



# CITY OF SEATAC

## PLANNING COMMISSION MEETING

City Council Chambers, SeaTac City Hall, 4800 S. 188<sup>th</sup> Street  
September 5, 2017, 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 15, 2017 regular meeting (EXHIBIT A)
- 4) Briefing: Sign Regulations & Content Neutrality (EXHIBIT B)
- 5) Worksession: Multifamily Housing Design Standards (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 seven 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 15, 2017  
Regular Meeting**

**Members present:** Tej Basra, Roxie Chapin, Pam Pollock, Stanley Tombs  
**Members absent:** Tom Dantzler; Jim Todd (both excused)  
**Staff present:** Steve Pilcher, Planning Manager; Al Torrico, Senior Planner; Kate Kaehny, Senior Planner

**1. Call to Order**

Vice-Chair Pollock called the meeting to order at 5:31 p.m.

**2. Public Comment**

None.

**3. Approval of Minutes**

Move and second to approve the minutes of the August 1, 2017 meeting as written. **Passed 4-0.**

**4. Briefing on Multifamily Housing Design Standards**

Senior Planner Al Torrico introduced the topic, noting that staff will be bringing forth proposed changes to the existing regulations in an effort to streamline and elimination confusion. He noted specific areas that staff has determined need to be considered for revision. This process will begin this fall and occur over several months.

Earl Gipson, SeaTac citizen, expressed concern of “policy creep” from the Comprehensive Plan into zoning regulations.

The Commission requested that as the discussions include the use of visual examples. Staff asked the Commission to think of both good and bad examples of multifamily developments to provide a framework for future discussion.

**5. Worksession on Comprehensive Plan amendments**

Senior Planner Kate Kaehny presented an update to the Commission regarding the Final Docket, which has been established by the City Council. She noted that based upon the recommendation of the Land Use and Parks Committee, the Council added Stanley Tombs’ property, which is located just to the north of the Hillside Park proposal. Ms. Kaehny also noted that staff had done some additional analysis and is now recommending that the Aviation Business Center designation be changed to “Regional Business Mixed” and this designation the be applied in lieu of the existing Business Park designation along 8<sup>th</sup> Ave. South.

The Commission expressed concern that some form of light manufacturing uses continue to be allowed within this area. There was also concern that the proposed “RBX” designation (former ABC) does not have a height limitation.

The other item Ms. Kaehny reviewed with the Commission were the proposed changes to the descriptions of the various land use designations and new language addressing where these designation should appear of the Land Use map (i.e., locational criteria).

The Commission and some members of the public had numerous questions regarding these descriptions.

Planning Manager Steve Pilcher noted that staff is not proposing any new map amendments in conjunction with these descriptions, nor will they authorize higher intensity or density of uses.

Ms. Kaehny noted that staff will be contacting all property owners within the proposed Business Park elimination areas to advise them of the current proposal. Staff will also be contacting all property owners within 500 ft. of each map amendment with notice of the public hearing to be held in October.

**6. Worksession on Miscellaneous Code amendments**

At its last meeting, the Commission had requested further information regarding the proposed definitions for “Erosion Hazard Areas” and “Landslide Hazard Areas.” Mr. Pilcher noted this information was sent via email following the last meeting and that the information in the packet includes excerpts from the Critical Areas code regarding how these areas are regulated. He reminded the Commission that the issue is providing definitions of what is being regulated, not a change to the form of the regulations themselves.

The Commission asked for additional information of how surrounding jurisdictions define these features. Staff will provide that as these amendments move forward.

**7. Director’s Report**

CED Director Jeff Robinson is on vacation, so Mr. Pilcher provided a report on a few items of interest.

**8. Commissioners’ Reports**

None.

**9. Adjournment**

Moved and seconded to adjourn. Motion passed 4-0. The meeting adjourned at 7:00 p.m.



## Chapter 15.510 MULTI-FAMILY HOUSING DESIGN STANDARDS

Sections:

- [15.510.005](#) Purpose
- [15.510.010](#) Authority and Application
- [15.510.050](#) Density Calculation
- [15.510.100](#) Site Design and Building Orientation
- [15.510.110](#) Building Orientation with Respect to Streetscape
- [15.510.120](#) Site Layout
- [15.510.130](#) Pedestrian Circulation
- [15.510.140](#) Location of Parking
- [15.510.150](#) Driveway Entrances
- [15.510.160](#) Exterior Lighting
- [15.510.200](#) Building Design
- [15.510.210](#) Pedestrian Building Entries
- [15.510.220](#) Character and Massing
- [15.510.230](#) Neighborhood Compatibility/Relation to Adjacent Development
- [15.510.240](#) Privacy
- [15.510.250](#) Building Security
- [15.510.260](#) Building Materials
- [15.510.300](#) Vehicular Access and Circulation
- [15.510.310](#) Vehicular Access
- [15.510.320](#) Traffic Calming
- [15.510.330](#) Buffering Adjacent to Expanded Streets
- [15.510.400](#) Design of Surface and Structured Parking
- [15.510.410](#) General Considerations
- [15.510.420](#) Design of Surface Parking Lots
- [15.510.430](#) Design of Structured Parking
- [15.510.500](#) Recreation and Open Space
- [15.510.510](#) Minimum Area Required
- [15.510.520](#) Play Space for Children
- [15.510.530](#) Location and Layout of Recreation and Open Space
- [15.510.540](#) Courtyards and Plazas

- [15.510.550](#) Maintenance
- [15.510.560](#) Cash Contribution in Lieu of On-Site Recreational
- [15.510.600](#) Landscaping
- [15.510.700](#) Incentives
- [15.510.710](#) Application of Incentives
- [15.510.720](#) Senior Housing
- [15.510.730](#) Mixture of Unit Sizes
- [15.510.740](#) Condominium/Owner-Occupied Housing
- [15.510.750](#) Underground Parking
- [15.510.760](#) Outdoor Recreation/Open Space
- [15.510.770](#) Architectural Design
- [15.510.800](#) Multi-Family Properties in the City Center, Angle Lake Station Area, and S. 154th Street Station Area Overlay Districts
- [15.510.810](#) Applicability
- [15.510.820](#) Open Space in the City Center, S. 154th Street and Angle Lake Station Area Overlay Districts
- [15.510.900](#) Concept Illustrations

### **15.510.005 Purpose**

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The following design standards are intended to implement the City's vision for multi-family housing as set forth in the City of SeaTac Comprehensive Plan. The standards serve three (3) basic purposes: to promote quality development, to increase neighborhood compatibility, and to enhance security.

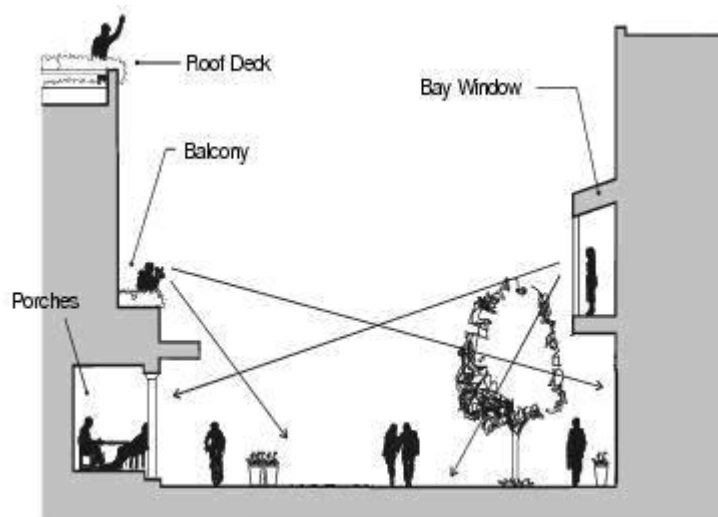
A. **Quality Design.** A quality development is one that is functional and pleasant for its residents as well as the public. Such a development starts with an investment in quality materials that will not rapidly decay, and design that ensures ample privacy as well as amenities for residents. Well-designed environments will provide places for residents to meet and visit, open spaces located to take advantage of sunny exposures, and safe places for children to play. A high quality development will also contribute to an attractive streetscape by providing buildings with architectural detailing, entries that present themselves with an air of pride, and landscaping that adds color, texture and comfort to a neighborhood.

B. **Neighborhood Compatibility.** Good design also ensures neighborhood compatibility by appropriate scale and massing adjacent to existing housing. Landscaping and the careful placement of windows and balconies for privacy help to create a pleasant environment.

C. **Enhanced Security.** Crime Prevention Through Environmental Design (CPTED) is a concept that employs site and building design as a crime prevention strategy intended to reduce the opportunity for criminal behavior, reduce the incidence and fear of crime, reduce calls for police service, and improve the quality of life. It includes four (4) principles:

1. **Natural Surveillance.** The arrangement of space and buildings that enables residents to observe their surroundings. Natural surveillance increases safety by allowing residents to see trespassers. Making a potential offender feel that they will be seen and reported discourages criminal behavior.

