under a clearing permit:

1. Timber harvest in accordance with a timber harvest management plan and clearing permit approved by the Director. Administrative rules specifying the contents of, and the submittal requirements and approval criteria for, timber harvest management plans shall be promulgated in consultation with the City of SeaTac Department of Community and Economic Development prior to any permit approvals for timber harvest within these tracts or easements;

2. Passive recreation uses and related facilities, including pedestrian, equestrian community and bicycle trails, nature viewing areas, fishing and camping areas, and other similar uses that do not require permanent structures, if either cleared areas or areas of compacted soils, or both, associated with these uses and facilities do not exceed eight percent (8%) of the area of the tract or easement. Within wildlife habitat corridors, trail widths shall be the minimum allowed under adopted trail standards and no other recreation uses shall be permitted in the one hundred fifty (150) foot minimum width of the corridor;

3. Utilities and utility easements, including ~~surface water~~stormwater facilities, if the uses are within or adjacent to existing road or utility easements whenever possible. Within wildlife habitat corridors, existing or multiple utility uses within established easements shall be allowed within the one hundred fifty (150) foot minimum ~~setback width of~~ from the habitat corridor. Vegetated LID BMPs are allowed within the wildlife corridor buffer setback. Development of new utility corridors shall be allowed within wildlife habitat corridors only when multiple uses of existing easements are not feasible and the utility corridors are sited and developed using City-approved ~~best management practices~~BMPs to minimize disturbance; and

4. Removal of either dangerous trees or damaged trees, or both. (Ord. 13-1009 § 6 (part); Ord. 11-1002 § 2 (part); Ord. 04-1008 § 3)

13.190.160 Financial guarantees authorized.

The Director, or designee, is authorized to require all persons performing work on a project under a permit covered by this title to post performance and maintenance bonds. Where such persons have previously posted, or are required to post, other bonds covering either the project itself or other construction related to the project, such person may, with the permission of the Director and to the extent allowable by law, combine all such bonds into a single bond; provided, that at no time shall the amount thus bonded be less than the total amount which would have been required in the form of separate bonds; and provided further, that such bond shall on its face clearly delineate those separate bonds which it is intended to replace. (Ord. 13-1009 § 6 (part); Ord. 04-1008 § 3)

Title 14

SUBDIVISIONS*

Chapters:

- 14.15 Authority and Purpose**
- 14.16 Definitions**
- 14.17 General Standards and Procedures**
- 14.18 Short Subdivision**
- 14.19 Short Subdivision – Mandatory Improvements**
- 14.20 Long Subdivision**
- 14.21 Long Subdivision – Mandatory Improvements**
- 14.22 Binding Site Plans**
- 14.23 Binding Site Plans – Mandatory Improvements**
- 14.24 Lot Mergers and Lot Line Adjustments**
- 14.25 Alterations and Vacations**
- 14.26 Common Standards**
- 14.27 Dedication and Improvement of Streets**
- 14.28 Deferral of Conditions for Approval and Site Improvements**

* Copies of all King County Code and Revised Code of Washington provisions adopted by reference in this title are available in the office of the City Clerk for use and examination by the public.

Chapter 14.16

DEFINITIONS

Sections:

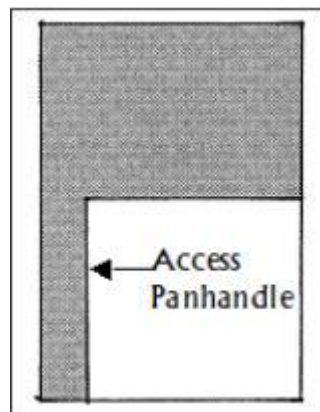
14.16.002	Access, Panhandle
14.16.006	Alteration, Subdivision
14.16.010	Applicant
14.16.014	Application
14.16.016	Binding Site Plan
14.16.018	Block (Street)
14.16.022	Block Length
14.16.026	Bond (Financial Instrument)
14.16.028	Building Footprint
14.16.030	Buffer Strip
14.16.040	Common Recreation Open Space
14.16.042	Comprehensive Plan
<u>14.16.044</u>	<u>Critical Root Zone</u>
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14.16.126	Lot, Separate
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- 14.16.150 Modification, Substantial
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- 14.16.158 Ordinary High Water Mark
- 14.16.162 Owner
- 14.16.170 Plat, Preliminary
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- 14.16.182 Road or Street, Public
- 14.16.186 Road or Street, Private
- 14.16.194 Setback
- 14.16.196 Short Plat
- 14.16.200 *Repealed*
- 14.16.202 Site Plan, Graphic
- 14.16.206 *Repealed*
- 14.16.210 State Environmental Policy Act (SEPA)
- 14.16.216 Street Naming
- 14.16.218 Subdivision
- 14.16.222 Subdivision, Long
- 14.16.226 Subdivision, Short
- 14.16.230 Tract
- 14.16.232 Vegetated LID BMPs
- 14.16.234 Zoning Code

14.16.002 Access, Panhandle

A strip or branch of land that is fifteen (15) feet in length or greater and is thirty (30) feet or less in width and that extends from the major portion of a lot to provide access to a public or private street.

Fig. 14.16.002a



(Ord. 09-1012 § 1 (Exh. A))

14.16.006 Alteration, Subdivision

The process by which a recorded short subdivision, long subdivision or binding site plan may be modified. (Ord. 09-1012 § 1 (Exh. A))

14.16.010 Applicant

Any owner, or duly authorized agent of the owner, of a given lot or tract who applies for a subdivision, lot merger or lot line adjustment under this title. (Ord. 09-1012 § 1 (Exh. A))

14.16.014 Application

All of the forms, surveys, maps, plans and accompanying documents required by this title for any particular short subdivision, long subdivision, binding site plan, lot merger or lot line adjustment. (Ord. 09-1012 § 1 (Exh. A))

14.16.016 Binding Site Plan

An alternative method for the division or redivision of land where the resulting lots, tracts, or parcels will be planned, managed and/or operated as parts of an integrated project, whether commercial, industrial, mobile home or condominium projects. (Ord. 09-1012 § 1 (Exh. A))

14.16.018 Block (Street)

A physically distinct land area comprising one (1) or more lots, parcels or tracts of land, and generally separated by streets, alleys or similar rights-of-way. (Ord. 09-1012 § 1 (Exh. A))

14.16.022 Block Length

The distance from one (1) corner of a given street block to another corner of the same. This distance shall be measured along the centerline of a given abutting street, alley or similar right-of-way between the points at which it intersects the centerlines of other abutting streets, alleys or rights-of-way. (Ord. 09-1012 § 1 (Exh. A))

14.16.026 Bond (Financial Instrument)

A surety bond, irrevocable letter of credit, cash deposit, escrow account, or assignment of funds required of a given applicant to ensure:

- A. Satisfaction of any and all conditions placed on an approved project;
- B. Performance of specified maintenance; or
- C. Installation or warranty of any and all mandatory improvements. (Ord. 09-1012 § 1 (Exh. A))

14.16.028 Building Footprint

That area of a lot, exclusive of the following, where a structure can be constructed on the lot:

- A. Access easements;
- B. Utility easements;
- C. Sensitive areas easements and buffers;
- D. That area within the drip line/critical root zone of any tree ~~within a sensitive area easement;~~
or
- ~~E. That area within the drip line of any tree within a sensitive area, placed as a covenant on lot;~~
~~or~~

FE. Required building setbacks pursuant to SMC 15.400.100 and 15.400.200. (Ord. 16-1007 § 16; Ord. 09-1012 § 1 (Exh. A))

14.16.030 Buffer Strip

A linear land area designed and established to minimize the visual, noise and other environmental impacts a given land use may have on others. A buffer strip may include, but is not limited to, preserved natural vegetation, native and drought tolerant vegetation, evergreen trees, shrubs and tree plantings, vegetated LID BMPs, or landscape berms. (Ord. 09-1012 § 1 (Exh. A))

14.16.040 Common ~~Recreation~~ Open Space

Any open space area, as defined in SMC 15.105, available to all residents of the subject property that is appropriate for a variety of ~~where the average slope of all areas is four percent (4%) or less with no slope greater than six percent (6%) and which is intended for~~ passive or active recreational activities. (Ord. 09-1012 § 1 (Exh. A))

14.16.042 Comprehensive Plan

The officially adopted City of 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. (Ord. 09-1012 § 1 (Exh. A))

14.16.044 Critical Root Zone

The minimum area of protection around the trunk of a tree. The critical root zone is based on the area that results from measuring, at diameter breast height (4.5 feet above the ground), 1.25 feet outwards from the trunk for every inch of trunk diameter.

14.16.050 Cul-De-Sac

A short street having one (1) end open to an intersecting through street and the opposite end terminated by a circular turnaround, in accordance with Chapter 11.05 SMC. (Ord. 09-1012 § 1 (Exh. A))

14.16.054 Dedication

The deliberate appropriation of land by an owner for any general and public uses or purposes, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. (Ord. 09-1012 § 1 (Exh. A))

14.16.058 Density, Base Lot

A measure of the number of primary land uses present on all lands subject to a given land use application but not including any “sensitive areas” as defined by SMC 15.700.015, Definitions. As applied within this title, base lot density refers to a base or minimum land area required by the Zoning Code for every one (1) primary use, e.g., seven thousand two hundred (7,200) square feet per single-family residence – six (6) units per acre – in the UL-7200 zone. (Ord. 16-1007 § 17; Ord. 09-1012 § 1 (Exh. A))

14.16.066 Department

The Department of Community and Economic Development. (Ord. 11-1002 § 2; Ord. 09-1012 § 1 (Exh. A))

14.16.070 Development

An action making any physical alteration to land, or constructing any structure or assembly on land, for the purpose of increasing its suitability for direct human use. Development includes, but is not limited to, subdivision and the placement of survey monuments; clearing, filling, cutting, grading, drilling and dumping; the construction of roads, storm drainage systems, utilities and pedestrian facilities; the creation of parks and landscape installations; and the construction or alteration of residential, commercial and industrial structures and appurtenances. (See SMC 14.16.114, "Improvements.") (Ord. 09-1012 § 1 (Exh. A))

14.16.074 Development Engineer

The Director of Public Works or designee authorized to oversee the review, conditioning, inspection and acceptance of off-site improvements, on-site improvements, right-of-way use permits for roads, and drainage projects. (Ord. 09-1012 § 1 (Exh. A))

14.16.078 Development Review Committee (DRC)

The City's interdepartmental committee established by SMC 16A.05.020 which provides informal and formal reviews of subdivisions, lot mergers, and other development projects to ensure compliance with City codes. (Ord. 09-1012 § 1 (Exh. A))

14.16.082 Director

The Director of the Department of Community and Economic Development. (Ord. 11-1002 § 2; Ord. 09-1012 § 1 (Exh. A))

14.16.086 Directors

Unless otherwise specified, the Director of the Department of Community and Economic Development and the Director of the Department of Public Works, acting separately or together. (Ord. 11-1002 § 2; Ord. 09-1012 § 1 (Exh. A))

14.16.090 Division

The Development Review Division of the Department of Community and Economic Development. (Ord. 11-1002 § 2; Ord. 09-1012 § 1 (Exh. A))

14.16.094 Easement

Land on which specific air, surface or subsurface rights have been conveyed for use by a person other than the owner, or to benefit some property other than the subject property. (Ord. 09-1012 § 1 (Exh. A))

14.16.098 Environmental Impact Statement (EIS)

A document prepared under the State Environmental Policy Act (Chapter 43.21C RCW) and/or its successor statutes to assess the environmental impacts of a given development proposal. (Ord. 09-1012 § 1 (Exh. A))

14.16.102 Floodplain

The total area subject to inundation by the base flood. (Ord. 09-1012 § 1 (Exh. A))

14.16.106 Hammerhead Turnaround

The area at the end of an access easement or closed road that provides intersecting space in which a vehicle may turn, back up, and then return to the primary street in accordance with the

dimensional standards of Chapter 11.05 SMC. An emergency vehicle hammerhead turnaround constitutes a fire lane as defined in SMC 13.150.030. (Ord. 09-1012 § 1 (Exh. A))

14.16.110 Hearing Examiner

The City of SeaTac Hearing Examiner as established under Chapters 1.20 and 15.115 SMC to serve as the quasi-judicial reviewing authority for preliminary long subdivisions, preliminary binding site plans and other land use actions as set forth by ordinance. (Ord. 16-1007 § 18; Ord. 09-1012 § 1 (Exh. A))

14.16.114 Improvements

Any of a range of structures, assemblies or modifications to land required by the City as a condition for final plat or site plan approval. Such improvements generally include, but are not limited to, the construction or installation of survey monuments, streets, sidewalks, landscaping, streetlights, fire hydrants, storm water facilities, and utilities. (Ord. 09-1012 § 1 (Exh. A))

14.16.118 Land Surveyor, Professional

A person registered in accordance with Chapter 18.43 RCW and licensed to perform land surveys within the State of Washington. (Ord. 09-1012 § 1 (Exh. A))

14.16.122 Lot

A legal parcel of land for building purposes which shall have sufficient size to meet minimum 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. (Ord. 09-1012 § 1 (Exh. A))

14.16.126 Lot, Separate

A physically separate and distinct parcel of property, established through:

- A. Subdivision conducted according to all state statutes and local subdivision codes applicable at the time the lot, tract or parcel was created; or
- B. Partition from a legally established parent lot by the dedication of public right-of-way or condemnation. (Ord. 09-1012 § 1 (Exh. A))

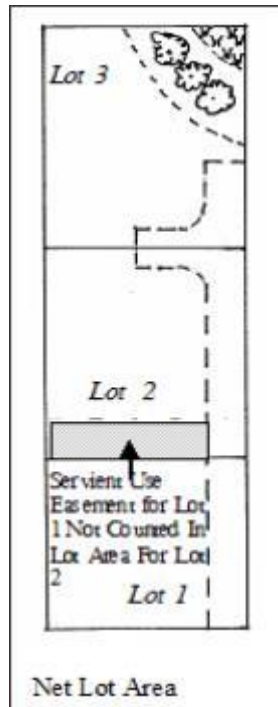
14.16.130 Lot Area

The total horizontal area within the boundary lines of a lot, as defined under SMC 15.105.120, Lot Area. (Ord. 16-1007 § 19; Ord. 09-1012 § 1 (Exh. A))

14.16.134 Lot Area, Net

The lot area described in SMC 14.16.130, minus any areas precluded from regular use by any provision of the SeaTac Municipal Code. Such precluded areas may include, but are not limited to, servient use easement areas. Private easements are included within the net lot area (see Figure 14.16.134a).

Fig. 14.16.134a



(Ord. 09-1012 § 1 (Exh. A))

14.16.138 Lot Line Adjustment

Any relocation of one (1) or more lot boundary lines of two (2) or more lots where such action does not result in the creation of additional lots, or the creation of any substandard lot as defined by SMC 15.105.120, Lot, Substandard. (Ord. 16-1007 § 20; Ord. 09-1012 § 1 (Exh. A))

14.16.140 Lot Numbering

All new proposed lots within subdivisions shall be numeric. Lots within lot line adjustments shall be alphabetic. (Ord. 09-1012 § 1 (Exh. A))

14.16.142 Lot of Record

A lot recorded with King County and appearing on official County Assessor maps. (Ord. 09-1012 § 1 (Exh. A))

14.16.143 Low Impact Development (LID) Best Management Practices (BMP)

“Low Impact Development (LID) Best Management Practices (BMP)” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, permeable pavement, limited infiltration systems, roof downspout controls, dispersion, soil amendments, and minimal excavation foundations.

14.16.144 Material Error

Errors in the information provided with the application or the oversight or misuse of facts that existed at the time the application was prepared. (Ord. 09-1012 § 1 (Exh. A))

14.16.146 Merger, Lot

The aggregation of formerly separate lots or parcels into a single lot or parcel. (Ord. 09-1012 § 1 (Exh. A))

14.16.150 Modification, Substantial

A threshold for changes that terminate previous approval of an unrecorded subdivision and compel the applicant to file a new action. Substantial modifications generally include changes to the dimensions of an approved proposed lot, tract or parcel in excess of ten percent (10%) of those originally proposed. (Ord. 09-1012 § 1 (Exh. A))

14.16.154 Monument

A permanent marker or post installed pursuant to RCW 58.17.240. (Ord. 09-1012 § 1 (Exh. A))

14.16.156 Open Space

A variety of lands which are created and preserved for 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 create corridors between natural features;
- D. Areas defined as critical areas under the Critical Areas Ordinance;
- E. Any landscaped area that exceeds the minimum adopted landscape requirements;
- F. Active outdoor recreation areas;
- G. Multi-purpose green spaces;
- H. LID BMPs, including rain gardens, bioretention, vegetated roofs with roof access, and dispersion; and/or
- 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.

14.16.158 Ordinary High Water Mark

A line on the bed and banks of any water body, where the action of waters is so common and usual as to have distinctly segregated aquatic soils and/or vegetation from those of the abutting upland. Where this line cannot be discerned visually, the line of mean high water may be substituted. For Angle Lake, the line of mean high water has been determined to be generally analogous to the three hundred forty-seven (347) foot NAVD-88 derived elevation of the high water release structure on the lake's eastern shore. The actual position of ordinary high water may vary between properties. (Ord. 09-1012 § 1 (Exh. A))

14.16.162 Owner

A person, as defined by SMC 1.01.050, who is the fee owner of, or otherwise retains a controlling interest in, a given property. (Ord. 09-1012 § 1 (Exh. A))

14.16.170 Plat, Preliminary

A neat and scaled map or similar drawing of a proposed subdivision, lot merger or lot line adjustment that portrays the general layout of lots, blocks, topography, streets and alleys, utility lines, fire hydrants and other elements prescribed by this title and City application forms. (Ord. 09-1012 § 1 (Exh. A))

14.16.174 Plat, Final

An accurate technical survey and representation of a subdivision, lot merger or lot line adjustment that portrays the final layout of streets, lots, blocks, ingress/egress easements, utility easements, public dedications, building envelopes and any other elements required as conditions of approval in a form satisfactory for recording with King County. (Ord. 09-1012 § 1 (Exh. A))

14.16.178 Responsible Official

The City official responsible for local administration of the State Environmental Policy Act (SEPA), the City's SEPA rules and all locally adopted environmental policies. (Ord. 09-1012 § 1 (Exh. A))

14.16.180 Reviewing Authority

The Departments of Community and Economic Development, Public Works, Parks and Recreation, Police Services, Fire Services and the Hearing Examiner and City Council where applicable under SMC 1.20.090. (Ord. 11-1002 § 2; Ord. 09-1012 § 1 (Exh. A))

14.16.182 Road or Street, Public

All publicly owned streets, highways, freeways, avenues, 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. (Ord. 09-1012 § 1 (Exh. A))

14.16.186 Road or Street, Private

Any improved easement or tract or street for vehicular and pedestrian ingress and egress which is not a public street but as to which individual abutting property owners retain responsibility for construction and maintenance. Driveways shall not be considered private roads or streets where they serve only one (1) residence. Private roads or streets may constitute fire lanes in accordance with SMC 13.150.030. (Ord. 09-1012 § 1 (Exh. A))

14.16.194 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 parcel on which the structure, support structure, support shelter, or wireless telecommunication facility equipment shelter is located. (Ord. 09-1012 § 1 (Exh. A))

14.16.196 Short Plat

The map or representation of a short subdivision prepared by a Washington State licensed professional surveyor in accordance with this title. (Ord. 09-1012 § 1 (Exh. A))

14.16.200 Side-by-Side Short Subdivisions

Repealed by Ord. 15-1012. (Ord. 09-1012 § 1 (Exh. A))

14.16.202 Site Plan, Graphic

A preliminary or final survey or representation of lands subject to a binding site plan, which portrays:

- A. All items of information otherwise required of a subdivision plat.
- B. The location of all existing and proposed uses, improvements, open spaces, landscaping, environmentally sensitive areas and any other elements required by this title and other provisions of the SeaTac Municipal Code.
- C. Limitations and conditions on the future use of all depicted lots and tracts.
- D. Provisions to ensure conformity of the development and improvements with the approved site plan. (Ord. 09-1012 § 1 (Exh. A))

14.16.206 Stacked Short Subdivision

Repealed by Ord. 15-1012. (Ord. 09-1012 § 1 (Exh. A))

14.16.210 State Environmental Policy Act (SEPA)

The State Environmental Policy Act (Chapter 43.21C RCW) and adopted City environmental policies, as constituted and thereafter amended. The City adopts SEPA by reference and administers environmental review during all subdivision, lot merger or lot line adjustment actions to identify, analyze, and seek mitigation of any adverse impacts that may result. (Ord. 09-1012 § 1 (Exh. A))

14.16.216 Street Naming

Street naming shall be done in the manner as prescribed in Chapter 11.40 SMC. (Ord. 09-1012 § 1 (Exh. A))

14.16.218 Subdivision

Any delineation and legal segregation of real property into lots, tracts, parcels, or sites for the purpose of development, sale, lease, or transfer of ownership through the process for long subdivision, short subdivision or binding site planning. (Ord. 09-1012 § 1 (Exh. A))

14.16.222 Subdivision, Long

A division or redivision of land into five (5) or more lots, tracts, parcels, or sites for the purpose of development, sale, lease, or transfer of ownership. (Ord. 09-1012 § 1 (Exh. A))

14.16.226 Subdivision, Short

A division or redivision of land into nine (9) or fewer lots, tracts, parcels, or sites for the purpose of development, sale, lease, or transfer of ownership. (Ord. 15-1012 § 3; Ord. 09-1012 § 1 (Exh. A))

14.16.230 Tract

A physically separate piece of real property reserved for access, open space, conservation, drainage or another specialized purpose, and not considered a buildable lot or site for residential, commercial or industrial construction. (Ord. 09-1012 § 1 (Exh. A))

[14.16.232 Vegetated LID BMPs LID BMPs that utilize landscaping.](#)

14.16.234 Zoning Code

SMC Title 15, as constituted and thereafter amended. (Ord. 09-1012 § 1 (Exh. A))

Chapter 14.17

GENERAL STANDARDS AND PROCEDURES

Sections:

- 14.17.010 Purpose
- 14.17.020 General Provisions
- 14.17.030 Lot Configuration and Access
- 14.17.040 Complete Application Required
- 14.17.050 Public Notice Requirements
- 14.17.060 General Application Review
- 14.17.080 Criteria for Approval of Subdivision Application
- 14.17.090 Filing
- 14.17.095 Time Limits on Preliminary Approval – Long Subdivision and Binding Site Plan
- 14.17.100 Variances
- 14.17.110 Appeals

14.17.010 Purpose

This chapter establishes the general standards and procedures for dividing land through the short subdivision, long subdivision, and binding site plans process. Additional and specific requirements for short subdivisions, long subdivisions and binding site plans follow in succeeding chapters. (Ord. 09-1012 § 1 (Exh. A))

14.17.020 General Provisions

A. Applicants for short subdivisions, long subdivisions, and binding site plans shall provide each responsible agency reasonable access to the subject property. The applicant shall provide such access so that the City may determine the status and characteristics of the land which relate to the application. Such access shall be provided beginning on the date the Director, or designee, determines the application to be complete, and terminating on the date that the City issues its final decision. The applicant's signature upon the application shall be considered written consent to such access.

B. In cases where an environmental impact statement (EIS) is required under the provisions of the State Environmental Policy Act (Chapter 43.21C RCW), the Department shall not initiate review of any subdivision until the Final EIS is completed.

C. Any subdivision within the Angle Lake shoreline jurisdiction, as defined by the City's Shoreline Master Program, shall be considered new shoreline development and shall be required to satisfy all applicable requirements of the Shoreline Master Program, the Shoreline Management Act as well as the State Environmental Policy Act.

D. All applicable conditions established under a shoreline substantial development permit shall be recorded on the face of the final plat. Shoreline approval shall be annotated on the plat, and no further shoreline review will be required for uses on the property; provided, that those uses remain consistent with the original proposal and conditions, and that no further division of the property is proposed.

E. Site planning and design shall consider stormwater management, especially the design and integration of LID BMPs, as early as possible in the project planning phase. Locate buildings away from soils that provide effective infiltration, site LID BMPs in areas with good infiltration capacity, reduce impervious surfaces, and retain native vegetation. (Ord. 15-1012 § 4; Ord. 09-1012 § 1 (Exh. A))

Chapter 14.18

SHORT SUBDIVISION

Sections:

- 14.18.010 Purpose
- 14.18.020 General Limitations
- 14.18.030 Material Errors
- 14.18.040 Changes to Proposed or Approved Short Plats
- 14.18.050 Short Subdivision Review
- 14.18.060 Preliminary Plat Format and Content Requirements
- 14.18.070 Final Short Plat Format and Content Requirements
- 14.18.080 Time Limits on Preliminary Approval

14.18.070 Final Short Plat Format and Content Requirements

A. The final plat shall serve as the primary legal record of any approved short subdivision. City staff shall conduct conclusive review of all final plats to assure compliance with all state statutes and city ordinances, regulations and other standards, and with all conditions established through the preliminary review process. The final plat shall be substantially in the form illustrated in Figure 14.18.070a.

B. The applicant shall submit one (1) complete final plat to the City for recording.

C. Final plats shall satisfy all content and format requirements specified for preliminary plats under SMC 14.18.060(B). In addition, final plats shall conform to the following:

1. Be drawn on an eighteen (18) inch by twenty-four (24) inch sheet with a two (2) inch margin on the left edge and one-half (1/2) inch margin on the other edges to an appropriate (twenty (20) or thirty (30) feet to one (1) inch) engineering scale and stamped by a professional land surveyor registered in the State of Washington.
2. Permanent black ink on mylar with a fixed halide base, or equivalent shown.
3. Final short plat name, file number and City logo in a block in the upper left hand corner of the short plat drawing.
4. Numerical scale, graphic scale and north arrow shown on drawing.
5. Section, township, and range shown on drawing.
6. Surveyor's certification, date and stamp shown on drawing.
7. Surveyor's name and address block shown on drawing.
8. All found monuments (description, type, and size) labeled and referenced to an existing County Survey and/or Survey of Record.

9. All curve information including central angle (delta), radius, tangent length, length of arc, and long cord bearing and distance clearly shown.
10. Basis of bearing shown on drawing with bearings and distances on all lot sides.
11. Existing public rights-of-way with name, width and surface type shown.
12. Existing easements shown with recording numbers.
13. Legend showing symbols for monuments found and monuments set shown.
14. A house address system shall be provided by the City for short subdivisions and the house number(s) must be clearly shown on the short plat at the time of approval for each lot.
15. The location of all significant trees to be saved on each lot, if applicable.
16. The location of the building envelope for each lot.
17. King County Department of Assessments signature block shown.
18. City of SeaTac approval signature blocks for Community and Economic Development and Department of Public Works and date.
19. King County Recorder's signature block located on the bottom or right edge of the plat.
20. The face of the short plat containing a private road easement shall bear the statement: "Warning: The City of SeaTac has no responsibility to build, improve, maintain, or otherwise service the private roads contained within, or providing service to, the property described in this plat."
21. Name of property owner and final short plat address shown.
22. Quarter section vicinity map showing section number and plat site.
23. Short plat mylar shall be suitable for microfilming with uniform contrast.
24. Five (5) paper copies submitted for review prior to the submittal of the mylar drawing.
(The applicant will be contacted for one (1) mylar copy of the final short plat, after City review is completed.)
25. The legal description of the land to be subdivided shown on the final short plat mylar the same as the title report.
26. Legal descriptions for the proposed lots and easements shown on the plat map.
27. Dedication statement (including owner's acknowledgement) and property owner signature lines with names under the signature line(s) and date.
28. Notary declaration of property owner's signature(s).
29. Datum per SMC 14.26.050.


30. All monuments have been installed prior to the recording of the final short plat and tied to section monumentation.
31. Short plat closure calculations.
32. One (1) original as-built engineering mylar drawing for all required improvements within the short subdivision with three (3) copies.
33. All lot corners staked correctly on the ground prior to recording of the final short plat.
34. Deed legal description at variance with survey identified and submitted.
35. Certification by the City of SeaTac Finance Department that all delinquent and current special assessments outstanding on property are paid in full.
36. Certification by the King County Finance Department that all property taxes have been paid. (RCW 58.08.030 – 58.08.040)
37. In the case where more than one (1) mylar page is submitted, the graphic representation of the short subdivision shall be shown on the first mylar page.

D. In addition to the above, the following additional information may be required:

1. Short plat restrictive covenants submitted to be recorded with the plat.
2. Mutual maintenance agreement for private road submitted for recording.
3. Mutual maintenance agreement for surface water drainage facilities submitted for recording.
4. Storm ~~drainage~~ drains and stormwater facility improvements shall be installed pursuant to Chapter 12.10 SMC.
5. One (1) year maintenance bond for streets and storm drainage to be submitted at the completion of improvements.
6. Two (2) copies of any documentation necessary to demonstrate the existence or installation of all sewer and water facilities necessary to adequately serve each approved lot and to demonstrate the intent of the applicable district or purveyor to serve the proposed plat. If a septic system on-site is proposed, two (2) copies of the approved septic system by the King County Health Department shall be submitted.
7. Two (2) copies of any documentation necessary to demonstrate that the present or planned water systems serving the property shall be able to supply adequate minimum water flow for fire fighting purposes. This documentation shall be approved by and presented in a form prescribed by the Fire Marshal.

E. Final plats shall be approved, disapproved, or returned to the applicant within thirty (30) days from the date of filing thereof, unless the applicant consents to an extension of such time period.

Fig. 14.18.070a

 <p>PROJECT NAME FINAL SHORT PLAT FILE NO.: SUB _____</p>	<p>APPROVALS:</p> <p>DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT Controlled and approved this _____ day of _____, 20____</p> <p>Planning and Community Development Director _____ Assistant _____ Deputy Assistant _____ Assistant Number _____</p> <p>DEPARTMENT OF ASSESSMENTS Examined and approved this _____ day of _____, 20____</p> <p>Assessor _____ Deputy Assessor _____ Assistant Number _____</p>	<p>RECORDING NO. _____</p> <p>VOL./PAGE _____</p> <p>SCALE: 1 inch = _____ feet</p> <p>PORION OF _____ 1/4 of _____ 1/4, S. _____ T. _____ R. _____</p>										
<p>DEDICATION</p> <p>SHOW ALL PEOPLE BY THESE PRESENTS that we, the undersigned owners of interest in the land hereby short subdivided, hereby declare this short plat to be the graphic representation of the short subdivided lands hereby, and its hereby dedicated to the use of the public for all streets and easements and shown on utility location and indicate the use thereof for all public purposes not inconsistent with the use thereof for public purposes or easements, and that the right to make all necessary steps for such use and the open the lots shown herein to the original responsible parties of said streets and easements, and further dedicate to the use of the public all the easements and tracts shown on this short plat for all public purposes as indicated thereon, including but not limited to public, open areas, utilities and drainage unless such easements or tracts are specifically identified on this short plat as being dedicated or conveyed to a person or entity other than the public, to which event we do hereby dedicate such streets, easements, or tracts to the person or entity identified and for the purpose stated.</p> <p>Further, the undersigned owners of the land hereby short subdivided agree to indemnify, their heirs and assigns and any person or entity deriving title from the conveyance, one and all parties for damages against the City of Seattle, its successors and assigns which may be sustained by the subdivision, construction, or maintenance of roads and/or drainage easements which this short subdivision other than streets resulting from instruments maintained by the City of Seattle.</p> <p>Further, the undersigned owners of the land hereby short subdivided agree to indemnify, their heirs and assigns in indemnity and hold the City of Seattle, its successors and assigns harmless from any claims, including any costs of defense, claimed by persons which or without this short subdivision to have been caused by alterations of the ground surface, vegetation, drainage, or surface or sub-surface water flow within this short subdivision or by abandonment, construction or maintenance of the roads within this short subdivision. Provided, the other and indemnification shall not be construed as releasing the City of Seattle, its successors or assigns from liability for damages, including the cost of defense, resulting in whole or in part from the negligence of the City of Seattle, its successors, or assigns.</p> <p>This subdivision, dedication, release of claims and agreement to hold harmless is made with the free consent and in accordance with the nature of said owners.</p> <p>IN WITNESS WHEREOF we set our hands and seals.</p> <p>_____ Name _____ _____ Name _____ _____ Name _____</p> <p>State of Washington County of _____ I certify that I know or have satisfactory evidence that _____ signed this instrument and acknowledged it to be (his/hers) free and voluntary act for the uses and purposes mentioned in the instrument.</p> <p>_____ Signature of Notary Public _____ Notary _____ My commission expires _____</p> <p>State of Washington County of _____ I certify that I know or have satisfactory evidence that _____ signed this instrument and acknowledged it to be (his/hers) free and voluntary act for the uses and purposes mentioned in the instrument.</p> <p>_____ Signature of Notary Public _____ Notary _____ My commission expires _____</p>	<p>DOCUMENT IS AVAILABLE IN ELECTRONIC FORM VIA EMAIL OR COPIED TO YOUR DISC</p>	<p>VOL. / PAGE</p>										
<p>RECORDER'S CERTIFICATE _____</p> <p>Filed for record this _____ day of _____, 20____ at _____ in book _____ of _____ at page _____ at the request of _____</p> <p>_____ Mgr. _____ Supt. of Records</p>	<p>LAND SURVEYOR'S CERTIFICATE</p> <p>This Short Plat correctly represents a survey made by me or under my direction in conformance with the requirements of the appropriate State and County Statute and Ordinance in _____, 20____.</p> <p>_____ Certificate No. _____</p>	<p>SURVEYOR'S NAME & ADDRESS</p> <p>_____</p>	<p>APPLICANT'S NAME PROJECT ADDRESS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">DWS. BY</td> <td style="width: 25%;">DATE</td> <td style="width: 25%;">JOB NO.</td> </tr> <tr> <td>DWS. BY</td> <td>SCALE</td> <td>SHEET</td> </tr> <tr> <td></td> <td></td> <td style="text-align: center;">OF</td> </tr> </table>	DWS. BY	DATE	JOB NO.	DWS. BY	SCALE	SHEET			OF
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(Ord. 11-1002 § 2; Ord. 09-1012 § 1 (Exh. A))

Chapter 14.19

SHORT SUBDIVISION – MANDATORY IMPROVEMENTS

Sections:

- 14.19.010 Private Road Width and Construction Standards
- 14.19.030 *Repealed*
- 14.19.050 Hammerhead Turnaround – Emergency Vehicles
- 14.19.060 Private Roads – Screening from Adjacent Property
- 14.19.070 Storm Drainage Improvements

14.19.010 Private Road Width and Construction Standards

In short subdivisions where more than two (2) lots will have access from a private access easement, the private access easement shall conform to, and be constructed to, the following standards:

- A. The private access road shall be constructed to the standards in Chapter 11.05 SMC, Road Standards.
- B. At the request of the applicant, the width of the private access easement and the paved width of the roadway, [as specified in Chapter 13.150 SMC](#), may be decreased subject to the approval of both Directors under the following circumstances:
 - 1. Where an existing house constricts the access easement.
 - 2. The access easement may be reduced to save trees of eight (8) inches in caliper or greater, as measured four (4) feet from their base, on the properties.
 - 3. [Where roads only serve two \(2\) residences.](#)
 - 4. [Where fire sprinklers are installed and circumstance 6 \(below\) is demonstrated.](#)
 - 35. Unique conditions on the property as determined by the Directors.
 - 46. Approval of the request does not adversely impact the health, safety, and welfare of the residents within the short subdivision and the operations of the public road, nor conflicts with any other adopted code. (Ord. 15-1012 § 9; Ord. 09-1012 § 1 (Exh. A))

14.19.030 Private Road Construction – Stacked Short Subdivisions

Repealed by Ord. 15-1012. (Ord. 09-1012 § 1 (Exh. A))

14.19.050 Hammerhead Turnaround – Emergency Vehicles

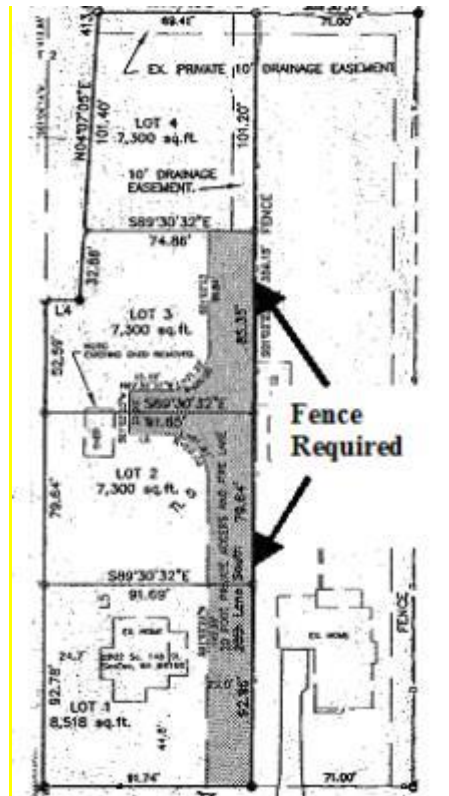
A turnaround for emergency vehicles shall be required within a short subdivision without access to public streets pursuant to Chapter 11.05 SMC, Road Standards. The hammerhead turnaround shall be paved and shall be constructed to the dimensions in accordance with Chapter 11.05 SMC, Road Standards. (Ord. 09-1012 § 1 (Exh. A))

14.19.060 Private Roads – Screening from Adjacent Property

In short subdivisions of three (3) or more lots, a fence or a minimum fire (5) foot wide Type I Landscaping buffer as identified in 15.445.100.A SMC, as approved by the Director, shall be installed between the private access easement and adjacent single-family lot/s along the length of the easement. Two-thirds (2/3) of the cost of the fence shall be borne by the developer of the short plat, with the adjacent property owner responsible for one-third (1/3) of the cost of the fence. The height of the fence shall conform to the requirements of Chapter 15.435 SMC. No fence shall be required under the following circumstances:

- A. If the fence will result in the need to remove existing trees or landscaping.
- B. If the adjacent property owner/s state in writing that they do not want a new fence installed.
- C. If the adjacent property owner/s do not want to pay for one-third (1/3) of the cost of the fence. Adjacent property owners shall be notified by the City by certified mail requesting a response whether or not they want to pay for the fencing.

If the adjacent property owner/s do not want to pay for one-third (1/3) of the cost of the fence, and the applicant/developer still wants to install a fence, then the cost of fence shall be borne by the applicant/developer.



(Ord. 16-1007 § 23; Ord. 09-1012 § 1 (Exh. A))

14.19.070 Storm Drainage Improvements

Storm drainage drains and stormwater facility improvements shall be provided pursuant to SMC Title 12. (Ord. 09-1012 § 1 (Exh. A))

Chapter 14.20

LONG SUBDIVISION

Sections:

- 14.20.010 Purpose
- 14.20.020 SEPA/Environmental Checklist
- 14.20.030 Preliminary Plat Format and Content Requirements
- 14.20.050 Preliminary Review of Long Subdivision
- 14.20.055 Criteria for Review of Long Subdivisions
- 14.20.057 Hearing Examiner Review
- 14.20.060 Final Administrative Review for Long Subdivisions
- 14.20.070 Final City Council Review of Long Subdivision
- 14.20.080 Effective Period for Terms of Approval
- 14.20.090 Certification of Plat for Recording
- 14.20.100 Substantial Modification to Approved Subdivisions

14.20.055 Criteria for Review of Long Subdivisions

In addition to project evaluation required under SMC 14.17.080, the staff report shall specifically consider any and all supplementary provisions, conditions and fees required to ensure the public health, safety, and general welfare as related to:

- A. Streets shall conform in effect to the City of SeaTac Comprehensive Transportation Plan as adopted and/or to the general pattern of the highway system of SeaTac.
- B. The proposed subdivision and its ultimate use shall be in the best interests of the public welfare and the neighborhood development of the areas and the subdivider shall present evidence to this effect when requested.
- C. Adequate storm ~~drainage will~~drains and stormwater facility improvements shall be provided in accordance with Chapter 12.10 SMC.
- D. Street trees are provided between the sidewalk and curbing within the subdivision.
- E. Sidewalks or walkways shall be required for all proposed streets including perimeter streets in business and residential subdivisions.
- F. Recreation space is provided as required pursuant to SMC 14.21.010(E).
- G. Pedestrian circulation is provided for children for access to school facilities or school bus stops.
- H. All lots conform to the minimum lot area and width requirements of the Zoning Code.
- I. Water and sewer service is available to the subdivision.