**Example:** Windows and balconies overlooking a street contribute to an active and safe streetscape.



2. **Natural Access Control.** The placement of walkways, building entrances, fences, landscaping, and lighting to discourage access to crime targets and create the perception of risk to offenders. Natural access control enhances safety through design, which reduces or supplements the use of more costly access control such as security guards and mechanical devices.

3. **Territorial Reinforcement.** Extending the sense of ownership from the private residence to the nearby areas outside the dwelling through physical improvements such as fencing, pavement, landscaping and lighting. Clearly defined territory deters entrance by those with criminal intent and makes their actions more visible and likely to be reported by those who recognize the territory as their own.

4. **Maintenance.** Ensuring that buildings and grounds are maintained for resident safety, neighborhood aesthetics, and to reflect building management. Maintenance serves as an expression of ownership and allows for continued use of the space for its intended purpose. Maintenance prevents a reduction of visibility from landscaping and obstructed or inoperative lighting. A clean and well-maintained site tells offenders that residents care about their surroundings and criminal behavior will not be tolerated.

Multi-family projects subject to the design standards in this chapter are envisioned to create developments that are good places to live. These developments will respond better to existing communities and contribute positively to the emergent urban center of the City of SeaTac. (Ord. 15-1018 § 1)

#### **15.510.010 Authority and Application**

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A. The provisions of this chapter shall apply to all multi-family development of three (3) units or more throughout the City. These standards shall supersede existing regulations elsewhere in SMC Title [15](#) when in conflict with this chapter.

B. The provisions of this chapter shall apply to all development meeting one (1) or more of the following thresholds:

1. All new construction requiring building permits; and/or
2. **Major Redevelopment.**
  - a. Additions or alterations to a building, excluding interior-only improvements, which total fifty percent (50%) or more of the gross square footage (GSF) of the existing building(s), except for the S. 154th Street Station Area.
  - b. **Major Redevelopment in the S. 154th Street Station Area.** Additions or alterations to a building, excluding interior-only improvements, which total twenty-five percent (25%) or more of the gross square footage (GSF) of the existing building(s).
  - c. Only the portions of the building being altered or added to shall be required to integrate multi-family design standards into the design of the alteration or addition.

C. **Departures.** In order to provide flexibility and creativity of project designs, departures from these design standards may be permitted, subject to the approval of the Director, providing:

1. The strict interpretation or application of these Design Standards would be inconsistent with related provisions of the Zoning Code or would be contrary to the overall goals and objectives of the Comprehensive Plan; or

2. The departure creates a project design that better meets the overall purpose and intent of the design standards. (Ord. 15-1018 § 1)

### 15.510.050 Density Calculation

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**Intent:** Ensure appropriate densities on properties with sensitive areas.

A. The maximum allowable density for a property shall be calculated as follows:

Net Site Area / Minimum Lot Size = Maximum # of Allowed Units

B. For the purposes of this section, the net site area is the total site area minus any areas that are classified as one (1) of the following sensitive areas:

1. Class I, II or III wetlands;

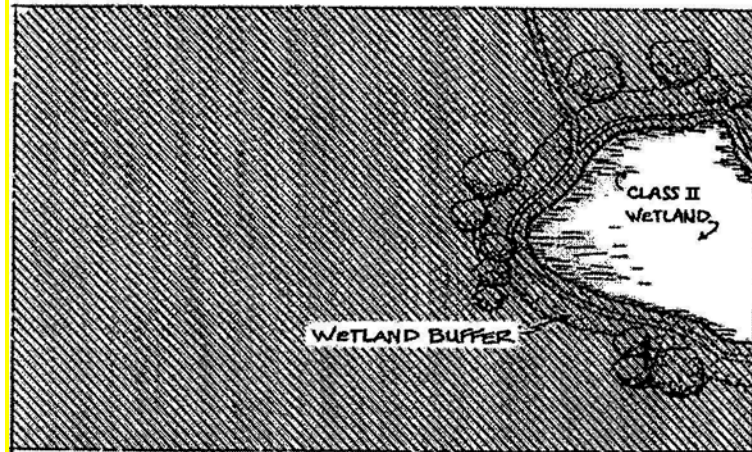
2. Class I, II or III streams;

3. Slopes greater than forty percent (40%).

C. Buffers for the above sensitive areas shall be considered part of the net site area but shall not be built on. Development on a site with wetlands, streams, or steep slopes shall meet all Federal, State and local laws and regulations. Units shall be clustered on the developable portion of the site.



**Example:** Net Site Area. The net site area (crosshatched in this illustration) excludes sensitive areas, such as wetlands, but includes sensitive area buffers.



D. **Example.** The following example illustrates the calculation of maximum density for a sample property in the UH-900 (urban high residential) zone. The sample property is ten (10) acres in size and contains two (2) acres of wetlands and one (1) acre of wetland buffer:

Net Site Area = Total Site Area – Sensitive Areas

Net Site Area = 10 Acres – 2 Acres = 8 Acres

Net Site Area / Minimum Lot Size = Maximum # of Allowed Units

8 Acres (348,480 Square Feet) / 900 sf = 387 Units

This calculation is the maximum number of allowable units for the site. The actual number of units shall be determined by site design and must meet all required development standards of the zoning and building codes. (Ord. 15-1018 § 1)

### 15.510.100 Site Design and Building Orientation

**Purpose:** Design multi-family sites to have both an external orientation to the streetscape, and an internal orientation to the residential environment with unifying open space and pedestrian pathways. Design emphasis should be given to the pedestrian, rather than the auto environment through placement of parking in a less prominent location (such as underground, or to the side of the building, rather than in front). Site layout should observe principles of “natural surveillance,” “natural access control” and “territorial reinforcement” by arranging circulation systems, parking areas, sidewalks, and open space to give the perception of being a residential and controlled space in which illegal activity will be observed and reported. Lighting and landscaping should allow for safety and visibility of public and semi-public areas. (Ord. 15-1018 § 1)

### 15.510.110 Building Orientation with Respect to Streetscape

**Intent:** Provide a building presence on the street for convenient pedestrian access, to provide “eyes on the street” and to contribute to the streetscape with visually interesting buildings.

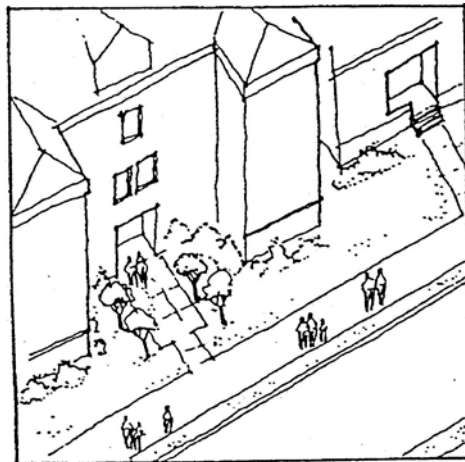
A. Multi-family buildings shall be oriented in one (1) of the following manners:

1. In a complex with one (1) building:

a. The building shall be oriented to a street, with a prominent entrance and clear connection to the sidewalk. The primary entrance of the building shall be located on the facade facing the street with the highest roadway classification as delineated by the SeaTac Comprehensive Plan. In cases where the building is adjacent to private streets only, the location of the primary entrance shall be determined by the Director, taking into consideration pedestrian and vehicle connectivity and the surrounding pattern of development;

b. When physical site limitations such as topography; existing trees or other natural features prevent the main entrance from being located on the street-facing facade, the building may be oriented to a courtyard with a prominent pedestrian entrance and clear connection to the public sidewalk;

**Example:** This building is located facing the street with a prominent entrance and pedestrian path to the sidewalk.



2. In complexes with several buildings, those buildings shall be oriented in one (1) of the following manners:

a. Buildings shall be oriented to the streetscape with prominent entries and walkways connecting directly to the public sidewalk; or

- b. Buildings shall be oriented to an interior courtyard, or to a cohesive system of open space and pedestrian pathways with a prominent pedestrian entry to the site and walkway connecting directly to the public sidewalk. (Ord. 15-1018 § 1)

### 15.510.120 Site Layout

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**Intent:** Arrange buildings and open space to define territorial areas and control access.

A. Arrange the site in a cohesive and planned manner through one (1) or more of the following methods:

1. Divide large multi-building developments into several smaller usable areas, each with individually designed open space, children's play areas, internal circulation, and parking;
2. Configure several buildings around a courtyard;
3. In a development with one (1) building, configure the building around a courtyard or create several smaller areas of open space each near a separate entry;
4. Provide a secured site with controlled auto and pedestrian access via gates with a security system.