J. Variances and Exceptions. Variations and exceptions from the dimensional standards and improvement requirements, as herein set forth, may be made by the Director of Community and Economic Development in those instances where it is deemed that hardship, topography, or other factual deterrent conditions prevail, and in such manner as the Director considers necessary to maintain the intent and purpose of these regulations and requirements.

K. Bonding of improvements.

L. Subdivision layout and design.

Where appropriate, staff recommendations shall recommend conditions for approval or document any factual basis for denial. (Ord. 11-1002 § 3; Ord. 09-1012 § 1 (Exh. A))

Chapter 14.21

LONG SUBDIVISION – MANDATORY IMPROVEMENTS

Sections:

14.21.010 Mandatory Improvements

All approvals for long subdivisions, except those proposed and approved under the Small Lot Single-Family Special District Overlay, shall at a minimum be conditioned on the following mandatory improvements:

- A. Sidewalks shall be required for all streets bordering and within the subject subdivision. All sidewalks shall at a minimum conform to the standards established under the SeaTac Municipal Code and SMC Title 11 applicable regulations.
- B. Where any residential subdivision is located adjacent to a business, commercial or industrial zone classification, a minimum twenty (20) foot buffer shall be provided. The buffer may be a natural buffer area, [vegetated LID BMPs, native and drought tolerant](#) landscaping, berms and/or approved fences, or a combination thereof, and shall be provided prior to the issuance of building permits. The buffer shall be noted as an easement on the face of the plat and a covenant shall be placed on each lot containing the buffer stating that the buffer cannot be altered by the property owner unless otherwise approved by the Department.
- C. Where any residential subdivision is located adjacent to adjacent residential property, a minimum ten (10) foot buffer shall be provided. The buffer may be a natural buffer area, [vegetated LID BMPs, native and drought tolerant](#) landscaping, berms and/or approved fences, or a combination thereof, and shall be provided prior to the issuance of building permits. The buffer shall be noted as an easement on the face of the plat and covenant shall be placed on each lot containing the buffer stating that the buffer cannot be altered by the property owner unless otherwise approved by the Department.
- D. New subdivisions shall provide street trees along all public rights-of-way, including the cul-de-sac pursuant to Chapter 11.05 SMC. Street trees shall be deciduous and should be planted at a maximum of thirty (30) feet on-center. Spacing shall be determined by the Directors based on site conditions. The minimum size of the street trees should be no less than ~~two one~~ and one-half (~~21~~-1/2) inches in caliper. The size of street trees shall be determined by the Directors based on site conditions. No impervious surfaces shall be allowed within the planter strip.
- E. In subdivisions of ten (10) or more lots, a minimum of seven percent (7%) of the gross land area shall be reserved as common recreation open space. [Active](#) ~~Common~~ recreational open space shall not include any critical areas as defined in Chapters 15.105, ~~and~~ [Critical areas shall be preserved per Chapter 15.700 SMC.](#)
- F. The specific location and design of any common recreation open space required under this title shall be determined by criteria established under the Zoning Code.

~~G. No part of common recreation open space reserved under this title shall also be used to fulfill property drainage requirements under SMC Title 12.~~

HG. Where an applicant proposes residential subdivision, he or she shall substantially improve the common recreation open space consistent with the projected maximum future occupancy of the overall site.

1. Land reserved pursuant to a residential subdivision shall be established as a private recreational tract. The ownership of that tract shall be allocated equally between all buildable lots created as a result of the subdivision. A covenant shall be placed on all lots within the residential subdivision informing the property owners of the requirement to maintain the private recreational tract.

2. The original and subsequent owners of any property or properties served by a private recreation tract established under this section shall maintain that tract consistent with SMC 14.26.060 and 14.26.070. The City shall not be responsible for the maintenance of such tracts.

I. Public streets shall be provided within the long subdivision pursuant to the standards of Chapter 11.05 SMC, Road Standards.

J. Required cul-de-sacs shall be constructed to the standards of Chapter 11.05 SMC, Road Standards.

K. Storm ~~drainage drains and stormwater facility~~ improvements shall be installed pursuant to Chapter 12.10 SMC. (Ord. 16-1007 § 24; Ord. 09-1012 § 1 (Exh. A))

Chapter 14.23

BINDING SITE PLANS – MANDATORY IMPROVEMENTS

Sections:

14.23.010 Mandatory Improvements

14.23.010 Mandatory Improvements

All approvals for binding site plans shall at a minimum be conditioned on the following mandatory improvements:

- A. Sidewalks shall be required for all streets bordering and within the subject binding site plan. All sidewalks shall at a minimum conform to the performance standards established under the SeaTac Municipal Code and other applicable regulations.
- B. Where any residential binding site plan is located adjacent to a business, commercial or industrial zone classification, a minimum twenty (20) foot buffer shall be provided. The buffer may be a natural buffer area, [vegetated LID BMPs, native and drought tolerant](#) landscaping, berms and/or approved fences, or a combination thereof, and shall be provided prior to the issuance of building permits. The buffer shall be noted as an easement on the face of the plat and covenant shall be placed on each lot containing the buffer stating that the buffer cannot be altered by the property owner unless otherwise approved by the Director.
- C. Where any residential binding site plan is located adjacent to residential property, a minimum ten (10) foot buffer shall be provided. The buffer may be a natural buffer area, [vegetated LID BMPs, native and drought tolerant](#) landscaping, berms and/or approved fences, or a combination thereof, and shall be provided prior to the issuance of building permits. The buffer shall be noted as an easement on the face of the plat and covenant shall be placed on each lot containing the buffer stating that the buffer cannot be altered by the property owner unless otherwise approved by the Director.
- D. New binding site plans shall provide street trees along all public rights-of-way, including the cul-de-sac pursuant to Chapter 11.05 SMC. Street trees shall be deciduous and should be planted at a maximum of thirty (30) feet on-center. Spacing shall be determined by the Director based on site conditions. The minimum size of the street trees should be no less than ~~two-one~~ and one-half (~~21~~-1/2) inches in caliper. The size of street trees shall be determined by the Director based on site conditions. No impervious surfaces shall be allowed within the planter strip. Irrigation shall be provided for the street trees.
- E. In binding site plans containing ten (10) or more lots, a minimum of ten percent (10%) of the gross land area shall be reserved as common ~~recreation~~-open space. ~~Active~~ ~~Common~~ ~~recreational~~ open space shall not include any critical areas as defined in Chapters 15.105 [SMC. Critical areas shall be preserved per Chapter](#) ~~and~~ 15.700 SMC.
- F. The specific location and design of any common ~~recreation~~-open space required under this title shall be determined by criteria established under the Zoning Code.

~~G. No part of common recreation open space reserved under this title shall also be used to fulfill property drainage requirements under the Surface Water Management Code.~~

HG. Where an applicant proposes residential binding site plan, the applicant shall substantially improve the common recreation open space consistent with the projected maximum future occupancy of the overall site.

1. Land reserved pursuant to a residential binding site plan shall be established as a private recreational tract. The ownership of that tract shall be allocated equally between all buildable lots created as a result of the subdivision.
2. The original and subsequent owners of any property or properties served by a private recreation tract established under this section shall maintain that tract consistent with SMC 14.26.070. The City shall not be responsible for the maintenance of such tracts.

HI. Where an applicant proposes a planned unit development (PUD), the City may decrease the minimum land area required for each buildable lot in direct proportion to the amount of common open ~~recreation~~ space reserved and improved for owners, tenants and/or public use.

1. The applicant may dedicate or reserve through easement up to forty percent (40%) of the net site area as common ~~recreation~~ open space, and decrease minimum lot areas to sixty percent (60%) of the minimum lot size prescribed by underlying zoning. At a minimum, ten percent (10%) common open space is required pursuant to SMC 15.215.160.
2. Any common ~~recreational~~ open space so reserved may be used to satisfy directly related conditions for permit approval; provided, that these dedications shall not satisfy, and shall be in addition to, any action otherwise required under the Surface ~~and StormW~~water Management Code (~~Chapter 12.10~~), Chapter 15.700 SMC, and SMC Titles 13 and 15.
3. Any common ~~recreation~~ open space created under this subsection shall be reserved and improved in a manner consistent with the standards established under subsection (E) or (F) of this section.
4. With regard to any application involving this subsection, the City shall not accept fees in lieu of common ~~recreational~~ open space, unless approved by the City under SMC 15.510.560.

5. To the to the greatest extent possible, maximize contiguous open space by placing common open space adjacent to environmentally critical or sensitive areas as defined in Chapter 15.700 SMC.

J. Storm ~~drainage drains and stormwater facility~~ improvements shall be installed pursuant to Chapter 12.10 SMC. ~~(Ord. 16-1007 § 28; Ord. 09-1012 § 1 (Exh. A))~~

Chapter 14.27

DEDICATION AND IMPROVEMENT OF STREETS

Sections:

- 14.27.010 Purpose
- 14.27.020 Street Dedication and Alignment
- 14.27.030 Private Streets
- 14.27.040 Method of Naming Streets
- 14.27.050 Street Trees

14.27.030 Private Streets

A. Except where the applicant demonstrates that a public street cannot adequately serve a proposed lot, private streets shall not be permitted.

B. Any private street that is permitted shall at a minimum comply with the City's Transportation Plan, [stormwater management per 12.10.010 SMC](#), SeaTac Road Standards and International Fire Code.

C. All private streets shall be designed to minimize impervious surface coverage, where feasible.

DC. Where any short subdivision or binding site plan comprises three (3) or more lots, and where any two (2) or more of those lots must be served by one (1) or more private roads, all such roads shall be identified by a sign portraying their name and indicating private ownership.

1. The Public Works Department shall install each required sign.
2. The owner(s) of the subject property shall pay a sum to the City for each sign. That sum shall be set forth in the City's fee schedule.
3. The sign fee shall be paid in addition to any other applicable fee and shall be paid prior to the approval of the affected subdivision or binding site plan.
4. The sign fee shall be deposited in the Street Maintenance Fund. (Ord. 09-1012 § 1 (Exh. A))

14.27.050 Street Trees

Street trees shall be required pursuant to Chapter 11.05 SMC. Street trees shall be deciduous and should be planted at a maximum of thirty (30) feet on-center. Spacing shall be determined by the Directors based on site conditions. The minimum size of the street trees should be no less than ~~two~~one and one-half (~~2~~1-1/2) inches in caliper. The size of street trees shall be determined by the Directors based on site conditions. No impervious surfaces shall be allowed within the planter strip. (Ord. 09-1012 § 1 (Exh. A))

Title 15

ZONING CODE

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15.525 Business Park Design Standards

15.530 High Capacity Transit Facilities Design Standards

Division VI. Sign Code

15.600 Sign Code

Division VII. Environmentally Sensitive Areas

15.700 Environmentally Sensitive Areas

Chapter 15.100

AUTHORITY, PURPOSE, INTERPRETATION AND ADMINISTRATION

Sections:

15.100.005	Title
15.100.010	Authority to Adopt Code
15.100.015	Purpose
15.100.020	Requirement of Code Conformity
15.100.030	Minimum Requirements
15.100.040	Development Agreements
15.100.050	Interpretation – General
15.100.060	Interpretation – Boundaries
15.100.070	Administration and Review Authority
15.100.080	Severability

15.100.020 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, Development Review Code.
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 Division 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. 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 to warrant Type II review with public notification.
 - c. Site planning and design shall consider stormwater management, especially the design and integration of LID BMPs, as early as possible in the project planning phase. Locate buildings away from soils that provide effective infiltration;; site LID BMPs in areas with good infiltration capacity;; reduce impervious surfaces;; and retain native vegetation.
3. **Exemptions from Permit Requirements.** 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 (1) 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. 15-1018 § 1)

Chapter 15.105

DEFINITIONS

Sections:

15.105.010	“A” Definitions.
15.105.020	“B” Definitions.
15.105.030	“C” Definitions.
15.105.040	“D” Definitions.
15.105.050	“E” Definitions.
15.105.060	“F” Definitions.
15.105.070	“G” Definitions.
15.105.080	“H” Definitions.
15.105.090	“I” Definitions.
15.105.100	“J” Definitions.
15.105.110	“K” Definitions.
15.105.120	“L” Definitions.
15.105.130	“M” Definitions.
15.105.140	“N” Definitions.
15.105.150	“O” Definitions.
15.105.160	“P” Definitions.
15.105.170	“Q” Definitions.
15.105.180	“R” Definitions.
15.105.190	“S” Definitions.
15.105.200	“T” Definitions.
15.105.210	“U” Definitions.
15.105.220	“V” Definitions.
15.105.230	“W” Definitions.
15.105.240	“X” Definitions.
15.105.250	“Y” Definitions.
15.105.260	“Z” Definitions.

15.105.020 “B” Definitions.

Base Area

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

Batch Plant

The manufacturing of asphalt or concrete which may include the storage of related component materials.

Bay Windows

The combination of three (3) 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, 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 (1) story in height.

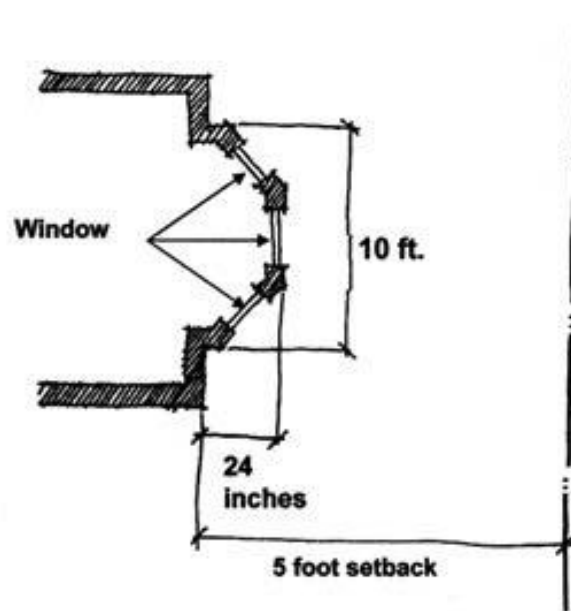


Figure: BAY WINDOWS

Beauty Salon/Personal Grooming Services

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

Bed and Breakfast

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

Berm

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

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.

Book, Stationery, Video, Audio and Art Supply Store

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

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.

Buffer Strip

A linear land area designed and established to minimize the visual, noise and other environmental impacts a given land use may have on others. A buffer strip may include, but is not limited to, preserved natural vegetation, native and drought tolerant vegetation, evergreen trees, shrubs and tree plantings, vegetated LID BMPs, or landscape berms.

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.

Building Code

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

Building, Hardware and Garden Materials Store

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

Butterfly/Moth Breeding

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. (Ord. 15-1018 § 1)

15.105.030 “C” Definitions.

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 definition, a cargo container is a structure.

Cemetery

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

Circular Driveway

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

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 15.300.100, Circulation). Within the City Center area, design standards shall apply to all properties, except those zoned urban low (UL), aviation operations (AVO), and aviation commercial (AVC).

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.

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 is employed in this title includes provisions, conditions and requirements related to the permissible location of permitted uses.

Coffee Shop/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.

College/University

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

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 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.

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.

~~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%).~~

Community Center

A facility used for and providing recreational and/or social programs, but not including overnight shelters.

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.

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.

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.

Conditional Use

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 under specific conditions based upon decision criteria of SMC 15.115.020, Conditional Use Permit (CUP).

Major Conditional Use: Requires review and approval by the Hearing Examiner.

Minor Conditional Use: Requires review and approval by the Director.

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.

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.

Continuing Care Retirement Community

A development that provides a mix of dwelling types, residential services and health care to people at least fifty-five (55) years of age. These communities may provide a full continuum of housing and care, from independent living to assisted living and through nursing care, in order to meet the aging person's growing need for supportive services and care.

Convalescent Center/Nursing Home

Any home, place or institution which operates or maintains facilities offering twenty-four (24) hour skilled nursing care for three (3) or more individuals 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 inpatient administration of medicine, preparation of special diets, bedside nursing care, and treatment by a physician or psychiatrist. Outpatient care is limited to prior patients only, and excludes any opiate substitution treatment.

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.

Courtyard

An open space area that is bounded on two (2) or more sides by the walls of adjacent buildings.

Crisis Diversion Facility (CDF)

A residential treatment facility for individuals eighteen (18) years or older that diverts individuals from jails or hospitals suffering from mental illness and/or chemical dependency. A CDF is licensed by the Washington State Department of Health and certified by the Washington State Department of Social and Health Services, provides temporary shelter, operates twenty-four/seven (24/7), and holds individuals for up to seventy-two (72) hours. One (1) crisis diversion facility may be collocated with one (1) crisis diversion interim facility.

Crisis Diversion Interim Facility (CDIF)

A residential treatment facility that provides temporary shelter, additional on-site mental illness and/or chemical dependency treatments administered by mental health care professionals, operates twenty-four/seven (24/7), and individuals may stay at the facility for up to two (2) weeks. A CDIF is licensed by the Washington State Department of Health and certified by the Washington State Department of Social and Health Services. One (1) crisis diversion interim facility may be collocated with one (1) crisis diversion facility.

Critical Root Zone

The minimum area of protection around the trunk of a tree. The critical root zone is based on the area that results from measuring, at diameter breast height (4.5 feet above the ground), 1.25 feet outwards from the trunk for every inch of trunk diameter.

Cross-Section

A visual representation of a vertical cut through a structure, a proposed fill pad or any other three (3) dimensional form.

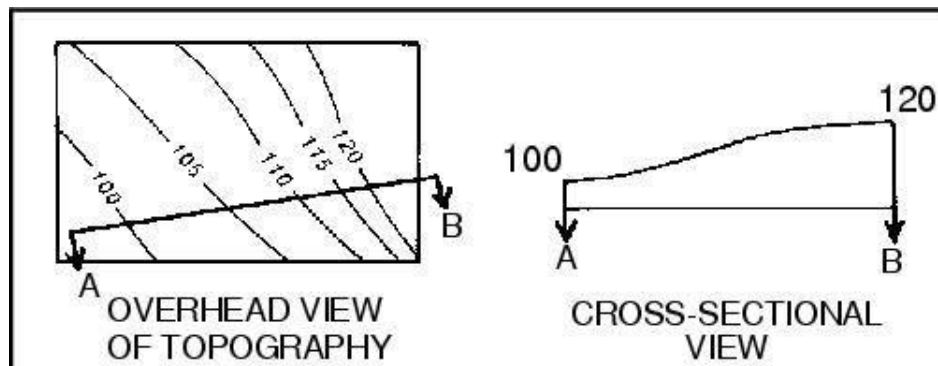


Figure: EXAMPLE OF A CROSS-SECTION

(Ord. 15-1018 § 1)

15.105.070 “G” Definitions.
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.

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.

Grading

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

Groundcover

Low-growing plants such as grasses, flowers, ferns, herbs, small spreading shrubs, or other types of vegetation planted so as to cover and/or stabilize the surface soils within 3 years of planting.

Group Home

See definition of "Community Residential Facility." (Ord. 15-1018 § 1)

15.105.090 "I" Definitions.

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. A man-made or modified surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions before development; or that causes water to run off the surface in greater quantities or at an increased rate of flow compared to the flow present under natural conditions prior to development (see also "new impervious surface"). Common impervious surfaces include, but are not limited to, roof, walkways, patios,

driveways, parking lots, or storage areas, areas that are paved, graveled or made of packed or oiled earthen materials or other surfaces that similarly impede the natural infiltration of surface water or stormwater.

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.

International Building Code (IBC)

The International Building Code and related codes as amended and adopted by the City. (Ord. 15-1018 § 1)

15.105.120 “L” Definitions.

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.

Laundromat

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

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.

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.

Livestock

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

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.

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.

Lot Coverage

That percentage of the lot area covered by all buildings including accessory buildings, uses and tent structures.

Lot Lines

The property lines that establish the boundaries of buildable lots. For information on how lot lines are designated see SMC 15.110.030, Designation of Lot Lines.

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.

Lot Width

The distance between the two (2) established side lot lines of the lot.

Low Impact Development (LID)

A stormwater and/or land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

Low Impact Development (LID) Best Management Practice (BMP)

Distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, permeable pavement, limited infiltration systems, roof downspout controls, dispersion, soil amendments, and minimal excavation foundations. (Ord. 15-1018 § 1)

15.105.140 “N” Definitions.

Native ~~Vegetation~~ Vegetated Surface

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. A surface in which the soil conditions, ground cover, and species of vegetation are like those of the original native condition for the site. More specifically, this means (1) the soil is either undisturbed or has been treated according to the "native vegetated landscape" specifications in Appendix C of the Surface Water Design Manual; (2) the ground is either naturally covered with vegetation litter or has been top-dressed between plants with 4 inches of mulch consistent with the native vegetated landscape specifications in Appendix C of the Surface Water Design Manual; and (3) the vegetation is either (a) comprised predominantly of plant species, other than noxious weeds, that are indigenous to the coastal region of the Pacific Northwest and that reasonably could have been expected to occur naturally on the site or (b) comprised of plant species specified for a native vegetated landscape in Appendix C of the Surface Water Design Manual. Examples of these plant species include trees such as Douglas fir, western hemlock, western red cedar, alder, big- leaf maple and vine maple; shrubs such as willow, elderberry, salmonberry and salal; and herbaceous plants such as sword fern, foam flower, and fireweed.

Noise

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

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.

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.

Nonprofit Organization

A noncommercial organization that does not operate to make a profit.

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.

Nursing Home

See definition of "Convalescent Center/Nursing Home." (Ord. 15-1018 § 1)

15.105.150 "O" Definitions.

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.

Open Space

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

- A. Publicly accessible plazas, courtyards, and pocket parks located either within the front yard setback or elsewhere on site;
- B. Active outdoor recreation areas;
- C. Multi-purpose green spaces;
- D. 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
- E. Natural areas with outstanding scenic or recreational (active or passive) value;
- F. Public access areas to creeks, rivers, lakes or Puget Sound;
- G. Lands that define, through natural features, urban and rural areas;
- H. Lands that create corridors between natural features;
- I. Areas defined as sensitive areas under [the Sensitive Areas Ordinance 15.700 SMC](#);
- J. Any landscaped area that exceeds the minimum adopted landscape requirements.
- ~~K. [Vegetated LID BMPs, including rain gardens; bioretention; vegetated roofs accessible to the general public; permeable pavement trails, courtyards, or plazas; and dispersion.](#)~~

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.

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.

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. (Ord. 15-1018 § 1)

15.105.190 “S” Definitions.

Secondhand Store

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

Secure Community Transition Facility (SCTF)

An inpatient 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.

SEPA

The State Environmental Policy Act (Chapter 43.21C RCW).

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.

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 "sexually oriented theater."

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

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.

Shoreline Master Program

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

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).

Site

One (1) or more contiguous legal lots used as the basis upon which the provisions and standards of this code are applied.

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.

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 offices/outpatient clinics as those terms are defined in this code.

Specialized Instruction School

A school providing specialized instruction in areas including, but not limited to, art, music, cooking, and related disciplines. A specialized instruction school is also to be distinguished from vocational-technical schools, as defined in this code.

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.

Sports Club

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.

Storage, Self-Service

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

Storm Drainage

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

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 streets.

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.

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.

[Surface Water Design Manual](#)

[The King County Surface Water Design Manual \(KCSWDM\), as amended by the City of SeaTac Addendum to the KCSWDM adopted in SMC 12.10.010. \(Ord. 15-1018 § 1\)](#)

15.105.220 “V” Definitions.

Vegetated LID BMPs

LID BMPs that utilize landscaping.

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.

Vehicle Repair, Small

Vehicle 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, Small

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

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. Truck driving instructional schools and heavy equipment operational schools also fall within this definition.

Chapter 15.300

CITY CENTER OVERLAY DISTRICT

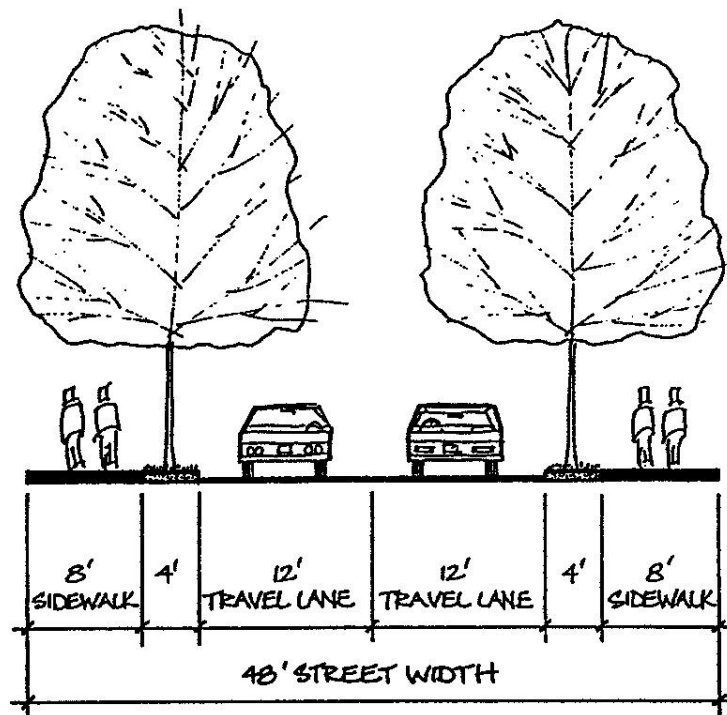
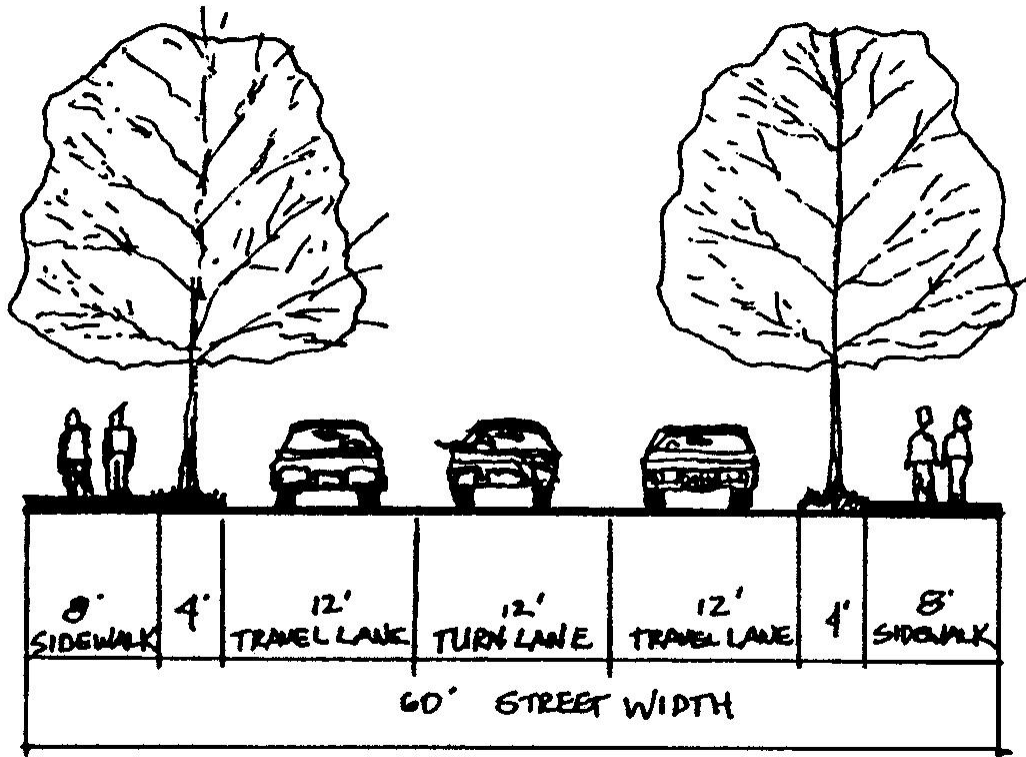
15.300.100 Circulation

Purpose: Sufficient vehicular circulation should be provided through the establishment of an adequate network of collectors and minor arterials. Pedestrian corridors should be inviting in their overall design, such as through the provision of street furniture and landscaping, and should feel secure by providing adequate safety measures, such as lighting. (Ord. 15-1018 § 1)

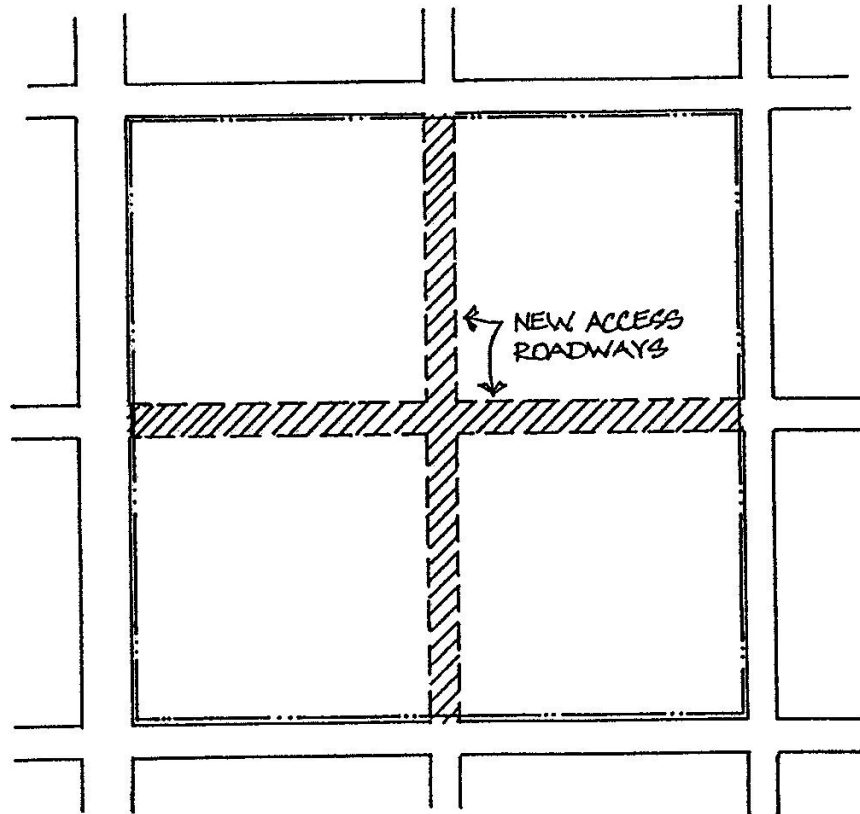
15.300.110 Vehicular Circulation Requirements

A. All new City Center Overlay District streets shall be constructed within a minimum forty-eight (48) foot wide corridor (including streetfront pedestrian zones), and shall generally conform to the adopted City Center Plan. Pedestrian and vehicular circulation within the City Center Overlay District is intended to provide for public access, safe traffic flow, and connections to established vehicular and pedestrian routes, and is not intended to be applied prescriptively. Vehicular circulation shall be as approved by both the Director and the Director of Public Works.

1. All collector streets shall be constructed within a minimum ~~of~~ forty-eight (48) feet ~~in~~ width-wide corridor (including streetfront pedestrian zones) and meet all applicable City ~~Department of Public Works specifications~~ road standards.
2. All minor arterials shall be a minimum of sixty (60) feet in width and meet all City Department of Public Works specifications.



B. All streets shall be designed to create blocks which are no greater than four hundred (400) feet on a side. In cases where topographic or other environmental constraints preclude the creation of a four hundred (400) foot by four hundred (400) foot block size, the four hundred (400) foot maximum block length shall apply to only two (2) sides of a block, and the maximum block length may be waived by the Director.



C. An owner or developer shall coordinate with owners of adjacent parcels and consolidate, wherever possible, vehicular circulation routes to interconnect public and/or private streets in conformance with the adopted City Center Plan. Where appropriate, circulation corridors shall extend to the boundary line of the site parcel in order to provide for future development of adjacent parcels and connections with existing public and/or private streets.

D. Dead-end streets shall be permitted only where there is no feasible connection with an adjacent public and/or private street.

E. Half-streets shall not be allowed, except as an interim circulation route as approved by both the Director and the Director of Public Works, in which the other half of the public or private street shall be developed on an adjacent parcel.

F. Public and private streets should not be enclosed. In cases where buildings are allowed to span public or private streets, the following standards shall apply:

1. The minimum ceiling height shall meet highway standards;

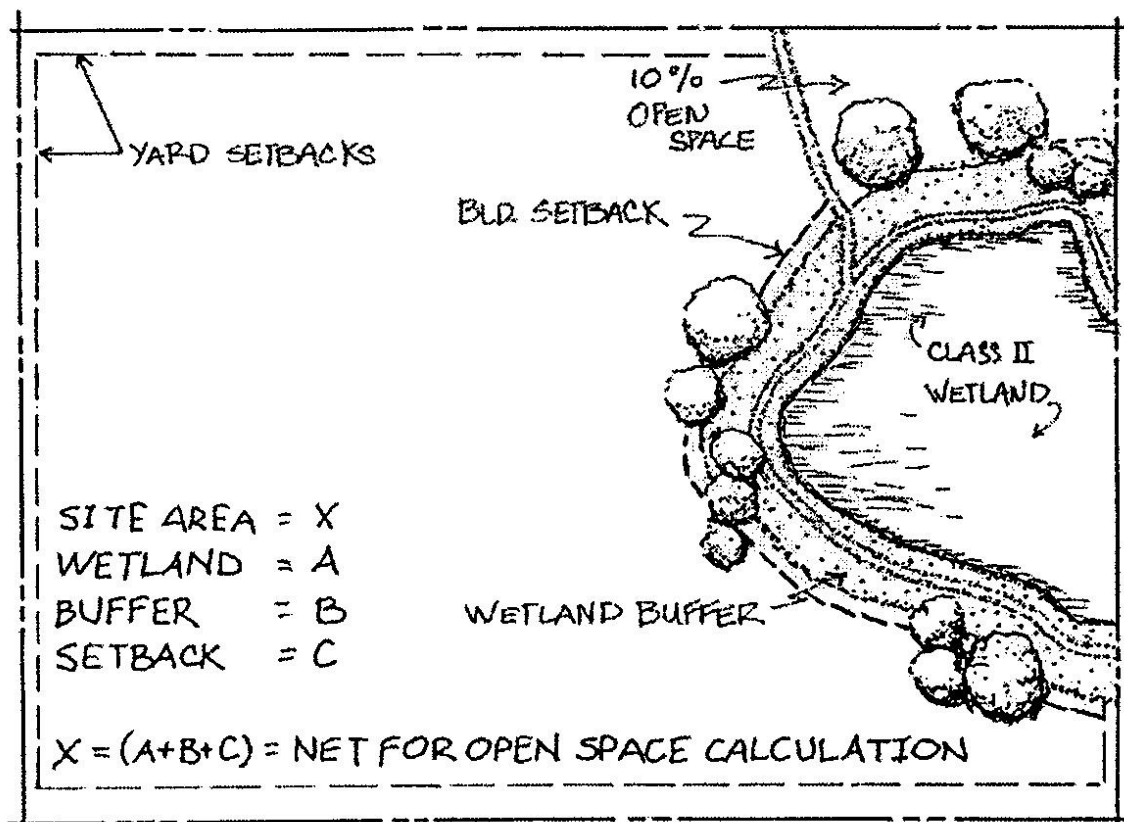
2. Lighting sufficient to provide a safe pedestrian environment shall be in operation at all times;
3. At the time of development, ground level retail space shall be constructed in accordance with the provisions of SMC 15.300.730, Ground Floor Uses in Mixed Use Projects, except as provided below:
 - a. Ground level retail space shall be constructed either on one (1) side of City Center Overlay District streets (collectors or minor arterials), for the full length of the enclosed area; or
 - b. Shall be constructed on both sides of the collector or minor arterial for fifty percent (50%) of the length of the enclosed area; and
 - c. Shall be served by the minimum utilities necessary for occupancy. These utilities include electricity, and sewer and water service;
4. Ground level retail space shall conform to the ground level transparency requirements specified in SMC 15.300.610(A), Ground Floor Transparency Requirements;
5. A minimum of one (1) piece of public art, approved by the Director, shall be included for every fifty (50) feet of enclosed length. Art work may include, but is not limited to the following suggestions:
 - a. Artistic wall treatments such as painted murals, bas-relief murals, photographic montages, mosaics;
 - b. Artistic pavement or ceiling treatments as approved by the Director;
 - c. Neon lighting sculptures or other artistic lighting displays;
6. Ventilation systems to provide air inside the covered area that is at least as clean as ambient levels in the City Center Overlay District outside the enclosure shall be in operation at all times;
7. The interior space of the covered area shall appear in all aspects to be “pedestrian-oriented.” (Ord. 15-1018 § 1)

15.300.310 Minimum Open Space Area Required

A. A minimum of ten percent (10%) of net site area shall be set aside as usable outdoor open space accessible to the public.

1. **Areas That Do Not Qualify as Open Space.** The following shall not be included toward meeting the minimum open space requirement:
 - a. Portions of a parcel classified as wetland; storm water facility, provided, that such storm water facilities are at grade and not covered; or open water.

- b. Required landscaping and sensitive area buffers without common access links, such as pedestrian trails.
- c. Driveways, parking, or other auto uses.
- d. Areas of a parcel with slopes greater than eight percent (8%) shall not qualify as usable outdoor open space, unless the area has been developed with an enhanced accessibility system of stairs, ramps, terraces, trails, seating areas, or other site improvements as approved by the Director.
- e. Parcels adjacent to Bow Lake may not count areas of open water for the purpose of calculating the open space area requirement.
- f. Wetland buffer and setback areas shall also be excluded for the purpose of calculating the open space requirement.



B. **Areas that Qualify as Open Space.** Usable open space that qualifies toward meeting the minimum open space requirement shall include one (1) or more of the following:

1. Active outdoor recreation areas;
2. Multi-purpose green spaces;
3. Publically accessible pathways that are part of a vVegetated roofs design-aceessible to the general public;

4. Permeable pavement trails

53. Pedestrian-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-only corridors shall be counted as usable open space; and/or

64. Publicly accessible plazas, courtyards, pocket parks and decorative or permeable paving areas constructed contiguous with a new or existing sidewalk located either within the front yard setback or elsewhere on site. Publicly accessible courtyard designs shall conform to the following standards:

- a. The courtyard dimension is a measurement of the usable open space between two (2) buildings or to a property line, and shall have a width equal to the height of the building, up to a maximum of seventy-five (75) feet, but in no case less than twenty (20) feet.
- b. If the enclosing walls of a courtyard terrace upward and back with succeeding stories, the courtyard dimension shall be measured from the lowest enclosing floor or projection.

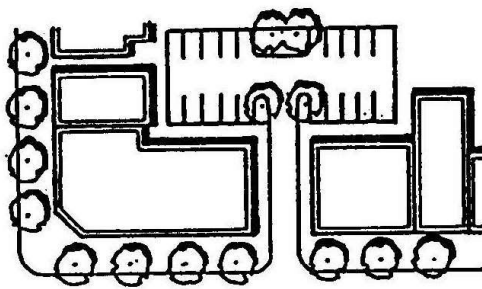
15.300.450 Surface Parking

A. Public/Private Surface Parking as an Interim Use. Public/private surface parking, as the main activity on a site, may only be allowed as an interim use subject to a development agreement specifying additional conditions as **needed**.