B. Limit the number of persons accessing buildings by a common entryway.

1. The number of dwellings using a common, unsecured building entrance shall be limited to not more than four (4);
2. The number of units using the same access point shall be limited to not more than twelve (12) units in secured buildings, unless a prominent entryway and lobby are provided;
3. Provide a secured building with a prominent entryway and lobby in buildings of four (4) or more stories. A secured building is one where access is controlled by key or card key on all building entrances.

The above provisions shall be reviewed and approved by the Director as satisfying the requirement of the territorial reinforcement objective. More than one (1) of the above methods may be required if necessary to achieve the objective. (Ord. 15-1018 § 1)

### 15.510.130 Pedestrian Circulation

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**Intent:** Enhance pedestrian safety and convenience by providing an integrated pedestrian circulation system throughout the development. Contact points between pedestrians and vehicular paths should be minimized; where necessary they should be designed to alert drivers to crossing pedestrians.

- A. All developments shall feature a fully integrated pedestrian circulation system that connects buildings, open space, and parking areas with the adjacent street sidewalk system.
- B. Pedestrian circulation shall consist of sidewalks or designated pathways, raised or otherwise separated from parking and vehicular circulation. Sidewalks and pedestrian ways shall be a minimum of four (4) feet in width, clear of any vehicle overhangs.
- C. Pedestrian entrances from the street shall be clearly defined and designed so as to be separated from and more prominent than driveways and entrances to parking garages.
- D. Pedestrian paths should be visible from buildings or parking lots, and shall be designed to avoid creating “dead ends” or isolated areas. (Ord. 15-1018 § 1)

#### **15.510.140 Location of Parking**

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**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.
- 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. 16-1022 § 1 (Exh. C); Ord. 15-1018 § 1)

### **15.510.150 Driveway Entrances**

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**Intent:** Ensure that parking does not dominate the streetscape, while allowing drop-off areas for convenience and accessibility.

Driveways serving front yard porte-cochere building entries shall be as approved by the Director, and may include a maximum of three (3) short-term parking spaces. (Ord. 15-1018 § 1)

### **15.510.160 Exterior Lighting**

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**Intent:** Lighting design should consider the appropriate placement and quantity of light to provide for security and aesthetic appreciation while avoiding glare and excessive brightness. Lighting contributes to a residential community by extending the hours of outdoor use. Common industry standards for lighting design as outlined by the industry group IESNA (Illuminating Engineering Society of North America) shall provide guidance for appropriate lighting quantity and design. Additionally, lighting levels of adjacent uses should be considered to

avoid competing light levels. Maximum light levels should be considered adjacent to single-family residential areas. Lighting directed to accent landscaping or architectural features is appropriate, especially at entries.

A. **Lighting Height.** Lighting standards shall be no greater than sixteen (16) feet in height, and used to illuminate surfaces intended for pedestrians or vehicles, as well as building entries. Light fixtures illuminating surfaces intended for pedestrians shall include pedestrian-scale elements a maximum of twelve (12) feet in height.

B. Exterior lighting shall be used to identify and distinguish the pedestrian walkway network from automobile circulation. Along pedestrian circulation corridors, lighting standards shall be placed between pedestrian ways and public and/or private streets, driveways or parking areas.

C. Effective lighting for pedestrian areas and pathways shall be directed toward the ground.

D. Light fixtures shall be sited and directed to minimize glare around residences.

E. Lighting shall be sited to provide visibility in common areas and building entrances, including mail kiosks, stairwells, parking garages, laundry rooms, exercise rooms, and outdoor common areas of the site. (Ord. 15-1018 § 1)

### **15.510.200 Building Design**

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**Purpose:** Attention to building design encourages an aesthetically appealing and safe place to live. Traditional residential forms such as porches, gables, bay windows, color and texture provide human scale that contributes to a sense of ownership and comfort. (Ord. 15-1018 § 1)

### **15.510.210 Pedestrian Building Entries**

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**Intent:** Provide pedestrian entries that are prominent and highly visible from other buildings and public areas and consider safe alignments of sidewalks and paths. Elevating units a short distance above the grade contributes to privacy and security.

A. **Entries from Street.** Entries from a street shall be clearly marked with weather protection, canopies, architectural elements, ornamental lighting, or landscaping.

B. **Entries from Parking Lots.** Entries from parking lots shall be subordinate to those related to the street.

C. **Pedestrian Paths.** Clear pedestrian paths separate from parking areas shall connect building entrances to sidewalks. Pedestrian paths shall be illuminated pursuant to Chapter [17.40](#) SMC, Walkway, Bikeway and Park Lighting.

D. **Raised Entries.** Multi-family buildings shall utilize one-half (1/2) flight-up front entries off the street, giving privacy as well as a view of the street and sidewalk. An entry raised two and one-half (2-1/2) feet above the grade shall be considered sufficient to meet this requirement. In units where the grade is a minimum of two and one-half (2-1/2) feet above the adjacent parking, sidewalk or other common areas, the one-half (1/2) flight-up entry requirement shall be deemed to have been met.

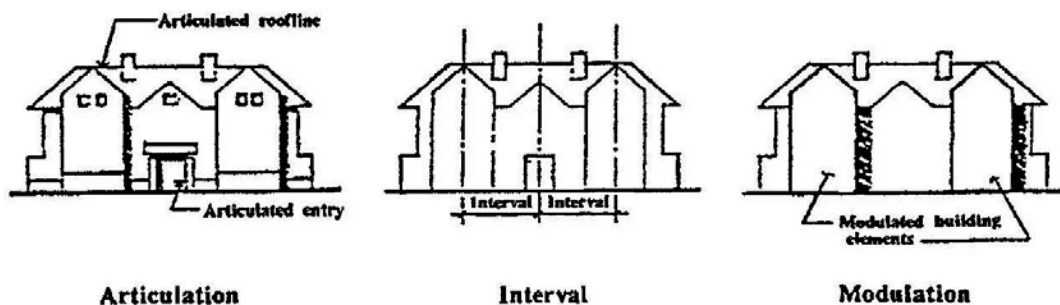
1. The Director may waive this requirement if one-half (1/2) flight-up entries are not feasible or desirable in a given design, such as in senior housing, or where disabled access is required.

(Ord. 15-1018 § 1)

### 15.510.220 Character and Massing

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**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;

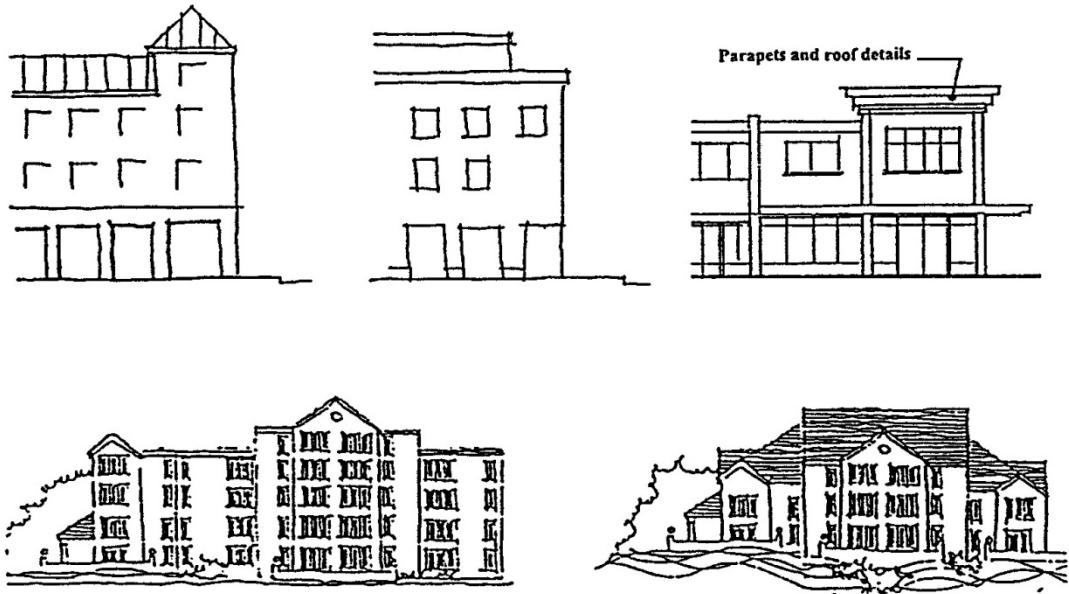
d. Windows shall be accented through the use of contrasting trim color and other detailing.

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 percent (30%) 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;

4. Sufficient setback from the facade edge to be concealed from ground-level view; or

5. Vegetated roof designed in accordance with the Surface Water Design Manual and applicable building codes. (Ord. 16-1022 § 1 (Exh. C); Ord. 15-1018 § 1)

### 15.510.230 Neighborhood Compatibility/Relation to Adjacent Development

**Intent:** Achieve a compatible transition between two (2) zones of differing height, bulk and scale requirements. Consideration should be given to the scale and design of surrounding buildings to promote compatibility and complement or enhance the character of existing neighborhoods.