B. Location of Surface Parking Lots.

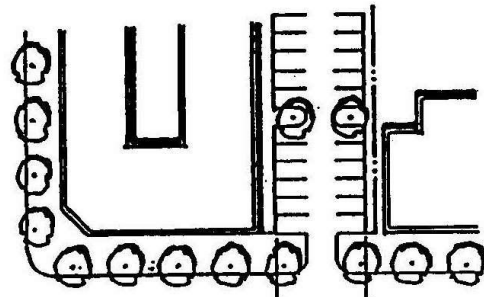
1. No parking shall be located between the building and the front property line, other than a driveway for passenger loading and off-loading only in conformance with SMC 15.300.260, Driveway Entrances, and approved by the Director. Surface parking shall be located behind a building or to the side of a building.
2. **Parking Next to Building.** Parking located next to a building and within forty (40) feet of the front property line shall not occupy more than the width of two (2) lengthwise parking stalls and one (1) travel lane, or sixty-two (62) feet, whichever is less.
3. **Parking on Corner Lots.** On corner lots, no parking shall be located between the building and either of the two (2) front property lines. If a parcel abuts more than two (2) public or private streets, no parking shall be located between the building and the front property line abutting the two (2) public and/or private streets with the highest classification.

PARKING TO REAR OF BLDG.



NO PARKING ON CORNERS

PARKING TO SIDE OF BLDG.



MAXIMUM WIDTH ↕

C. **Pedestrian Circulation Through Parking Lots.**

1. Surface parking lots containing one hundred (100) parking spaces or more shall provide pedestrian walkways through the parking field.

2. **Pedestrian Walkway Locations.**

a. For parking rows perpendicular to the principal building facade, pedestrian ways shall be located between two (2) rows of parking spaces at a minimum of one (1) pedestrian way every two hundred (200) feet.

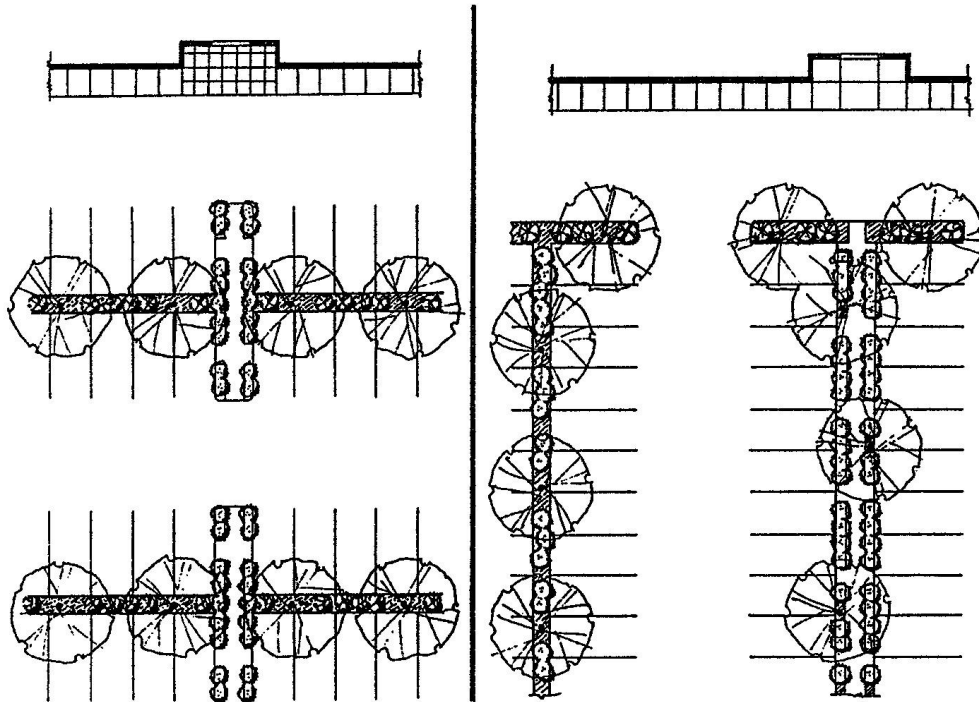
b. For parking rows parallel to the principal building facade, pedestrian ways shall be incorporated adjacent to a series of aligned landscape islands at a minimum of one (1) walkway every twenty-one (21) parking spaces. Landscape island siting and design may be modified to accommodate LID BMPs.

3. **Pedestrian Walkway Design.**

a. Pedestrian walkways shall be raised, and shall be a minimum of ~~eight~~ five (85) feet wide, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to nonstreetfront building entrances or existing pedestrian ways.

b. Clearly distinguish the pedestrian way network from car or transit circulation. This is particularly important in areas where these various travel modes intersect, such as at driveway entrances and in parking lots.

c. Where sidewalks or walkways cross vehicular driveways, provide a continuous raised crossing, or distinguish the crossing from the driveway surface by marking with a contrasting paving material (~~including such as permeable pavement~~).



**Parking Rows Parallel To The
Principal Building Facade**

**Parking Rows Perpendicular To The
Principle Building Facade**

(Ord. 15-1018 § 1)

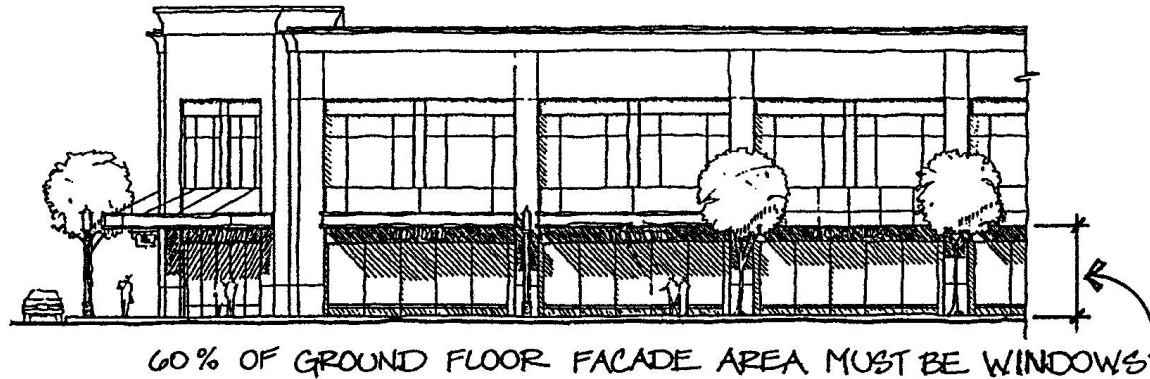
15.300.610 Street Level Design

A. Ground Floor Transparency Requirements.

1. Windows shall be provided on the street level rather than blank walls to encourage a visual link between the business and passing pedestrians.
2. Transparency requirements shall apply to buildings with a ground floor retail/commercial or service use, as defined in SMC 15.300.730 and in the City Center Use Charts (SMC 15.300.050 through 15.300.055), including portions of buildings where ground floor uses are convertible to a retail/commercial or service use. Transparency requirements shall not apply to portions of a building with ground floor housing.
 - a. Windows shall cover at least sixty percent (60%) of the public street facing ground floor building wall area.
3. **Transparency Design Requirements.**
 - a. Transparency requirements shall apply to that area of the ground floor building wall fronting the street up to the finished ceiling height of the first floor building space.

b. Windows shall begin twelve (12) to thirty (30) inches above the finished grade of the first floor building space.

c. At the first floor building level, darkly tinted, mirrored or reflective glass shall not be used. Lightly tinted windows are allowed for nonretail ground floor uses.



B. Pedestrian Weather Protection Along Building Facades.

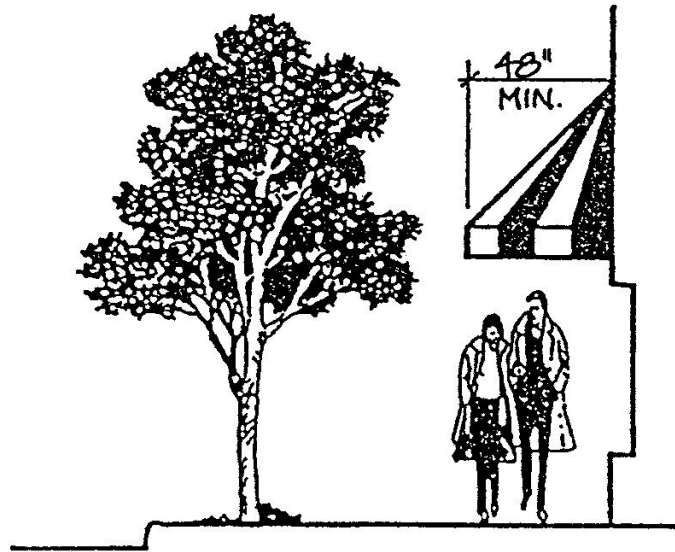
1. Building facades with ground floor retail/commercial or service uses shall be designed to provide for pedestrian weather protection through the use of awnings, canopies, colonnades, marquees, or building overhangs.

2. Pedestrian Weather Protection Structure Design.

a. **Length.** Pedestrian weather protection structures shall extend along at least the length of the street-facing facade with the ground floor retail/commercial or service use.

b. **Width.** Pedestrian weather protection structures shall extend a minimum of four (4) feet out from the building facade. The maximum horizontal projection from the surface of the building shall be eight (8) feet or seventy-five percent (75%) of the distance to the curb face, whichever is less. Pedestrian weather protection structures shall be architecturally integrated with the ground level design of the building to which they are attached.

c. **Height.** The minimum height of pedestrian weather protection structures shall be eight (8) feet and six (6) inches above the sidewalk surface. Maintain a horizontal consistency by aligning the bottom edge of weather protection structures with those on adjacent buildings. Where the grade is sloping, maintain the average height above grade of adjacent weather protection structures.



3. **Pedestrian Weather Protection and Building Facade Landscaping.** Building facade landscaping shall not be required under pedestrian weather protection structures along public or private street frontages. Any facade landscaping provided under pedestrian weather protection structures shall be of such width that a minimum four (4) feet of unobstructed walking area remains under the building awning, canopy, overhang, or other weather protection structure.

a. Building facade landscaping ([Type V Landscaping](#)) in front of a ground floor retail use shall be designed and maintained to avoid obscuring visibility of street-facing windows or limiting access to building entrances, ~~and shall consist of:~~

~~i. Evergreen shrubs spaced no more than four (4) feet apart that do not exceed a height of four (4) feet at maturity;~~

~~ii. Ground cover; and~~

~~iii. Seasonal displays of flowering annual bedding plants.~~ (Ord. 15-1018 § 1)

15.300.640 Rooflines and Equipment

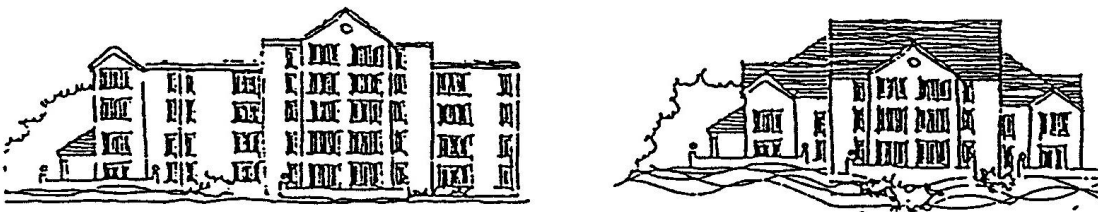
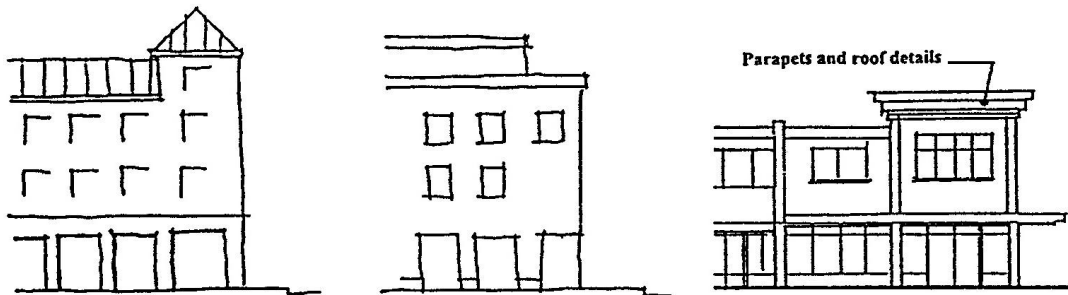
A. **Rooflines.** In order to provide a visual terminus to the tops of City Center Overlay District buildings and soften rectilinear forms, roof designs must conform to one (1) of the following options:

1. **Roofline with Architectural Focal Point.** A roofline focal point refers to a prominent rooftop feature such as a peak, tower, gable, dome, barrel vault or roofline trellis structure.

2. **Roofline Variation.** The roofline articulated through a variation or step in roof height or detail, such as:

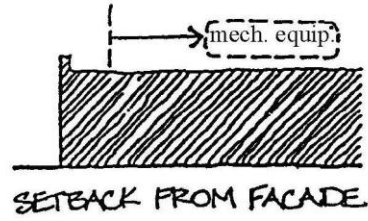
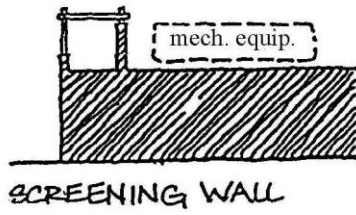
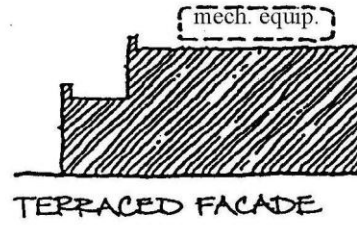
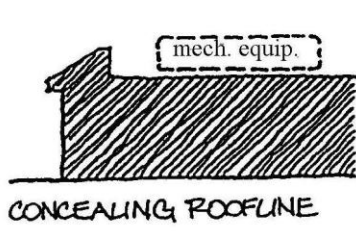
a. **Projecting Cornice.** Roofline articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.

- b. **Articulated Parapet.** Roofline parapets shall incorporate angled, curved or stepped detail elements.
3. **Pitched Roof or Full Mansard.** A roof with angled edges, with or without a defined ridge line and extended eaves.
4. **Terraced Roof.** A roofline incorporating setbacks for balconies, roof gardens, or patios.



B. **Rooftop Equipment.** Building rooftops shall be designed to effectively screen mechanical equipment from street-level view through one (1) or more of the following methods:

1. A concealing roofline;
2. A terraced facade;
3. A screening wall or grillwork directly surrounding the equipment;
4. Sufficient setback from the facade edge to be concealed from ground level view;
5. [Vegetated roof designed in accordance with the Surface Water Design Manual and applicable building codes.](#)



(Ord. 15-1018 § 1)

Chapter 15.305

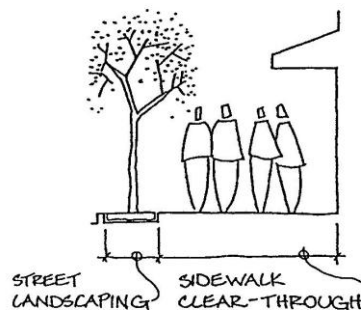
SOUTH 154TH STREET STATION AREA OVERLAY DISTRICT

15.305.250 The Layout and Width of Streetfront Pedestrian Zone

A. **Sidewalk Clear-Through Zone.** A pedestrian sidewalk clear-through zone shall be created along the public and/or private street frontage consisting of a minimum eight (8) foot wide paving area on streets using the twelve (12) foot sidewalk, and consisting of a minimum four (4) foot wide paving area on other streets. The pedestrian sidewalk clear-through zone shall be free of physical obstructions to pedestrian movement.

B. **Street Landscaping Zone.** A minimum four (4) foot wide street landscaping zone adjacent to the street curb shall be required on streets where both the twelve (12) foot and eight (8) foot sidewalks are used. The street landscaping zone shall consist of a combination of vegetated LID BMPs where feasible, trees, landscaping, light poles, and street furniture in a manner to be approved by the Director.

1. The street landscaping zone will include City-approved tree wells and grates for street trees in addition to street trees.
2. Street trees shall be deciduous shade trees capable of at least twenty-five (25) feet in height. Street trees shall be planted within the street landscaping zone along public and/or private streets and be spaced no more than thirty (30) feet apart as described in street landscaping standards in Chapter 15.445 SMC, Landscaping and Tree Retention, except where variations in tree spacing, as approved by the Director, may be considered to enhance plaza areas, emphasize building focal points or avoid visually blocking retail storefront entrances.



15.305.350 Open Space Maintenance

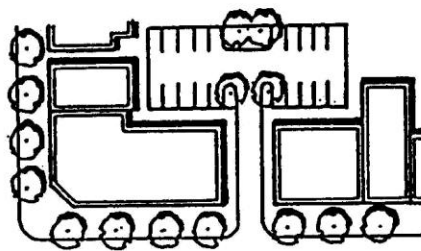
All open space improvements shall be maintained in good condition. Maintenance shall include regular watering, mowing, pruning, clearance of debris and weeds, removal and replacement of dead plants, ~~and~~ the repair and replacement of irrigation systems, and maintenance of the stormwater and LID BMPs.

15.305.450 Surface Parking

A. Location of Surface Parking Lots.

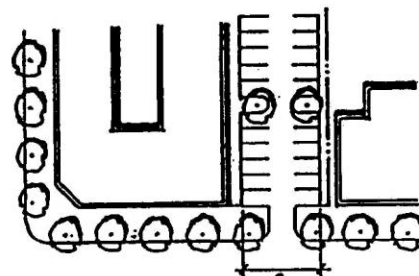
1. No parking shall be located between the building and the front property line. An exception may be made in the case of passenger loading and off-loading in the driveway of a porte-cochere in conformance with SMC 15.305.260, Driveway Entrances, and approved by the Director. Surface parking shall be located behind a building or to the side of a building.
2. **Parking Next to Building.** Parking located next to a building and within forty (40) feet of the front property line shall not occupy more than the width of one (1) lengthwise parking stall and one (1) travel lane, or thirty (30) feet, whichever is less.
3. **Parking Where Building Frontage Less than One Hundred (100) Feet.** In cases where the minimum frontage on a public or private street is less than one hundred (100) feet, no parking shall be allowed in the first twenty (20) feet of the front property line, the front facade of the new or redeveloped building shall occupy at least sixty percent (60%) of the total lot frontage and the vehicular access way may be no wider than twenty-four (24) feet.
4. **Parking on Corner Lots.** On corner lots, no parking shall be located between the building and either of the two (2) front property lines. If a parcel abuts more than two (2) public or private streets, no parking shall be located between the building and the front property line abutting the two (2) public and/or private streets with the highest classification.

PARKING TO REAR OF BLDG.



NO PARKING ON CORNERS

PARKING TO SIDE OF BLDG.



MAXIMUM WIDTH ↑

B. Pedestrian Circulation Through Parking Lots.

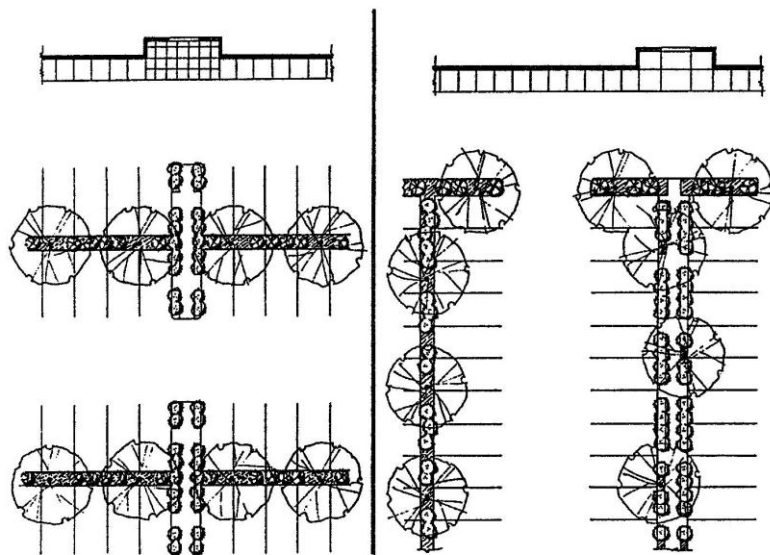
1. Surface parking lots containing one hundred (100) parking spaces or more shall provide pedestrian walkways through the parking field.

2. **Pedestrian Walkway Locations.**

- a. For parking rows perpendicular to the principal building facade, pedestrian ways shall be located between two (2) rows of parking spaces at a minimum of one (1) pedestrian way every two hundred (200) feet.
- b. For parking rows parallel to the principal building facade, pedestrian ways shall be incorporated adjacent to a series of aligned landscape islands at a minimum of one (1) walkway every twenty-one (21) parking spaces. [Landscape island siting and design may be modified to accommodate LID BMPs.](#)

3. **Pedestrian Walkway Design.**

- a. Pedestrian walkways shall be raised, and shall be a minimum of ~~eight~~ five (85) feet wide, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to nonstreetfront building entrances or existing pedestrian ways.
- b. Clearly distinguish the pedestrian way network from car or transit circulation. This is particularly important in areas where these various travel modes intersect, such as at driveway entrances and in parking lots.
- c. Where sidewalks or walkways cross vehicular driveways, provide a continuous raised crossing, or distinguish the crossing from the driveway surface by marking with a contrasting paving material ([including permeable pavement](#)).



Parking Rows **Parallel** To The
Principal Building Facade

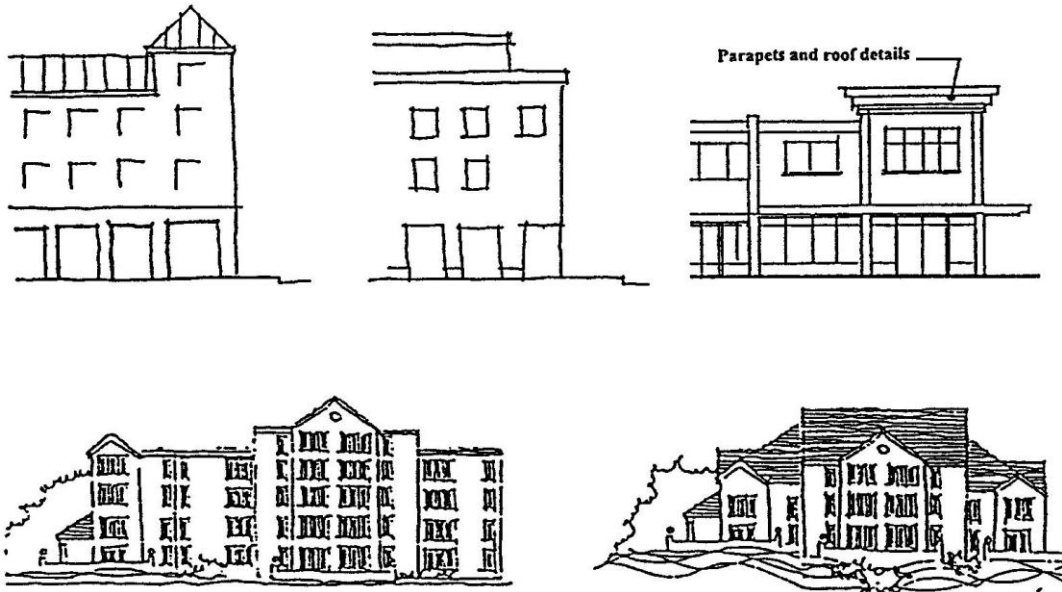
Parking Rows **Perpendicular** To The
Principle Building Facade

(Ord. 15-1018 § 1)

15.305.640 Rooflines and Equipment

A. **Rooflines.** Rooflines shall provide a visual terminus to the tops of S. 154th Street Station Area Overlay District buildings and soften rectilinear forms.

1. Rooflines shall provide an architectural focal point. A roofline focal point refers to a prominent rooftop feature such as a peak, tower, gable, dome, barrel vault or roofline trellis structure.
2. Roof designs must conform to one (1) of the following options:
 - a. **Roofline Variation.** The roofline articulated through a variation or step in roof height or detail, such as:
 - i. **Projecting Cornice.** Roofline articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.
 - ii. **Articulated Parapet.** Roofline parapets shall incorporate angled, curved or stepped detail elements.
 - b. **Pitched Roof or Full Mansard.** A roof with angled edges, with or without a defined ridge line and extended eaves.
 - c. **Terraced Roof.** A roofline incorporating setbacks for balconies, roof gardens, or patios.

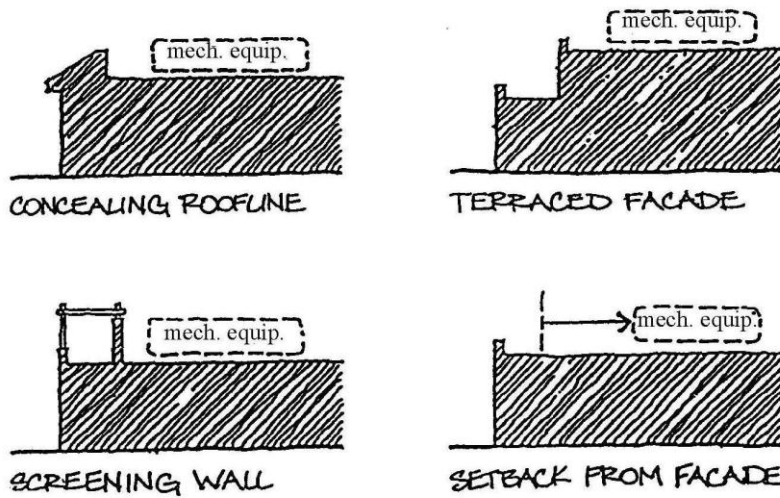


B. **Rooftop Equipment.** Building rooftops shall be designed to effectively screen mechanical equipment from street-level view through one (1) or more of the following methods:

1. A concealing roofline;

2. A terraced facade;
3. A screening wall or grillwork directly surrounding the equipment;
4. Sufficient setback from the facade edge to be concealed from ground level view.;

5. [Vegetated roof designed in accordance with the Surface Water Design Manual and applicable building codes.](#)



(Ord. 15-1018 § 1)

Chapter 15.445

LANDSCAPING AND TREE RETENTION

Sections:

- 15.445.005 Purpose
- 15.445.010 Authority and Application
- 15.445.015 Departures
- 15.445.100 General Landscaping Requirements
- 15.445.110 Types of Landscaping
- 15.445.120 General Landscape Requirements
- 15.445.130 Installation Requirements
- 15.445.140 Irrigation Requirements
- 15.445.150 Maintenance Requirements
- 15.445.160 Bonds/Security Requirements
- 15.445.170 Deferral of Landscape Improvements
- 15.445.200 Landscaping Standards
- 15.445.210 Landscaping Standards Chart
- 15.445.220 Street Frontage Landscaping
- 15.445.230 Building Facade Landscaping
- 15.445.240 Side/Rear Buffer Landscaping for Noncompatible Uses
- 15.445.250 Surface Parking Landscaping
- 15.445.260 Landscaping Adjacent to Freeway Rights-of-Way
- 15.445.270 Landscaping of Industrial Uses Adjacent to Single-Family Residential Zones
- 15.445.280 Alternative Landscape Options
- 15.445.300 Service Areas Screening and Placement: Garbage Dumpsters/Recycling Bins
- 15.445.400 Tree Retention
- 15.445.410 Retention of Significant Trees within New Short Plats and Long Subdivisions in the Single-Family Zones
- 15.445.420 Retention of Significant Trees in All Other Zones
- 15.445.430 Tree Retention – Clearing of Multi-Family, Commercial, and Industrial Zoned Lots
- 15.445.440 Minimum Number of Trees per Residential Lot – New Short Plats and Long Subdivisions
- 15.445.450 Protection of Significant Trees

15.445.010 Authority and Application

A. The provisions of this chapter shall apply to:

1. All new developments on vacant land requiring building permits; or
2. When the gross floor area (gfa) of a building/complex expands beyond twenty percent (20%) of the total existing gfa, the current landscape standards shall be applicable and integrated into the redevelopment. Within the Neighborhood Business (NB) zone, the

provisions of this chapter shall apply when the complex expands beyond forty percent (40%) of the total existing gfa; or

3. Upon the change in use of any property to public/private parking; or
4. Upon the conversion of any outdoor space of two hundred (200) square feet or greater to a business use or parking, the current landscape standards shall be integrated into that portion of the site to the greatest extent feasible.

B. The following uses are exempt from the [provisions-landscaping requirements](#) of this chapter ([Sections 15.445.100 through Section 15.445.300](#)); ~~however, the tree retention requirements ([Section 15.445.400 through 15.445.450](#)) apply:~~

1. Single-family dwellings;
2. Residential accessory uses; and
3. Subdivisions (except as provided under SMC 15.445.260) and short subdivisions in regard to perimeter and street landscape proportions only.

C. **Landscaping Requirements and Increased Setbacks.** Where the width of a required landscape strip exceeds the normally required setback of a zone or specific use, the required setback shall be increased to accommodate the full width of the required landscaping.

1. **Exceptions.**

a. **UH-UCR, CB-C and O/CM Zones.** The street frontage landscape strip requirement shall not apply to uses in the Urban High-Urban Center Residential (UH-UCR) zoning category, Community Business in the Urban Center zoning category (CB-C), or Office/Commercial Medium (O/CM) zoning category.

b. **City Center and S. 154th Street Station Area Overlay Districts.** Within the designated City Center and S. 154th Street Station Area Overlay Districts, front yard open space as per SMC 15.300.320 and 15.305.320, shall be required in lieu of street frontage landscaping.

2. **Relocation of Required Street Frontage Landscaping.** If the normal required landscaping is reduced through this exception for all applicable zones except in the designated overlay districts, fifty percent (50%) of said landscaping shall be placed into plazas, rooftop gardens and other pedestrian amenities, and street trees shall be planted within the public right-of-way in locations and amounts to be determined by the Director.

D. When an existing building precludes installation of the total width of required landscaping, the landscaping shall be installed to the extent possible and the remaining required landscaping shall be installed elsewhere on the site to provide the best possible screening.

E. **Other Standards Applicable.** Except as specified in this section of the Zoning Code, all other relevant standards and requirements in this code shall apply. (Ord. 15-1018 § 1)

15.445.110 Types of Landscaping

The five (5) types of landscaping are described and applied as follows:

A. Type I Landscaping.

1. Type I landscaping is a “full screen” which functions as a visual and psychological barrier. Full screening is intended generally for use adjacent to freeways and between uses with a high degree of incompatibility.
2. Type I landscaping shall consist of:
 - a. A solid wall of trees and/or a dense hedge with a mix of [native and drought tolerant](#) deciduous and evergreen trees placed to form a continuous screen within three (3) years;
 - b. At least seventy percent (70%) evergreen trees;
 - c. Evergreen trees spaced no more than fifteen (15) feet on center;
 - d. Deciduous trees spaced no more than twenty (20) feet on center;
 - e. Evergreen shrubs spaced no more than four (4) feet apart and to achieve a height of six (6) feet [above the travelled way grade](#) within three (3) years;
 - f. [Native and drought tolerant g](#)Groundcover; ~~and~~
 - g. Street frontage landscaping shall be located behind the sidewalk; [and](#)
 - h. [Vegetated LID BMPs, consistent with the intent of this section.](#)

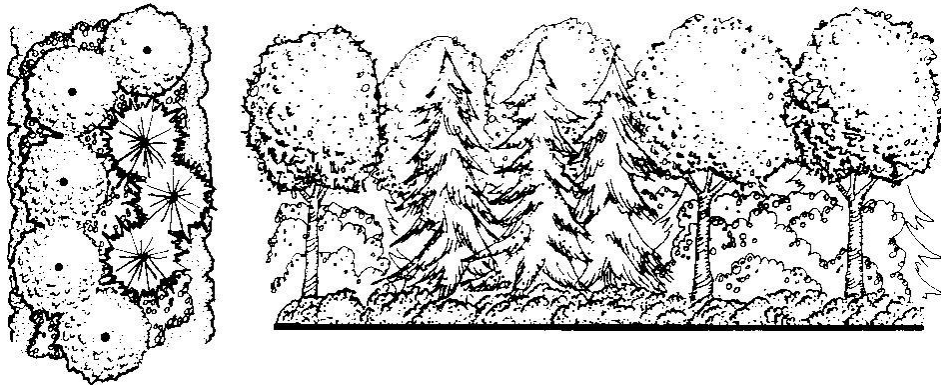


Figure: TYPE I LANDSCAPING

B. Type II Landscaping.

1. Type II landscaping is a “filtered screen” which functions as a visual separator. Filtered screening is intended for use between uses with some degree of incompatibility.
2. Type II landscaping shall consist of:
 - a. A mix of [native and drought tolerant](#) evergreen and deciduous trees and shrubs spaced to create a filtered screen within three (3) years;

- b. At least fifty percent (50%) deciduous trees and at least thirty percent (30%) evergreen trees;
- c. Evergreen trees spaced no more than fifteen (15) feet on center;
- d. Deciduous trees spaced no more than twenty (20) feet on center;
- e. Evergreen shrubs spaced no more than five (5) feet apart and that achieve a height of six (6) feet above the travelled way grade within three (3) years;
- f. Native and drought tolerant ~~G~~groundcover; ~~and~~
- g. Street frontage landscaping shall be located behind the sidewalk; and
- h. Vegetated LID BMPs, consistent with the intent of this section.

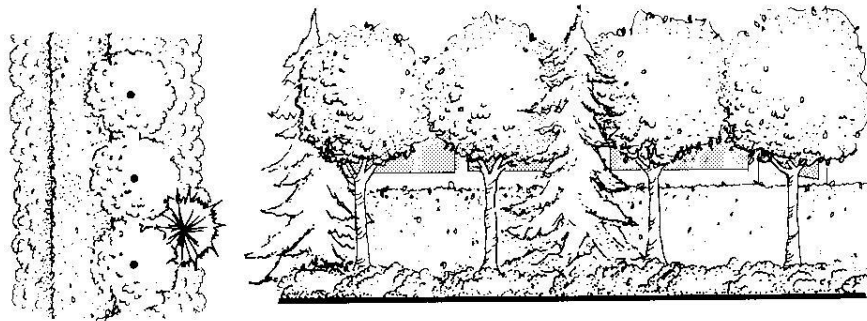


Figure: TYPE II LANDSCAPING

C. Type III Landscaping.

1. Type III landscaping is a “see-through buffer” which functions as a partial visual separator to soften the appearance of streets, parking areas and building elevations. See-through buffering is intended for use between streets and a land use, or between similar, compatible uses.
2. Type III landscaping shall consist of:
 - a. A mix of native and drought tolerant evergreen and deciduous trees spaced to create a continuous canopy within ten (10) years;
 - b. At least seventy percent (70%) deciduous trees;
 - c. Trees spaced no more than twenty-five (25) feet on center;
 - d. Evergreen shrubs spaced no more than four (4) feet apart that do not exceed a height of four (4) feet above the travelled way grade at maturity;
 - e. Native and drought tolerant ~~G~~groundcover; ~~and~~
 - f. Street frontage landscaping can be located in front or behind the sidewalk; and
 - g. Vegetated LID BMPs, consistent with the intent of this section.

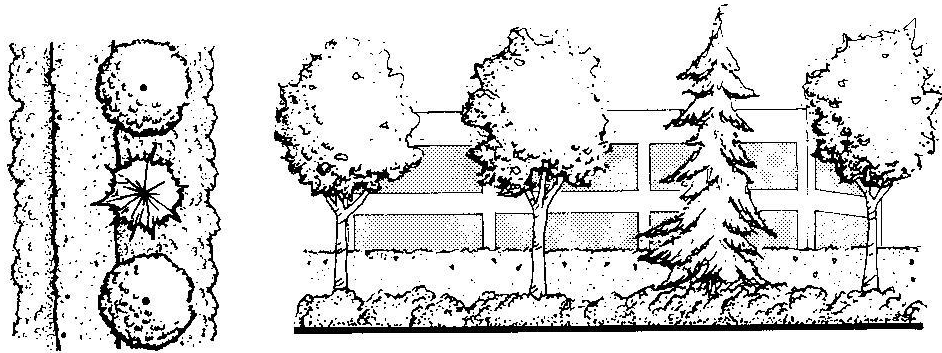


Figure: TYPE III LANDSCAPING

D. Type IV Landscaping.

1. Type IV landscaping is “parking area landscaping” which provides shade and visual relief, ~~and~~ maintains clear sight lines, and allows for stormwater treatment and/or flow control within parking areas.
2. Type IV landscaping shall consist of:
 - a. Canopy-type deciduous trees or broadleaf evergreen trees, native and drought tolerant evergreen shrubs and a mix of native and drought tolerant evergreen and deciduous groundcovers planted in wells or strips;
 - b. Shrubs that do not exceed a height of three (3) feet above the travelled way grade in maturity;
 - c. Plantings contained in bioretention, rain gardens, or planting wells or strips having an area of at least one hundred (100) square feet and with narrowest dimensions of at least five (5) feet in width;
 - d. Bioretention, rain gardens, or, planting wells or strips which each contain at least one (1) tree;
 - e. Native and drought tolerant groundcover; and
 - f. Street frontage landscaping can be located in front of or behind the sidewalk.

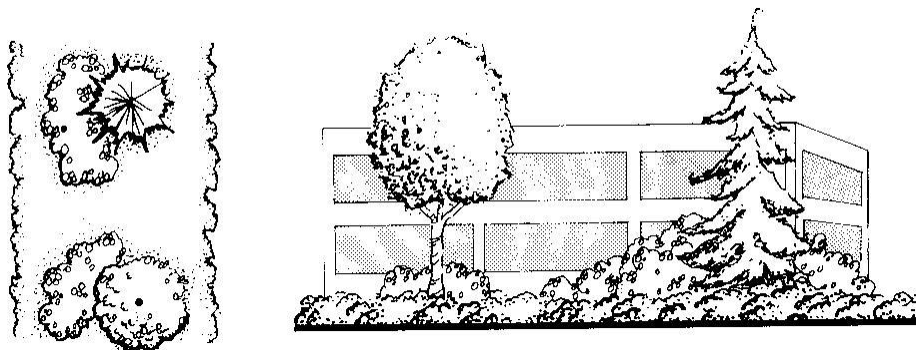


Figure: TYPE IV LANDSCAPING

E. Type V Landscaping.

1. Type V is small-scale building facade landscaping which provides visual interest and a buffer between buildings and sidewalks or common areas.
2. Type V landscaping shall consist of:
 - a. [Native and drought tolerant shrubs](#) spaced no more than five (5) feet apart; and
 - b. [Native and drought tolerant groundcover](#). (Ord. 15-1018 § 1)

15.445.140 Irrigation Requirements

All planting required for new development in multi-family, commercial, business park, and industrial zones and in long subdivisions (street trees only) shall receive sufficient water to ensure survival as follows:

A. Landscaped areas shall be installed with the following irrigation systems or water conservation methods:

1. Moisture sensor (may be required);
2. Automatic timers set for operation periods which minimize evaporation and assure adequate moisture levels;
3. Sprinkler heads (of the pop-up type) designed to provide adequate coverage for all landscaping. Other sprinkler heads may be allowed upon approval by the City;
4. Separate irrigation zones for turf and planting beds;
5. Group together plants with similar water needs;
6. Augmenting existing soils with loamy soil; and
7. Covering the [area surrounding the](#) base of plants with mulch to minimize evaporation.