A. **Abutting UL Zone/Residential Low Designation.** Properties abutting a UL zone, where the UL zone has a Comprehensive Plan designation of Residential Low, shall incorporate the following:

1. A maximum building height of thirty-five (35) feet shall apply to portions of a structure within sixty (60) feet of a UL zone with a residential low Comprehensive Plan designation. The thirty-five (35) foot height shall be measured from the base elevation of the UL-zoned property to the midpoint of any sloped roof; provided, that if the multi-family grade elevation is higher than the single-family property, in no case shall the height of the multi-family building be limited to less than thirty-five (35) feet as measured per SMC [15.110.070](#), Structure Height. The base elevation of the UL-zoned property shall be determined by the average of the elevation along the common property line with the subject property opposite the proposed multi-family building(s) at right angles from the property line. The allowed height shall increase at no more

than one (1) foot vertical for each foot horizontal until the maximum allowed height in the zone is reached (see Figure: HEIGHT TRANSITION).

2. A minimum roof pitch of six (6) feet of height for each twelve (12) linear feet of roof shall be required for all portions of multi-family buildings within sixty (60) feet of a UL zone with a Residential Low Comprehensive Plan designation, and for all multi-family buildings fronting on a street directly across from a UL zone with a Residential Low Comprehensive Plan designation.

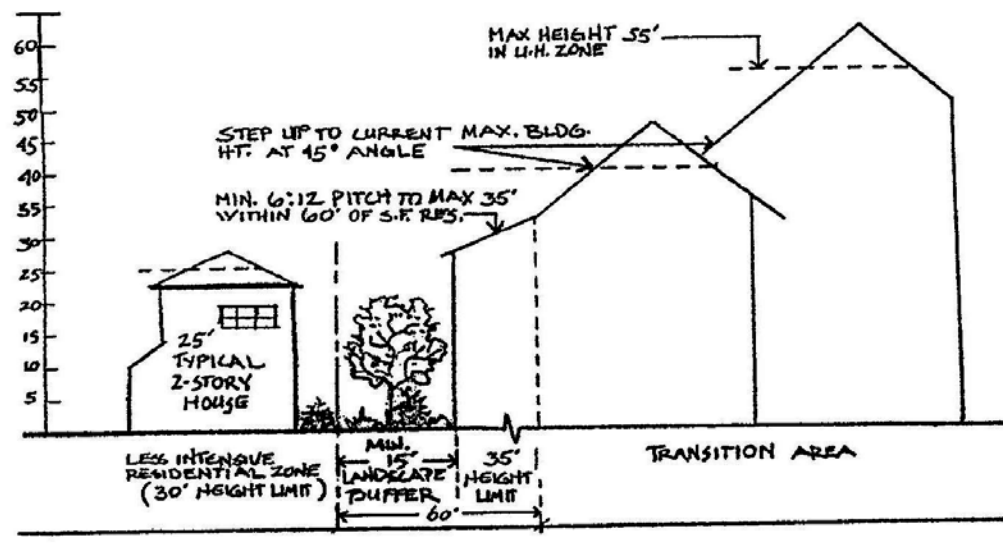


Figure: HEIGHT TRANSITION: Building height adjacent to a UL zone with a residential low Comprehensive Plan designation is limited to thirty-five (35) feet for the first sixty (60) feet, then may increase at a forty-five (45) degree angle. Height is measured per SMC [15.110.070](#), Structure Height.

3. A minimum side and/or rear yard building setback of twenty (20) feet shall apply if the side or rear property boundaries are adjacent to a UL zone with a residential low Comprehensive Plan designation. Side/rear yard landscaping shall occupy all or part of the required building setback, as specified in the landscaping chart in SMC [15.445.210](#).

4. Scale and massing of adjacent residential development shall be considered in the design of new multi-family development. An effective architectural fit within the neighborhood shall be achieved through similarity of design with the adjacent development in one (1) or more of the following ways:

- a. Similar building proportions, including setbacks on upper levels;

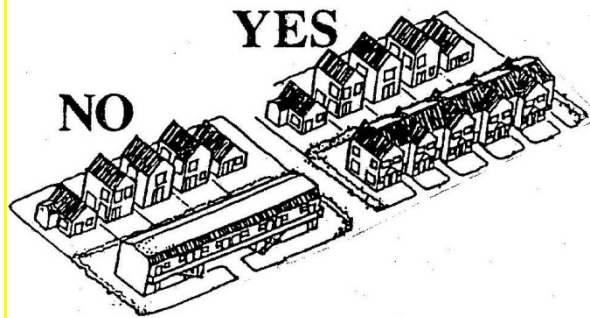
b. Similar building articulation;

c. Similar rooflines, pitches, and shapes;

d. Similar relationship to the street for entryways and setbacks; and/or

e. Similar architectural details or features such as bay windows, dormers, porches, finish materials, recessed entries, and other elements.

**Example:** The building on the right shows how a multi-family structure can be designed to complement an existing neighborhood through the use of similar building modulation and setbacks. The building on the right covers roughly the same lot area as the structure on the left, while appearing as if it “fits” in its surroundings.



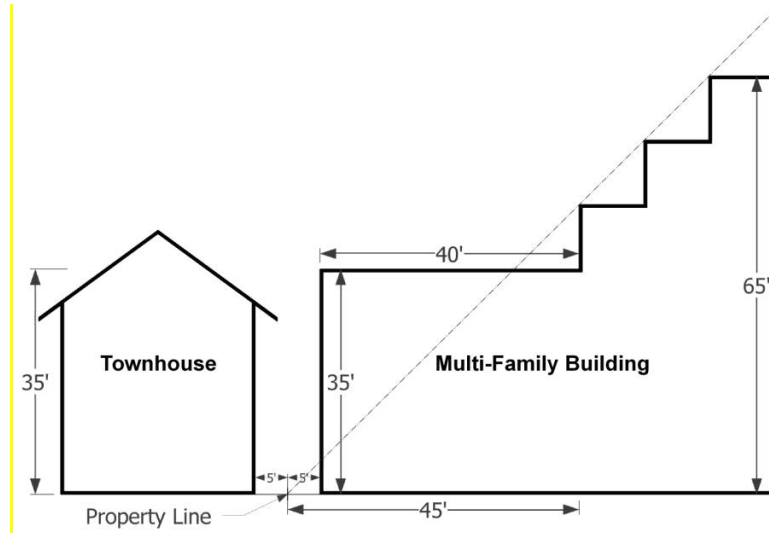
**B. Abutting Townhouse Zone/Townhouse Designation.** Multi-family and mixed use projects abutting a Townhouse (T) zone, or properties with a Townhouse zone Comprehensive Plan designation, shall incorporate the following:

1. **Height Requirements within Forty-Five (45) Feet of Townhouse Zone Property.** A maximum building height of thirty-five (35) feet shall apply to portions of a structure within forty-five (45) feet of the side and/or rear property line of an adjacent property with a Townhouse zone or Townhouse Comprehensive Plan designation.

2. **Height Allowances within Forty-Five (45) Degree Plane of Townhouse Zone Property.** In order to preserve opportunities for light, view and privacy of adjacent townhouses, the height of a building may increase above thirty-five (35) feet as long as it does not project into a forty-five (45) degree angular plane gradient measured from the side and/or rear property line of the adjacent Townhouse Zone property.

3. **Height Allowances Beyond Sixty-Five (65) Feet of Townhouse Zone Property.** Building height after sixty-five (65) feet can increase to the maximum allowed by the zone within which the building is located after the requirements in subsection (B)(2) of this section are met.

**Example:** Diagram showing example of height requirements and allowances for multi-family and mixed use projects abutting Townhouse Zone or townhouse properties.



(Ord. 15-1018 § 1)

### 15.510.240 Privacy

**Intent:** Respect adjacent properties by locating buildings to minimize disruption of privacy. One consideration is the views from upper stories of new buildings into adjacent private yards, especially in less intensive zones. Buildings should also be designed so that units within a development have appropriate private space.

A. Building design shall incorporate the following elements:

1. Stagger windows to avoid alignment with adjacent windows;
2. Reduce the number of windows and decks on the buildings overlooking private yards of neighboring properties; and
3. Use landscaping and open space to enhance privacy. (Ord. 15-1018 § 1)

### 15.510.250 Building Security

**Intent:** Provide for safety in the design of building doors and windows, hallways and common areas.

A. **Ground Floor Bedroom Windows.** Ground floor bedroom windows of residential units shall be separated from the sidewalk and public areas in one (1) of the following manners:

1. The ground floor shall be raised above ground level a minimum of four (4) feet and pedestrian paths shall be at least five (5) feet away (horizontal separation) from ground floor bedroom windows;

2. Pedestrian paths shall be at least five (5) feet away (horizontal separation) from ground floor bedroom windows, and windows shall be screened with decorative metal grating providing a fifty percent (50%) to seventy percent (70%) screen and landscaping providing filtered screening. Dense landscaping, such as hedges, shall not be used in front of windows.