B. The Director may allow an exemption from the irrigation requirements if the applicant provides:

1. Landscape areas where at least seventy percent (70%) of the existing vegetation is undisturbed;
2. Landscaping in areas where existing site conditions (i.e., high water table) assure adequate moisture to sustain growth;
3. Despite physical constraints preventing automatic irrigation, a manual scheduled method is proposed and approved. (Ord. 15-1018 § 1)

15.445.150 Maintenance Requirements

Within the multi-family, commercial, business park, and industrial zones, the applicant shall provide the following maintenance or shall be subject to enforcement action as provided in Chapter 15.125 SMC, Code Enforcement:

- A. All required landscaped areas shall be maintained, pruned, trimmed, and watered to create an attractive appearance and a healthy growing condition.
- B. Dead, diseased, stolen, or vandalized planting shall be replaced within one (1) month as weather conditions allow.
- C. Property owners shall keep the planting area reasonably free of weeds and trash. (Ord. 15-1018 § 1)

- B. **Landscape Islands.** At least one (1) interior landscape island for every seven (7) parking stalls shall be provided to be reasonably distributed throughout the parking lot. Landscape island siting and design may be adjusted to accommodate LID BMPs, such as bioretention.
- C. **Trees and Landscape Islands.** At least one (1) tree must be provided in each landscape island.
- D. **Curbs/Barriers.** Permanent curbs and/or barriers shall be provided to protect the plantings from vehicle overhang. Curb cuts or grates can be incorporated to allow water to enter stormwater facilities and LID BMPs.
- E. The perimeter of a parking lot shall be planted with a minimum of five (5) foot landscaping buffers with Type III landscaping. Any abutting landscaped areas can be credited toward meeting this standard.

15.445.410 Retention of Significant Trees within New Short Plats and Long Subdivisions in the Single-Family Zones

Significant trees within new short plats and long subdivisions shall be retained as follows:

- A. ~~If applicable,~~ A minimum of two (2) significant trees shall be ~~saved~~retained within each new proposed lot within each new proposed short plat or long subdivision, unless an alternative allowed by SMC 15.445.440, Minimum Number of Trees per Residential Lot – New Short Plats and Long Subdivisions, is used. Significant trees located in the following areas are not required to be retained:
 - 1. Trees within the building footprint of a proposed residence and accessory structure (detached carport, garage, or accessory dwelling unit).
 - 2. Trees within any private access easement.
 - 3. Trees within any proposed utility easement.

B. Significant trees to be retained shall be protected during the construction process for final short or long plat approval, ~~during long plat approval, and during the construction of a residence on each lot as provided under SMC 15.445.450, Protection of Significant Trees.~~

C. Any significant tree proposed to be retained that is removed during the final short plat or preliminary plat approval process, ~~or during the construction of a residence on a lot,~~ shall be mitigated using native species by planting on the same lot as follows:

1. For each significant tree removed, two (2) deciduous trees, a minimum of ~~two (2)~~one and one-half (1.5) inches in caliper measured at four (4) feet from its base at the time of planting; or
2. Two (2) evergreen trees with a minimum height of ~~eight (8)~~six (6) feet, not including growth leaders; or
3. Any combination of the above, with a minimum of two (2) trees.
4. The following material will not be regarded as replacement trees:
 - a. Vine Maple (Acer circinatum).
 - b. Serviceberry (Amelanchier).
 - c. Arborvitae (not including Western Red Cedar [Thuja plicata]).
 - d. Any other tree that could be considered a shrub.

D. All trees required to be replanted shall be planted prior to the final approval of the short or long plat inspection of the residence.

E. No mitigation for the removal of significant trees shall be required once the builder of a single-family residence on any lot containing significant trees transfers ownership of the lot and residence to another party, or when a certificate of occupancy is issued to the same party. (Ord. 15-1018 § 1)

15.445.420 Retention of Significant Trees in All ~~Other~~ Zones

A. ~~If applicable,~~ A minimum of three (3) significant trees, or twelve percent (12%) of the significant trees on site, whichever number is greater, shall be ~~saved~~retained within each new proposed development. Planned structures and site improvements shall be designed to minimize the need to remove significant trees. Significant trees located in the following areas are not required to be saved:

1. Trees within the building footprint of a proposed structure.
2. Trees within any private access easement and interior roads.
3. Trees within any proposed utility easement.

B. A covenant shall run with the property advising potential purchasers of significant trees to be saved that are located on site. The text of this covenant shall be approved by the Director.

- C. Significant trees within required landscape areas shall be given preference to be retained.
- D. Any significant tree ~~proposed to be retained~~identified for retention that is removed during construction shall be mitigated using native species by planting on the same site as follows:
1. For each significant tree removed, ~~three (3)~~two (2) deciduous trees, a minimum of ~~two (2)~~one and one-half (1.5) inches in caliper measured at four (4) feet from its base at the time of planting; or
 2. ~~Three (3)~~Two (2) evergreen trees with a minimum height of ~~eight (8)~~six (6) feet, not including growth leaders; or
 3. Any combination of the above, with a minimum of ~~three (3)~~two (2) trees.
 4. All trees required to be replanted as mitigation shall be replanted prior to occupancy.
 5. Any trees replanted for mitigation purposes shall be in addition to any required landscaping for the proposed project. (Ord. 15-1018 § 1)

15.445.430 Tree Retention – Clearing of Multi-Family, Commercial, and Industrial Zoned Lots

No significant trees shall be removed from any multi-family, commercial, or industrial zone property without obtaining a no fee “Tree Clearing Permit” from the Department. Topping or pruning more than fifty (50) percent of the tree canopy shall be considered tree removal. The property owner shall demonstrate at least one (1) of the following criteria in order to obtain a “Tree Clearing Permit”:

- A. A tree constitutes a safety hazard to any structures on the property and to any structures on adjacent properties as determined by ~~the City’s~~a certified arborist; or
- B. A tree is dead; or
- C. The tree is significantly diseased and will die as determined by ~~the City’s~~a certified arborist; or
- D. The property owner has an approved site development or building permit for a new development on the property. (Ord. 15-1018 § 1)

~~**15.445.440 — Minimum Number of Trees per Residential Lot — New Short Plats and Long Subdivisions**~~

~~A. — A minimum number of trees per lot within new proposed short plats and long subdivisions shall be required, as follows:~~

- ~~1. — Two (2) significant trees;~~
- ~~2. — One (1) significant tree and two (2) new trees; or~~
- ~~3. — Four (4) new trees.~~

~~All new trees per lot shall be planted on the lot prior to the final inspection of any residence on the lot and shall meet the standards set forth in subsection (B) of this section.~~

~~B.—Significant trees or existing healthy trees on the lots that meet the following minimum size standards may be counted towards the requirements of subsection (A) of this section:~~

- ~~1.—Deciduous trees, a minimum of two (2) inches in caliper measured at four (4) feet from its base at the time of planting; or~~
- ~~2.—Evergreen trees with a minimum height of eight (8) feet, not including growth leaders; or~~
- ~~3.—Any combination of the above, with a minimum meeting the requirements of subsection (A) of this section.~~
- ~~4.—The following material will not be regarded as trees:
 - ~~a.—Vine Maple (Acer circinatum).~~
 - ~~b.—Serviceberry (Amelanchier).~~
 - ~~c.—Arborvitae (not including Western Red Cedar [Thuja plicata]).~~
 - ~~d.—Any other tree that could be considered a shrub.~~~~

~~C.—No mitigation for the removal of trees shall be required once the builder of a single family residence on any lot containing trees transfers ownership of the lot and residence to another party, or when a certificate of occupancy is issued to the same party. (Ord. 15-1018 § 1)~~

15.445.450 Protection of Significant Trees

To provide the best protection for significant trees, applicants:

- A. Shall provide during the construction stage either:
 1. A temporary five (5) foot high fence; or
 2. A line of five (5) foot high, orange colored, two-by-four (2x4) stakes placed no more than ten (10) feet apart.
- B. Shall place the fence or stakes in a line generally corresponding to the ~~drip line~~critical root zone of any significant tree(s) to be retained.
- C. Shall construct a rock well if the grade level around the tree is to be raised by more than one (1) foot. The diameter of the well shall be equal to the diameter of the trunk plus five (5) feet.
- D. Shall not install impervious surfaces, excavate, store, or drive equipment within the area defined by such fencing or stakes.
- E. Shall not lower the grade level within the larger of the two (2) areas defined as follows:
 1. The drip line of the tree(s); or
 2. An area around the tree equal to one (1) foot diameter for each inch of tree trunk diameter measured four (4) feet above the ground.

F. May use alternative protection methods if determined by the Director to provide equal or greater tree protection. (Ord. 15-1018 § 1)

Chapter 15.455 PARKING AND CIRCULATION

15.455.450 Off-Street Parking Construction Standards

A. **Surfacing Requirements.** Off-street parking areas and all lots used for the storage of automobiles, trucks, truck trailers, shipping containers, recreational vehicles, construction equipment, farm equipment and all related equipment and/or appurtenances to such equipment, shall be paved with an all-weather surface (concrete, ~~or~~ asphalt, or permeable pavement) unless otherwise approved by the Public Works Department. Typical approved cross-section is illustrated below; contact the Department of Public Works for current standards.

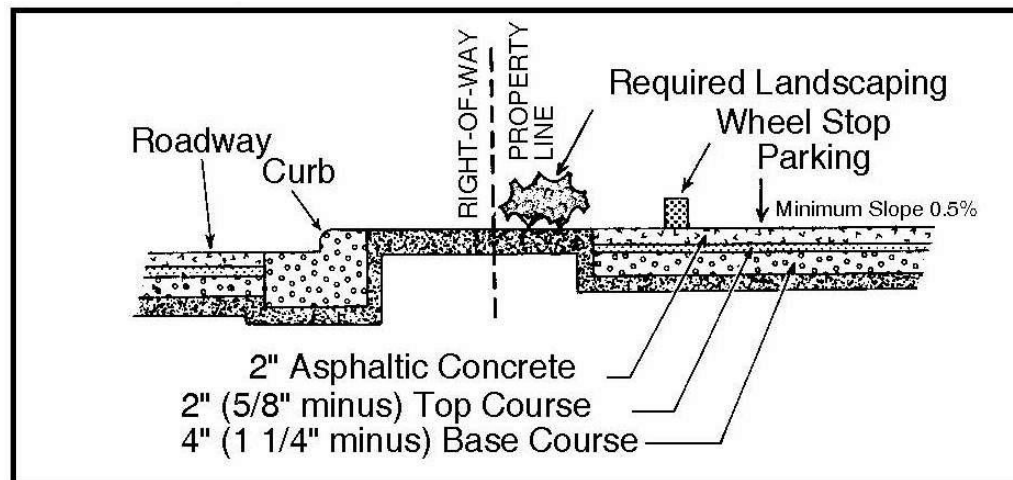
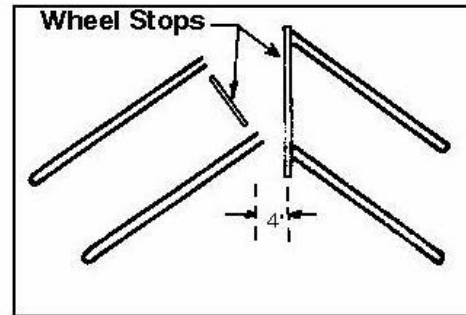
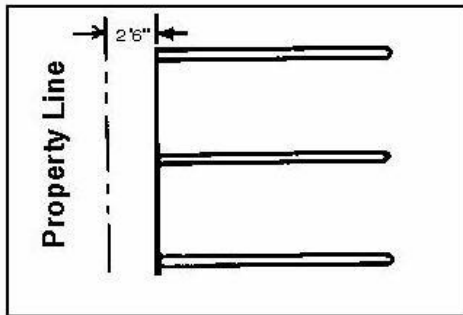


Figure: MINIMUM SURFACING REQUIREMENTS FOR OFF-STREET PARKING

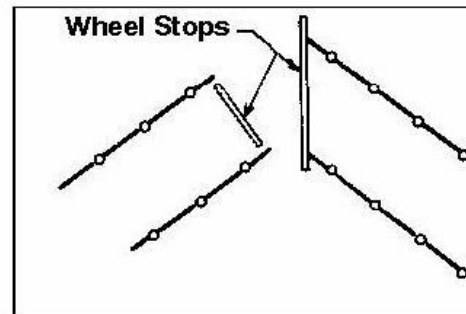
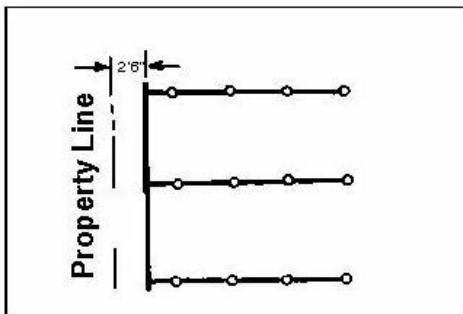
B. **Asphalt-Surfaced Parking Areas.** Asphalt-surfaced parking areas shall have parking spaces marked by surface paint lines or a suitable substitute traffic marking material in accordance with the Washington State Department of Transportation Standards.

1. **Wheel Stops.** Wheel stops are required where a parked vehicle would encroach upon adjacent property, pedestrian access, circulation areas or landscaping areas. Typically approved markings and wheel stop locations are illustrated below.
2. **Vehicle Overhangs.** A vehicle overhang may be allowed into the landscaped area; provided the area of the vehicle overhang is not counted towards required landscaping.

PAINTED HORSESHOE MARKINGS



METAL OR PLASTIC TRAFFIC MARKINGS



HANDICAP PARKING MARKINGS

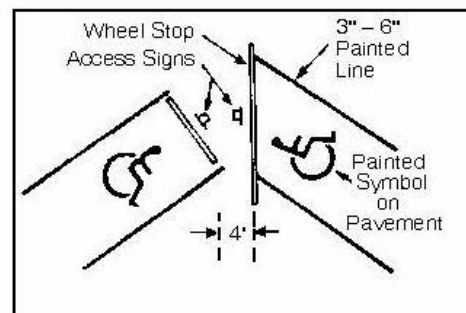
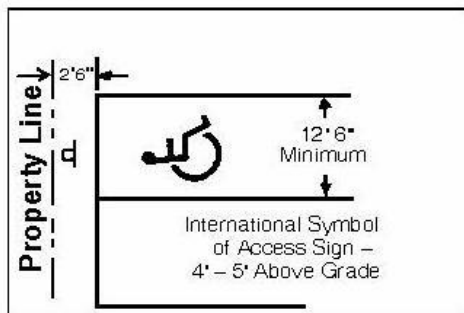


Figure: STALL MARKINGS AND WHEEL STOP LOCATIONS

(Ord. 15-1018 § 1)

15.455.500 Surface Parking Standards

All properties shall conform to the surface parking requirements in this section. Additional or superseding parking regulations may apply in the designated overlay districts, and as required elsewhere in this title.

A. Pedestrian Circulation Through Surface Parking Lots.

1. Surface parking lots containing one hundred (100) parking spaces or more, or with more than three (3) vehicular circulation lanes, shall provide pedestrian walkways through the parking lot.

2. Pedestrian Walkway Location.

a. For parking rows perpendicular to the principal building facade, pedestrian ways shall be located between two (2) rows of parking spaces at a minimum of one (1) pedestrian way every two hundred (200) feet. The pedestrian walkway(s) shall be located to provide access from the maximum number of spaces to the entrances of the building.

b. For parking rows parallel to the principal building facade, pedestrian ways shall be incorporated adjacent to a series of aligned landscape islands at a minimum of one (1) walkway every twenty-one (21) parking spaces. The pedestrian walkway shall be located to provide access from the maximum number of spaces to the entrances of the building. [Landscape island siting and design may be modified to accommodate LID BMPs.](#)

3. Pedestrian Walkway Design.

a. Pedestrian walkways shall be raised, may be covered, and shall be a minimum of three (3) feet in width, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to nonstreetfront building entrances or existing pedestrian ways.

i. **Vehicle Overhangs.** The three (3) foot width shall not include any vehicle overhangs.

ii. **Wheel Stops.** Wheel stops shall be installed in parking spaces adjacent to all pedestrian walkways.

b. The pedestrian walkways shall be clearly distinguished from traffic circulation, and particularly where vehicular and pedestrian routes intersect.

c. Sidewalks or walkways which cross vehicular aisles or driveways shall be distinguished as follows (see Figure: PEDESTRIAN CIRCULATION):

i. By a continuous raised crossing; or

ii. By using contrasting paving material [such as permeable pavement.](#)

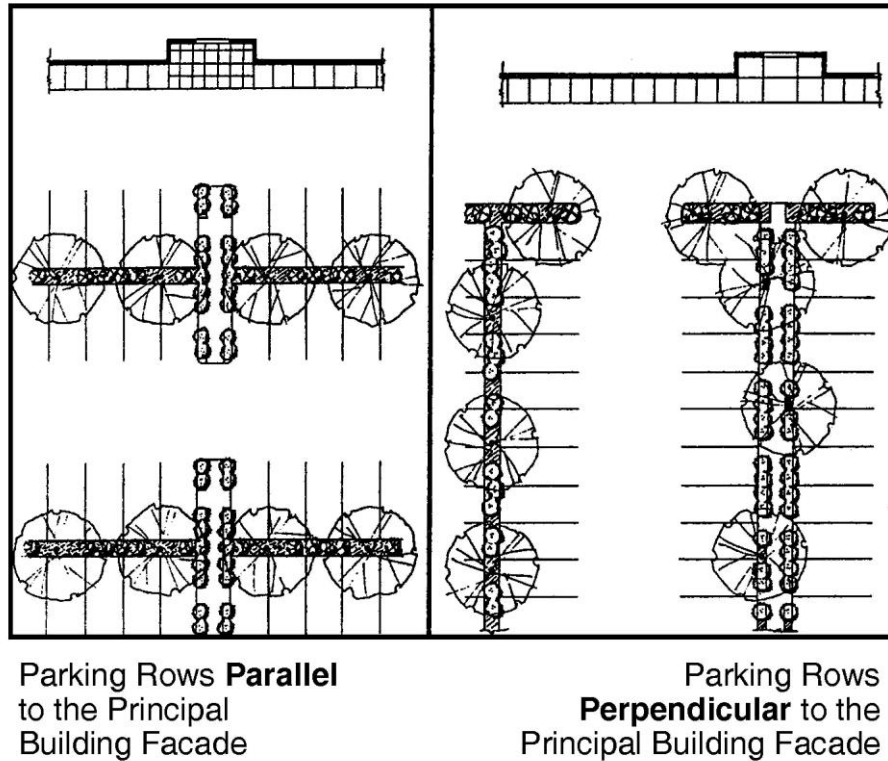


Figure: PEDESTRIAN CIRCULATION

~~4.—**Raised Pedestrian Facilities Counted Toward Landscaping.** The area used for raised pedestrian circulation may be counted towards the ten percent (10%) interior parking lot landscaping as required under SMC 15.445.250.~~

~~54. **Modifications.** The preceding standards may be modified by the Director if the proponent can demonstrate that some other form of pedestrian circulation would be suitable for the site and would provide equivalent pedestrian safety. (Ord. 15-1018 § 1)~~

15.455.610 Parking Structure Design

A. **Parking Decks.** Parking decks should be flat where feasible. At a minimum, a majority of both the ground floor and top parking decks shall be required to be flat, as opposed to continuously ramping (see Figure: PARKING DECK).

B. **External Elevator Towers and Stairwells.** External elevator towers and stairwells shall be open to public view, or enclosed with transparent glazing.

C. **Parking Structure Lighting.** Lighting shall meet the requirements of Chapter 17.28 SMC, Parking Structures.

D. **Parking Structure Top Floor Wall Designs.** Parking structure top floor wall designs must conform to one (1) or more of the following options:

1. **Top Floor Wall with Architectural Focal Point.** A top floor wall focal point refers to a prominent wall edge feature such as a glazed elevator and/or stair tower, or top floor line trellis structure.

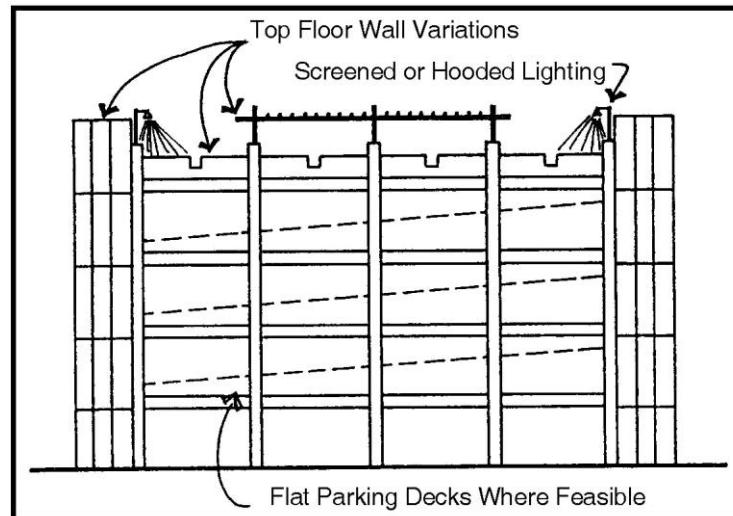


Figure: PARKING DECK

2. **Top Floor Wall Line Variation.**

- a. **Projecting Cornice.** Top floor wall line articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.
- b. **Articulated Parapet.** Top floor wall line parapets shall incorporate angled, curved or stepped detail elements.

E. **Appearance.** Parking structures with building facades facing or visible from the public right-of-way (ROW) shall use one (1) or a combination of the following design features:

1. The facade shall have the appearance of an office building or hotel use.
2. Design features that would mask the building as a parking structure.

Proposed design features shall be approved by the Director.

F. **Parking Structure Character and Massing.** Parking structure facades over one hundred fifty (150) feet in length shall incorporate vertical and/or horizontal variations in setback, material or fenestration design along the length of the applicable facade, in at least one (1) or more of the following ways:

1. **Vertical Facade Changes.** Incorporation of intervals of architectural variation at least every eighty (80) feet over the length of the applicable facade (see Figure: VERTICAL FACADE CHANGES), such as:
 - a. Varying the arrangement, proportioning and/or design of garage floor openings;
 - b. Incorporating changes in architectural materials; and/or

- c. Projecting forward or recessing back portions or elements of the parking structure facade.

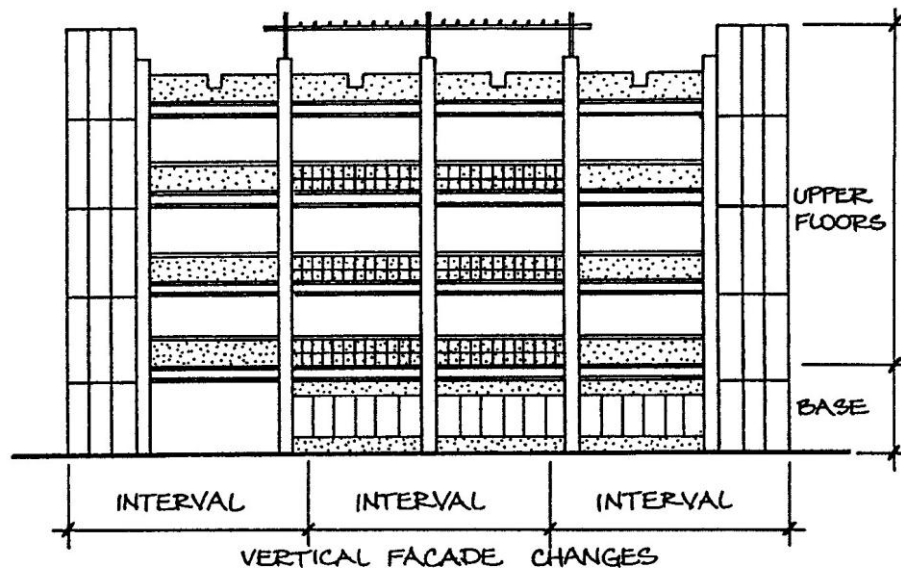


Figure: VERTICAL FACADE CHANGES

2. **Horizontal Facade Changes.** Designed differentiation of the ground floor from upper floors, such as:
- Stepping back the upper floors from the ground floor parking structure facade;
 - Changing materials between the parking structure base and upper floors; and/or
 - Including a continuous cornice line or pedestrian weather protection element between the ground floor and upper floors.

G. **Minimizing Views Into the Parking Structure Interior.** Facades of parking structures shall be designed without continuous horizontal parking floor openings.

1. For portions of parking structures without a pedestrian level retail/commercial use, a five (5) foot wide building facade landscaping strip ([Type V landscaping](#)) is required, ~~consisting of:~~

- ~~A mix of evergreen shrub groupings spaced no more than four (4) feet apart that do not exceed a height of six (6) feet at maturity;~~
- ~~Ground cover; and~~
- ~~Seasonal displays of flowering annual bedding plants.~~

2. Any portion of a parking structure ground floor with exposed parking areas adjacent to a public street shall minimize views into the parking structure interior through one (1) or more of the following methods which are in addition to the above facade landscaping strip:

- a. Decorative trellis work and/or screening as architectural elements on the parking structure facade, without compromising the open parking structure requirements of the Building Code (see example, Parking Structure Screening figure); and/or
- b. Glass window display cases incorporated into pedestrian walls built between two (2) structural pillars. Glass window display cases shall be at least two (2) feet deep, begin twelve (12) to thirty (30) inches above the finished grade of the sidewalk, and cover at least sixty percent (60%) of the area between two (2) pillars.

The trellis work or window display cases may be waived if the proponent can demonstrate some other method to minimize views into the parking structure. Alternate methods shall be approved by the Director.

15.455.700 Single-Family Parking

In addition to the applicable parking requirements within this chapter, the following maximum off-street parking standards shall apply within the single-family zones (UL-5,000; UL-7,200; UL-9,600; and UL-15,000). These standards shall be applicable to new and existing parking areas.

A. Definitions.

1. **Driveway.** For purposes of this section, a driveway is considered a parking surface or parking area if the driveway is used for the parking of motor vehicles.
2. **Nonconforming Circular Driveway.** For purposes of this section, a nonconforming circular driveway is “a circular driveway in which the driveway and parking surface exceed 800 square feet of surface area or more than fifty percent (50%) of the front yard, as described in SMC 15.455.700(C)(2).”

B. Approved Surfaces. All motor vehicles, trailers, boats and RVs must be parked on one (1) of the approved surfaces listed below:

1. Concrete (four (4) inch Portland cement concrete over compact native soils); or
2. Blacktop (two (2) inch asphalt concrete pavement over gravel section as described under subsection (B)(3) of this section); or
3. Two (2) inches of 5/8 minus compacted rock provided mud or other fine material do not work their way to the surface of the rock. Alternate sized minus compacted rock may be used upon approval by the City; or
4. Permeable pavement such as pervious concrete, permeable pavers, or porous asphalt designed in accordance with the Surface Water Design Manual; or
45. Any other configuration or materials, approved by the City, that maintains a durable uniform surface.

C. Off-Street Parking Surface Maximums.

1. Off-street parking surfaces outside of structures on site may cover a maximum of one thousand two hundred (1,200) square feet or ten percent (10%) of the lot surface, whichever is greater.
2. **Front Yard Maximum for Driveway/Off-Street Parking Surface.** No more than fifty percent (50%) of the front yard or eight hundred (800) square feet, whichever is smaller, can be driveway or off-street parking surface. For the purposes of this section, the front yard shall be the area between the right-of-way and the portion of the house frontage that is farthest from the right-of-way. The width of the front yard shall extend to each side property line (see Figure: MAXIMUM FOR FRONT YARD DRIVEWAY/OFF-STREET PARKING SURFACE).

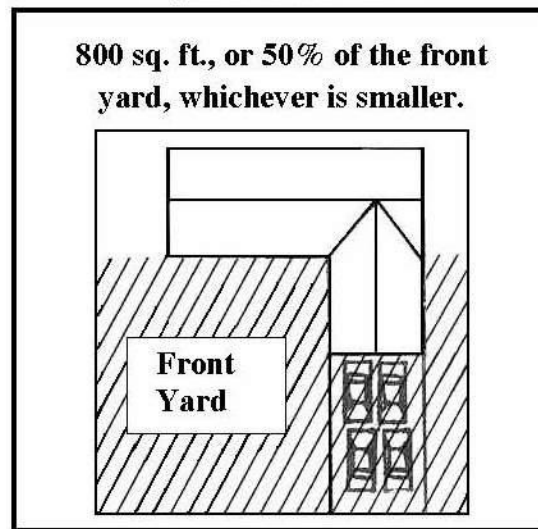


Figure: MAXIMUM FOR FRONT YARD DRIVEWAY/OFF-SITE PARKING SURFACE

- a. **Properties Facing Multiple Public Rights-of-Way.** On properties facing on two (2) or more public rights-of-way, the total off-street parking surfaces for all front yards shall not be greater than eight hundred (800) square feet. All remaining areas of the front yards not constructed as driveway or parking area shall be landscaped as provided in subsection (E)(1) of this section.
- D. **Off-Street Parking and Side/Rear Yard Setbacks.** Off-street parking is allowed in the side yard setback and within five (5) feet of the rear yard property line. Screening of vehicles parked in the side yard setback, or within five (5) feet of the rear property line, shall be required if requested by the adjacent property owner(s). If screening is requested, the screening shall be [Type I landscaping \(SMC 15.445.110.A\)](#), a solid wood fence or made of an alternate material, as approved by the City. Fences shall conform with the maximum height requirements of Chapter 15.435 SMC, Fences.
- E. **Circular Driveways.**
1. For circular driveways the minimum width of the apex of the landscape area between the front property line and circular drive shall be a minimum of five (5) feet in width,

perpendicular to the front property line. Any portion of the front yard not constructed as driveway or parking surface shall be landscaped. (See Figure: CIRCULAR DRIVEWAYS.)

2. Any new circular driveway connection to the public right-of-way shall meet the requirements of Chapter 11.10 SMC, Right-of-Way Use Code, and Chapter 11.05 SMC, Road Standards.

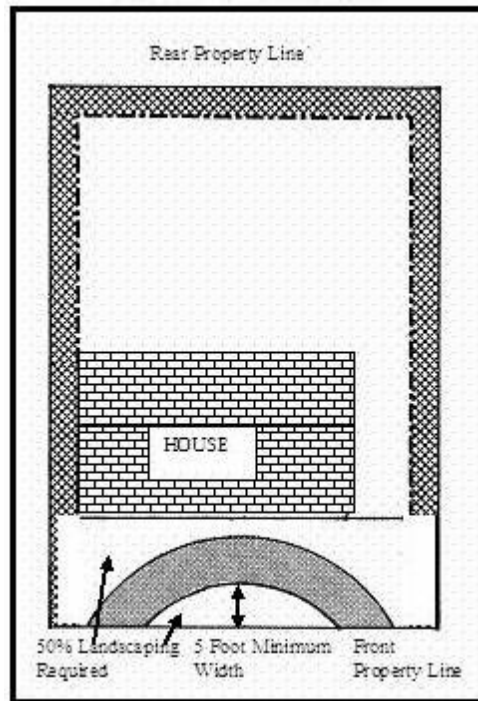


Figure: CIRCULAR DRIVEWAYS

F. Existing Nonconforming Circular Driveways.

1. **Driveway Surface Composed of Gravel.** The driveway surface of an existing nonconforming circular driveway composed of gravel may be upgraded to a higher quality surface (either asphalt, ~~or~~ concrete, or permeable pavement in accordance with subsection (B) of this section); provided, that the location and size of the circular driveway does not change and any connections to the public right-of-way conform with Chapter 11.10 SMC, Right-of-Way Use Code.

2. **Driveway Surface Composed of Sod or Grass.** The driveway surface of an existing nonconforming circular driveway composed of sod or grass shall be upgraded to a higher quality surface (gravel, asphalt or concrete), provided, that the location and size of the circular driveway does not change and any connections to the public right-of-way meet all adopted right-of-way use codes pursuant to Chapter 11.10 SMC.

G. Unique Front Yard Configurations. Other unique front yard configurations may be allowed subject to approval by the Director. The remainder of the front yard not used for parking shall be landscaped. For the purpose of this section, landscaping shall either be one (1), or a combination of, the following:

1. Grass or sod;
2. Trees;
3. Groundcover;
4. Shrubs.

H. Two-Track Driveways

Two-track driveways (or ribbon driveways) are permitted and consist of two parallel strips of approved paving materials (per SMC 15.455.700.B) with an open, unpaved space between the two paved strips that is planted with grass or other groundcover, or filled with landscaping rocks or gravel.

Chapter 15.500

SMALL LOT SINGLE-FAMILY DESIGN STANDARDS

Sections:

- 15.500.005 Purpose
- 15.500.010 Authority and Application
- 15.500.100 Small Lot Single-Family Standards
- 15.500.200 Departures from the Small Lot Single-Family Standards

15.500.100 Small Lot Single-Family Standards

Intent: Ensure architecturally appealing design with traditional residential features and adequate open space within small lot single-family development.

A. Dimensional Standards.

1. **Minimum Lot Size.** The minimum lot size within the UM and UH zones for small lot single-family development shall be three thousand (3,000) square feet.
2. **Setbacks.** Small lot single-family development shall have the following setbacks:
 - a. Minimum side setbacks of five (5) feet, minimum front setbacks of fifteen (15) feet and minimum rear setbacks of fifteen (15) feet for the main structure and five (5) feet for accessory structures.
 - b. Small lot single-family development located on a corner lot shall have minimum setbacks of fifteen (15) feet on one (1) street frontage, and ten (10) on the other frontage, with minimum five (5) foot setbacks on the other yards.
3. **Maximum Height.** The maximum height shall be thirty-five (35) feet for small lot single-family development.
4. **Design Standards.**
 - a. **Front Facades.** Front facades shall face the streetscape and include one-half (1/2) flight-up entries and front porches a minimum of sixty (60) square feet in size.
 - b. **Roofs.** Small lot single-family development shall follow the design standards for townhouses as outlined in SMC 15.505.320.
5. **Open Space.**
 - a. **Private Yards.** Small lot single-family development shall include private yards of at least two hundred (200) square feet.
 - b. **Common Open Space.** A small lot single-family development of five (5) or more units shall include common open space amenities of seventy-five (75) square feet per unit. Such amenities shall conform to SMC 15.510.510(B), Multi-Purpose Outdoor Recreation

and Open Space, and (C), Indoor Facilities and Outdoor Single-Purpose Facilities – Outside of Overlay Districts, and open space standards in SMC 15.510.520 through 15.510.560.

6. **Parking.**

- a. Off-Street Parking. Off-street parking shall be located in the rear of each home. Permeable pavement or wheel strip driveways shall be used to minimize impervious surfaces. (Ord. 15-1018 § 1)

Chapter 15.505

TOWNHOUSE AND DUPLEX DEVELOPMENT DESIGN STANDARDS

15.505.240 Vehicular Access, Circulation and Auto Courts

Intent: Provide adequate capacity for motor vehicles while reducing their impact on the built environment by relegating parking to the rear of buildings.

- A. Vehicular access to individual townhouses and duplexes shall be via a rear alley or auto court separate from the street.
- B. The creation of dead end streets shall be permitted only where there is no feasible connection with an adjacent street.
- C. 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.
- D. Design standards for streets and alleys can be found in SMC Title 11.
- E. **Auto Courts.**
 - 1. **Length, Maximum.** One hundred fifty (150) feet.
 - a. The length is measured from the midpoint of the entrance drive as illustrated in Figure: AUTO COURT MEASUREMENTS.



Figure: AUTO COURT MEASUREMENTS *Illustration of how the length of an auto court is measured.*

- b. The length of an auto court shall also be subject to Fire Department regulations.

2. **Traffic Calming.**

- a. Auto courts shall have at least one (1) of the traffic calming elements listed below to reduce the speed of vehicles.

- i. Trees;
- ii. Landscape islands: Minimum depth and width of five (5) feet with Type V landscaping;
- iii. Raised planters: Minimum height of three (3) feet and depth and width of two (2) feet;
- iv. Decorative bollards: Minimum height of three (3) feet; or
- v. Another element that the director determines accomplishes the intent.

- b. Traffic calming elements shall be located on both sides 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: AUTO COURT TRAFFIC CALMING ELEMENTS for an illustration.

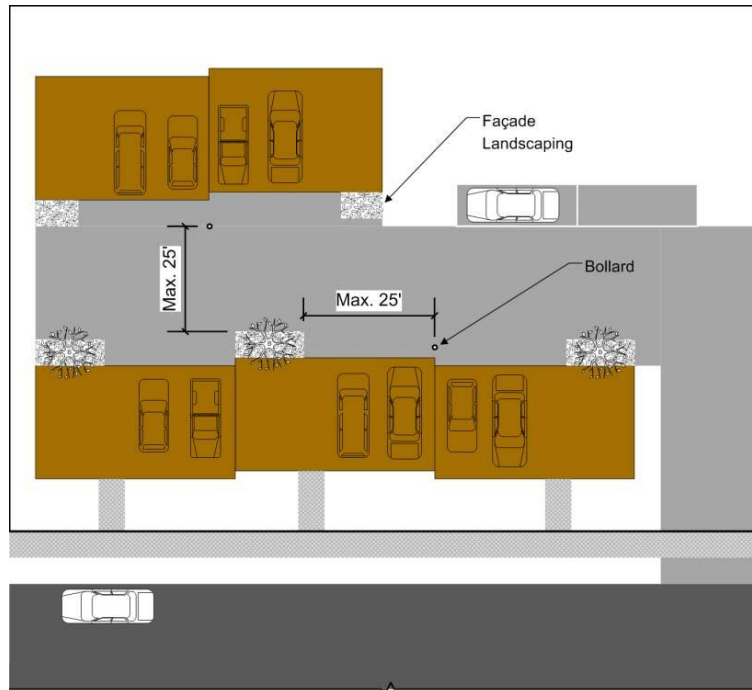


Figure: AUTO COURT TRAFFIC CALMING ELEMENTS *Location of traffic calming elements in an auto court.*

- Materials.** Auto courts shall be constructed with decorative concrete, paving blocks, bricks, [permeable pavement](#), or other ornamental pavers to clearly indicate that the entire surface is intended for pedestrians as well as vehicles.

Example: Example of auto court constructed with scored and dyed concrete.



(Ord. 15-1018 § 1)

15.505.320 Character and Massing

Intent: To reduce the apparent size of buildings and create visual interest, building facades and roofs shall include architectural elements that vary the appearance of a large building mass, break up long blank walls, express the individuality of each dwelling, and enhance the character of the neighborhood.

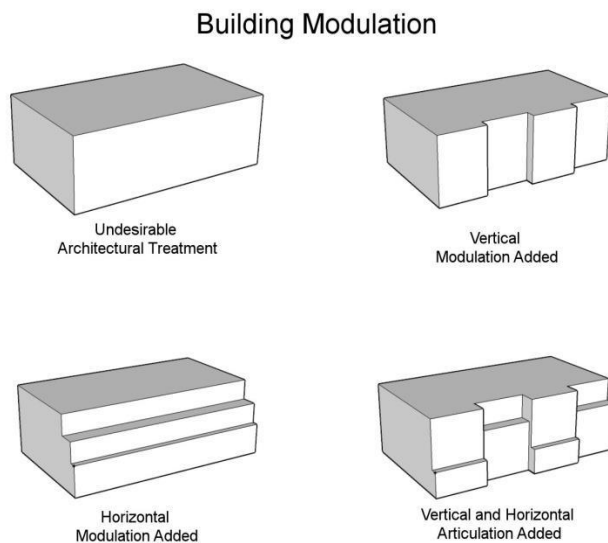
A. Architectural elements and variations shall not be restricted to a single facade. All sides of a building shall display a similar level of quality and architectural interest.