**B. Exterior Access Corridors.** Exterior access corridors shall not be located directly adjacent to dwelling windows on upper floors.

**C. Windows on Street-Front Facades.** Windows on street-front facades shall be provided to allow views of the street.

**D. Common Areas.** Common areas shall be designed for visibility and security.

1. Windows and lighting shall be sited to provide visibility of common areas, including mail kiosks, stairwells, parking garages, laundry rooms, exercise rooms, and other common areas of the site.

2. Doors between common areas shall have through-door viewers with a minimum one hundred eighty (180) degree viewing range, or windowpanes.

3. Common areas shall have more than one (1) exit.

**E. Dumpsters and Recycling Containers.** Dumpsters and recycling containers shall be conveniently located for residents, and be screened in a manner that allows sufficient visibility to prevent hiding places for unwanted persons.

**F. Door and Window Treatment.** The following items are minimum security requirements for door and window treatment for residential units:

1. For all exterior doors and doors leading from individual units into common areas:

a. Solid-core wood doors or metal doors;

b. Through-door viewers with a minimum one hundred eighty (180) degree viewing range;

c. Single-cylinder deadbolts extending a minimum of one (1) inch into the frame;

d. Security strikeplates a minimum of three and one-half (3-1/2) inches in height mounted with screws a minimum of three (3) inches in length;

e. Double locks on sliding doors;

2. Double locks on ground floor and sliding windows.

These items shall be inspected and approved by the City of SeaTac Crime Prevention Officer prior to issuance of a certificate of occupancy. The City of SeaTac Crime Prevention Officer may approve alternate designs that provide a similar degree of security. (Ord. 15-1018 § 1)

### 15.510.260 Building Materials

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**Intent:** Add visual interest and contribute to human scale through texture, color and detailing. Materials should be durable so that the development will continue to be an attractive part of the community over time.

A. Quality, durable materials that add visual interest shall be used in building design.

1. Color and materials shall be varied in projects as follows:

a. In multi-building projects, colors or materials shall be varied from structure to structure to differentiate between buildings, and provide variety and individuality;

b. Colors and materials shall be used to visually reduce the size of buildings that are larger than others in the neighborhood, through:

i. Contrasting trim detailing;

ii. Contrasting shades or colors to distinguish the ground from upper floors, or one (1) section of building from another;

c. Bright or intense colors should be reserved for accent or trim.

2. A color and materials board shall be submitted and approved prior to permit approval.



B. Materials that have a track record of installation difficulties or lack of durability shall be subject to provision of warranty information from manufacturers and installers, and provision of a maintenance bond or letter of credit for a period of three (3) years. Building materials with a history of problems with installation and rapid decay may be disallowed. (Ord. 15-1018 § 1)

### 15.510.300 Vehicular Access and Circulation

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**Purpose:** Vehicular access and circulation should emphasize the safety of pedestrians, enhance the streetscape in the neighborhood and minimize the traffic impact of new developments on existing neighborhoods. (Ord. 15-1018 § 1)

### 15.510.310 Vehicular Access

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**Intent:** Facilitate access that provides adequate capacity while reducing curb cuts and providing for pedestrian safety.

A. Access to multi-family developments shall be from a major or minor arterial wherever possible.

B. Automobile access shall be consolidated with no more than one (1) driveway per one hundred fifty (150) linear feet of street frontage.

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

D. Developments shall be oriented to transit stops whenever possible. Lighting shall be provided along pedestrian walkway connections and adjacent to transit stop facilities.

E. In developments over one hundred (100) units, a bicycle circulation path separate from vehicular circulation and pedestrian paths shall connect buildings within the development. Benches, shade trees or other amenities shall be incorporated into the bicycle/circulation path as appropriate. (Ord. 15-1018 § 1)

### 15.510.320 Traffic Calming

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**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. 16-1022 § 1 (Exh. C); Ord. 15-1018 § 1)

### **15.510.330 Buffering Adjacent to Expanded Streets**

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**Intent:** Provide for the preservation of neighborhood character and pedestrian safety in areas where a street through an existing neighborhood must be expanded to serve new multi-family development.

If the capacity of an existing nonarterial street must be increased to serve a new multi-family development, the following shall be required for single-family properties along such street:

- A. Fencing and landscaping of up to five (5) feet of Type II landscaping shall be provided adjacent to existing single-family properties. If significant existing landscaping is displaced, it may be required to be relocated or replaced on or adjacent to affected properties to preserve the neighborhood character.
- B. Any access to properties that is adversely affected by a change in road configuration shall be restored at the developer's expense, including relocation of driveways, carports, and garages, if necessary.

These off-site improvements shall be required of the developer in addition to other street frontage improvements required by the City. (Ord. 15-1018 § 1)

### **15.510.400 Design of Surface and Structured Parking**

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**Purpose:** These standards are intended to provide for safety and aesthetic considerations in surface and under-building parking within multi-family developments. (Ord. 15-1018 § 1)

### 15.510.410 General Considerations

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**Intent:** Minimize parking as a visual element of a site and enhance the pedestrian environment. Parking should be visible from living units or have secured entrances.

A. Parking located under or within buildings shall subordinate the garage entrance to the pedestrian entrance in terms of location and design.

B. All covered parking shall either be secure parking with electronic entries, or open carport-type structures with roof material of transparent glazing to allow surveillance from above. Unsecured “tuck-under” style parking and carports constructed of solid materials that block visibility of parking areas shall not be allowed. (Ord. 15-1018 § 1)

### 15.510.420 Design of Surface Parking Lots

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**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 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 modified to 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. 16-1022 § 1 (Exh. C); Ord. 15-1018 § 1)

### 15.510.430 Design of Structured Parking

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**Intent:** Locate structured parking under or within multi-family buildings to enhance safety and aesthetics. Aesthetic considerations include appropriate screening and subordination of under-the-building parking.

Attention to security features as an integral part of the initial design allows security needs to be met without unduly compromising aesthetics or traffic flow patterns and operations, and without excessive construction or operating costs. The use of CPTED principles in the design of residential parking structures can enhance resident safety. Principles include good lighting, openness to public view, access control, and a security management plan that includes periodic review and updating.

A. **Lighting of Structured Parking.** Lighting levels in structured parking shall conform with the requirements of Chapter [17.28](#) SMC, Parking Structures.

B. **Elevators and Stairs.**

1. Elevator towers and stairwells shall be open to public view to the maximum extent possible. If enclosure of an elevator waiting area is necessary for fire code purposes or for weather protection, enclosure shall be with transparent glazing.
2. Potential hiding places below stairs should be closed off. If used for storage, such areas shall be secured with doors and padlocks.
3. Directional arrows indicating exits and elevators must be painted on walls.
4. Remote exterior stairway doors shall be equipped with one (1) way locks allowing people to exit but not to enter the facility at those locations.

C. **Floors.** Parking decks shall be flat to the maximum extent possible to increase visibility. Openness should be encouraged through methods such as long-span construction and high ceilings.

D. **Facades.**

1. Parking located at grade under a building shall be attractively screened through a combination of decorative grilles, or trelliswork. Screening shall provide for light, airflow, and natural surveillance into the structure, while limiting access. Since screening is intended to increase security by restricting access to the facility, the screening must be reasonably strong and durable to withstand vandalism and the elements.

Separate enclosed garages serving individual units shall be completely enclosed or shall be screened as described above.

2. For underground structures, the first level below grade shall be daylighted by either grading the site down or using air wells to allow natural light and ventilation into the structure. Such openings shall be barred to prevent access and landscaped in a manner that provides both screening and visibility through the landscaping. Openings shall be adjacent to well-traveled walks or frequently used areas of open space.
3. Stand-alone, multi-level aboveground parking structures shall be avoided in multi-family complexes.
  - a. Where allowed by a decision of the Director due to special design or site conditions, multi-level above-ground parking structures shall comply with the top floor variation, character and massing, and minimizing views into the interior requirements of SMC [15.300.460\(C\)\(2\)](#), (C)(3) and (C)(4)(b), (c), and (e). Such structures shall be required to comply with SMC [15.300.460\(D\)](#), Ground Floor Uses in Parking Structures, when adjacent to a public street.
  - b. The facade of a stand-alone multi-level parking facility should provide filtered screening that allows visibility to streets and good visibility for patrolling police cars. Stairways on the building's exterior should be visible from the outside. If stairs are to be enclosed, glass or wire glass can be used.

#### **E. Circulation and Access Control.**

1. Vehicle entrances and exits shall be kept to a minimum. All entrances shall be gated, with gates that permit visibility into the garage.
2. Pedestrian entrances shall be concentrated to bring all pedestrians through one (1) portal, which improves the ability to see and be seen by others.
3. Emergency exits shall be provided.
4. Any ground-level pedestrian exits that open into nonsecure areas should be emergency exits only and fitted with panic bar hardware.
5. Dead end parking areas as well as nooks and crannies in the general design of the parking facility should be avoided.

**F. Active Security Measures.**

1. A security management plan shall be submitted and approved prior to building permit issuance. Such plan shall be reviewed and updated every three (3) to five (5) years in cooperation with the City's crime prevention specialist. The plan would include a security audit and proposed CPTED and active security measures.

2. Active security measures such as emergency phones and closed circuit television (CCTV) shall be provided in large developments if determined to be necessary by the Crime Prevention Officer. At a minimum, a conduit shall be provided for emergency communication and CCTV in stairs, elevator cabs, and elevator lobbies in structured parking for developments containing two hundred (200) or more units.

**G. Maintenance.** Residential parking structures shall be well-maintained, as trash and graffiti may leave the impression that the facility is not secure. (Ord. 15-1018 § 1)

**15.510.500 Recreation and Open Space**

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**Purpose:** To provide for adequate recreation and open space areas for the residents of multiple-family dwellings, to separate such areas from automobile-oriented space, and to enhance the environmental quality of multiple-family residential districts. (Ord. 15-1018 § 1)

**15.510.510 Minimum Area Required**

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**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, S. 154th Street Station Area, and Angle Lake Station Area Overlay Districts:

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

Unit Size	Minimum Required Open Space
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, S. 154th Street Station Area, and Angle Lake Station Area Overlay Districts:

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, 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, S. 154th Street Station Area, and Angle Lake Station Area Overlay Districts, 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;

6. Permeable pavement trails; or

7. Other similar facilities. (Ord. 16-1022 § 1 (Exh. C); Ord. 16-1009 § 15; Ord. 15-1018 § 1)

### **15.510.520 Play Space for Children**

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**Intent:** Provide for adequate, safely located play space for children. Safe locations are ones that are accessible without crossing circulation areas, and provide for observation by parents and caretakers from the main use areas of nearby units, and from nearby seating and recreation areas. Retirement apartments and assisted living facilities are exempt from this section.

A. At least fifty percent (50%) of the required outdoor recreation and open space area required for units of two (2) or more bedrooms shall be laid out in a manner that makes it suitable and safe as play space for children. The children's play space shall contain a minimum of one (1) set of children's play equipment as approved by the Director. Sitting or recreation areas for adults shall be located in close proximity.

B. At least fifty percent (50%) of any indoor facilities and outdoor single-purpose facilities required for units of two (2) or more bedrooms shall be appropriate for use by children of various ages. Exercise facilities in complexes containing two (2) or more bedroom units shall provide for adult exercise opportunities with the ability to watch children nearby.

C. Play space for children shall be centrally located, visible from the dwellings, and away from hazardous areas like garbage dumpsters, drainage facilities, streets, other vehicular travel ways, woods, and parking areas.

D. All units two (2) bedroom units or larger shall be oriented to provide visibility of children's play areas from a kitchen or main living room area. Alternatively, closed circuit TV monitoring of children's play areas shall be installed and access shall be provided by apartment management to tenants with children. (Ord. 15-1018 § 1)

### **15.510.530 Location and Layout of Recreation and Open Space**

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**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 recreation space shall be subject to approval by the Director, and shall conform to the following:

1. Open space areas shall be centrally located near a majority of units, accessible and usable to residents, and visible from surrounding dwelling units.

2. In developments greater than one hundred (100) units, outdoor recreation and open space area shall be divided into several, smaller, usable areas located so as to be convenient and accessible to each building.

3. When the total required open space area is less than three thousand (3,000) square feet, the outdoor recreation and open space shall be one (1) continuous site, with a minimum width of twenty (20) feet.

4. If the total required area for multi-family recreation 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) area is at least two thousand (2,000) square feet, and all others at least five hundred (500) square feet, with a minimum width of twenty (20) feet.

5. No driveways, parking or other vehicular uses can be located in the outdoor recreation or open space area.

6. Required front yard setback areas shall not count toward outdoor common recreation and open space.

7. A Type III landscaping buffer consisting of fencing and plant screening with a minimum width of five (5) feet shall separate the recreation space from public streets, parking areas, and driveways.

8. Decks, balconies and other similar appurtenances that do not have common access by all the complex residents shall not be counted towards the space requirements.

9. The square footage in required side and rear yards may be used to meet the recreation and open space requirements, except for the square footage in side and rear yards occupied by required Type I and II buffer landscaping for noncompatible uses. Side and rear yards must be developed as usable recreation or open space as specified in this chapter to count toward the requirement.

10. Other required landscaping (such as building facade landscaping and parking lot landscaping) and sensitive area buffers without common access links such as pedestrian trails shall not be included toward the required recreation and open space requirement.

11. No required recreation or open space area shall have a slope greater than four percent (4%), unless the area has been developed with an enhanced accessibility system of ramps, stairs, terraces, trails, or other site improvements.

B. The space, layout, and proposed type of screening shall be subject to approval by the Director. (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.

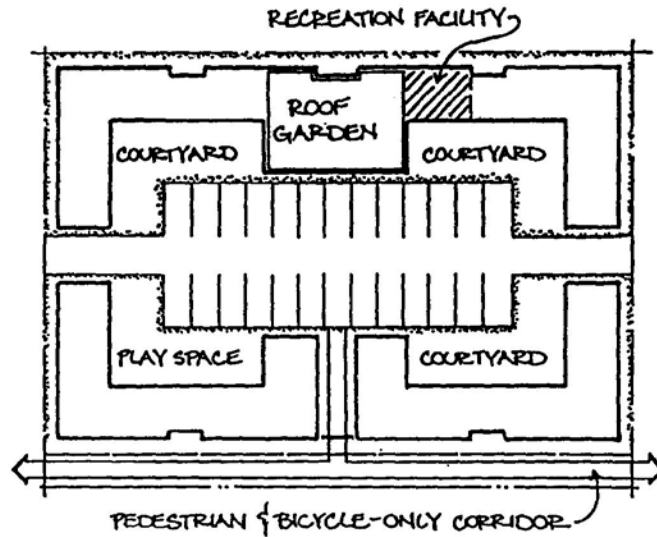
Courtyard and plaza areas complying with the following requirements may count toward required outdoor open space areas:

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. 16-1022 § 1 (Exh. C); Ord. 15-1018 § 1)

### 15.510.550 Maintenance

**Intent:** Ensure the maintenance of on-site open space and recreational facilities.

Failure to maintain open space and recreational facilities in a usable manner is a violation of this title. Prior to occupancy, a maintenance program for open space and recreational facilities shall be submitted and approved by the Department. The program shall be secured with a maintenance bond, or other suitable financial guarantee as approved by the City, for a period of three (3) years in an amount equal to the estimated cost of maintenance over three (3) years. (Ord. 15-1018 § 1)

### 15.510.560 Cash Contribution in Lieu of On-Site Recreational

**Intent:** Allow for the contribution to an existing or future City park in lieu of on-site recreational facilities in smaller developments.

**A. Multi-Family Developments with Less than Twenty (20) Dwellings, Assisted Living Facilities and Retirement Apartments.** For multiple-family developments containing less than twenty (20) dwellings and all assisted living facilities or retirement apartments, the Director may allow in-lieu payment to the City in an amount comparable to the cost of acquisition and installation of recreational facilities as would otherwise be required.

1. **Acceptance of Payment In Lieu Contributions.** Acceptance of such a voluntary contribution is discretionary on the part of the City, and shall be permitted only when the size of the development site and its projected population is too small to result in usable, high quality recreational facilities, and the improvement of City park facilities in the vicinity will be of greater benefit to the residents of the proposed dwellings.

2. **Park Improvement Fund.** Such payments shall be placed in a fund to be used for capital improvements in existing neighborhood parks or for the development of new parks in the vicinity of the multiple-family dwelling development.

3. **Amount of Payment.** The amount of such payment shall be determined by the Director based on a recommendation of the Parks Department Director. The recommendation shall be based on either the actual cost or a reasonable prototype cost of providing park land with quality, durable recreational facilities as would otherwise be required to be provided on site.