B. **Building Facades.**

1. Townhouses and duplexes shall employ one (1) of the following methods of vertical modulation:

- a. Setback variation between dwelling units.
 - i. No more than two (2) adjacent dwelling units shall have the same setback.
 - ii. The setback between units shall be at least one (1) foot.
- b. Vertical modulation within each dwelling unit. The modulation shall be 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.

Example: Examples of vertical and horizontal modulation.



2. Facades for each dwelling unit shall incorporate at least two (2) 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.

3. Each dwelling shall have at least one (1) 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.
4. **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.
 - c. At least twenty (20) percent of the area of each floor on facades that face a street or common area shall be windows or pedestrian doors.
 - i. 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.
 - ii. The facade area for each floor is measured vertically floor-to-floor and horizontally edge-to-edge of the unit as illustrated in Figure: ILLUSTRATION OF WINDOW REQUIREMENT.

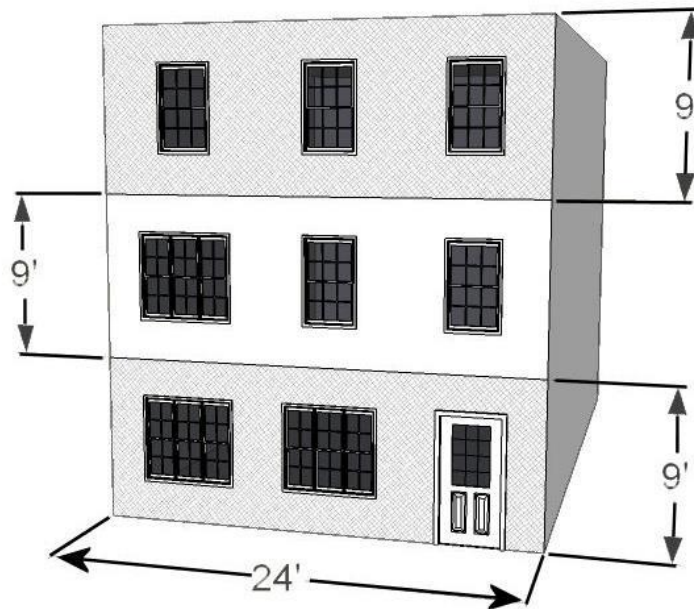


Figure: ILLUSTRATION OF WINDOW REQUIREMENT. Each floor has a facade area of 216 square feet and requires 43.2 square feet of windows. The first floor has 66 square feet of windows, meeting the minimum requirement. The second floor has 46.5 square feet of windows, meeting the requirement. The third floor 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: WINDOWS.

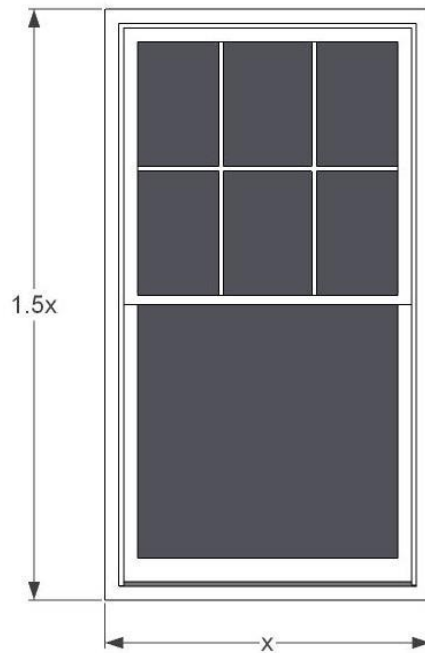


Figure: WINDOWS *Minimum vertical orientation for windows.*

- e. At least two (2) of the following requirements for windows shall be met:
 - i. 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: WINDOWS – SILL AND TRIM for details;

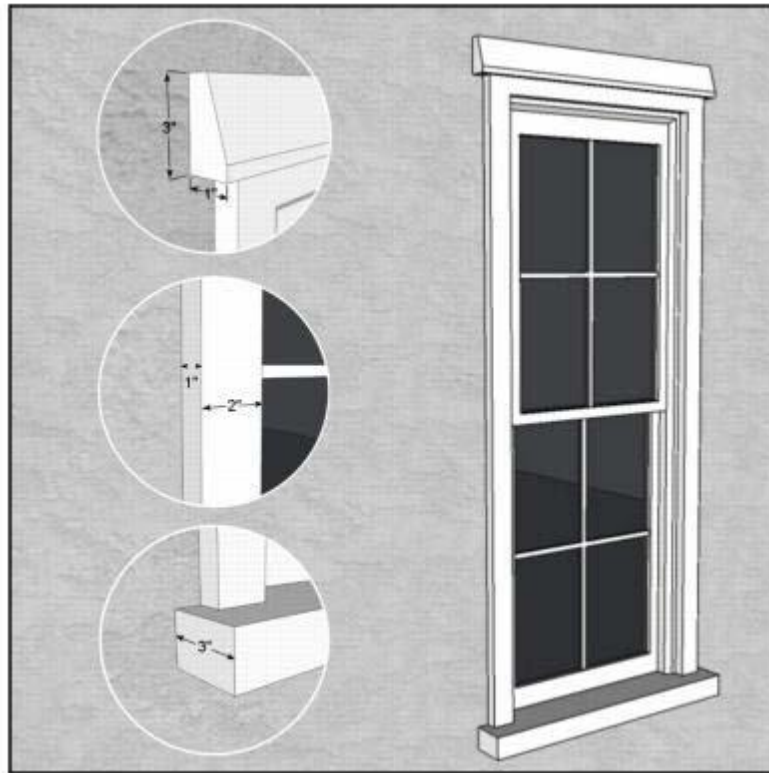
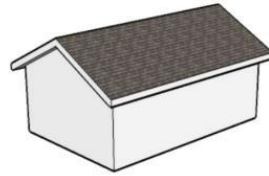


Figure: WINDOWSILL AND TRIM *Drip cap, sill, and trim details.*

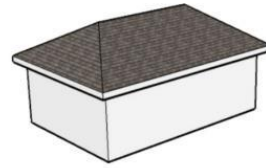
- ii. Windows shall be accented through use of multiple panes;
 - iii. Windows shall be accented through the use of contrasting trim color and other detailing.
5. **Blank Walls.** “Blank walls” (building facade sections without windows or doors) greater than twenty (20) feet in length shall not be allowed along facades facing streets or common areas.
- C. **Roofs.**
- 1. The following roof forms shall be used in townhouse and duplex developments:
 - a. Hip.
 - b. Gable.
 - c. Shed.
 - d. Mansard.

Example: Examples of permitted roof forms.

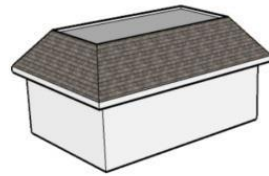
Roof Forms



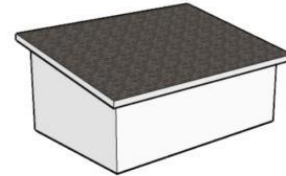
Gable



Hip



Mansard



Shed

2. Townhouse and duplex 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.**

- i. Vertical or horizontal changes in rooflines; and/or
- ii. Varied roof forms.

Examples: Example of vertical and horizontal changes in rooflines and variations in roof forms.



b. **Group 2.**

- i. Dormers;

Example: Example of dormers.



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

Example: Example of deep roof overhangs and brackets.



- iii. Rafter tails, brackets, corbels, or other decorative supports; and/or

Example: Example of rafter tails.



Example: Example of corbels (which are generally thicker than brackets).



- iv. Prominent cornice, soffit, or fascia details.



Example: Examples of cornice, soffit and fascia details.

3. 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 roofline;
- 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;

[e. Vegetated roof designed in accordance with the Surface Water Design Manual and applicable building codes.](#) (Ord. 15-1018 § 1)

15.505.420 Location and Layout of Open Space and Private Amenity Space

Intent: Provide accessible, useable, safe, and maintainable recreation and open space. Open space areas should be oriented to sunlight and views, and provide attractive amenities such as paths, picnic areas, seating, active recreation facilities, and good lighting.

A. The location, layout, and proposed type of open space shall be subject to approval by the Director, and shall conform to the following:

1. Private and Common Ground Related Open Space.

- a. The following shall not count toward required open space:
 - i. Areas with slopes greater than ~~four~~ five percent (45%) that do not have an enhanced accessibility system of ramps, stairs, terraces, trails or other site improvements.
 - ii. Required landscaping (such as facade and perimeter).
 - iii. Sensitive area buffers without common access links such as pedestrian trails.
 - iv. Driveways, parking areas, and other vehicular uses.

2. Private Ground Related Open Space.

- a. Minimum Width: Ten (10) feet.

- b. The open space shall be located in the rear of the unit.
- c. The open space shall be contiguous.



Example: Example of private ground related open space.

3. **Common Ground Related Open Space.**

- a. Minimum Width: 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 indoor or outdoor 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.

Example: 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. A yard can be counted toward the requirement, provided it has a minimum depth of ten (10) feet and width of ten (10) feet and is not used to meet the ground related open space requirement. (Ord. 15-1018 § 1)

15.505.500 Landscaping and Screening

Purpose: The purpose of this section is to provide landscaping and screening in developments to preserve and enhance the aesthetic character of the City, to improve the quality of the built environment, and to increase compatibility between different land uses. (Ord. 15-1018 § 1)

15.505.700 Maintenance

Purpose: Ensure the maintenance of common open space, facilities, and infrastructure.

A. Provision shall be made for perpetual maintenance of all common open space and facilities, including easements, yards, sewer lines, ~~storm drains~~[stormwater facilities](#), driveways, buildings, parking lots, and similar features, through the establishment of a homeowners' association or other similar entity. (Ord. 15-1018 § 1)

Chapter 15.510

MULTI-FAMILY HOUSING DESIGN STANDARDS

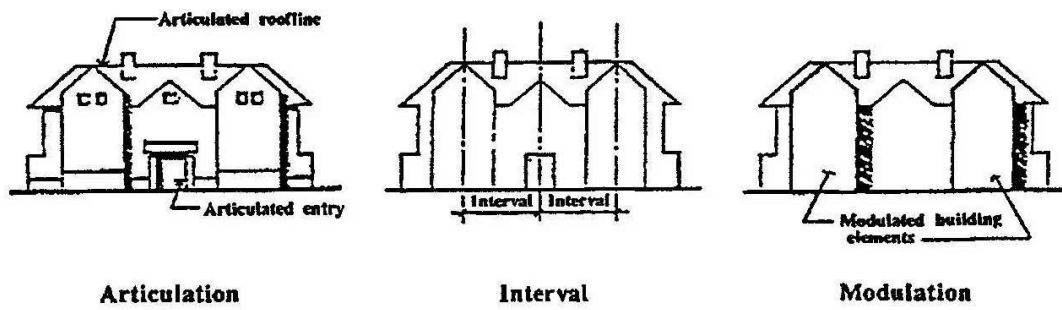
15.510.140 Location of Parking

Intent: Integrate parking into the development in a manner that maximizes accessibility and convenience, while ensuring that parking does not dominate the streetscape and site design. Parking located close to and visible from each unit contributes to a feeling of security. Effective parking designs include private, secured parking located within each unit, common underground parking areas that are well-designed, or surface parking located to be visible from units and connected by convenient pedestrian ways. Parking accessible from alleys, or located to the sides or rear of buildings, helps to ensure that parking does not dominate the site.

- A. No parking shall be located between a building and the front property line, other than a driveway for passenger loading and off-loading only in conformance with SMC 15.510.150. Surface parking shall be located behind a building or to the side of a building.
- B. Parking located next to a building and within forty (40) feet of the front property line shall not occupy more than the width of two (2) lengthwise parallel parking stalls and one (1) travel lane, ~~or sixty two (62) feet, whichever is less.~~
- C. **Corner Lots.** On corner lots, no parking shall be located between the building and either of the two (2) front property lines. If a parcel abuts more than two (2) public or private streets, no parking shall be located between the building and the front property line abutting the two (2) public and/or private streets with the highest classification.
- D. **Security/Visibility.** Parking shall either be secured or visible from surrounding units.
- E. **Large Parking Areas.** Large parking areas in multiple building developments shall be broken up into small lots related to the group of buildings served.
- F. **Parking in Rear Setback.** Parking may be located in the rear setback area when access is from an alley abutting the rear lot line. On corner lots, such parking may not extend into the portion of the setback area required as a front yard adjacent to the street.
- G. **Parking Located Below Grade.** Parking which is located below grade may be located within a required front or side setback area if situated completely below the level of the abutting sidewalk, and the required landscaping can be provided on top of the below-grade parking structure.
- H. **Tandem Parking.** Tandem parking for parking spaces serving the same dwelling unit may be used if the parking is located within the rear setback area and gains access from an abutting alley, or when one (1) of the parking spaces is located within a private garage, and the other is located in the driveway providing access to the parking space within the private garage. Except for developments in which tandem spaces are located within the rear setback area and gain access from an abutting alley, not more than fifty percent (50%) of parking spaces within a multi-family development may be placed within a tandem configuration. (Ord. 15-1018 § 1)

15.510.220 Character and Massing

Intent: Reduce the apparent size of new buildings and create visual interest through architectural form and detailing. Architectural features and treatments shall not be restricted to a single facade. All sides of a building open to view by the public, whether viewed from public or private property, shall display a similar level of architectural quality and interest.



Example: Architectural terms used to describe building massing concepts.

Articulation refers to the giving of emphasis to architectural elements (such as windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces.

An **interval** is the measure of articulation – the distance before architectural elements repeat.

Modulation is a measured and proportioned inflexion or setback in a building's face.

Together, articulation, modulation and their interval create a sense of scale important to residential buildings.

A. **Building facade Articulation.** Building facades shall be articulated with architectural elements that break up long blank walls, add visual interest, and enhance the character of the neighborhood.

B. **Vertical Articulation.** Vertical articulation shall occur at intervals of no more than forty (40) feet.

1. **Methods of Articulation.** Three (3) or more of the following methods of articulation shall be used such that the combination of features project a residential character:

- a. Providing a balcony, bay window, porch, patio, deck, or clearly defined entry for each interval.
- b. Providing a lighting fixture, trellis, prominent ornamental tree or other landscape feature within each interval.
- c. Providing architectural features such as setbacks, indentations, overhangs, projections, cornices, bays, canopies, or awnings.

Building modulations shall be a minimum of two (2) feet in depth and two (2) feet in width. The sum of the modulation depth and modulation width shall be no less than eight (8) feet.

- d. Use of material variations such as contrasting colors, brick or metal banding, or textural changes.
- e. Artwork or building ornamentation.

C. Modulation/Articulation Variety. A variety of modulations and articulations shall be employed. No more than four (4) consecutive uniform modulations shall be used. Buildings greater than one hundred sixty (160) feet in length shall provide a prominent central feature among the modulations.

D. Windows. 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.

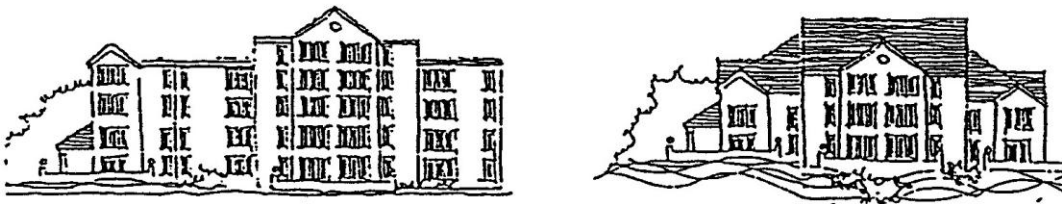
1. A minimum of two (2) of the following requirements for windows shall be met:
 - a. Window shall be accented with a drip cap, sill, and trim. The drip cap shall be a minimum of three (3) inches in height and one (1) inch in depth; sills shall be a minimum of three (3) inches in width. Trim shall be a minimum of two (2) inches in width and one (1) inch in depth;
 - b. Windows shall be accented through use of multiple panes;
 - c. Windows shall be vertically oriented with a height one and one-half (1-1/2) to two (2) times the width;
 - d. Windows shall be accented through the use of contrasting trim color and other detailing.

E. Variations in Building Setback. Front facades incorporating a variation in building setback shall include within the setback such architectural elements as covered or recessed building entries, plazas or courtyards, or seating and planting areas.

F. Rooflines. Rooflines shall be varied through two (2) or more of the following methods. The maximum roof length without a variation shall be forty (40) feet.

1. **Dormers.** A projection from a sloping roof that contains a window.
2. **Roofline with Architectural Focal Point.** A prominent rooftop feature such as a peak, tower, gable, dome, barrel vault or roofline trellis structure.
3. **Roofline Variation.** The roofline articulated through a variation or step in roof height or detail, such as:
 - a. **Projecting Cornice.** Roofline articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.

- b. **Articulated Parapet.** Roofline parapets shall incorporate angled, curved or stepped detail elements.
4. **Pitched Roof or Full Mansard.** A roof with angled edges, with or without a defined ridgeline and extended eaves.
5. **Terraced Roof.** A roofline incorporating setbacks for balconies, roof gardens, or patios.



G. **Blank Walls.**

1. “Blank walls” (building facade sections without windows or doors) greater than twenty (20) feet in length that are visible from any right-of-way, private road, open space, sidewalk or through-block pathway shall be screened or treated as described in subsection (G)(2) of this section.
2. **Treatment of Blank Walls.** Sections of “blank walls” shall be avoided, but if necessary due to privacy or other design considerations, shall be treated in one (1) of the following manners:
 - a. Install vertical trellis in front of the wall with climbing vines or other plant materials over at least seventy percent (70%) of the blank wall surface that is at the ground level, and over at least thirty (30) percent of the remainder of the blank wall surface;
 - b. Provide a decorative masonry pattern, or other architectural feature as approved by the Director, over at least seventy percent (70%) of the blank wall surface that is at the ground level, and over at least thirty percent (30%) of the remainder of the blank wall surface; and/or

c. Employ small setbacks, projections, indentations, or intervals of material change to break up the wall's surface.

3. In no case shall sections of blank walls forty (40) feet or more in length be allowed.

H. **Rooftop Design.** Building rooftops shall be designed to effectively screen mechanical equipment from street-level view through one (1) or more of the following methods:

1. A concealing roofline;
2. A terraced facade;
3. A screening wall or grillwork directly surrounding the equipment; or
4. Sufficient setback from the facade edge to be concealed from ground-level view;
5. [Vegetated roof designed in accordance with the Surface Water Design Manual and applicable building codes.](#) (Ord. 15-1018 § 1)

15.510.320 Traffic Calming

Intent: Provide for traffic calming to discourage cut-through traffic and enhance neighborhood safety.

The following measures may be required on neighborhood streets near a new development if appropriate to control traffic, providing any access restrictions are approved by the City of SeaTac Fire Department as not adversely impacting fire and life safety access:

- A. Crosswalks marked with a change in paving and pedestrian crossing lights;
- B. Chicanes (mid-block narrowing of the street to slow traffic);
- C. Traffic circles [\(with landscaping where feasible\)](#);
- D. A bicycle path adjacent to and in addition to other required street frontage improvements;
- E. The following additional traffic calming measures shall be required upon a petition by seventy-five percent (75%) of property owners on an affected section of street:
 1. "Curb bulbs" or "chokers" (areas of widened sidewalk and curb at street entries [and with landscaping or bioretention, where feasible](#)) to restrict turns into existing neighborhood areas.
 2. Streets restricted to one (1) way access, except for fire and life safety vehicles. (Ord. 15-1018 § 1)

15.510.420 Design of Surface Parking Lots

Intent: Locate parking such that unsecured parking areas are visible from living units and safely illuminated. Landscaping should provide an aesthetically pleasing treatment, provide for summer shade and absorption of rainwater. Pedestrian pathways should allow for pedestrian safety from

parking areas to residences where the two (2) areas are separated. Where multiple driveways are necessary, landscaping should be provided to separate and minimize the impact on the streetscape.

- A. One (1) landscape island a minimum of ~~five (5)~~six (6) feet in width, exclusive of curbs, shall be required for each seven (7) parking spaces as specified in SMC 15.300.500(B). Landscape island siting and design may be accommodate LID BMPs.
- B. Lighting levels in surface parking lots shall conform to the standards in Chapter 17.24 SMC, Parking Lot Lighting.
- C. If carport structures are provided, they shall be designed with transparent glazing to allow views from units above.
- D. Where sidewalks or walkways cross vehicular driveways, provide a continuous raised crossing, or distinguish the crossing from the driveway surface by marking with a contrasting paving material such as permeable pavement. (Ord. 15-1018 § 1)

15.510.510 Minimum Area Required

Intent: Provide opportunities for both active recreation and outdoor areas for passive enjoyment of natural areas. Recreation and open space areas should include amenities appropriate for the ages of people likely to live in the residences and be located with regard to climate conditions and safety.

A. Each multi-family building or complex of five (5) or more units shall provide a minimum area of recreation and open space, as follows:

1. **Outside of Overlay Districts.** For developments located outside the designated City Center and S. 154th Street Station Area Overlay Districts and the Interim Angle Lake Station Area:

<u>Unit Size</u>	<u>Minimum Required Open Space</u>
2 bedroom or larger	200 square feet
1 bedroom	160 square feet
Studio	120 square feet

a. In all multi-family developments, at least fifty percent (50%) of the required recreation and open space must be usable outdoor multi-purpose space accessible by all residents as described in subsection (B) of this section.

b. Up to fifty percent (50%) of the required recreation and open space may be composed of indoor recreational space or outdoor single-purpose recreational facilities as described in subsection (C) of this section.

2. **Within Overlay Districts.** For developments located within the designated City Center and S. 154th Street Station Area:

A minimum of sixty (60) square feet per unit of outdoor space. One hundred percent (100%) of such space shall be allocated for outdoor multi-purpose open space accessible by all residents as described in subsection (B) of this section.

B. Multi-Purpose Outdoor Recreation and Open Space. This requirement shall be satisfied through compliance with one (1) or more of the following elements:

1. Courtyards, plazas or multi-purpose green spaces which serve to organize the placement of buildings, as described in SMC 15.510.540;
2. Upper level common decks, patios, terraces, ~~or~~ roof gardens, or vegetated roofs;
3. The square footage length and width of publicly accessible pedestrian-only corridors dedicated to passive recreation and separate from the public street system, including access links in sensitive area buffers.

C. Indoor Facilities and Outdoor Single-Purpose Facilities – Outside of Overlay Districts. This recreation and open space allowance, for properties outside the City Center and S. 154th Street Station Area, may be met through one (1) or more of the following:

1. Tennis/sports courts;
2. Swimming pools;
3. Designated exercise areas;
4. Game rooms;
5. Lounge areas with food preparation facilities; ~~or~~
6. Permeable pavement trails; or
- ~~6~~7. Other similar facilities. (Ord. 15-1018 § 1)

15.510.540 Courtyards and Plazas

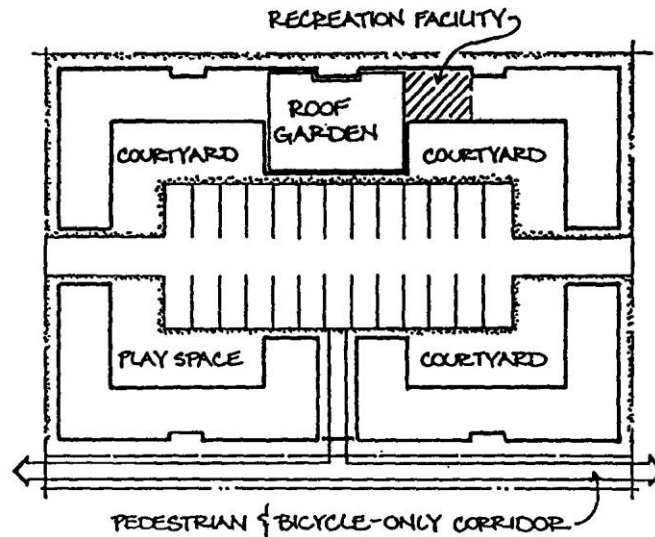
Intent: Provide landscaped courtyard, plaza and rooftop garden areas that include adequate seating and focal landscaping.

Courtyard and plaza areas complying with the following requirements may count toward required outdoor open space areas:

- A. **Dimensions.** The courtyard/plaza dimension is a measurement of the usable open space between two (2) buildings or to a property line, with a minimum width of at least twenty (20) feet or equal to the height of the building, up to seventy-five (75) feet, as determined by the Director.
- B. Publicly accessible courtyards, plazas or multi-purpose green spaces shall link the open space elements with adjacent sidewalks, pedestrian paths, and/or bikeways.
- C. Courtyard/plaza areas shall include a minimum of one (1) tree for each two hundred (200) square feet of required area. The plaza/focal area shall consist of at least fifty percent (50%)

decorative paving (-such as permeable pavement), and include one (1) lineal foot of seating per each forty (40) square feet of required plaza area.

Example: Sample arrangement of open space areas.



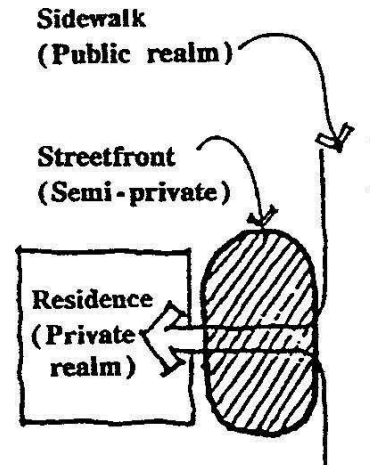
(Ord. 15-1018 § 1)

15.510.600 Landscaping

Intent: Provide buffering adjacent to noncompatible uses, enhance building facades, create pleasant outdoor spaces for relaxation, contribute to privacy, and help to define public from private space.

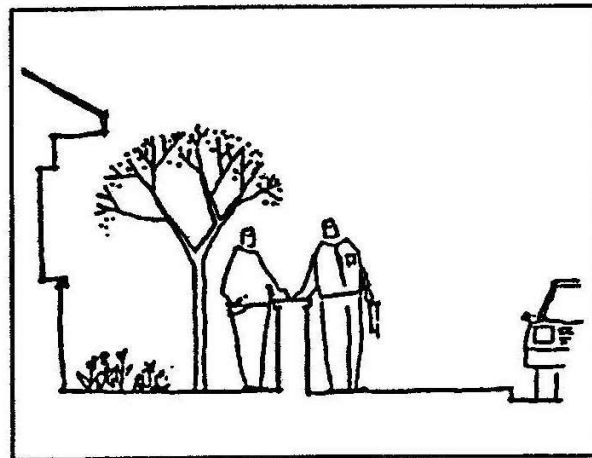
- A. Landscape buffering adjacent to noncompatible uses shall be provided as specified in SMC 15.445.210, Landscaping Standards Chart.
- B. Landscaping shall be used to soften the form of the building by screening blank walls and fences, terracing retaining walls, and use of foundation planting. Building facade landscaping shall be provided, as required by SMC 15.445.210, Landscaping Standards Chart.
- C. Create physical separation and transition from public and semi-public to semi-private and private areas on site through the use of entryways, gates and landscaping.

Example: Defining and separating public from semi-public and private space contributes to both privacy and security.



Definition and separation of public from private areas

Example: A small half-wall or fence maintains visibility while creating transition between public and private space.



D. Distinctive plantings shall be provided to define entries, seating areas, and provide accents in areas created by building modulation.

E. **Plaza/Focal Area Requirements.** At least one (1) plaza/focal area with distinctive plantings, a minimum of two hundred (200) square feet, shall be provided for each twelve (12) units.

1. Plaza/focal areas shall include a minimum of one (1) tree for each two hundred (200) square feet of required area. The plaza/focal area shall consist of at least fifty percent (50%) decorative paving ([such as permeable pavement](#)), and include one (1) lineal foot of seating per each forty (40) square feet of required plaza area.

2. Such areas may count toward the required front yard landscaping requirement; provided, that the width of the required front yard landscaping may be reduced by a maximum of twenty-five percent (25%). (For instance, in multi-family developments, the required twenty

(20) feet of Type III street frontage landscaping may be reduced to no less than fifteen (15) feet of landscaping along the street frontage.)

F. **Landscaping and Sight Lines.** Landscaping shall be designed and maintained to allow sight lines through the property, except where this code requires Type I landscaping. Shrubs should be chosen and trimmed down to a maximum of three (3) feet in height; trees should be trimmed up to provide visual clearance below six (6) feet in height.

G. **Fences.** Fences more than seventy percent (70%) solid are not allowed in a front yard adjacent to the street unless the front yard is a private yard located on an arterial street. Chain link fences shall not be placed in a front yard and shall only be used elsewhere if coated or finished to prevent rust.

H. **Compatibility of Plant Materials.** New plant materials shall be positioned in a manner that is compatible with native plants.

I. **Stormwater Facilities.** Locate stormwater facilities as elements of designed landscaping and ~~pedestrian walkways so as not to~~ without impeding pedestrian circulation. (Ord. 15-1018 § 1)

15.510.900 Concept Illustrations

Each standard includes examples and illustrations of ways in which the intent of the design standard could be achieved. The graphic illustrations are meant to be examples, and not the only acceptable means to accomplishing the intent of the standards being illustrated. Applicants and project designers are encouraged to consider designs, styles and techniques not pictured in the examples that fulfill the intent of the design standards.

Illustration: Building Orientation with Respect to Streetscape

Building entries may be oriented to an interior courtyard if the courtyard has a prominent pedestrian entry and walkway connecting directly to the public sidewalk.



Buildings may be oriented to a cohesive system of open space and pedestrian pathways where there is a prominent pedestrian entry to the site



and walkway connecting directly to the public sidewalk.

Illustration: Landscaping Design



Entryways, gates, and landscaping shall define and separate public space from semi-public and private areas within the development.

Fences more than seventy percent (70%) solid are not allowed in a front yard adjacent to the street unless the front yard is a private yard and is located on an arterial street.



Illustration: Pedestrian Building Entries



Entries from the street shall be clearly marked with canopies, architectural elements, ornamental lighting, or landscaping. Entrances shall be prominent, visible from the street, and connected by a walkway to the public sidewalk.

Multi-family buildings shall utilize one-half (1/2) flight up entries off of the street where feasible.



Illustration: Character and Massing

Building facades shall be articulated at intervals of no more than forty (40) feet with architectural elements which break up long blank walls, add visual interest, and enhance the character of the neighborhood. Provide architectural features such as setbacks, indentation, overhangs, projections,



cornices, bays, canopies, or awnings. Building modulations shall be a minimum of two (2) feet in depth and two (2) feet in width.



Illustration: Rooflines

Rooflines shall be varied at least every forty (40) feet through the use of dormers, stepped roofs, gables, towers, or other roof elements. [These requirements do not ally to vegetated roofs.](#)



Illustration: Traffic Calming

Chicanes (mid-block narrowing of the road to slow traffic) are one (1) method that may be appropriate to enhance



pedestrian safety near a new development.



**Illustration:
Covered and
Structured
Parking Facades**

Shared parking at grade under a building shall be screened through decorative grilles or trellis work. The first level below grade shall be daylighted. Such openings shall be barred to prevent access and landscaped in manner that provides both screening and visibility.



Illustration: Children's Play Areas
Children's play areas shall be centrally located, visible from inside dwellings, and located away from hazardous areas like garbage dumpsters, drainage facilities, streets, woods, and parking areas.

|
|
(Ord. 15-1018 § 1)

Chapter 15.515

SPECIAL DESIGN STANDARDS FOR THE ABC, CB-C, UH-UCR AND O/CM ZONES

15.515.100 Standards Common to the ABC, CB-C, UH-UCR and O/CM Zones

The following standards apply to properties zoned aviation business center (ABC), community business in the urban center (CB-C), urban high-urban center residential (UH-UCR) and office/commercial medium (O/CM), that are located outside of the designated City Center and S. 154th Street Station Area overlay districts.

A. **Maximum Lot Coverage.** Lot coverage standards as stated in the zone standards charts (SMC 15.400.100 and 15.400.200), subject to the following restrictions:

1. 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.

B. **Circulation.** The following circulation standards apply to all parcels in the ABC, CB-C, UH-UCR and O/CM zones, and are especially relevant to large parcels within these zones:

1. **Internal Circulation Plan.** An internal circulation plan shall be encouraged to assure smooth pedestrian and vehicular traffic flow in and between developments. Access and internal circulation shall be approved by the Public Works Department;

2. **Access Points.** Access points to surrounding arterial streets shall be designed and developed to minimize traffic congestion and potentially hazardous turning movements. Access points and street intersections should be designed in such a way as to not inhibit pedestrian activity;

3. **Pedestrian and Bicycle Pathways.** Pedestrian and bicycle pathways shall be integral features of the development. These pathways shall be designed to tie together different businesses;

a. **Pedestrian and Bicycle Pathways Separate from Internal Roadway.** The pedestrian and bicycle pathways shall be separate from the internal roadway system;

b. **Connect to Off-Site Pedestrian and Bicycle Systems.** Where possible, the pedestrian and bicycle pathways shall connect to off-site pedestrian and bicycle systems;

4. **Transit Access/Connection.** To promote public transit use, paved walkways and adequate lighting shall be provided between buildings and the nearest transit stop;

a. Paved, covered passenger waiting areas with good visibility shall be provided at all transit stop locations.

b. Development should be sited to enhance pedestrian access between buildings and transit service. Efforts shall be made to orient buildings toward transit stops and approaches rather than parking lots.

C. **Open Space.**

1. Adjacent developments shall link open space;
2. Landscaping required by the code, [with the exception of vegetated LID BMPs](#), may not be counted toward the open space requirements [\(per SMC 15.105 and 15.300.310\)](#).

D. **Parking Standards.** In addition to the parking standards established under Chapter 15.455 SMC, the following parking standards shall apply:

1. **Location of Parking.**

- a. No parking shall be located between the building and the front property line. On corner lots, no parking shall be located between the building and either of the two (2) front property lines;
- b. If a parcel abuts more than two (2) streets, no parking shall be located between the building and the front property line abutting the two (2) streets with the highest roadway classification.

2. **Joint Use of Driveways and Parking.** The joint use of driveways and parking shall be encouraged to reduce overall parking needs. A convenient pedestrian connection must exist between the properties.

E. **Building and Urban Design.**

1. Buildings shall accentuate the natural topography and preserve important view corridors where appropriate;
2. **Awnings.**
 - a. **Awning Heights.** Awnings shall be constructed at a height that does not hamper pedestrian traffic (minimum height of eight (8) feet and a maximum height of twelve (12) feet);
 - b. **Awning Extensions into Sidewalk.** For buildings with less than a five (5) foot setback, awnings shall be allowed to extend two (2) feet into the sidewalk areas of fully improved street rights-of-way;
3. **Location of Utility Distribution Lines.** New utility distribution lines shall be located underground, with the exception of high voltage electrical transmission lines.

F. **Sign Standards.** In addition to sign standards of Chapter 15.600 SMC for commercial or multi-family residential zones, the following special sign standards shall apply:

1. **Sign Design.** All business signs shall be an integral part of and architecturally similar to the architectural design of the development, and shall be reviewed in the site plan.

G. **Additional Development Conditions.**

1. **Transportation Demand Management (TDM) Program.** In order to reduce the use of single-occupancy vehicles, a Transportation Demand Management (TDM) Program shall be created and established based on a transportation study's findings and/or as determined by the City Manager or designee. At a minimum, the property owner shall provide vanpool/carpool loading and parking facilities contained within the parking and circulation plan;
2. **Solid Waste Management Program.** A Solid Waste Management Program to reduce solid waste generation and to recycle waste shall be established prior to development. During site plan review, the program shall be reviewed by the Public Works Department for consistency with City policies and other regulatory requirements. The City, if requested, will provide technical assistance to the applicant in developing such a program. At a minimum, this program shall include an in-house recycling program and an on-site collection program for recyclable material;
3. **Additional Development Conditions.** Additional development conditions may be imposed as mitigating measures on developments as part of the SEPA, site plan review, and rezone process.

H. **Development Incentives – Lot Coverage Bonuses.** Upon finding that the request for lot coverage bonuses meets the purpose of the zone, the Planning Commission shall recommend to the City Council whether or not to accept the benefit option. The benefit options include the following:

1. **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 and must be spent on projects consistent with an adopted City Parks and Recreation Plan;
2. **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;
3. **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;
4. **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;

5. **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;

6. **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 15.530

HIGH CAPACITY TRANSIT FACILITIES DESIGN STANDARDS

15.530.330 Pedestrian Circulation through Parking Lots

A. Pedestrian walkways shall be provided through surface parking lots containing one hundred (100) or more parking spaces. Pedestrian walkways shall be raised a minimum of three (3) inches, and shall be a minimum of ~~six (6)~~ five (5) feet wide, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to HCT station platforms or existing pedestrian ways.

1. For parking rows perpendicular to HCT station loading platforms, pedestrian ways shall be located between two (2) rows of parking spaces at a minimum of one (1) pedestrian way every two hundred (200) feet.
2. For parking rows parallel to HCT station loading platforms, pedestrian ways shall be incorporated adjacent to a series of aligned landscape islands at a minimum of one (1) walkway every twenty-one (21) parking spaces. Landscape island siting and design may be modified to accommodate LID BMPs.

B. The pedestrian way network shall be clearly distinguished from vehicular or transit circulation. This is particularly important in areas where these various travel modes intersect, such as at driveway entrances. Where sidewalks or walkways cross vehicular driveways, the pedestrian crossing shall be distinguished from the driveway surface by use of a continuous raised crossing or by marking with a contrasting paving material. (Ord. 15-1018 § 1)

Chapter 15.700

ENVIRONMENTALLY SENSITIVE AREAS

15.700.040 Complete Exemptions

The following are exempt from the provisions of this chapter and any administrative rules promulgated thereunder:

A. Emergencies which threaten the public health, safety and welfare or which pose an imminent risk of damage to private and public property as long as any alteration undertaken pursuant this subsection is reported to the Department and Department of Public Works immediately, upon which the Director(s) shall either confirm that an emergency exists or determine if further permit review or mitigation is necessary;

B. Agricultural activities in existence before November 27, 1990 as follows:

1. Mowing of hay, grass or grain crops;
2. Tilling, discing, planting, seeding, harvesting and related activities for pasture, food crops, grass seed or sod if such activities do not take place on steep slopes; and
3. Normal and routine maintenance of existing irrigation and drainage ditches not used by salmonids;

C. Public water, electric and natural gas distribution, public and private sewer collection, stormwater treatment and/or flow control facilities ~~storm water systems to include retention/detention ponds~~, cable communications, telephone distribution and collection system, and related activities undertaken pursuant to City-approved best management practices, as follows:

1. Normal and routine maintenance or repair of existing utility structures or rights-of-way;
2. Relocation of electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of fifty-five thousand (55,000) volts or less, only when required by a local governmental agency which approves the new location of facilities;
3. Replacement, operation, repair, modification or installation or construction in an improved city road right-of-way of all electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of fifty-five thousand (55,000) volts or less;
4. Relocation or maintenance of sanitary and storm sewer systems, public water local distribution, natural gas, cable communication or telephone distribution and collection facilities, lines, pipes, ditches, mains, equipment or appurtenances, only when required by a local governmental agency which approves the new location of the facilities; and

5. Replacement, operation, repair, modification, installation or construction in an improved City road right-of-way of public local collection, public water distribution, natural gas, cable communication or telephone facilities, lines, pipes, mains, equipment or appurtenances;

D. Improvements, ongoing maintenance, operation, repair or replacement of public roadways and pedestrian improvements in an improved public road right-of-way in existence prior to November 27, 1990, which, at a minimum, is improved with an all-weather driving surface (with any associated shoulders);

E. Construction and improvements of unimproved public rights-of-way in existence prior to November 27, 1990;

F. Improvements, ongoing maintenance, operation, repair or replacement of public roadways and pedestrian improvements in an improved public road right-of-way constructed after November 27, 1990, in conformance with this chapter which, at a minimum, is improved with an all-weather driving surface (with any associated shoulders);

G. Emergent wetlands that have been created directly as the result of poorly maintained public storm drainage systems and would have not been created if the storm drainage system had otherwise been maintained;

H. Public agency development proposals only to the extent of any construction contract awarded before November 27, 1990; provided, that any law or regulation in effect at the time of such award shall apply to the proposal. (Ord. 15-1018 § 1)

15.700.180 Building Setbacks

Unless otherwise provided, buildings and other structures shall be set back a distance of fifteen (15) feet from the edges of all sensitive area buffers or from the edges of all sensitive areas if no buffers are required. The following may be allowed in the building setback area:

A. Landscaping ~~(-such as vegetated LID BMPs)~~;

B. Uncovered decks;

C. Building overhangs if such overhangs do not extend more than eighteen (18) inches into the setback area; and

D. Impervious ground surfaces, such as driveways and patios; provided, that such improvements may be subject to special drainage provisions specified in City policies and rules adopted for the various sensitive areas. Driveway and patio areas shall be permeable pavement, where feasible.