B. **Multi-Family Developments with More Than Nineteen (19) Dwellings.** Multiple-family dwelling developments containing twenty (20) or more dwelling units (except for assisted living facilities or retirement apartments) shall provide the on-site recreation facilities required by this chapter. Multiple-family dwelling developments which are built in phases of less than twenty (20) dwelling units shall provide on-site recreation facilities for each phase or shall provide the total amount of recreation facilities required for the complete development in the first phase of construction. (Ord. 15-1018 § 1)

### **15.510.600 Landscaping**

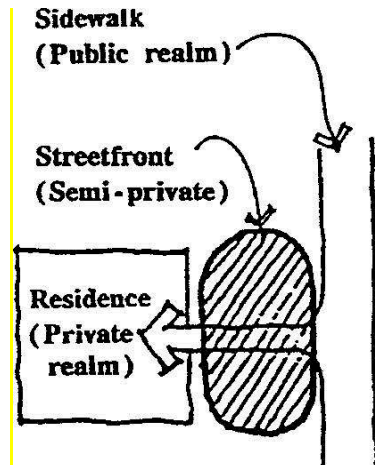
**Intent:** Provide buffering adjacent to noncompatible uses, enhance building facades, create pleasant outdoor spaces for relaxation, contribute to privacy, and help to define public from private space.

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.

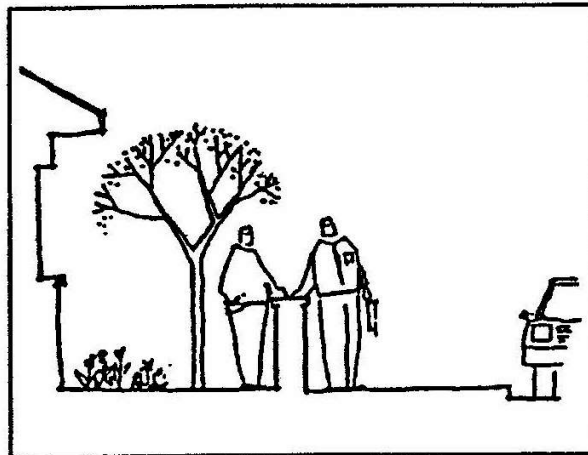
C. Create physical separation and transition from public and semi-public to semi-private and private areas on site through the use of entryways, gates and landscaping.

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



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

Definition and separation of public from private areas



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 without impeding pedestrian circulation. (Ord. 16-1022 § 1 (Exh. C); Ord. 15-1018 § 1)

### **15.510.700 Incentives**

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**Purpose:** To encourage types of development that are beneficial for the community, or for which there is a particular need. (Ord. 15-1018 § 1)

### **15.510.710 Application of Incentives**

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**Intent:** Support the combination of multiple incentives while placing a cap on the total percentage of incentives that keeps the maximum density within a reasonable limit of the underlying zone.

A. The number of allowed units in a development may be increased for incorporation of the incentives in this section.

1. **Maximum Density Incentive.** The maximum density incentive that may be achieved through the application of multiple incentives is a thirty percent (30%) increase in the base number of permitted units.

2. **Maximum Height Incentive.** The maximum height incentive that may be achieved through the application of multiple incentives is a fifteen (15) foot increase in the maximum building

height identified in SMC [15.400.100](#), Residential Standards Chart, and 15.400.200, Commercial, Industrial, Park Standards Chart.

- a. An incentive used to obtain additional height in this chapter may not be used to obtain additional density.

3. **Combining Incentives.** Density incentives as specified in Chapter [15.425](#) SMC, Development Incentives, may be combined with these incentives, but the total of all incentives may not exceed a thirty percent (30%) increase in the base number of permitted units. The bonuses shall be on a building-by-building basis and are not transferable from one building to another. (Ord. 15-1018 § 1)

### **15.510.720 Senior Housing**

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**Intent:** Encourage the provision of senior housing within the community to allow for a variety of housing options to aging persons as their family size and housing needs change. This incentive is not applicable to projects whose sole purpose is housing intended for seniors (age fifty-five (55) years or older) (i.e., adult family homes, assisted living facilities, continuing care retirement communities, retirement apartments, convalescent center/nursing homes, etc.).

A. **Density Bonus.** A twenty percent (20%) increase in the allowed number of units shall be permitted when a minimum of thirty-five percent (35%) of the units within the project are reserved as assisted living units or retirement apartments.

B. **Height Bonus.** A ten (10) foot increase in the maximum allowed height shall be permitted when a minimum of thirty-five percent (35%) of the units within the project are reserved as assisted living units or retirement apartments. (Ord. 15-1018 § 1)

### **15.510.730 Mixture of Unit Sizes**

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**Intent:** Promote a mixture of unit sizes within a development, in order to encourage the presence of residents during the daytime. Larger units typically house families, where an adult may be present during the daytime. Having a mixture of unit sizes can contribute to a more secure community.

A. **Density Bonus.** A ten percent (10%) increase in the allowed number of units shall be permitted with a mixture of unit sizes in a development with at least thirty-five percent (35%) of the units being two (2) bedroom or larger.

B. **Height Bonus.** A five (5) foot increase in the allowed height shall be permitted with a mixture of unit sizes in a development with at least thirty-five percent (35%) of the units being two (2) bedroom or larger. (Ord. 15-1018 § 1)

#### **15.510.740 Condominium/Owner-Occupied Housing**

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**Intent:** Encourage units to be constructed as condominiums, and remain owner-occupied through codes, conditions, and restrictions (CCRs) or other restrictive covenants, contributing to a sense of ownership, investment in the community, and stability in the resident population of multi-family areas.

A. **Density Bonus.** A thirty percent (30%) increase in the allowed number of units shall be permitted for a condominium development, where the codes, conditions, and restrictions (CCRs) of the homeowners' association or other restrictive covenants are set up to maintain home ownership within the development and restrict the number of units that may be used as rental properties. CCRs shall be reviewed and approved by the Director prior to recording to ensure this provision cannot be modified or eliminated.

B. **Height Bonus.** A fifteen (15) foot increase in the allowed building height shall be permitted for a condominium development, where the codes, conditions, and restrictions (CCRs) of the homeowners' association or other restrictive covenants are set up to maintain home ownership within the condominium and restrict the number of units that may be used as rental units. CCRs shall be reviewed and approved by the Director prior to recording to ensure this provision cannot be modified or eliminated. (Ord. 15-1018 § 1)

#### **15.510.750 Underground Parking**

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**Intent:** Promote the placement of parking underground in order to facilitate urban spaces, pedestrian orientation, and greater efficiency in use of land for housing and open space.

A. **Density Bonus.** A ten percent (10%) increase in the allowed number of units shall be permitted for developments where a minimum of seventy-five percent (75%) of the parking is placed underground.

B. **Height Bonus.** A five (5) foot increase in the allowed building height shall be permitted for developments where a minimum of twenty-five percent (25%) of the parking is placed underground. (Ord. 15-1018 § 1)

#### **15.510.760 Outdoor Recreation/Open Space**

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**Intent:** Encourage the placement of additional open space throughout multi-family developments in order to enhance outdoor recreational opportunities for residents.



A. **Density Bonus.** A ten percent (10%) increase in the allowed number of units shall be permitted when at least fifteen percent (15%) additional recreation and/or open space over what is required is provided within a multi-family development.

B. **Height Bonus.** A five (5) foot increase in the allowed building height shall be permitted when at least fifteen percent (15%) additional recreation and/or open space over what is required is provided within a multi-family development. (Ord. 15-1018 § 1)

### 15.510.770 Architectural Design

**Intent:** Promote enhanced building layout and design in multi-family buildings through the incorporation of additional design elements and features.

A. **Density Bonus.** A ten percent (10%) increase in the allowed number of units shall be permitted when additional building design is provided within a multi-family development.

B. **Height Bonus.** A five (5) foot increase in the allowed building height shall be permitted when additional building design is provided within a multi-family development.

C. The enhanced design elements shall consist of the following:

1. Incorporate all methods of articulation identified in SMC [15.510.220\(B\)\(1\)](#).

2. Utilize all methods of window treatment identified in SMC [15.510.220\(D\)](#).

3. Incorporate three (3) or more roofline variations identified in SMC [15.510.220\(F\)](#). (Ord. 15-1018 § 1)

### 15.510.800 Multi-Family Properties in the City Center, Angle Lake Station Area, and S. 154th Street Station Area Overlay Districts

**Purpose:** To define standards for multi-family properties in the City Center Overlay District, Angle Lake Station Area Overlay District, and S. 154th Street Station Area Overlay District that allow for setback, density and open space standards appropriate to a more urban environment, while still providing for attractive open space amenities and neighborhood compatibility. (Ord. 16-1009 § 16; Ord. 15-1018 § 1)

### 15.510.810 Applicability

**Intent:** Ensure that multi-family developments within the City Center Overlay District, S. 154th Street and Angle Lake Station Area Overlay Districts are subject to the same quality, compatibility and security principles and standards outlined in this chapter unless the specific purposes of the City Center Overlay District, S. 154th Street Station Area, or Angle Lake Station Overlay Districts create a need for a modified standard.