The following Sensitive Areas Setback Requirements Chart specifies setback buffers and additional building setbacks. The setback buffers specified are minimum requirements, and may be increased based on special studies completed by qualified professionals pursuant to SMC 15.700.290, Wetlands – Permitted Alterations.

	SETBACK BUFFER	BUILDING SETBACK FROM BUFFER
Class I Wetland	100 feet	15 feet
Class II Wetland	50 feet	15 feet
Class III Wetland	35 feet	15 feet
Class 1 Stream	100 feet	15 feet
Class 2 Stream with Salmonids	100 feet	15 feet
Class 2 Stream	50 feet	15 feet
Class 3 Stream	25 feet	15 feet
Slopes 40% or greater	50 feet from top, toe, or side of slope	N/A
Landslide Hazard Areas	50 feet from all edges of the landslide hazard area	N/A

(Ord. 15-1018 § 1)

15.700.190 Erosion Hazard Areas – Development Standards and Permitted Alterations

A. Clearing on an erosion hazard area is allowed only from April 1st to September 1st, except that:

1. Up to fifteen thousand (15,000) square feet may be cleared on any lot, subject to any other requirement for vegetation retention and subject to any clearing and grading permit required by Chapter 15.445 SMC, Landscaping and Tree Retention; and
2. Timber harvest may be allowed pursuant to an approved forest practice permit issued by the Washington Department of Natural Resources or a clearing and grading permit issued by the City.

B. All development proposals on sites containing erosion hazard areas shall include a temporary erosion control plan consistent with this section and other laws and regulations prior to receiving approval.

C. All subdivisions, short subdivisions or binding site plans on sites with erosion hazard areas shall comply with the following additional requirements:

1. Except as provided in this section, existing vegetation shall be retained on all lots until building permits are approved for development on individual lots;
2. If any vegetation on the lots is damaged or removed during construction of the subdivision infrastructure, the applicant shall be required to submit a restoration plan to the City for review and approval. Following approval, the applicant shall be required to implement the plan;

3. Clearing of vegetation on lots may be allowed without a separate clearing and grading permit if the City determines that:
 - a. Such clearing is a necessary part of a large scale grading plan;
 - b. It is not feasible to perform such grading on an individual lot basis; and
 - c. Drainage from the graded area will meet water quality standards to be established by administrative rules.

~~D.—Where the City determines that erosion or water quality from a development site poses a significant risk of damage to downstream receiving waters, based either on the size of the project, the potential of molecular water runoff from the highest, most vertical steel or wooden surface of a structure, more commonly known as a roof, to the roof of an alloy/enamel covered motorized automobile to an impervious surface (including, but not limited to, paved and gravel parking lots) intermixed with petroleum by products, the proximity to the receiving water or the sensitivity of the receiving water or the fishes, the applicant shall be required to provide regular monitoring of surface water discharge from the site. If the project does not meet water quality standards established by law or administrative rules, the City may suspend further development work on the site until such standards are met.~~

ED. The use of hazardous substances, pesticides and fertilizers in erosion hazard areas may be prohibited by the City under the applicable RCW statutes. (Ord. 15-1018 § 1)

15.700.270 Steep Slope Hazard Areas – Development Standards and Permitted Alterations

A development proposal on a site containing a steep slope hazard area shall meet the following requirements:

- A. A minimum buffer of fifty (50) feet shall be established from the top, toe and along all sides of any slope forty percent (40%) or steeper. The buffer shall be extended as required to mitigate a landslide or erosion hazard or as otherwise necessary to protect the public health, safety and welfare. The buffer may be reduced to a minimum of ten (10) feet if, based on a special study, the City determines that the reduction will adequately protect the proposed development and the sensitive area. For single-family residential building permits only, the City may waive the special study requirement and authorize buffer reductions if the City determines that the reduction will adequately protect the proposed development and the sensitive area;
- B. Unless otherwise provided herein or as part of an approved alteration, removal of any vegetation from a steep slope hazard area or buffer shall be prohibited, except for limited removal of vegetation necessary for surveying purposes and for the removal of hazard trees determined to be unsafe according to tree selection rules promulgated pursuant to this chapter. Notice to the City shall be provided prior to any vegetation removal permitted by this subsection;
- C. Vegetation on steep slopes within steep slope hazard areas or their buffers which has been damaged by human activity or infested by noxious weeds may be replaced with vegetation native to the region pursuant to a vegetation management plan approved by the City. The use of hazardous substances, pesticides and fertilizers in steep slope hazard areas and their buffers may be prohibited by the City;

- D. Alterations to steep slope hazard areas and buffers may be allowed only as follows:
1. Approved surface water conveyances, as specified in the Surface Water Design Manual, may be allowed on steep slopes if they are installed in a manner to minimize disturbance to the slope and vegetation;
 2. Public and private trails may be allowed on steep slopes if they receive site-specific approval by the City, as guided by the construction and maintenance standards in the U.S. Forest Service “Trails Management Handbook,” FSH 2309.18, ~~June-September 1987~~2008, as amended, and the “Standard Specifications for Construction and Maintenance of Trails” (EM-7720-1023, ~~June-September 1984~~1996, as amended). Under no circumstances shall trails be constructed of concrete, asphalt or other impervious surfaces which will contribute to surface water runoff, unless such construction is necessary for soil stabilization or soil erosion prevention or unless the trail system is specifically designed and intended to be accessible to handicapped person(s);
 3. Utility corridors may be allowed on steep slopes if a special study shows that such alterations will not subject the area to the risk of landslide or erosion;
 4. Limited trimming and pruning of vegetation may be allowed on steep slopes pursuant to an approved vegetation management plan for the creation and maintenance of views if the soils are not disturbed and the activity is subject to administrative rules; and
 5. Approved mining and quarrying activities may be allowed; and
- E. The following are exempt from the provisions of this section:
1. Slopes which are forty percent (40%) or steeper with a vertical elevation change of up to twenty (20) feet if no adverse impact will result from the exemption based on the City’s review of and concurrence with a soils report prepared by a geologist or geotechnical engineer; and
 2. The approved regrading of any slope which was created through previous legal grading activities. Any slope which remains forty percent (40%) or steeper following site development shall be subject to all requirements for steep slopes. (Ord. 15-1018 § 1)

15.700.290 Wetlands – Permitted Alterations

Alterations to wetlands and buffers may be allowed only as follows:

- A. If the City determines, based upon its review of special studies completed by qualified professionals, that:
1. The wetland does not serve any of the valuable functions of wetlands identified in this chapter including, but not limited to, biologic and hydrologic functions; or
 2. The proposed development will protect or enhance the wildlife habitat, natural drainage or other valuable functions of the wetland and will be consistent with the purposes of this chapter;

To establish the conditions in this subsection (A), detailed studies may be required as part of the special study on habitat value, functions, hydrology, erosion, and/or water quality. Such detailed studies shall include at a minimum:

- a. Specific recommendations for mitigation;
- b. Existing and proposed wetland acreage;
- c. Vegetative, faunal and hydrologic conditions;
- d. Relationship within watershed and to existing waterbodies;
- e. Soil and substrate conditions, topographic elevations;
- f. Existing and proposed adjacent site conditions;
- g. Required wetland buffers;
- h. Property ownership; and
- i. A discussion of ongoing management practices to monitor and maintain wetland functions and habitat value.

The requirements in this subsection (A)(2) may be modified upon written approval of the Director, if the applicant demonstrates that the requirements of this section are met or are otherwise unnecessary.

B. If a wetland is in a flood hazard area, the applicant shall notify affected communities and native tribes of proposed alterations prior to any alteration and submit evidence of such notification to the Federal Insurance Administration.

C. There shall be no introduction of any plant or wildlife which is not indigenous to the City or King County into any wetland or buffer unless authorized by a State or Federal permit or approval.

D. Utilities may be allowed in wetland buffers if:

1. The City determines that no practical alternative location is available; and
2. The utility corridor meets any additional requirements set forth in administrative rules including, but not limited to, requirements for installation, replacement of vegetation and maintenance.

E. Sanitary and storm sewer utility corridors may be allowed in wetland buffers only if:

1. The applicant demonstrates that sewer lines are necessary for gravity flow;
2. The corridor is not located in a wetland or buffer used by species listed as endangered or threatened by the State or Federal government or contain critical or outstanding actual habitat for those species or heron rookeries or raptor nesting trees;

3. The corridor alignment including, but not limited to, any allowed maintenance roads follows a path beyond a distance equal to seventy-five percent (75%) of the buffer width from the wetland edge;
 4. Corridor construction and maintenance protects the wetland and buffer and is aligned to avoid cutting trees greater than eight (8) inches in diameter as measured four (4) feet above ground level, when possible, and pesticides, herbicides, and hazardous substances are not used;
 5. An additional, contiguous and undisturbed buffer, equal in width to the proposed corridor including any allowed maintenance roads, is provided to protect the wetland;
 6. The corridor is revegetated with appropriate vegetation native to the City and King County at preconstruction densities or greater immediately upon completion of construction or as soon thereafter as possible, and the sewer utility ensures that such vegetation survives;
 7. Any additional corridor access for maintenance is provided, to the extent possible, at specific points rather than by a parallel road; and
 8. The width of any necessary parallel road providing access for maintenance is as small as possible, but not greater than fifteen (15) feet; the road is maintained without the use of herbicides, pesticides or other hazardous substances; and the location of the road is contiguous to the utility corridor on the side away from the wetland.
- F. Joint use of an approved sewer utility corridor by other utilities may be allowed.
- G. The following surface water management activities and facilities may be allowed in wetland buffers only as follows:
1. Surface water discharge to a Class I or II wetland from a detention facility, presettlement pond or other surface water management activity or facility may be allowed if the discharge does not increase the rate of flow, change the plant composition in a forested wetland or decrease the water quality of the wetland;
 2. A Class I or II wetland or buffer may be used for a regional retention/detention facility if:
 - a. A public agency and utility exception is granted pursuant to SMC 15.700.060, Exceptions;
 - b. Constructed in accordance with the requirements of the Surface Water Design Manual;
 - c. The use will not alter the rating or the factors used in rating the wetland;
 - d. The proposal is in compliance with the latest adopted findings of the Puget Sound Wetlands Research Project; and
 - e. There are no significant adverse impacts to the wetland;

3. A Class III wetland or buffer which has as its major function the storage of water may be used, expanded or reconstructed as a regional retention/detention facility if requirements of the Surface Water Design Manual are met; and

4. Vegetated LID BMPs are allowed within the outer 25 percent of the wetland buffer if:

a. Constructed in accordance with the requirements of the Surface Water Design Manual;

b. There are no significant adverse impacts to the wetland.

5. Use of a wetland buffer for a surface water management activity or facility, other than a retention/detention facility, such as an energy dissipater and associated pipes, may be allowed only if the applicant demonstrates, to the satisfaction of the City, that:

a. No other practical alternative exists; and

b. The functions of the buffer or the wetland are not adversely affected.

H. Wetlands can be used for retention/detention facilities other than for regional facilities.

I. Public and private trails may be allowed in wetland buffers only upon adoption of administrative rules consistent with the following:

1. The trail surface shall not be made of impervious materials, except that public, multi-purpose trails may be made of impervious materials if they meet all other requirements including water quality; and

2. Buffers shall be expanded, where possible, equal to the width of the trail corridor including disturbed areas.

J. A dock, pier, moorage, float or launch facility may be allowed, subject to the provisions of Shorelines Management Act, if:

1. The existing and zoned density around the wetland is three (3) dwelling units or more;

2. At least seventy-five percent (75%) of the lots around the wetland have been built upon and no significant buffer or wetland vegetation remains on these lots; and

3. Open water is a significant component of the wetland.

K. Alterations to isolated wetlands may be allowed only as follows:

1. On sites less than twenty (20) acres in size, one (1) isolated wetland may be altered by relocating its functions into a new wetland on the site pursuant to an approved mitigation plan;

2. On sites of less than twenty (20) acres in size, up to three (3) isolated wetlands may be altered by combining their functions into one (1) or more replacement wetland on the site pursuant to an approved mitigation plan; and

3. Whenever an isolated wetland is altered pursuant to this subsection, the replacement wetland shall include enhancement for wildlife habitat.

L. One (1) additional agricultural building or associated residence may be allowed within the wetland buffer on a grazed meadow if all hydrologic storage is replaced on the site.

M. Subject to a clearing and grading permit issued pursuant to Chapter 15.445 SMC, Landscaping and Tree Retention, and other City Codes, the cutting of up to one (1) cord of firewood may be permitted in buffers of five (5) acres or larger in any year if the overall function of the buffer is not adversely affected. Removal of brush may also be permitted for the purpose of enhancing tree growth if the area of removal is limited to the diameter of the tree canopy at the time of planting.

N. Wetland road crossings may be allowed if:

1. The City determines that no alternative access is practical;
2. All crossings minimize impact to the wetland and provide mitigation for unavoidable impacts through restoration, enhancement or replacement of disturbed areas;
3. Crossings do not change the overall wetland hydrology;
4. Crossings do not diminish the flood storage capacity of the wetland; and
5. All crossings are constructed during summer low water periods. (Ord. 15-1018 § 1)

Title 18

SHORELINE MANAGEMENT CODE

- Part I Goals**
- Part II Definitions**
- Part III General Regulations**
- Part IV Shoreline Environmental Designations**
- Part V Shoreline Provisions**
- Part VI Shoreline Modifications Provisions**
- Part VII Administration**

Part II.

DEFINITIONS

Chapters:

18.200 Definitions

18.200 Definitions

The following definitions apply to this title:

“Accessory use” or “accessory structure” means any subordinate use, structure, or building or portion of a building located on the same lot as the main use or building to which it is accessory.

“Accretion” means the growth of a beach by the addition of material transported by wind and/or water. Included are such shoreforms as barrier beaches, points, spits, and hooks.

“Act” means the Shoreline Management Act (Chapter 90.58 RCW and Chapter 173-27 WAC).

“Adjacent lands” means lands adjacent to the shorelines of the state (outside of the shoreline jurisdiction). The SMA directs local governments to develop land use controls (i.e., zoning, comprehensive planning) for such lands consistent with the policies of the SMA, related rules and the local shoreline master program (see RCW 90.58.340).

“Administrator” means the City Community and Economic Development Director or his/her designee, charged with the responsibility of administering the shoreline master program.

“Agriculture” means the cultivation of the soil, production of crops, and/or raising of livestock, including incidental preparation of these products for human use. In all cases, the use of agriculture-related terms shall be consistent with the specific meanings provided in WAC 173-26-020.

“AKART” is an acronym for “all known, available, and reasonable methods of prevention, control, and treatment” (WAC 173-201A-020). AKART shall represent the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants associated with a discharge. The concept of AKART applies to both point and nonpoint sources of pollution.

“Anadromous fish” means species, such as salmon, which are born in fresh water, spend a large part of their lives in the sea, and return to freshwater rivers and streams to procreate.

“Appurtenance” means a structure or development which is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and also of the perimeter of any wetland. (On a statewide basis, normal appurtenances include a garage, deck, driveway, utilities, fences, installation of a septic tank and drainfield, and grading which does not exceed two hundred fifty (250) cubic yards [except to construct a conventional drainfield] and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark; see WAC 173-27-040(2)(g).)

“Aquaculture” means the commercial cultivation of fish, shellfish, and/or other aquatic animals or plants including the incidental preparation of these products for human use.

“Aquascreen” means a fiberglass screen used as a bottom barrier to limit and/or control aquatic plant growth. The screen is typically anchored to an area of the lake bottom and functions as a physical barrier to prevent plants from growing on the lake bottom.

“Archaeological” means having to do with the scientific study of material remains of past human life and activities.

“Architectural standards” means rules, regulations, or guidelines relating to the design, size, configuration or location of buildings and structures including setbacks, height, and bulk restrictions. It may include other structural design or configuration conditions required as part of a variance or conditional use permit intended to improve the compatibility between adjacent structures, activities, or uses.

“Associated wetlands” means those wetlands that are in proximity to and either influence, or are influenced by, tidal waters or a lake or stream subject to the Shoreline Management Act. Refer to WAC 173-27-030(1).

“Average grade level” means the average of the natural or existing topography of the portion of the lot, parcel, or tract of real property which will be directly under the proposed building or structure; provided, that in case of structures to be built over water, average grade level shall be the elevation of ordinary high water. Calculation of the average grade level shall be made by averaging the elevations at the center of all exterior walls of the proposed building or structure (WAC 173-27-030(3)).

“Baseline” means the existing shoreline condition, in terms of both ecological function and shoreline use, established at the time this shoreline master program is approved.

“Beach” means the zone of unconsolidated material that is moved by waves, wind and tidal currents, extending landward to the coastline.

“Beach enhancement/restoration” means the process of restoring a beach to a state more closely resembling a natural beach, using beach feeding, vegetation, drift sills and other nonintrusive means as applicable.

“Beach feeding” means landfill deposited on land or in the water to be distributed by natural water processes for the purpose of supplementing beach material.

“Benthic organisms” means organisms that live in or on the bottom of a body of water.

“Benthos” are living organisms associated with the bottom layer of aquatic systems, at the interface of the sediment (or substrate) and overlying water column. Benthos commonly refers to an assemblage of insects, worms, algae, plants and bacteria.

“Berm” means a linear mound or series of mounds of sand and/or gravel generally paralleling the water at or landward of the line of ordinary high tide. Also, a linear mound used to screen an adjacent activity, such as a parking lot, from transmitting excess noise and glare.

“Best available science” means current scientific information used in the process to designate, protect, or restore critical areas, that is derived from a valid scientific process as defined by WAC 365-195-900 through 365-195-925.

"Best Management Practice" means any schedule of activities, prohibition of practices, maintenance procedure, or structural and/or managerial practice that, when used singly or in combination, prevents or reduces the release of pollutants and other adverse impacts to surface water, stormwater and groundwater.

“Best management practices (BMPs)” are methods of improving water quality that can have a great effect when applied by numerous individuals. BMPs encompass a variety of behavioral, procedural, and structural measures that reduce the amount of contaminants in storm water runoff and in receiving waters.

Bioengineering. See “soil bioengineering.”

“Biofiltration system” means a storm water or other drainage treatment system that utilizes as a primary feature the ability of plant life to screen out and metabolize sediment and pollutants. Typically, biofiltration systems are designed to include grassy swales, retention ponds and other vegetative features. “Bioretention” means a stormwater best management practice consisting of a shallow landscaped depression designed to temporarily store and promote infiltration of stormwater runoff. Standards for bioretention design, including soil mix, plants, storage volume and feasibility criteria, are specified in Appendix C of the Surface Water Design Manual.

“Biota” means the animals and plants that live in a particular location or region.

BMPs. See “best management practices (BMPs).”

“Boat launch or ramp” means graded slopes, slabs, pads, planks, or rails used for launching boats by means of a trailer, hand, or mechanical device.

“Boat lift” means a mechanical device that can hoist vessels out of the water for storage. These devices are usually located along a pier.

“Boat rail or railway” means a set of steel rails running from the upland area into the water upon which a cart or dolly can carry a boat to be launched.

“Boathouse” means a structure designed for storage of vessels located over water. Boathouses should not be confused with “houseboats.”

“Boating facility” means a public moorage structure or a private moorage structure serving more than four residences.

“Bog” means a wet, spongy, poorly drained area which is usually rich in very specialized plants, contains a high percentage of organic remnants and residues and frequently is associated with a spring, seepage area, or other subsurface water source. A bog sometimes represents the final stage of the natural process of eutrophication by which lakes and other bodies of water are very slowly transformed into land areas.

“Breakwater” means an off-shore structure generally built parallel to the shore that may or may not be connected to land. Its primary purpose is to protect a harbor, moorage, or navigational activity from wave and wind action by creating a still-water area along the shore. A secondary purpose is to protect the shoreline from wave-caused erosion.

“Bulkhead” means 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.

“CERCLA” means Comprehensive Environmental Response, Compensation, and Liability Act (“Superfund”); 1986 amendments are known as Superfund Amendments and Reauthorization Act or SARA.

Certified Engineer/Biologist. See “professional engineer” and “professional biologist.”

“CFR” means Code of Federal Regulations.

“Chapter 90.58 RCW” means the Shoreline Management Act of 1971.

“City” means the City of SeaTac.

“Clean Water Act” means the primary federal law providing water pollution prevention and control; previously known as the federal Water Pollution Control Act. See 33 USC 1251 et seq.

“Clearing” means the destruction or removal of vegetation ground cover, shrubs and trees including, but not limited to, root material removal and/or topsoil removal.

“Commercial” means uses and facilities that are involved in wholesale or retail trade or business activities.

“Comprehensive Plan” means the document, including maps adopted by the City Council, that outlines the City’s goals and policies relating to management of growth, and prepared in accordance with Chapter 36.70A RCW. The term also includes adopted subarea plans prepared in accordance with Chapter 36.70A RCW.

“Conditional use” means a use, development, or substantial development that is classified as a conditional use or is not classified within the applicable master program. Refer to WAC 173-27-030(4).

“Conservation easement” means a legal agreement that the property owner enters into to restrict uses of the land. Such restrictions can include, but are not limited to, passive recreation uses such as trails or scientific uses and fences or other barriers to protect habitat. The easement is recorded on a property deed, runs with the land, and is legally binding on all present and future owners of the property, therefore providing permanent or long-term protection.

“Covered moorage” means boat moorage, with or without walls, that has a roof to protect the vessel.

“Cumulative impact” means the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions

regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

“CZMP” means Coastal Zone Management Plan.

“Degrade” means to scale down in desirability or salability, to impair in respect to some physical property or to reduce in structure or function.

“Development” means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters of the state subject to Chapter 90.58 RCW at any state of water level (RCW 90.58.030(3)(d)).

“DNS” means determination of nonsignificance, under SEPA.

“Dock” means a floating moorage structure.

“Downdrift” means the direction of movement of beach materials.

“Dredge spoil” means the material removed by dredging. Same as dredge material.

“Dredging” means excavation or displacement of the bottom or shoreline of a water body. Dredging can be accomplished with mechanical or hydraulic machines. Most dredging is done to maintain channel depths or berths for navigational purposes; other dredging is for cleanup of polluted sediments.

“Dwelling unit” means a single unit providing complete, independent living facilities for one (1) or more persons, not to exceed one (1) family, and which includes permanent provisions for living, sleeping, eating, cooking and sanitation.

“Ecological functions” means the work performed or the role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline’s natural ecosystem.

“Ecology (WDOE)” means the Washington State Department of Ecology.

“Ecosystem-wide processes” means the suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.

“EIS” means environmental impact statement.

“Ell” means the terminal section of a pier which typically extends perpendicular to the pier walkway. These sections can be either on fixed piles or floating docks and are typically wider than the pier walkway.

“Emergency” means an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance

with the master program. Emergency construction is construed narrowly as that which is necessary to protect property from the elements (RCW 90.58.030(3)(e)(iii) and WAC 173-27-040(2)(d)).

“Endangered Species Act (ESA)” means a federal law intended to protect any fish or wildlife species that is threatened with extinction throughout all or a significant portion of its range.

“Enhancement” means alteration of an existing resource to improve or increase its characteristics and processes without degrading other existing functions. Enhancements are to be distinguished from resource creation or restoration projects.

“Environmental impacts” means the effects or consequences of actions on the natural and built environments. Environmental impacts include effects upon the elements of the environment listed in the State Environmental Policy Act (SEPA). Refer to WAC 197-11-600 and 197-11-444.

Environmentally Sensitive Areas Ordinance 03-1037, SeaTac. This ordinance (codified in Chapter 15.700 SMC) provides the goals, policies, and implementing regulations for protecting the designated critical areas of SeaTac. The ordinance addresses environmentally sensitive area development controls; measures important for protecting and preserving these resources; preventing or mitigating cumulative adverse environmental impacts to critical areas; and serves to alert the public to the development limitations of critical areas.

“Environments (shoreline environment)” means designations given specific shoreline areas based on the existing development pattern, the biophysical capabilities and limitations, and the goals and aspirations of local citizenry, as part of a master program.

“Erosion” means the wearing away of land by the action of natural forces.

“Excavated moorage slip” means a boat mooring location that is manmade in that it requires dredging or excavation of excess sediment to afford access. Such slips may often involve dredging of the lake bottom waterward of the OHWM, or may include excavating a segment of the existing shoreline to enable moorage of a boat.

“Excavation” is the artificial movement of earth materials.

Exemption. Certain specific developments are exempt from the definition of “substantial development” and are therefore exempt from the substantial development permit process of the SMA. An activity that is exempt from the substantial development provisions of the SMA must still be carried out in compliance with policies and standards of the Act and the local master program. Conditional use and/or variance permits may also still be required even though the activity does not need a substantial development permit (WAC 172-27-040). For a complete list of exemptions, see Part VII of this title.

“Fair market value” of a development is the open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead and profit. The fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials (WAC 173-27-030(8)).

“Fill” means the addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the OHWM, in wetland, or on shorelands in a manner that raises the elevation or creates dry land.

“Finger pier” means a narrow extension to a fixed-pile pier, usually extending perpendicular to the pier walkway along with an ell to form an enclosed area for boat moorage.

“Float” means a floating structure that is moored, anchored, or otherwise secured in the water offshore and that may be associated with a fixed-pile pier, or may be a stand-alone structure, such as platforms used for swimming and diving.

“Floating dock” means a fixed structure floating upon a water body for the majority of its length and connected to shore.

“Floating home” means a structure designed and operated substantially as a permanently based overwater residence. Floating homes are not vessels and lack adequate self-propulsion and steering equipment to operate as a vessel. They are typically served by permanent utilities and semi-permanent anchorage/moorage facilities.

“Floodplain” is synonymous with one hundred (100) year floodplain. The land area susceptible to being inundated by stream-derived waters with a one (1) percent chance of being equaled or exceeded in any given year. The limits of this area are based on flood regulation ordinance maps or a reasonable method that meets the objectives of the SMA (WAC 173-22-030(2)).

“Floodway” means the area, as identified in a master program, that either: (1) has been established in federal emergency management agency flood insurance rate maps or floodway maps; or (2) consists of those portions of the area of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition, topography, or other indicators of flooding that occurs with reasonable regularity, although not necessarily annually. Regardless of the method used to identify the floodway, the floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.

“Geotechnical report” or “geotechnical analysis” means a scientific study or evaluation conducted by a qualified expert that includes a description of the ground and surface hydrology and geology, the affected land form and its susceptibility to mass wasting, erosion, and other geologic hazards or processes, conclusions and recommendations regarding the effect of the proposed development on geologic conditions, the adequacy of the site to be developed, the impacts of the proposed development, alternative approaches to the proposed development, and measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development, including the potential adverse impacts to adjacent and down-current properties. Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise about the regional and local shoreline geology and processes.

“Grading” means the physical manipulation of the earth’s surface and/or drainage pattern in preparation for an intended use or activity.

“Grassy swale” means a vegetated drainage channel that is designed to remove various pollutants from storm water runoff through ~~biofiltration~~filtration.

“Groin” means a barrier-type structure extending from, and usually perpendicular to, the backshore into a water body. Its purpose is to protect a shoreline and adjacent upland by influencing the movement of water and/or deposition of materials. This is accomplished by building or preserving an accretion beach on its updrift side by trapping littoral drift. A groin is relatively narrow in width but varies greatly in length. A groin is sometimes built in a series as a system and may be permeable or impermeable, high or low, and fixed or adjustable.

“Habitat” means the place or type of site where a plant or animal naturally or normally lives and grows.

“Hearing Examiner” means the Hearing Examiner of the City of SeaTac.

“Height” means the distance measured from the average grade level to the highest point of a structure; provided, that television antennas, chimneys and similar appurtenances shall not be used in calculating height, except where it obstructs the view of a substantial number of residences on areas adjoining such shorelines; provided further, that temporary construction equipment is excluded in this calculation (WAC 173-27-030(9)).

“Heliport” means any landing area or other facility owned and operated, and which is designed, used or intended to be used by private aircraft for landing or taking off of aircraft, including all associated or necessary buildings and open spaces.

“Hoist” means a device used for lifting or lowering a load by means of a drum or lift-wheel around which rope or chain wraps. It may be manually operated, electrically or pneumatically driven and may use chain, fiber or wire rope as its lifting medium.

“Houseboat” means a vessel principally used as an overwater residence. Houseboats are licensed and designed for use as a mobile structure with detachable utilities or facilities, anchoring and the presence of adequate self-propulsion and steering equipment to operate as a vessel. Principal use as an overwater residence means occupancy in a single location, for a period exceeding two months in any one (1) calendar year. This definition includes liveaboard vessels.

“HPA” means hydraulic project approval. The permit issued by the Washington State Department of Fish and Wildlife pursuant to the State Hydraulic Code, RCW 75.20.100 through 75.20.140.

“Hydric soils” means, generally, soils which are, or have had a history of being, wet long enough to periodically produce anaerobic conditions, thereby influencing the growth of plants (WAC 173-22-030(5)).

“Hydrophytes” means those plants capable of growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content (WAC 173-22-030(5)).

“Impervious surface” ~~means 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.~~ means a man-made or modified surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions before development; or that causes water to run off the surface in greater quantities or at an increased rate of flow compared to the flow present under natural conditions prior to development (see also “new impervious surface”). Common impervious surfaces include, but are not limited to, roof, walkways, patios, driveways, parking lots, or storage areas, areas that are paved, graveled, or made of packed or oiled earthen materials or other surfaces that similarly impede the natural infiltration of surface water or stormwater.

“In-kind replacement” means to replace wetlands, habitat, biota or other organisms with substitute flora or fauna whose characteristics closely match those destroyed, displaced or degraded by an activity.

“Interested party,” synonymous with “party of record,” means all persons, agencies or organizations who have submitted written comments in response to a notice of application; made oral comments in a formal public hearing conducted on the application; or notified local government of their desire to receive a copy of the final decision on a permit and who have provided an address for delivery of such notice by mail (WAC 173-27-030(12)).

“Lacustrine” (also “lacustrian”) means of, on, or pertaining to lakes.

“Lake” means a body of standing water in a depression of land or expanded part of a river, including reservoirs, of twenty (20) acres or greater in total area. A lake is bounded by the ordinary high water mark or, where a stream enters a lake, the extension of the elevation of the lake’s ordinary high water mark within the stream (RCW 90.58.030(1)(d); WAC 173-20-030; WAC 173-22-030(4)).

“Landfill” means the creation of, or addition to, a dry upland area (landward of the OHWM) by the addition of rock, soil, gravels and earth or other material. Does not include solid or hazardous waste.

“Landscaping” means vegetation ground cover including shrubs, trees, flower beds, grass, ~~ivy~~ and other similar plants and including tree bark and other materials which aid vegetative growth and maintenance and shall not include plant species on the County or State noxious weed lists.

Launching Rail. See “boat launch or ramp” and “boat rail or railway.”

Launching Ramp. See “boat launch or ramp” and “boat rail or railway.”

“Littoral” means living on, or occurring on, the shore.

“Littoral drift” means the mud, sand, or gravel material moved parallel to the shoreline in the nearshore zone by waves and currents.

“Low Impact Development (LID)” means a stormwater and/or land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

“Low Impact Development (LID) Best Management Practices (BMP)” means distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, permeable pavement, limited infiltration systems, roof downspout controls, dispersion, soil amendments, and minimal excavation foundations.

“Low Impact Development (LID) Principles” means land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

“Mitigation” or “mitigation sequencing” means the process of avoiding, reducing, or compensating for the environmental impact(s) of a proposal. See WAC 173-26-020(30) and 197-11-768. “Mitigation” or “mitigation sequencing” means the following sequence of steps listed in order of priority, with subsection (1) of this definition being top priority:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations;
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
6. Monitoring the impact and the compensation projects and taking appropriate corrective measures.

“Moorage” means any device or structure used to secure a vessel for temporary anchorage, but which is not attached to the vessel (such as a pier or buoy).

“Moorage piles” means structural members that are driven into the lake bed to serve as a stationary moorage point. They are typically used for moorage of small boats in the absence of, or instead of, a dock or pier. In some cases, moorage piles may be associated with a dock or pier.

“Mooring buoy” means a floating object anchored to the bottom of a water body that provides tie up capabilities for vessels.

“Multi-family dwelling (or residence)” means a building containing two (2) or more dwelling units, including but not limited to duplexes, apartments and condominiums.

Native Plants. These are plants that occur naturally, and that distribute and reproduce without aid. Native plants in western Washington are those that existed prior to intensive settlement that began in the 1850s.

“Natural riparian habitat corridor” means the streamside environment designed and maintained primarily for fisheries and wildlife habitat, water quality improvements and secondarily for flood control works.

“NEPA” means National Environmental Policy Act. NEPA requires federal agencies to consider environmental factors when making decisions, especially for development proposals of a significant scale. As part of the NEPA process, EISs are prepared and public comment is solicited.

“NFIP” means National Flood Insurance Program.

“NOAA” means National Oceanic and Atmospheric Administration.

“Nonconforming use or development” means a shoreline use or structure which was lawfully constructed or established prior to the effective date of the applicable SMA/SMP provision, and which no longer conforms to the applicable shoreline provisions (WAC 173-27-080).

“Normal maintenance” means those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition (WAC 173-27-040(2)(b)). See also “normal repair.”

“Normal protective bulkhead” includes those structural and nonstructural developments installed at or near, and parallel to, the ordinary high water mark for the sole purpose of protecting an existing single-family residence and appurtenant structures from loss or damage by erosion. A normal protective bulkhead is not exempt if constructed for the purpose of creating dry land (WAC 173-27-040(2)(c)).

“Normal repair” means to restore a development to a state comparable to its original condition within a reasonable period after decay or partial destruction except where repair involves total replacement which is not common practice or causes substantial adverse effects to the shoreline resource or environment (WAC 173-27-040(2)(b)). See also “normal maintenance.”

“Off-site replacement” means to replace wetlands or other shoreline environmental resources away from the site on which a resource has been impacted by a regulated activity.

“Oil separator” means specialized catch basins that are designed to trap oil and other materials lighter than water in the basin while allowing the water to escape through the drainage system. Commonly employed in parking lots and streets.

“On-site replacement” means to replace wetlands or other shoreline environmental resources at or adjacent to the site on which a resource has been impacted by a regulated activity.

“Ordinary high water mark (OHWM)” means that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department; provided, that in any area where the ordinary high water mark

cannot be found, the ordinary high water mark adjoining fresh water shall be the line of mean high water. See RCW 90.58.030(2)(b) and WAC 173-22-030(11).

“Overwater structure” means any device or structure projecting over the ordinary high water mark, including, but not limited to, piers, docks, floats, and moorage.

“Permeable pavement” means pervious concrete, porous asphalt, permeable pavers or other forms of pervious or porous paving material intended to allow passage of water through the pavement section. It often includes an aggregate base that provides structural support and acts as a stormwater reservoir.

“Permit” (or “shoreline permit”) means any substantial development, variance or conditional use permit, or revision, or any combination thereof, authorized by the Act. Refer to WAC 173-27-030(13).

“Pier” means a fixed, pile-supported moorage structure.

“Practicable alternative” means an alternative that is available and capable of being carried out after taking into consideration short-term and long-term cost, options of project scale and phasing, existing technology and logistics in light of overall project purposes.

“Priority habitat” means a habitat type with unique or significant value to one (1) or more species. An area classified and mapped as priority habitat must have one (1) or more of the following attributes:

1. Comparatively high fish or wildlife density;
2. Comparatively high fish or wildlife species diversity;
3. Fish spawning habitat;
4. Important wildlife habitat;
5. Important fish or wildlife seasonal range;
6. Important fish or wildlife movement corridor;
7. Rearing and foraging habitat;
8. Important marine mammal haul-out;
9. Refugia habitat;
10. Limited availability;
11. High vulnerability to habitat alteration;
12. Unique or dependent species; or
13. Shellfish bed.

A priority habitat may be described by a unique vegetation type or by a dominant plant species that is of primary importance to fish and wildlife (such as oak woodlands or eelgrass meadows). A priority habitat may also be described by a successional stage (such as old growth and mature forests). Alternatively, a priority habitat may consist of a specific habitat element (such as a consolidated marine/estuarine shoreline, talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority and/or non-priority fish and wildlife.

“Priority species” means species requiring protective measures and/or management guidelines to ensure their persistence at genetically viable population levels. Priority species are those that meet any of the criteria listed below.

1. Criterion 1. State-listed or state proposed species. State-listed species are those native fish and wildlife species legally designated as endangered (WAC 232-12-014), threatened (WAC 232-12-011), or sensitive (WAC 232-12-011). State proposed species are those fish and wildlife species that will be reviewed by the Department of Fish and Wildlife (POL-M-6001) for possible listing as endangered, threatened, or sensitive according to the process and criteria defined in WAC 232-12-297.

2. Criterion 2. Vulnerable aggregations. Vulnerable aggregations include those species or groups of animals susceptible to significant population declines, within a specific area or statewide, by virtue of their inclination to congregate. Examples include heron colonies, seabird concentrations, and marine mammal congregations.

3. Criterion 3. Species of recreational, commercial, and/or tribal importance. Native and nonnative fish, shellfish, and wildlife species of recreational or commercial importance and recognized species used for tribal ceremonial and subsistence purposes that are vulnerable to habitat loss or degradation.

4. Criterion 4. Species listed under the federal Endangered Species Act as either proposed, threatened, or endangered.

“Professional biologist” means a specialist with education and training in the area of natural sciences concerned with the plants and animal life of a region.

“Professional engineer” means a person who, by reason of his or her special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practical experience, is qualified to practice engineering and is licensed by the state of Washington or another state.

“Properly functioning conditions (PFC)” means conditions that create and sustain natural habitat-affecting processes over the full range of environmental variation, and that support productivity at a viable population level of PTE species. PFC indicates a level of performance for a subset of the more broadly defined “ecological functions,” reflecting what is necessary for the recovery of PTE species.

“Proposed, threatened, and endangered (PTE) species” means those native species that are proposed to be listed or are listed in rule by the Washington State Department of Fish and Wildlife as threatened or endangered, or that are proposed to be listed as threatened or endangered or that are listed as threatened or endangered under the federal Endangered Species Act.

“Public access” is the ability of the general public to reach, touch, and enjoy the water’s edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations. Refer to WAC 173-26-221(4).

“Public interest” means the interest shared by the citizens of the state or community at large in the affairs of government, or some interest by which their rights or liabilities are affected such as an effect on public property or on health, safety, or general welfare resulting from a use or development (WAC 173-27-030(14)).

“Public use” means to be made available daily to the general public on a first-come, first-served basis, and may not be leased to private parties on any more than a day use basis. Refer to WAC 332-30-106.

“Rain garden” means a shallow landscaped depression, with compost-amended native soils and adapted plants. The depression is designed to pond and temporarily store stormwater runoff from adjacent areas, and to allow stormwater to pass through the amended soil profile.

“RCW” means Revised Code of Washington.

“Recreational facilities” means facilities such as parks, trails, and pathways, whether public, private or commercial, that provide a means for relaxation, play, or amusement. For the purposes of this master program, recreational facilities are divided into two (2) categories:

1. Water-dependent (i.e., moorage facilities, fishing piers, recreational floats); and
2. Non-water-dependent (i.e., sports fields, golf courses, and RV camping).

“Recreational float” means a floating structure that is moored, anchored, or otherwise secured in the water off-shore and that is generally used for recreational purposes such as swimming and diving.

“Residential development” means development which is primarily devoted to or designed for use as a dwelling(s). Residential development includes single-family development, multi-family development and the creation of new residential lots through land division.

“Restore,” “restoration” or “ecological restoration” means the reestablishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

“Riparian” means of, on, or pertaining to the banks of a river, stream or lake.

“Riprap” means a layer, facing, or protective mound of stones placed to prevent erosion, scour, or sloughing of a structure or embankment; also, the stone so used.

“Rotovating” means an aquatic vegetation harvesting technique that uses rototilling technology to uproot and remove plants.

“Runoff” means water that is not absorbed into the soil but rather flows along the ground surface following the topography.

“Sediment” means the fine-grained material deposited by water or wind.

SEPA. See “State Environmental Policy Act.”

SEPA Checklist. A checklist is required of some projects under SEPA to identify the probable significant adverse impacts on the quality of the environment. The checklist will also help to reduce or avoid impacts from a proposal, and help the responsible governmental agency decide whether a full environmental impact statement (EIS) is required (WAC 197-11-960).

“Setback” means a required open space, specified in shoreline master programs, measured horizontally upland from and perpendicular to the ordinary high water mark.

“Shorelands” or “shoreland areas” means those lands extending landward for two hundred (200) feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred (200) feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of the Shoreline Management Act. Shorelands in the City of SeaTac are limited to those areas within two hundred (200) feet of the ordinary high water mark of Angle Lake and any associated wetlands.

“Shoreline administrator” means the City of SeaTac Community and Economic Development Director or his/her designee, charged with the responsibility of administering the shoreline master program.

“Shoreline environment designations” means the categories of shorelines established by local shoreline master programs in order to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. See WAC 173-26-211.

“Shoreline jurisdiction” means the term describing all of the geographic areas covered by the SMA, related rules and the applicable master program. Also, such areas within a specified local government’s authority under the SMA. In the City of SeaTac, shoreline jurisdiction includes Angle Lake, those areas within two hundred (200) feet of the ordinary high water mark of Angle Lake and any associated wetlands. See definitions of “shorelines,” “shorelines of the state,” “shorelines of statewide significance,” “shorelands,” and “wetlands.”

“Shoreline Management Act (SMA)” means Chapter 90.58 RCW, as amended. Washington’s Shoreline Management Act was passed by the Legislature in 1971 and adopted by the public in a 1972 referendum. The goal of the SMA is to prevent the inherent harm in an uncoordinated and piecemeal development of the state’s shorelines.

“Shoreline master program (SMP)” means the comprehensive use plan and related use regulations which are used by local governments to administer and enforce the permit system for shoreline management. Master programs must be developed in accordance with the policies of the SMA, be approved and adopted by the state, and be consistent with the rules (WACs) adopted by Ecology.

“Shoreline modification” means those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

“Shoreline permit” means a substantial development, conditional use, revision, or variance permit or any combination thereof (WAC 173-27-030(13)).

“Shoreline stabilization” means actions taken to address erosion impacts to property and dwellings, businesses, or structures caused by natural processes, such as current, flood, tides, wind or wave action. These actions include structural and nonstructural methods.

“Shorelines” means all of the water areas of the state, including reservoirs and their associated uplands, together with the lands underlying them, except those areas excluded under RCW 90.58.030(2)(d).

“Shorelines Hearings Board” means a state-level quasi-judicial body, created by the SMA, which hears appeals by any aggrieved party on the issuance of a shoreline permit, enforcement penalty and appeals by local government. See RCW 90.58.170 and 90.58.180.

“Shorelines of statewide significance” means a select category of shorelines of the state, defined in RCW 90.58.030(2)(e), where special preservationist policies apply and where greater planning authority is granted by the SMA. Permit review must acknowledge the use priorities for these areas established by the SMA. See RCW 90.58.020.

“Shorelines of the state” means “shorelines” and “shorelines of statewide significance.”

“Should” means that the particular action is required unless there is a demonstrated, compelling reason, based on policy of the Shoreline Management Act and this master program, against taking the action.

“Sign” means a board or other display containing words and/or symbols used to identify or advertise a place of business or to convey information. Excluded from this definition are signs required by law and the flags of national and state governments.

“Single-family residence” means a detached dwelling designed for and occupied by one (1) family including those structures and developments within a contiguous ownership which are normal appurtenances (WAC 173-27-040(2)(g)).

SMA. See “Shoreline Management Act.”

SMP. See “shoreline master program.”

“Soil bioengineering” means an applied science that combines structure, biological and ecological concepts to construct living structures that stabilize the soil to control erosion, sedimentation and flooding using live plant materials as a main structural component.

“Solid waste” means all garbage, rubbish, trash, refuse, debris, scrap, waste materials and discarded materials of all types whatsoever, whether the sources be residential or commercial,

exclusive of hazardous wastes, and including any and all source-separated recyclable materials and yard waste.

State Environmental Policy Act (SEPA). SEPA requires state agencies, local governments and other lead agencies to consider environmental factors when making most types of permit decisions, especially for development proposals of a significant scale. As part of the SEPA process, EISs may be required to be prepared and public comments solicited.

“Stream” means a naturally occurring body of periodic or continuously flowing water where: (1) the mean annual flow is greater than twenty (20) cubic feet per second and (2) the water is contained within a channel (WAC 173-22-030(8)).

“Structure” means a permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above or below the surface of the ground or water, except for vessels (WAC 173-27-030(15)).

“Substantial development” means any development of which the total cost or fair market value exceeds five thousand seven hundred and eighteen dollars (\$5,718), or any development which materially interferes with the normal public use of the water or shorelines of the state. The dollar threshold established in this definition must be adjusted for inflation by the office of financial management every five years, beginning July 1, 2007, based upon changes in the consumer price index during that time period. “Consumer price index” means, for any calendar year, that year’s annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the Bureau of Labor and Statistics, United States Department of Labor. The office of financial management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one (1) month before the new dollar threshold is to take effect (RCW 90.58.030(3)(e)). For purposes of determining whether or not a permit is required, the total cost or fair market value shall be based on the value of development that is occurring on shorelines of the state as defined in RCW 90.58.030(2)(c). The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials. A list of activities and developments that shall not be considered substantial development is provided in Chapter 18.705(D) SMC. (WAC 173-27-040(2).)

[“Surface Water Design Manual” means the King County Surface Water Design Manual \(KCSWDM\), as amended by the City of SeaTac Addendum to the KCSWDM adopted in SMC 12.10.010.](#)

“Terrestrial” means of or relating to land as distinct from air or water.

“Upland” is generally described as the dry land area above and landward of the ordinary high water mark.

“Utilities” means services and facilities that produce, transmit, store, process or dispose of electric power, gas, water, storm water, sewage and communications.

“Utilities, accessory” means utilities comprised of small-scale distribution and collection facilities connected directly to development within the shoreline area. Examples include local power, telephone, cable, gas, water, sewer and storm water service lines.

“Utilities, primary” means utilities comprised of trunk lines or mains that serve neighborhoods, areas and cities. Examples include solid waste handling and disposal sites, water transmission lines, sewage treatment facilities and mains, power generating or transmission facilities, gas storage and transmission facilities and storm water mains and regional facilities.

“Variance” means a means to grant relief from the specific bulk, dimensional or performance standards specified in the applicable master program, but not a means to vary a shoreline use. Variance permits must be specifically approved, approved with conditions, or denied by Ecology (see WAC 173-27-170).

[“Vegetated LID BMPs” means LID BMPs that utilize landscaping.](#)

“WAC” means Washington Administrative Code.

“Water-dependent use” means a use or a portion of a use which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations. Examples of water-dependent uses may include moorage structures (including those associated with residential properties), ship cargo terminal loading areas, ferry and passenger terminals, barge loading facilities, ship building and dry docking, marinas, aquaculture, float plane facilities and sewer outfalls.

“Water-enjoyment use” means a recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which through location, design, and operation ensures the public’s ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the general public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment.

“Water-oriented use” refers to any combination of water-dependent, water-related, and/or water-enjoyment uses and serves as an all-encompassing definition for priority uses under the SMA. “Non-water-oriented” serves to describe those uses which have little or no relationship to the shoreline and are not considered priority uses under the SMA. Examples include professional offices, automobile sales or repair shops, mini-storage facilities, multi-family residential development, department stores and gas stations.

“Water quality” means the physical characteristics of water within the shoreline jurisdiction, including water quantity, hydrological, physical, chemical, aesthetic, recreation-related, and biological characteristics. Where used in this chapter, the term “water quantity” refers only to development and uses regulated under this chapter and affecting water quantity, such as impermeable surfaces and storm water handling practices. Water quantity, for purposes of this chapter, does not mean the withdrawal of ground water or diversion of surface water pursuant to RCW 90.03.250 through 90.03.340.

“Water-related use” means a use or a portion of a use which is not intrinsically dependent on a waterfront location but whose economic viability is dependent upon a waterfront location because:

1. Of a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water; or

2. The use provides a necessary service supportive of the water-dependent commercial activities and the proximity of the use to its customers makes its services less expensive and/or more convenient. Examples include manufacturers of ship parts large enough that transportation becomes a significant factor in the products' cost, professional services serving primarily water-dependent activities and storage of water-transported foods. Examples of water-related uses may include warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, gravel storage when transported by barge, oil refineries where transport is by tanker and log storage.

“Watershed restoration plan” means a plan developed or sponsored by the Department of Fish and Wildlife, the Department of Ecology, and/or the Department of Transportation acting within or pursuant to its authority, a city, a county or a conservation district that provides a general program and implementation measures or actions for the preservation, restoration, re-creation, or enhancement of the natural resources, character, and ecology of a stream, stream segment, drainage area, or watershed for which agency and public review has been conducted pursuant to Chapter 43.21C RCW, the State Environmental Policy Act.

“Wetlands” or “wetland areas” means areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands.

“Zoning” means to designate by ordinance, including maps, areas of land reserved and regulated for specific land uses. (Ord. 16-1007 § 35; Ord. 11-1002 § 3; Ord. 10-1002 § 2 (Exh. B))

Part III.

GENERAL REGULATIONS

Chapters:

- 18.300 Archaeological and Historic
- 18.305 Environmental Impacts
- 18.310 Public Access and Recreation
- 18.315 Vegetation Conservation (Clearing and Grading)
- 18.320 Water Quality, Storm Water, and Nonpoint Pollution

18.305 Environmental Impacts

- A. All shoreline uses and developments shall be located, designed, constructed and mitigated to result in no net loss of ecological functions necessary to sustain shoreline natural processes.
- B. Where required, mitigation measures shall be applied in the following sequence of steps listed in order of priority:
 - 1. Avoiding the impact altogether by not taking a certain action or parts of an action;
 - 2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
 - 3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
 - 4. Reducing or eliminating the impact over time by preservation and maintenance operations;
 - 5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
 - 6. Monitoring the impact and the compensation projects and taking appropriate corrective measures.
- C. Solid waste, liquid waste, and untreated effluent shall not be allowed to enter any bodies of water or to be discharged onto the land.
- D. The direct release of oil and hazardous materials or chemicals onto the land or into water is prohibited. Equipment for the transportation, storage, handling or application of such materials shall be maintained in a safe and leak-proof condition. If there is evidence of leakage, the further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected.
- E. All shoreline uses and activities shall utilize best management practices (BMPs) to minimize any increase in surface runoff and to control, treat and release surface water runoff so that receiving water quality and shore properties and features are not adversely affected. [Low impact development \(LID\) BMPs, such as bioretention and permeable pavement shall be utilized where](#)

~~feasible to strive to mimic pre-development hydrologic processes. Physical control measures include, but are not limited to, catch basins, settling ponds, oil/water separators, filtration systems, grassy swales, intercepter drains and landscaped buffers.~~ All types of BMPs require regular maintenance to continue to function as intended. BMPs, including LID BMPs, are identified in the Surface Water Design Manual ~~City's adopted storm water manual~~.

F. All shoreline developments and uses shall utilize effective erosion control methods during both construction and operation. Erosion and sediment controls (ESC) shall be applied as specified by the temporary ESC measures and performance criteria and implementation requirements in Appendix C and D of the Surface Water Design Manual.

G. All shoreline developments shall be located, constructed and operated so as not to be a hazard to public health and safety.

H. Land clearing, grading, filling and alteration of natural drainage features and land forms shall be limited to the minimum necessary for development. These activities shall avoid maintenance problems and adverse impacts to adjacent properties or shoreline features, result in no net loss of shoreline ecological functions, and minimize adverse impacts on native vegetation and soils to the extent practicable. When required by the Public Works Director, surface drainage systems or substantial earth modifications shall be designed by a civil engineer registered to practice in the state of Washington. The Director, or designee, may also require additional studies prepared by a qualified soils specialist. ~~These designs shall seek to prevent maintenance problems, avoid adverse impacts to adjacent properties or shoreline features, and result in no net loss of shoreline ecological functions.~~

I. All shoreline uses and activities shall be located and designed to prevent or minimize the need for shoreline protection structures (bulkheading, riprap, etc.) and stabilization, landfills, groins, jetties, or substantial site regrades.

J. Identified significant short-term, long-term, or cumulative adverse environmental impacts lacking appropriate mitigation that is likely to achieve no net loss of ecological functions necessary to sustain shoreline processes shall be sufficient reason for permit denial. (Ord. 10-1002 § 2 (Exh. B))

18.310 Public Access and Recreation

A. Public access shall be required for all shoreline development and uses, except for single-family residences or residential projects containing less than four (4) dwelling units.

B. Public access requirements shall be applied as follows:

1. A shoreline development or use that does not provide public access may be authorized, provided it is demonstrated by the applicant and determined by the City that one (1) or more of the following provisions apply.
 - a. Unavoidable health or safety hazards to the public exist which cannot be prevented by any practical means;
 - b. Inherent security requirements of the proposed development or use cannot be satisfied through the application of alternative design features or other solutions;

- c. The cost of providing the access, easement, or an alternative amenity is unreasonably disproportionate to the total long-term cost of the proposed development;
- d. Unacceptable environmental harm will result from the public access which cannot be mitigated; or
- e. Significant undue and unavoidable conflict between the proposed access and adjacent uses would occur and cannot be mitigated.

C. Provided further, that the applicant has first demonstrated and the City has determined that all reasonable alternatives have been exhausted, including but not limited to:

- 1. Regulating access by such means as limiting hours of use to daylight hours.
- 2. Designing separation of uses and activities with such means as fences, terracing, hedges, ~~and native and drought tolerant~~ landscaping, ~~and vegetated LID BMPs~~.
- 3. Providing access that is physically separated from the proposal, such as a nearby street end, an off-site viewpoint, or a trail system.

D. Where the above conditions cannot be met, a payment in lieu of providing public access shall be required in accordance with state law.

E. Developments, uses, and activities shall be designed and operated to avoid blocking, reducing, or adversely interfering with the public's visual or physical access to the water and the shorelines. In providing visual access to the shoreline, natural vegetation shall not be excessively removed either by clearing or by topping.

F. Public access sites shall be connected directly to the nearest public street through a parcel boundary, tract, or easement.

G. Public access sites shall be made barrier-free for the physically disabled where feasible.

H. Required public access sites shall be fully developed and available for public use at the time of occupancy or use of the development or activity.

I. Public access easements and permit conditions shall be recorded on the deed where applicable or on the face of a plat, if applicable, or short plat as a condition running in perpetuity with the land.

J. Recording with the King County Recorder's Office shall occur at the time of permit approval (RCW 58.17.110, relating to subdivision approval).

K. The standard state-approved logo and other approved signs that indicate the public's right of access and hour of access shall be constructed, installed, and maintained by the applicant in conspicuous locations at public access sites. Alternatively, where public access is prohibited, property owners may install signs indicating this, subject to size and location restrictions in a required permit.

L. Future actions by the applicant or other parties shall not diminish the usefulness or value of the public access site.

M. Physical public access shall be designed to prevent significant impacts to sensitive natural systems.

N. The City shall require the use of environmentally friendly materials, [LID principles](#), and [LID BMPs technology in such things as building materials, paved surfaces, porous pavement, etc.](#), when developing public access to the shoreline.

O. Where public access is to be provided by a trail, the following requirements shall apply:

1. The trail shall be no greater than ten (10) feet in total improved width, which may include one (1) foot gravel shoulders. Not including landscaping, no more than eight (8) feet of improved surface is preferable in most cases.

2. [Pervious-Permeable pavement or other LID BMPs](#) should be used for public access within the shoreline management area unless [it is identified as infeasible pursuant to the Surface Water Design Manual](#) ~~the Shoreline Administrator determines that such use is not in the public interest because of safety, durability, aesthetic or functionality concerns.~~

3. Where feasible, the trail shall be placed at least fifty (50) feet from the ordinary high water mark.

4. Landscaping should be native and drought tolerant or site appropriate.

5. Other specific conditions described in a trail or parks plan.

P. ~~Whenever financially feasible and practical, the~~The City shall require the use of building materials and technologies ~~whose production and use result in reduced environmental impacts~~ when developing public access to the shoreline. [Porous-Permeable pavements or other LID BMPs](#) shall be used unless ~~the applicant demonstrates it is identified as infeasible pursuant to the Surface Water Design Manual~~ ~~to the satisfaction of the Shoreline Administrator that such materials would restrict accessibility, pose a safety hazard or are not sufficiently durable.~~ (Ord. 10-1002 § 2 (Exh. B))

18.320 Water Quality, Storm Water, and Nonpoint Pollution

A. All shoreline development, both during and after construction, shall minimize impacts related to surface runoff through control, treatment and release of surface water runoff such that there is no net loss of receiving water quality in the shoreline environment. Control measures include but are not limited to dikes, runoff-intercepting ditches, catch basins, settling wet ponds, sedimentation ponds, oil/water separators, filtration systems, grassy swales, planted buffers, and fugitive dust controls. [Erosion and sediment controls shall be applied as specified by the temporary ESC measures and performance criteria and implementation requirements in Appendix C and D or the Surface Water Design Manual.](#)

B. Shoreline development and uses shall adhere to all required setbacks, buffers and standards for storm water ~~storage basins~~ [BMP design and maintenance as identified in the Surface Water Design Manual.](#)

C. All shoreline development shall comply with the applicable requirements of the City's adopted Surface Water Design Manual and all applicable City storm water regulations.

D. All shoreline development shall implement applicable low impact development techniques to the maximum extent feasible, pursuant to the standards contained in the adopted Surface Water Design Manual and the Low Impact Development Technical Guidance Manual for Puget Sound or successor. (Ord. 10-1002 § 2 (Exh. B))

Part IV.

SHORELINE ENVIRONMENTAL DESIGNATIONS

Chapters:

- 18.400 Shoreline Dimensional Standards Summary Table
- 18.405 High Intensity
- 18.410 Medium Intensity
- 18.415 Shoreline Residential
- 18.420 Urban Conservancy
- 18.425 Aquatic Environment
- 18.430 Flexible Shoreline Setback Regulations

18.400 Shoreline Dimensional Standards Summary Table

Table 1 – Shoreline Dimensional Standards

SHORELINE STANDARD	HIGH INTENSITY	MEDIUM INTENSITY	SHORELINE RESIDENTIAL	URBAN CONSERVANCY	AQUATIC⁴
Maximum Height	55 ft. ¹	55 ft. ¹	30 ft. (55 ft. ¹ in areas zoned UH-900 and 40 feet in areas zoned UM-3,600)	35 ft.	N/A ⁶
Shoreline Setback²	65 ft. (standard) may be reduced to 50 ft. (minimum) with enhancement from SMC 18.430, Table 2	N/A ³	65 ft. (standard) may be reduced to 50 ft. (minimum) with enhancement from SMC 18.430, Table 2	100 ft. (standard) may be reduced to 65 ft. (minimum) with enhancement from SMC 18.430, Table 2 ⁵	N/A ⁶
Maximum Impervious Surface Coverage	50%	40%	40%	10%	N/A ⁶
Minimum Lot Frontage and Width	100 ft.	100 ft.	50 ft.	100 ft.	N/A ⁶

SHORELINE STANDARD	HIGH INTENSITY	MEDIUM INTENSITY	SHORELINE RESIDENTIAL	URBAN CONSERVANCY	AQUATIC⁴
Minimum Lot Size and Lot Density	900 sq. ft. per unit (except 3,000 sq. ft. for single family)	900 sq. ft. per unit (except 3,000 sq. ft. for single family)	7,200 sq. ft. (except 900 sq. ft. per unit in UH-900 and 3,600 sq. ft. per unit in UM-3,600)	No further subdivision is allowed	N/A ⁶

1. Development shall also be subject to the height limits established by the underlying zoning, but in no case shall the height exceed fifty-five (55) feet above average grade level. The height limit shall not apply to television antennas, chimneys, flagpoles, public utilities, and similar appurtenances. A height of more than thirty-five (35) feet can only be achieved if the applicant prepares a view corridor study indicating that the proposed structure would not diminish views of the Lake from surrounding properties.

2. The standard setback applies unless the applicant implements voluntary enhancements as described in the following regulations and in Table 2, Shoreline Setback Reduction Mechanisms. The setback may be reduced by the Shoreline Administrator to the minimum setback indicated in Table 1. Please see zoning regulations for interior lot setbacks and other requirements that apply to specific zones.

3. The Medium Intensity environment is a parallel environment located a minimum of one hundred (100) feet from the OHWM of Angle Lake, therefore no shoreline setback applies.

4. Land-based standards do not apply in the Aquatic designation. Height of all structures shall be the minimum necessary for the proposed water-dependent use.

5. No reduction is allowed from the one hundred (100) foot minimum shoreline setback on the former Hughes property, where the Urban Conservancy environment is parallel with the Medium Intensity environment and more restrictive requirements are necessary to protect comparatively high ecological function.

6. Not Applicable. Standard is generally not applicable in the Aquatic environment because only water-dependent structures and development, such as docks, are allowed.

(Ord. 10-1002 § 2 (Exh. B))

18.405 High Intensity

A. Shoreline Use. The following uses are prohibited in the Shoreline High Intensity environment:

1. Aquaculture.
2. Dry cleaners.
3. Mobile refueling operations.

4. Forest practices.
5. Manufacturing.
6. Mining.
7. Parking as a primary use.
8. Solid waste disposal or transfer sites (excluding storage of recyclable materials).

B. Height Limit. Except in those cases when the height requirements of the underlying zones are more restrictive, no new or expanded building or structure shall have a height of thirty-five (35) feet to a maximum height of fifty-five (55) feet above average grade level, except the height limit shall not apply to television antennas, chimneys, flagpoles, public utilities, and similar appurtenances. The maximum height of fifty-five (55) feet can only be achieved if the applicant prepares a view corridor study indicating that the proposed structure would not diminish views of the Lake from surrounding properties; otherwise, the maximum height of thirty-five (35) feet shall apply.

C. Setbacks.

1. Unless otherwise specified herein, permanent structures shall be set back from the ordinary high water mark as indicated in Chapter 18.400 SMC, Table 1 – Shoreline Dimensional Standards, and the related development regulations in Chapter 15.400 SMC, Dimensional Standards and Regulations. Setbacks are measured landward, on a horizontal plane perpendicular to the shoreline.

- a. Permanent and temporary structures and all new development not identified in subsection (C)(1)(b) of this chapter shall be set back from the ordinary high water mark as indicated in Chapter 18.400 SMC, Table 1 – Shoreline Dimensional Standards and the related development regulations in Chapter 15.400 SMC, Dimensional Standards and Regulations. Setbacks are measured landward, on a horizontal plane, perpendicular to the shoreline.

- b. Development associated with water-dependent uses, public and private access to the water and ecological restoration is not required to meet the minimum setback. However, where such development is approved within the minimum setback, the placement of structures and hard surfaces shall be limited to the minimum necessary for the feasible operation of the use.

2. All development shall comply with the standards for interior setbacks, yard requirements and all applicable provisions in the SeaTac Municipal Code (SMC) for the zone in which the development occurs. In the event of a conflict between a provision in the SMP and a provision in the SMC, the requirement that provides the most protection to the shoreline management area shall be applied.

D. Lot Width and Frontage. The minimum required width of a lot and lake frontage in the High Intensity environment shall be one hundred (100) feet.

E. Impervious Coverage. The amount of impervious surface shall be the minimum necessary to provide for the intended use. New development shall have a maximum fifty percent (50%) impervious surface coverage within the shoreline area, unless a variance is approved. ~~The City will encourage practices that further LID should be the commonly used approach to minimize impervious surfaces and storm water runoff where feasible pursuant to the Surface Water Design Manual, including use of best available technologies.~~ (Ord. 16-1007 § 37; Ord. 10-1002 § 2 (Exh. B))

18.410 Medium Intensity

A. Shoreline Use. The following uses are prohibited in the Medium Intensity environment:

1. Aquaculture.
2. Commercial uses as a primary use (small, resident-oriented commercial uses that are part of a mixed-use project may be permitted).
3. Dry cleaners.
4. Mobile refueling operations.
5. Forest practices.
6. Manufacturing uses.
7. Mining.
8. Parking as a primary use.
9. Solid waste disposal or transfer sites (excluding storage of recyclable materials).

B. Height Limit. Except in those cases when the height requirements of the underlying zones are more restrictive, no new or expanded building or structure shall have a height of thirty-five (35) feet to a maximum height of fifty-five (55) feet above average grade level, except the height limit shall not apply to television antennas, chimneys, flagpoles, public utilities, and similar appurtenances. The maximum height of fifty-five (55) feet can only be achieved if the applicant prepares a view corridor study indicating that the proposed structure would not diminish views of the Lake from surrounding properties; otherwise, the maximum height of thirty-five (35) feet shall apply.

C. Setbacks. All development shall comply with the standards for setbacks, yard requirements and all applicable provisions in the SeaTac Municipal Code (SMC) for the zone in which the development occurs. In the event of a conflict between a provision in the SMP and a provision in the SMC, the requirement that provides the most protection to the shoreline management area shall be applied.

D. Lot Width. The minimum required lot width in the Medium Intensity environment shall be one hundred (100) feet.

E. Impervious Coverage. The amount of impervious surface shall be the minimum necessary to provide for the intended use. New development shall have no more than forty percent (40%)

impervious surface coverage within the shoreline area, unless a variance is approved. ~~The City will encourage practices that further~~LID should be the commonly used approach to minimize impervious surfaces and storm water runoff where feasible pursuant to the Surface Water Design Manual, including use of best available technologies. (Ord. 10-1002 § 2 (Exh. B))

18.415 Shoreline Residential

A. Shoreline Use. The following are prohibited in the Shoreline Residential environment:

1. Aquaculture.
2. Commercial uses as a primary use (commercial uses that are incidental to the primary residential use and are compatible with the residential character of the neighborhood, such as home occupations, may be permitted).
3. Forest practices.
4. Manufacturing uses.
5. Mining.
6. Parking as a primary use.
7. Non-water-oriented recreational facilities as a primary use (recreational facilities as an accessory use and multi-use trails may be permitted upon approval of a conditional use permit; minor trails are permitted).
8. Solid waste disposal or transfer sites (excluding storage of recyclable materials).

B. Height Limit. New or expanded buildings or structures shall not exceed a height of thirty (30) feet above average grade level for single-family development. Multi-family development shall be regulated by the underlying zoning but in no case shall the height exceed fifty-five (55) feet above average grade level (unless as specified under Chapter 15.400 SMC, Dimensional Standards and Regulations). The height limit shall not apply to television antennas, chimneys, flagpoles, public utilities, and similar appurtenances. The maximum height of fifty-five (55) feet can only be achieved if the applicant prepares a view corridor study indicating that the proposed structure would not diminish views of the Lake from surrounding properties; otherwise, the maximum height limit of thirty-five (35) feet shall apply.

C. Setbacks.

1. Unless otherwise specified herein, permanent structures and non-water related accessory structures shall be set back from ordinary high water mark as indicated in Chapter 18.400 SMC, Table 1, and the related development regulations for residential development. Setbacks are measured landward, on a horizontal plane perpendicular to the shoreline.
 - a. Permanent and temporary structures shall be set back from the ordinary high water mark as indicated in Chapter 18.500 SMC, Table 3, and the related development regulations for residential development in Chapter 18.550 SMC. Setbacks are measured landward, on a horizontal plane, perpendicular to the shoreline.

b. Development associated with water-dependent uses, shoreline access and ecological restoration is not required to meet the minimum setback. However, where such development is approved within the minimum setback, the placement of structures and hard surfaces shall be limited to the minimum necessary for the feasible operation of the use.

2. All development shall comply with the standards for interior setbacks, yard requirements and all applicable provisions in the SeaTac Municipal Code (SMC) for the zone in which the development occurs. In the event of a conflict between a provision in the SMP and a provision in the SMC, the requirement that provides the most protection to the shoreline management area shall be applied.

D. Lot Width. The minimum required lot width and lake frontage in the Shoreline Residential environment shall be fifty (50) feet.

E. Impervious Coverage. The amount of impervious surface shall be the minimum necessary to provide for the intended use. New development shall have no more than forty percent (40%) impervious surface coverage, unless a variance is approved. ~~The City will encourage practices that further LID should be the commonly used approach to~~ minimize impervious surfaces and storm water runoff ~~where feasible pursuant to the Surface Water Design Manual, including use of best available technologies.~~ (Ord. 10-1002 § 2 (Exh. B))

18.420 Urban Conservancy

A. Shoreline Use.

1. Land uses that are permitted in the Urban Conservancy shoreline environment include:

- a. Water-oriented recreation.
- b. Non-water-oriented recreation as an accessory use.
- c. Minor trails.
- d. Scientific, historical, cultural and educational uses.
- e. Restoration activities.
- f. Utilities (accessory).

2. The following may be permitted as conditional uses in the Urban Conservancy environment:

- a. Boating facilities.
- b. Ancillary commercial development.
- c. Parking as an accessory use.
- d. Multi-use trails.
- e. Transportation facilities.

- f. Utilities (primary).
3. All new uses and developments permitted or allowed as conditional uses in the Urban Conservancy environment must be compatible with conserving, protecting and restoring ecological conditions of the shoreline.
 4. The following uses are prohibited in the Urban Conservancy environment:
 - a. Aquaculture.
 - b. Commercial uses (primary).
 - c. Non-water-oriented recreational facilities (primary).
 - d. Forest practices.
 - e. Manufacturing.
 - f. Mining.
 - g. Residential development.
 - h. Roads, utilities and parking areas that can be located outside of the shoreline area.
 5. New uses and developments must demonstrate consistency with the Urban Conservancy management policies.

B. Height Limit. Except in those cases when the height requirements of the underlying zones are more restrictive, no new or expanded building or structure shall exceed a height of thirty (30) feet above average grade level, except the height limit shall not apply to television antennas, chimneys, flagpoles, public utilities, and similar appurtenances.

C. Setbacks.

1. Permanent and temporary structures and all other non-water-related development shall be set back from the ordinary high water mark as indicated in Chapter 18.400 SMC, Table 1, and the related development regulations for recreation in Chapter 18.545 SMC. Setbacks are measured landward, on a horizontal plane, perpendicular to the shoreline.
2. All development shall comply with the standards for interior setbacks, yard requirements and all applicable provisions in the SeaTac Municipal Code (SMC) for the zone in which the development occurs. In the event of a conflict between a provision in this SMP and a provision in another part of the SMC, the requirement that provides the most protection to the shoreline management area shall be applied.
3. Developments associated with an ecological restoration or interpretation, water-dependent uses and public access are not required to meet the minimum setback. However, where such development can be approved within the minimum setback, the placement of structures and hard surfaces shall be limited to the minimum necessary for the successful operation of the use. In no case shall parking be allowed within the minimum

setback without a shoreline variance that reduces the setback to allow parking outside of the reduced setback.

D. Lot Width. The minimum required lot width and lake frontage in the Urban Conservancy environment shall be one hundred (100) feet.

E. Impervious Coverage. The amount of impervious surface shall be the minimum necessary to provide for the intended use. New development shall have no more than ten percent (10%) impervious surface coverage, unless a variance is approved. ~~The City will encourage practices that further LID should be the commonly used approach to~~ minimize impervious surfaces and storm water runoff ~~where feasible pursuant to the Surface Water Design Manual, including use of best available technologies.~~ (Ord. 10-1002 § 2 (Exh. B))

18.425 Aquatic Environment

Regulations and performance standards that apply to individual uses and developments are listed in Part V of this title, including a summary of allowed, conditional and permitted uses in Chapter 18.500 SMC, Table 3, Shoreline Uses. (Ord. 10-1002 § 2 (Exh. B))

18.430 Flexible Shoreline Setback Regulations

A. The following shoreline setback reduction standards apply to all development in the shoreline jurisdiction, including redevelopment, outside of the Hughes property in the Urban Conservancy environment. Shoreline setbacks may be reduced by the following standards identified in Table 2:

Table 2 – Shoreline Setback Reduction Mechanisms

REDUCTION MECHANISM		REDUCTION ALLOWANCE
Water-Related Actions		
1	Removal of an existing bulkhead covering at least seventy-five percent (75%) of the shoreline frontage which is located at, below, or within five (5) feet landward of the shoreline’s ordinary high water mark (OHWM) and subsequent restoration of the shoreline to a natural or semi-natural state, including restoration of topography, beach/substrate composition and stabilization of disturbed soils with native vegetation.	15 feet
2	Removal of an existing bulkhead covering at least twenty-five percent (25%) of the shoreline frontage	10 feet

REDUCTION MECHANISM	REDUCTION ALLOWANCE	
	<p>which is located at, below, or within five (5) feet landward of the shoreline's OHWM and subsequent restoration of the shoreline to a natural or semi-natural state, including restoration of topography, beach/substrate composition and stabilization of disturbed soils with native vegetation.</p>	
3	<p>Preservation of existing trees and native vegetation and restoration of native vegetation, as necessary in at least seventy-five percent (75%) of the reduced (i.e., that portion remaining after reductions are applied) setback area. The remaining twenty-five percent (25%) of the setback area can be comprised of existing non-invasive, non-native vegetation. Up to ten (10) feet of frontage may be used for improved shoreline access, provided access areas are located to avoid areas of greater sensitivity and habitat value. (Note: this incentive cannot be used by any properties that currently have substantial multi-layered native vegetation in seventy-five percent (75%) of the setback area. The reduction would only be granted if ecological functions would be improved relative to the existing condition.)</p>	15 feet
4	<p>Preservation of existing natural shoreline conditions (e.g., no bulkhead or other unnatural shoreline features such as upland impervious surfaces or other structural alterations allowed) within ten (10) feet of the OHWM, including preservation of existing native vegetation.</p>	10 feet

REDUCTION MECHANISM		REDUCTION ALLOWANCE
5	Preservation of existing trees and native vegetation and restoration of native vegetation in at least twenty-five percent (25%) of the reduced setback area. Up to ten (10) feet of frontage may be used for improved shoreline access, provided access areas are located to avoid areas of greater sensitivity and habitat value. (Note: this incentive cannot be used by any properties that currently have substantial multi-layered native vegetation in twenty-five percent (25%) of the setback area. The reduction would only be granted if ecological functions would be improved relative to the existing condition.)	5 feet
Upland-Related Actions		
6	Installation of biofiltration/infiltration BMPs-mechanisms such as rain gardens , bioretention , roof downspout controls , dispersion , bioswales, created and/or enhanced wetlands, other infiltration facilities, infiltration ponds or other approved low impact development BMPs-techniques that treat the majority of surface water runoff from a site and meet or exceed adopted storm water requirements. (Note: storm water ponds serving more than one (1) property should be located outside of the shoreline jurisdiction if possible.)	10 feet
7	Installation of a “ greenvegetated ” roof in accordance with the standards Surface Water Design Manual and applicable building codes of the LEED Green Building Rating System .	10 feet

REDUCTION MECHANISM		REDUCTION ALLOWANCE
8	Installation of pervious-material permeable pavement for driveway, sidewalk, parking, or street surfaces or road construction .	5 feet
9	Limiting total impervious surface, e.g., pathways or patios for water access and enjoyment, in the reduced setback area to less than five percent (5%), provided the applicant complies with all other development requirements	5 feet
10	Preserving or restoring at least twenty percent (20%) of the total lot area outside of the setback area as native vegetation. No more than twenty percent (20%) of the total lot area can be lawn.	5 feet

B. A sixty-five (65) foot standard setback shall be established from the ordinary high water mark for all lots, except that a one hundred (100) foot standard setback shall be established from the ordinary high water mark on lots within the Urban Conservancy designation.

C. On all properties other than Urban Conservancy, the standard setback may be reduced down to a minimum of fifty (50) feet, when setback reduction impacts are mitigated using a combination of the mitigation options provided in Table 2 to achieve an equal or greater protection of lake ecological functions. At least one (1) water-related action must be undertaken in order to achieve the full setback reduction allowed. A maximum of fifteen (15) feet in cumulative setback reduction may be achieved under upland-related actions.

D. No setback reduction is allowed on the Hughes property in order to protect the relatively high level of ecological function. At Angle Lake Park, the one hundred (100) foot setback may be reduced to a minimum of sixty-five (65) feet, when setback reduction impacts are mitigated using a combination of the mitigation options provided in Table 2 to achieve an equal or greater protection of lake ecological functions. At least one (1) water-related action must be undertaken in order to achieve the full setback reduction allowed. A maximum of fifteen (15) feet in cumulative setback reduction may be achieved under upland-related actions.

E. All property owners who obtain approval for a reduction in the setback must record the final approved setback and corresponding conditions in a notice on title, and provide a copy of the notice on title to the Shoreline Administrator.

F. All property owners who obtain approval for a reduction in the setback must prepare, and agree to adhere to, a shoreline vegetation management plan, [in accordance with SMC 15.700.140](#), prepared by a qualified professional and approved by the Shoreline Administrator that includes

appropriate limitations on the use of fertilizer, herbicides and pesticides as needed to protect lake water quality. This plan shall be added to a notice on title, and a copy of the notice on title provided to the Shoreline Administrator.

G. Restoration of native vegetation as discussed below shall consist of a mixture of trees, shrubs and groundcover and be designed to improve habitat functions. [Restoration of native vegetation may include vegetated LID BMPs.](#) Preparation of a revegetation plan shall be completed by a qualified professional and include a monitoring and maintenance program that shall, at a minimum, include the following:

1. The goals and objectives for the mitigation plan;
2. The criteria for assessing the mitigation;
3. A monitoring plan that includes annual progress reports submitted to the Shoreline Administrator and that lasts for a period sufficient to establish that performance standards have been met as determined by the Shoreline Administrator, but no less than five (5) years; and
4. A contingency plan.

H. Whenever the Shoreline Administrator determines that monitoring has established a significant adverse deviation from predicted impacts, or that mitigation or maintenance measures have failed, the applicant or the property owner shall be required to institute correction action, which shall also be subject to further monitoring as provided in this chapter.

I. The Shoreline Administrator may require a performance bond(s) or other security in an amount sufficient to guarantee that all required mitigation measures will be completed in a manner that complies with conditions of approval and to guarantee satisfactory workmanship and materials for a period not to exceed five (5) years. The Shoreline Administrator shall establish the conditions of the bond or other security according to the nature of the proposed mitigation, maintenance or monitoring and the likelihood and expense of correcting mitigation or maintenance failures.

J. All costs associated with the mitigation/monitoring and planning, including City expenses, shall be the responsibility of the applicant.

K. Any further reduction of shoreline setbacks beyond the minimum listed in this chapter shall require a shoreline variance. Provisions for granting a shoreline variance are found in Chapter 18.725 SMC. (Ord. 10-1002 § 2 (Exh. B))

Part V.

SHORELINE PROVISIONS

Chapters:

18.500	Shoreline Uses Summary Table
18.505	Agriculture
18.510	Aquaculture
18.515	Boating Facilities
18.520	Commercial Development
18.525	Forest Practices
18.530	Manufacturing
18.535	Mining
18.540	Parking
18.545	Recreational Development
18.550	Residential Development
18.555	Signs
18.560	Transportation Facilities
18.565	Utilities (Primary)
18.570	Utilities (Accessory)

18.515 Boating Facilities

- A. New boating facilities shall not significantly impact the rights of navigation on the waters of the state.
- B. Boating facilities shall not be located where their development would reduce the quantity or quality of critical aquatic habitat or where significant ecological impacts would occur.
- C. Public launch ramps shall, where feasible, be located only on stable shorelines where water depths are adequate to eliminate or minimize the need for dredging, filling, beach enhancement or other maintenance activities.
- D. It is the applicant's responsibility to comply with all state agency policies and regulations, including all applicable health, safety and welfare requirements associated with the primary use or accessory use.
- E. The traffic generated by such a facility must be safely and conveniently handled by the streets serving the proposed facility.
- F. No live-aboards or floating homes are allowed.
- G. The facility must be limited to day moorage only.
- H. Covered moorage is prohibited.
- I. Public access shall be required, pursuant to the public access regulations contained in Chapter 18.310 SMC, Public Access and Recreation.

J. The perimeter of parking, dry moorage, and other storage areas shall be landscaped with native or drought tolerant landscaping or vegetated LID BMPs to provide a visual and noise buffer between adjoining dissimilar uses or scenic areas.

K. The facility must have provisions available for cleanup of accidental spills of contaminants. (Ord. 10-1002 § 2 (Exh. B))

18.540 Parking

A. Parking as a primary use is prohibited in the shoreline jurisdiction.

B. Parking in shoreline areas must directly serve a permitted shoreline use.

C. Parking facilities shall provide adequate provisions, including LID BMPs, to control surfacestorm water runoff to prevent it from contaminating water bodies.

D. Parking facilities serving individual buildings on the shoreline shall be located landward from the principal building being served, except when the parking facility is within or beneath the structure and adequately screened with native and drought tolerant landscaping or vegetated LID BMPs or in cases when an alternate orientation would have less adverse impact on the shoreline.

E. Exterior parking facilities shall be designed and landscaped with native and drought tolerant landscaping or vegetated LID BMPs to minimize adverse impacts upon adjacent shoreline and abutting properties. Exterior parking facilities for nonresidential uses shall be landscaped with native and drought tolerant landscaping-vegetation in such a manner that plantings provide an effective “full-screen” within three (3) years of project completion when viewed from adjacent areas within the shoreline jurisdiction.

F. New and reconstructed parking areas within the ~~Urban Conservancy~~ shoreline environment shall utilize low impact development (LID) ~~techniques as appropriate where feasible and as described based on design criteria in pursuant to the Surface Water Design Manual most recent edition of the Low Impact Development Manual: Technical Guidance for Puget Sound~~. (Ord. 10-1002 § 2 (Exh. B))

18.545 Recreational Development

A. All structures associated with a recreational use, water-dependent structures, such as docks and boardwalks, and appurtenances that provide access to the water for that use shall maintain a standard setback of sixty-five (65) feet (or one hundred (100) feet in the Urban Conservancy environment) from the OHWM. This setback may be reduced down to fifty (50) feet (or sixty five (65) feet in the Urban Conservancy environment) with enhancement from SMC 18.430, Table 2. However, existing structures may be replaced in their current location and configuration to the extent allowed by state and federal agencies with jurisdiction. Any further setback reduction shall require approval of a shoreline variance application.

B. Private and public recreation areas shall protect existing native vegetation in the shoreline area and restore vegetation impacted by development activities. Recreational use and development shall result in no net loss of shoreline ecological functions. Mitigation shall be provided as

necessary to meet this requirement. Failure to meet this standard will result in permit denial. The City may request necessary studies by qualified professionals to determine compliance with this standard.

C. Water-dependent or water-related activities such as swimming, boating, and fishing, and activities that benefit from waterfront scenery such as picnicking, hiking and bicycling shall be emphasized in planning public and private (excluding residential) noncommercial recreation sites in the shoreline corridor.

D. All recreational developments shall make adequate provisions for:

1. Nonmotorized and pedestrian access;
2. The prevention of trespass onto adjacent properties, including but not limited to landscaping and fencing;
3. Protection and restoration of environmentally sensitive areas and shoreline processes and functions;
4. Signs indicating the public's right of access to shoreline areas, installed and maintained in conspicuous locations at the point of access and the entrance; and
5. Buffering of such development from adjacent private property or natural area [with native and drought tolerant landscaping or vegetated LID BMPs.](#)

E. In approving shoreline recreational developments, the City shall ensure that the development will maintain, enhance or restore desirable shoreline features.

F. Swimming areas shall be separated from boat launch areas.

G. The construction of swimming facilities, piers, moorages, floats and launching facilities waterward of the OHWM shall be governed by the regulations relating to overwater structure construction in Part VI, Shoreline Modifications Provisions, of this SMP.

H. Public boat launching facilities may be developed, provided the traffic generated by such a facility can be safely and conveniently handled by the streets serving the proposed facility.

I. Fragile and unique shoreline areas with valuable ecological functions, such as wildlife habitats, shall be used only for nonintensive recreation activities that do not involve the construction of structures.

J. Recreation developments such as golf courses and playfields that require periodic use of fertilizers, pesticides or other chemicals, or that support high-intensity activities as a primary use, such as sporting events, shall be located outside of the shoreline jurisdiction.

K. Proposals for new or expanded recreational development shall include provisions for public access to the shoreline.

L. A new or expanded shoreline recreational development or use that does not provide public access may be authorized, provided it is demonstrated by the applicant and determined by the City that one (1) or more of the following provisions apply.

1. Unavoidable health or safety hazards to the public exist which cannot be prevented by any practical means;
2. Inherent security requirements of the proposed development or use cannot be satisfied through the application of alternative design features or other solutions;
3. The cost of providing the access, easement, or an alternative amenity is unreasonably disproportionate to the total long-term cost of the proposed development;
4. Unacceptable environmental harm such as damage to fish spawning areas will result from the public access which cannot be mitigated; or
5. Significant undue and unavoidable conflict between the proposed access and adjacent uses would occur and cannot be mitigated.
6. Provided further, that the applicant has first demonstrated and the City of SeaTac has determined that all reasonable alternatives have been exhausted, including but not limited to:
 - a. Regulating access by such means as limiting hours of use to daylight hours.
 - b. Designing separation of uses and activities, with such means as fences, terracing, hedges, [and native and drought tolerant landscaping](#), [and vegetated LID BMPs](#).
 - c. Providing access that is physically separated from the proposal, such as an off-site viewpoint, or a trail system.

M. When none of the requirements of subsection (L) of this chapter can be met, the City shall, as a condition of granting a permit, require the applicant to make an in-lieu of payment in accordance with state law. (Ord. 10-1002 § 2 (Exh. B))

18.550 Residential Development

A. Residential development is permitted in the High Intensity, Medium Intensity, and Shoreline Residential environments subject to the policies and regulations for the specific shoreline environment (see Chapter 18.400 SMC, Table 1, Shoreline Dimensional Standards Summary Table, the standards of the underlying zoning regulations and the general regulations in Part III, General Regulations, of this title).

B. Structures or other development accessory to residential uses are permitted in the shoreline jurisdiction, if allowed under all other applicable standards in this SMP and subject to the provisions of the City's zoning code.

C. All additions to residential structures must comply with all standards in this SMP, including required shoreline setbacks established in Chapter 18.400 SMC, Table 1, Shoreline Dimensional Standards Summary Table.

D. Residential structures that are intentionally modified, replaced, repaired or enlarged are subject to the requirements in Chapter 18.735 SMC, Nonconforming Use and Development Standards. These standards include, but are not limited to, compliance with all standards in this SMP for new and existing structures or portions of structures, including required shoreline

setbacks established in Chapter 18.400 SMC, Table 1, Shoreline Dimensional Standards Summary Table, when proposed development exceeds fifty percent (50%) of the fair market replacement cost of existing development.

E. Residential structures that are intentionally modified, replaced or repaired following a catastrophic loss are subject to the requirements in Chapter 18.735 SMC, Nonconforming Use and Development Standards. These standards include, but are not limited to, compliance with all standards in this SMP for new and existing structures or portions of structures, including required shoreline setbacks established in Chapter 18.400 SMC, Table 1, Shoreline Dimensional Standards, when proposed development exceeds seventy-five percent (75%) of the fair market replacement cost of existing development.

F. Accessory uses and appurtenant structures not specifically addressed in the SMP shall be subject to the same regulations as primary residences.

G. In order to maintain visual access to the waterfront, fences within the required setback from the OHWM shall be:

1. No more than four (4) feet high when separating two (2) residential lots and no more than six (6) feet high when separating a residential lot from a park or commercial use; and
2. May not extend beyond the OHWM.

H. To protect views and vistas, maximum height limits have been established for each shoreline environment as indicated in Chapter 18.400 SMC, Table 1, Shoreline Dimensional Standards Summary Table. In addition to the restrictions stated therein, development over thirty-five (35) feet shall require a view corridor study indicating that the proposed structure would not diminish views of the Lake from surrounding properties.

I. The storm water runoff for all new or redevelopment shall include LID BMPs where feasible pursuant to the expanded pavements or other impervious surfaces shall be directed to infiltration systems and other low impact development techniques shall be incorporated into new development as feasible, in accordance with the City's adopted Surface Water Design Manual and the Low Impact Development Technical Guidance Manual for Puget Sound.

J. Residential development shall result in no net loss of shoreline ecological functions. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial. The City may request necessary studies by qualified professionals to determine compliance with this standard. (Ord. 10-1002 § 2 (Exh. B))

18.560 Transportation Facilities

A. New road construction in the shoreline jurisdiction shall be minimized and allowed only when related to and necessary for the support of permitted shoreline activities.

B. Transportation facility development shall result in no net loss of shoreline ecological functions. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial.

C. Expansion of existing roadways within the shoreline jurisdiction shall be allowed only when the proponent demonstrates that:

1. No alternative route is feasible;
2. The roadway is constructed and maintained to cause the least possible adverse impact on the land and water environment; and
3. The roadway is found to be in the public interest.

D. Transportation and primary utility facilities shall be required to make joint use of rights-of-way, and to consolidate crossings of water bodies to minimize adverse impacts to the shoreline.

E. Developers of roads must be able to demonstrate that efforts have been made to coordinate with existing land use plans including the shoreline master program and the City's Comprehensive Plan.

F. All debris and other waste materials from roadway construction shall be disposed of in such a way as to prevent their entry into any water body.

G. Road designs must provide safe pedestrian and nonmotorized vehicular crossings where public access to shorelines is intended.

H. Streets within the shoreline jurisdiction shall be designed with the minimum pavement area required. Gravel and more innovative materials shall be used where feasible for pathways and road shoulders to minimize the amount of ~~impermeable-impervious~~ surfaces and help to maintain a more natural appearance.

I. The City shall give preference to mechanical means for roadside brush control on roads in the shoreline jurisdiction rather than the use of herbicides. (Ord. 10-1002 § 2 (Exh. B))

18.565 Utilities (Primary)

A. Primary utilities shall be located outside of SMA jurisdiction unless no other feasible option exists.

B. Primary utilities shall be located landward of the ordinary high water mark unless such location is not feasible or would result in potentially greater environmental impacts.

C. Primary utility facilities shall avoid disturbance of unique and fragile areas, as well as wildlife spawning, nesting and rearing areas. Utility facility development shall result in no net loss of shoreline ecological functions. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial.

D. Utility development shall, through coordination with local government agencies, provide for compatible, multiple use of sites and rights-of-way. Such uses include shoreline access points, trail systems and other forms of recreation and transportation, providing such uses will not unduly interfere with utility operations, endanger public health and safety or create a significant and disproportionate liability for the owner.

- E. Utility lines shall utilize existing rights-of-way, [shared trenches](#), corridors and/or bridge crossings whenever possible and shall avoid duplication and construction of new corridors in all shoreline areas.
- F. Proposals for new corridors or water crossings must fully substantiate the infeasibility of existing routes.
- G. Solid waste disposal sites and facilities are prohibited in the shoreline environment.
- H. Where major facilities must be placed in a shoreline area, the location and design shall be chosen so as not to destroy or obstruct scenic views.
- I. Primary utility development shall provide screening of facilities from water bodies and adjacent properties. Screening, including [native and drought tolerant](#) landscaping [or vegetated LID BMPs](#) and fencing, shall be designed to constitute a dense “full screen.”
- J. Clearing of vegetation for the installation or maintenance of utilities shall be kept to a minimum and upon project completion any disturbed areas shall be restored to their pre-project condition.
- K. The City shall hold public meetings prior to the issuance of a substantial development permit for a major primary utility project in accordance with the administrative procedures outlined in Part VII, Administration, to allow for the greatest amount of public input to help guide utility-related decisions. (Ord. 10-1002 § 2 (Exh. B))

18.570 Utilities (Accessory)

- A. Utility developments shall, through coordination with local government agencies, provide for compatible, multiple use of sites and rights-of-way. Such uses include shoreline access points, trail systems, and other forms of recreation and transportation, providing such uses will not unduly interfere with utility operations, or endanger public health and safety.
- B. In shoreline areas, accessory utilities shall be placed underground [and in shared trenches](#) unless demonstrated to be infeasible. Further, such lines shall utilize existing rights-of-way and existing corridors whenever possible.
- C. Utility facilities shall be located and designed to avoid destruction of, or damage to, important wildlife areas, and other unique and fragile areas. Utility facility development shall result in no net loss of shoreline ecological functions. Mitigation shall be provided as necessary to meet this requirement. Failure to meet this standard will result in permit denial.
- D. Clearing for the installation or maintenance of utilities shall be kept to a minimum, and upon project completion, any disturbed area shall be restored, to the greatest extent feasible, to pre-project conditions, including replanting with native species, or other species as approved by the City, and maintenance care. If the previous condition is identified as being undesirable for shoreline function, then landscaping and other improvements shall be undertaken.
- E. The location and construction of outfalls shall comply with all appropriate federal, state, county and city regulations.

F. The City of SeaTac shall maintain, enhance and restore public natural drainage systems to protect water quality, reduce flooding, reduce public costs and prevent associated environmental degradation for no net loss of shoreline ecological functions.

G. New utility lines including electricity, communications, and fuel lines shall be located underground [and in shared trenches unless demonstrated to be infeasible](#). Existing above ground lines shall be moved underground when properties are redeveloped or in conjunction with major system upgrades or replacements, in accordance with Chapter 11.20 SMC.

H. Utility development shall include public access to the shoreline, trail systems, and other forms of recreation, providing such uses will not unduly interfere with utility operations, endanger the public health, safety, and welfare, or create a significant and disproportionate liability for the owner.

I. Proposals for new utility corridors shall fully substantiate the infeasibility of existing routes. (Ord. 10-1002 § 2 (Exh. B))

Part VI.

SHORELINE MODIFICATIONS PROVISIONS

Chapters:

- 18.600 Shoreline Modifications Summary Table
- 18.605 General Shoreline Stabilization
- 18.610 Shoreline Stabilization – Design Requirements
- 18.615 Beach Enhancement
- 18.620 Soil Bioengineering
- 18.625 Breakwaters
- 18.630 Bulkheads
- 18.635 Dredging
- 18.640 Fill
- 18.645 Overwater Structures – Piers, Floats and Buoys

18.620 Soil Bioengineering

A. All soil bioengineering projects shall use native plant materials appropriate to the specific area including trees, shrubs, and groundcovers, unless demonstrated infeasible for the particular site.

B. Unless environmentally sensitive area regulations apply, all cleared areas shall be replanted [with native vegetation](#) immediately following construction and irrigated (if necessary) to ensure that within three (3) years all vegetation is one hundred percent (100%) re-established to achieve no net loss of ecological functions of the shoreline area. Areas that fail to adequately reestablish vegetation shall be replanted with approved plant materials until such time as the plantings are viable. Additional performance standards may be established by the Shoreline Administrator in administrative rules.

C. Bank stabilization in the form of a vegetated buffer zone shall be maintained (e.g., weeding, watering, dead plant replacement) for a minimum of three (3) years. The buffer zone shall exclude activities that could disturb the site. Where determined necessary by the Shoreline Administrator, fencing may be required to ensure protection of buffer plantings.

D. All construction and planting activities shall be scheduled to minimize impacts to water quality and fish and wildlife aquatic and upland habitat, and to optimize survival of new vegetation. (Ord. 10-1002 § 2 (Exh. B))

Low Impact Development Code Integration & Manual Adoption

Planning Commission Public Hearing Sept. 6, 2016

Don Robinett, MRP, CPESC
Stormwater Manager

Steve Pilcher, AICP
Planning Division Manager

Rebecca Dugopolski, P.E.
Senior Engineer,
Herrera Environmental



Purpose of Hearing

To receive input on the proposed land use and development code amendments necessary to meet the requirements of state/federal municipal stormwater permit requirements.

LID Mandate

2013-2018 NPDES Phase II Permit Requirements (S5.C4.f)

- **Review, revise, and make effective** local development-related codes, rules, standards, and enforceable documents to incorporate and require low impact development (LID) where feasible
- **Intent of revisions** - to make LID the preferred and commonly-used approach to development
- **Overarching guidance** - revisions shall be designed to minimize: impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations

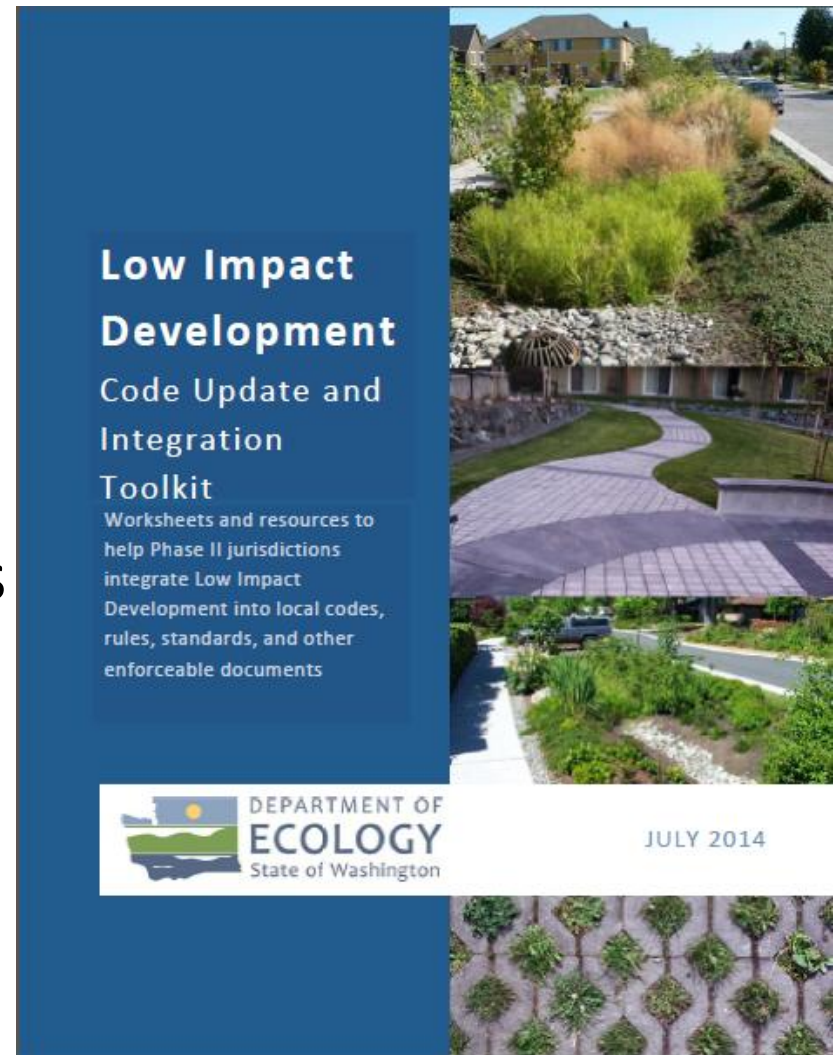
Approach to Mandate

2013-2018 NPDES Phase II Permit Requirements

- Limit proposed amendments to those necessary to meet the minimum requirements
- Minimize the impacts to the development community, where feasible
- Limit risk of third party lawsuit or fines from state or federal agencies

The Path Thus Far

- Assembled a multi-department LID Team
- Conducted Gap Analysis of land use and development codes
- Drafted amendments to codes
- Presented proposed code amendments at two previous Planning Commission meetings



Codes Reviewed

- Buildings and Construction (SMC 13)
- Subdivisions (SMC 14)
- Zoning (SMC 15)
- Development Review Code (SMC 16A)
- SeaTac Shoreline Management Code (SMC 18)

Key Revisions Proposed

Global SMC Revisions

- Include relevant BMP and LID definitions from the King County Stormwater Design Manual (KCSWDM)
- Update terminology for consistency with Ecology (e.g., permeable pavement)
- Allow for use of vegetated LID BMPs to meet landscape screening requirements
- Allow for use of vegetated LID BMPs in critical area buffers, where applicable
- Promote use of native and drought tolerant vegetation for landscaping and screening

Key Revisions Proposed

SMC, Title 13 – Buildings and Construction

- Update soil amendment requirements to refer to the Surface Water Design Manual
- Clarify clearing limits/site disturbance requirements within the Clearing and Grading Code

Key Revisions Proposed

SMC, Title 14 – Subdivisions

- Modify language to protect critical root zones of significant trees
- Promote the use of native and drought tolerant vegetated LID BMPs to meet buffer screening requirements
- Allow for decreased easements and roadways for certain areas (i.e., roads only serving two residences)

Key Revisions Proposed

SMC, Title 14 – Subdivisions (cont.)

- Allow for use of vegetated LID BMPs to meet common open space requirements and buffer requirements
- Encourage placement of common open space adjacent to environmentally critical areas to maximize contiguous open space areas
- Require private streets to minimize impervious surface coverage, where feasible.

Key Revisions Proposed

SMC, Title 15 – Zoning

- Allow variability in parking lot landscape island siting and design to allow for LID BMPs
- Reduce pedestrian walkway width within parking lots
- Update Type I, Type II, Type III, Type IV, and Type V landscaping definitions to incorporate LID BMPs and/or native and drought tolerant vegetation

Key Revisions Proposed

SMC, Title 15 – Zoning (cont.)

- Allow permeable pavement trails in open space areas
- Add permeable pavement as an approved surface for off-street parking
- Allow two-track (or ribbon) driveways
- Vegetated roofs:
 - Allow accessible roofs in open space areas
 - Provide a height bonus incentive
 - Allow for rooftop screening

Key Revisions Proposed

SMC, Title 18 – Shoreline Management

- Specifically exclude plants on the state list of noxious weeds in the definition of “landscaping”
- Encourage use of LID BMPS in shoreline areas
- Clarify language to require shoreline impacts to be minimized regardless of whether engineered design is required
- Allow for shared utility trenches, where feasible

Efforts to Improve Application Process

- Allowing vegetated LID BMPs in setbacks
 - Reduces impacts to buildable area
- Modifying landscaping requirements to allow for vegetated LID BMPs
 - Reduces impacts to buildable area
- SeaTac LID Infeasibility Mapping Project



The Path Forward / Public Process

- September 20 Transportation & Public Works Committee # 2
- October 18 Transportation & Public Works Committee # 3
- October 18 Planning Commission # 4
- October 25 Council Study Session (Presentation)
- November 8 Council Study Session (Ordinances)
- November 22 Regular Council Meeting (Action)



Questions?

Materials for 9/6 Urban Agriculture Code Work Session

Note #1: Focus of Planning Commission Review

The focus of the 9/6 Planning Commission review will be on finalizing the proposed amendments for urban agriculture uses. The remaining items for consideration include:

- Revisions to proposed standards based on input from past Planning Commission meetings;
- Revisions to some residential zone requirements to make requirements more consistent with existing home occupation standards;
- Proposed parking and landscaping standards;
- Discussion on maintaining or eliminating the permanent “Produce Stand” use which is currently an allowed use.

Note #2: What’s in this Packet?

This packet includes the Urban Agriculture uses and development standards the Planning Commission has reviewed on 8/2 and 8/16.

New or revised items for the Commission’s 9/6 review are highlighted in yellow.

Community Garden

STATUS IN CURRENT CODE

- Not clear if or how allowed

PROPOSED: DEFINITION

- “Privately or publicly owned land used for the cultivation of fruits, vegetables, plants, trees, flowers, or herbs by multiple users. Community gardens may be divided into separate plots for cultivation by one or more individuals, or may be farmed collectively by members of a group and may include common areas maintained or used by group members. Food grown is typically for community garden members or for donation.”

PROPOSED: WHERE TO PERMIT

- Permit in all zones except Industrial

ZONES:

UL – Urban Low

UM – Urban Medium

UH – Urban High

UH-UCR – Urban High-Urban Center Residential

T – Townhouse

MHP – Mobile Home Park

NB – Neighborhood Business

O/C/MU – Office/Commercial/Mixed Use

O/CM – Office/Commercial Medium

CB – Community Business

CB-C – Community Business in the Urban Center

ABC – Aviation Business Center

BP – Business Park

I – Industrial

P – Park

P – Permitted Use; C – Conditional Use Permit required

LAND USE ¹	RESIDENTIAL ZONES						COMMERCIAL ZONES						INDUSTRIAL		Park
	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABC	BP	I	P
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P			P

PROPOSED: COMMUNITY GARDEN DEVELOPMENT STANDARDS

A. Garden Operations.

1. Mechanical Equipment.

a. In Residential Zones. Mechanized equipment similar in scale to that designed for household use shall be permitted. Use of larger mechanized farm equipment is prohibited; provided, however that during the initial preparation of the land heavy equipment may be used.

2. Screening and Storage of Equipment.

a. Any equipment or supplies needed for garden operations shall be enclosed or otherwise screened from view.

B. ~~Parking.~~ Staff proposes not requiring parking for community gardens based on limited parking needs for community gardens and review of other cities’ requirements.

Market Garden

STATUS IN CURRENT CODE

- Permitted as “Agricultural Crop Sales” in single family zones and some commercial and industrial zones

PROPOSED: DEFINITION

- Delete existing definition of “Agricultural Crop Sales” (and “Agricultural Crops”)

~~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.~~

~~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.~~

- Replace with:
“An area of land 10,000 square feet or less, or area on a rooftop or inside a building, managed and maintained by an individual, organization or business to grow and cultivate fruits, vegetables, plants, trees, flowers, or herbs for commercial sales. Market gardens are smaller in scale than urban farms.”

PROPOSED: WHERE TO PERMIT

- Permit in residential zones with limits, allow in commercial and industrial zones

LAND USE	RESIDENTIAL ZONES						COMMERCIAL ZONES						INDUSTRIAL		Park
	UL	UM	UH	UH-UCR	T	MH P	NB	O/C/MU	O/CM	CB	CB-C	ABC	BP	I	P
EXISTING: Agricultural Crop Sales (Farm Only)	P (1)						P			P	P	P		P	
PROPOSED: <u>Market Garden</u>	P <u>(1)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	<u>P</u>	P	P	P	<u>P</u>	P	

Note: These issues addressed in proposed development standards on next page:

Use Chart Note:

~~(1) No permanent retail sales structures permitted. Retail sales allowed on a seasonal basis for no more than 90 days in a calendar year. Wholesale sales permitted year round only for products produced/grown on-site.~~

PROPOSED: MARKET GARDEN DEVELOPMENT STANDARDS

A. Retail and Wholesale Activities.

- On-Site Sales.** Accessory retail sales of urban agriculture products produced/grown on-site are allowed.
 - In Residential Zones.**
 - On-Site Sales Operators.** On-site sales shall be carried on exclusively by a member(s) of a family residing in the dwelling unit.
 - Hours of Operations.** Hours of operation are limited to 8:00 am to 7:00 pm.

2. Use of Produce Stands.

- a. The use of produce stands is allowed for the purpose of on-site sales of urban agriculture products. See SMC 15.477.xxx Produce Stand Development Standards.
- b. **In Residential Zones.** Produce stands used for on-site sales are limited to the calendar period between May 1st and October 31st.

3. Wholesale Sales.

- a. **Wholesale Sales Operators.** Wholesale sales shall be carried on exclusively by a member(s) of a family residing in the dwelling unit.
- b. Wholesale sales are allowed year round for products produced/grown on-site.

B. Dimensional Standards. Sites shall be under 10,000 SF.

C. Garden Operations.

1. In Residential Zones.

- a. **Mechanical Equipment.** Use of heavy equipment, large power tools, or power sources not common to a residential dwelling, or any other usage which creates a level of noise, vibration, smoke, dust, odors, heat or glare beyond that which is common to a residential area not allowed. ~~Mechanized equipment similar in scale to that designed for household use shall be permitted.~~ Use of larger mechanized farm equipment is prohibited; provided, however that during the initial preparation of the land heavy equipment may be used.
- b. **Shipments and Deliveries.** Shipment and delivery of products or supplies shall not require truck delivery or pick-up not common to a residential area; delivery hours are restricted to the hours of 8:00 a.m. to 8:00 p.m.

- 2. **Screening and Storage of Equipment.** Any equipment or supplies needed for garden operations shall be enclosed or otherwise screened from view.

D. Parking.

- 1. **In Residential Zones.** Market gardens shall not create a level of parking demand beyond a maximum of two (2) visitors at any given time and no more than eight (8) total two-way trips per day;
- 2. **In Non-Residential Zones.** See Market Garden parking requirements in SMC 15.455.120, Parking Chart for Required Off-Street Spaces.

E. Landscaping. Landscaping is only required for market gardens within or on top of a structure. See landscaping requirements in SMC 15.445.210, Landscaping Standards Chart.

F. Signs.

- 1. **In the Urban Low (UL) and Urban Medium (UM) Zones.** Signage is limited to unlighted displays or signs no larger than two (2) square feet attached to an existing structure.
- 2. **In All Other Zones.** See Chapter 15.600 Signs SMC.

Urban Farm

STATUS IN CURRENT CODE

- Permitted as “Agricultural Crop Sales” in single family zones and some commercial and industrial zones

PROPOSED: DEFINITION: (Note: Same as 8/2 Planning Commission Meeting)

- “An area of land greater than 10,000 square feet, or area on a rooftop or inside a building, managed and maintained by an individual, organization or business to grow and cultivate fruits, vegetables, plants, trees, flowers, or herbs for commercial sales.”

PROPOSED: WHERE TO PERMIT: (Note: Same as 8/2 Planning Commission Meeting except for proposed deletion of Use Chart Note which will be discussed on 8/16.)

- Permit in commercial and industrial zones

LAND USE	RESIDENTIAL ZONES						COMMERCIAL ZONES						INDUSTRIAL		Park
	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABC	BP	I	P
EXISTING: Agricultural Crop Sales (Farm Only)	P (1)						P			P	P	P		P	
PROPOSED: <u>Urban Farm</u>	<u>P</u>						P	<u>P</u>	<u>P</u>	P	P	P	<u>P</u>	P	

Note: These issues addressed in proposed development standards in following section:

Use Chart Note:

~~(1) No permanent retail sales structures permitted. Retail sales allowed on a seasonal basis for no more than 90 days in a calendar year. Wholesale sales permitted year round only for products produced/grown on-site.~~

(1)

PROPOSED: URBAN FARM DEVELOPMENT STANDARDS

A. Retail and Wholesale Activities.

- On-Site Sales.** Accessory retail sales of urban agriculture products produced/grown on-site are allowed.
 - In Residential Zones.**
 - On-Site Sales Operators.** On-site sales shall be carried on exclusively by a member(s) of a family residing in the dwelling unit.
 - Hours of Operations.** Hours of operation are limited to 8:00 am to 7:00 pm.
- Use of Produce Stands.**
 - The use of produce stands is allowed for the purpose of on-site sales of urban agriculture products. See SMC 15.477.xxx Produce Stand Development Standards.
 - In Residential Zones.** Produce stands used for on-site sales are limited to the calendar period between May 1st and October 31st.
- Wholesale Sales.**
 - Wholesale Sales Operators.** Wholesale sales shall be carried on exclusively by a member(s) of a family residing in the dwelling unit.
 - Wholesale sales are allowed year round for products produced/grown on-site.

B. Dimensional Standards. Sites shall be over 10,000 SF.

C. Garden Operations.

1. In Residential Zones.

- a. Mechanical Equipment.** Use of heavy equipment, large power tools, or power sources not common to a residential dwelling, or any other usage which creates a level of noise, vibration, smoke, dust, odors, heat or glare beyond that which is common to a residential area not allowed. ~~Mechanized equipment similar in scale to that designed for household use shall be permitted.~~ Use of larger mechanized farm equipment is prohibited; provided, however that during the initial preparation of the land heavy equipment may be used.
- b. Shipments and Deliveries.** Shipment and delivery of products or supplies shall not require truck delivery or pick-up not common to a residential area; delivery hours are restricted to the hours of 8:00 a.m. to 8:00 p.m.

2. Screening and Storage of Equipment. Any equipment or supplies needed for garden operations shall be enclosed or otherwise screened from view.

D. Parking.

- 1. In Residential Zones.** Market gardens shall not create a level of parking demand beyond a maximum of two (2) visitors at any given time and no more than eight (8) total two-way trips per day;
- 2. In Non-Residential Zones.** See Market Garden parking requirements in SMC 15.455.120, Parking Chart for Required Off-Street Spaces.

E. Landscaping. Landscaping is only required for market gardens within or on top of a structure. See landscaping requirements in SMC 15.445.210, Landscaping Standards Chart.

F. Signs.

- 1. In the Urban Low (UL) and Urban Medium (UM) Zones.** Signage is limited to unlighted displays or signs no larger than two (2) square feet attached to an existing structure.
- 2. In All Other Zones.** See Chapter 15.600 Signs SMC.

Produce Stand (Temporary)

STATUS IN CURRENT CODE:

- Permitted as accessory to “Agricultural Crop Sales”

PROPOSED: DEFINITION:

- “A temporary structure which is used for the display and sale of fruits, vegetables, plants, trees, flowers, or herbs grown on the site on which the stand is located.”

PROPOSED: WHERE TO PERMIT:

- Permit as accessory to community gardens, market gardens and urban farms. (May not need to be identified as use in use chart.)

PROPOSED: PRODUCE STAND (TEMPORARY) DEVELOPMENT STANDARDS

A. Application.

1. Produce stands are permitted as an accessory to market garden or urban farm uses for the purpose of on-site sales of urban agriculture products which are produced/grown on the site.

B. Number of Produce Stands Per Site.

1. **Residential Zones.** Limited to one produce stand per site.

C. Dimensional Standards.

1. Limit to 200 SF in area and no more than 15 feet in height
2. Designed to be temporary and portable structures and shall not be permanently affixed to the ground.

D. Locational Standards.

1. **Setbacks.** Produce stands may be located within the front yard setback.

URBAN AGRICULTURE ACCESSORY STRUCTURES

STATUS IN CURRENT CODE:

- Currently allowed through existing accessory structures chapter.

DEFINITION:

- New definition not needed because definition already exists for “accessory structure.”

PROPOSED: WHERE TO PERMIT:

- Clarify that these structures are permitted as accessory to community gardens, market gardens and urban farms.

PROPOSED: URBAN AGRICULTURE ACCESSORY STRUCTURE STANDARDS

A. General.

1. Accessory structures supportive of urban agriculture uses are allowed as an accessory to any permitted community garden, market garden or urban farm use.
2. Urban agriculture accessory structures include, but are not limited to sheds, greenhouses, hoophouses and coldframes.

B. Development Standards.

1. **Accessory Structures.** Accessory structures such as sheds and greenhouses shall be subject to development standards in SMC Chapter 15.405 Accessory and Tent Structures.
 - a. Structures like hoophouses and coldframes that are less than six feet tall and are portable, not affixed to a foundation, and have no floor are typically not subject to these standards.
2. **Produce Stands.** See SMC 15.477.xxx for requirements specific to produce stands.

PROPOSED: DEFINITIONS WHICH HELP CLARIFY MEANING OF URBAN AG ACCESSORY STRUCTURES

Greenhouse: A greenhouse shall mean a temporary or permanent structure typically made of, but not limited to, glass, plastic, or fiberglass in which plants are cultivated.



Hoophouse: A hoophouse shall mean a temporary or permanent structure typically made of, but not limited to, piping or other material covered with translucent plastic, constructed in a “half-round” or “hoop” shape, for the purposes of growing plants.



Cold frame: A cold frame shall mean an unheated outdoor structure consisting of a wooden or concrete frame and a top of glass or clear plastic, used for protecting seedlings and plants from the cold.



Produce Stand (Permanent)

STATUS IN CURRENT CODE:

Permitted as permanent stand –alone use called “Produce Stand”

PROPOSED: MAINTAIN DEFINITION, BUT CLARIFY NAME

Produce Stand, Permanent

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.

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABC	BP	I	P
Produce Stand							P	C	C	P	P	P	C	P	

Note from Staff:

At the 8/2/16 meeting, the Planning Commission asked that the permanent Produce Stand use be retained in order to allow for fresh produce to be sold in areas that may otherwise be considered “food deserts,” or areas with poor access to fresh food. While Staff initially thought this use was redundant with other uses such as Food Store, after doing some research, it became apparent that only the permanent Produce Stand use would allow for the sale of fresh food in the Business Park (BP) or Industrial (I) zones.

PROPOSED LANDSAPING STANDARDS:

15.445.210 Landscaping Standards Chart

Note: Proposed landscaping would only apply to buildings which contain or include market gardens or urban farms (including buildings with rooftop gardens.)

LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NONCOMPATIBLE ZONES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE (See SMC 15.445.250)	ADDITIONAL REGULATIONS
URBAN AGRICULTURE						
Market Garden Agricultural Crop Sales (Farm Only)	III/5 ft.	N/A	II/5 ft. (1)	II/10 ft. (1) (2)	Yes (1)	(1) Does not apply in the residential zones. (2) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes.
Urban Farm Agricultural Crop Sales (Farm Only)	III/5 ft.	N/A	II/5 ft. (1)	II/10 ft. (1) (2)	Yes (1)	(1) Does not apply in the residential zones. (2) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes.
Produce Stand, Permanent	IV/5 ft.	N/A	IV/5 ft.	N/A	N/A	

PROPOSED PARKING STANDARDS:

15.455.120 Parking Chart for Required Off-Street Spaces

LAND USE	MINIMUM SPACES REQUIRED	ADDITIONAL REGULATIONS
URBAN AGRICULTURE		
Agricultural Crop Sales (Farm Only)	1 per 250 sf of leasable space	-
Community Garden	NA	
Market Garden	1 per 250 sf of sales space when activity conducted within a structure	
Produce Stand (Permanent)	1 per 250 sf of gross floor area, plus 1 per employee	
Urban Farm	1 per 250 sf of sales space when activity conducted within a structure	