A. The following requirements shall be in addition to the multi-family standards contained in this chapter.

B. **Residential Mixed Use Parking.** Parking for residences on a mixed use site shall be clearly delineated and separate from parking for commercial uses.

C. **City Center Overlay District.**

1. The following City Center Overlay District Standards shall apply to all multi-family projects in the designated City Center:

**Circulation:**

SMC <a href="#">15.300.100</a>	Circulation
SMC <a href="#">15.300.110</a>	Vehicular Circulation Requirements
SMC <a href="#">15.300.120</a>	Pedestrian Circulation Requirements

**Site Planning:**

SMC <a href="#">15.300.200</a>	Site Planning and Building Orientation
SMC <a href="#">15.300.210</a>	Building Placement/Setbacks
SMC <a href="#">15.300.230</a>	Relation to Adjacent Development
SMC <a href="#">15.300.250</a>	Layout and Width of Streetfront Pedestrian Zone

**Open Space:**

SMC <a href="#">15.300.325</a>	Incorporating Bow Lake as a Focal Point
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**Parking:**

SMC <a href="#">15.300.400</a>	Parking Standards
SMC <a href="#">15.300.410</a>	Off-Street Parking Requirements and Reductions
SMC <a href="#">15.300.420</a>	Off-Street Loading Requirements

- SMC [15.300.430](#) Bicycle Parking
- SMC [15.300.440](#) General Parking Design and Construction Standards
- SMC [15.300.450](#) Surface Parking

**Landscaping:**

- SMC [15.300.500](#)(B) Surface Parking Lot Landscaping and Treatment of Perimeter

2. The following City Center Overlay District Standards shall apply only to ground floor commercial in mixed use residential projects in the designated City Center:

**Site Planning:**

- SMC [15.300.220](#) Development Abutting Two (2) or More Street Frontages

**Open Space:**

- SMC [15.300.300](#) Open Space and Amenities
- SMC [15.300.310](#) Minimum Open Space Area Required
- SMC [15.300.320](#) Front Yard Open Space

**Building Design:**

- SMC [15.300.610](#)(A) Ground Floor Transparency Requirements
- SMC [15.300.610](#)(B) Pedestrian Weather Protection along Building Facades
- SMC [15.300.620](#) Pedestrian Building Entries
- SMC [15.300.630](#)(B) Treatment of Blank Walls

**Mixed Use:**

- SMC [15.300.710](#) Mixed Use Development Standards
- SMC [15.300.720](#) Definition of Mixed Use
- SMC [15.300.730](#) Ground Floor Uses in Mixed Use Projects

**D. S. 154th Street Station Area Overlay District.**

1. The following S. 154th Street Station Area Overlay District Standards shall apply to all multi-family projects in the designated S. 154th Street Station Area:

**Circulation:**

SMC <a href="#">15.305.100</a>	Circulation
SMC <a href="#">15.305.110</a>	Circulation Requirements
SMC <a href="#">15.305.120</a>	Internal Access Roads
SMC <a href="#">15.305.130</a>	Pedestrian Requirements

**Site Planning:**

SMC <a href="#">15.305.200</a>	Site Planning and Building Orientation
SMC <a href="#">15.305.210</a>	Building Placement/Setbacks
SMC <a href="#">15.305.230</a>	Relation to Adjacent Development
SMC <a href="#">15.305.250</a>	Layout and Width of Streetfront Pedestrian Zone

**Parking:**

SMC <a href="#">15.305.400</a>	Parking Standards
SMC <a href="#">15.305.410</a>	Off-Street Parking Requirements and Reductions
SMC <a href="#">15.305.450</a>	Surface Parking

**Landscaping:**

SMC <a href="#">15.305.500</a>	Landscape Standards
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2. The following S. 154th Street Station Area Overlay District Standards shall apply only to ground floor commercial in mixed use residential projects in the designated S. 154th Street Station Area:

**Site Planning:**

SMC <a href="#">15.305.220</a>	Development Abutting Two (2) or More Street Frontages
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**Open Space:**

SMC <a href="#">15.305.300</a>	Open Space and Amenities
SMC <a href="#">15.305.310</a>	Minimum Open Space Area Required
SMC <a href="#">15.305.320</a>	Front Yard Open Space

SMC [15.305.330](#) Alternative Methods for Meeting Usable Open Space Requirement

SMC [15.305.340](#) Open Space Design Standards

SMC [15.305.350](#) Open Space Maintenance

**Building Design:**

SMC [15.305.600](#) Building Design

SMC [15.305.610](#) Street Level Design

SMC [15.305.620](#) Pedestrian Building Entries

SMC [15.305.630](#)(C) Treatment of Blank Walls

**Mixed Use:**

SMC [15.305.710](#) Mixed Use Development Standards

SMC [15.305.720](#) Definition of Mixed Use

SMC [15.305.730](#) Ground Floor Uses in Mixed Use Projects

**E. Angle Lake Station Area Overlay District.**

1. The following Angle Lake Station Area Overlay District Standards shall apply to all multi-family projects in the designated Angle Lake Station Area:

**Circulation:**

SMC [15.310.100](#) Circulation

SMC [15.310.110](#) Vehicular Circulation Requirements

SMC [15.310.120](#) Pedestrian Circulation Requirements

**Site Planning:**

SMC [15.310.200](#) Site Planning and Building Orientation

SMC [15.310.210](#) Building Placement/Setbacks

SMC [15.310.220](#) Development Abutting Two (2) or More Street Frontages

SMC [15.310.250](#) Layout and Width of Streetfront Pedestrian Zone

SMC [15.310.260](#) Driveway Design

SMC [15.310.280](#) Exterior Lighting

**Parking Standards:**

SMC [15.310.400](#) Parking Standards

SMC [15.310.410](#) Off-Street Parking Requirements and Reductions

SMC.15.310.430 Bicycle Parking Requirements

SMC [15.310.440](#) General Parking Design and Construction Standards

SMC [15.310.450](#) Surface Parking

SMC [15.310.460](#) Structured Parking

2. The following Angle Lake Station Area Overlay District Standards shall apply only to ground floor commercial in mixed use residential projects in the designated Angle Lake Station Area:

**Open Space:**

SMC [15.310.300](#) Open Space and Amenities

SMC [15.310.310](#) Minimum Open Space Area Required

SMC [15.310.320](#) Location and Design of Open Space

**Building Design:**

SMC [15.310.610](#) Street Level Design

SMC [15.310.620](#) Pedestrian Building Entries

SMC [15.310.630](#) Building Facades

**Mixed Use:**

SMC [15.310.710](#) Mixed Use Development Standards

SMC [15.310.720](#) Definition of Mixed Use

(Ord. 16-1009 § 6; Ord. 15-1018 § 1)

**15.510.820 Open Space in the City Center, S. 154th Street and Angle Lake Station Area Overlay Districts**

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**Intent:** Provide standards for recreation and open space for multi-family properties located within the City Center, S. 154th Street and Angle Lake Station Area Overlay Districts that allows achievement of urban densities while still providing an attractive streetscape and comfortable open space amenities for residents, including play space for children.

A. **Minimum Common Open Space.** For developments located within the designated City Center, S. 154th Street and Angle Lake Station Area Overlay Districts, a minimum of sixty (60) square feet per unit of common outdoor space shall be required. Such open space shall be allocated according to the requirements of:

<a href="#">SMC 15.510.510(B)</a>	Multi-Purpose Outdoor Recreation and Open Space
<a href="#">SMC 15.510.520</a>	Play Space for Children
<a href="#">SMC 15.510.530</a>	Location and Layout of Recreation and Open Space
<a href="#">SMC 15.510.540</a>	Courtyards and Plazas
<a href="#">SMC 15.510.550</a>	Maintenance
<a href="#">SMC 15.510.560</a>	Cash Contribution in Lieu of On-Site Recreation

B. For residential mixed use development in the City Center, S. 154th Street and Angle Lake Station Area Overlay Districts, the following commercial open space requirement shall be applied to that proportion of the site that is commercial, based on building square footage:

**Within City Center Overlay District:**

<a href="#">SMC 15.300.310</a>	Minimum Open Space Area Required
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**Within S. 154th St. Station Area Overlay District:**

<a href="#">SMC 15.305.300</a>	Open Space and Amenities
<a href="#">SMC 15.305.310</a>	Minimum Open Space Area Required
<a href="#">SMC 15.305.320</a>	Front Yard Open Space
<a href="#">SMC 15.305.330</a>	Alternative Methods for Meeting Usable Open Space Requirement
<a href="#">SMC 15.305.340</a>	Open Space Design Standards
<a href="#">SMC 15.305.350</a>	Open Space Maintenance

**Within Angle Lake Station Area Overlay District:**

SMC [15.310.300](#)

Open Space and Amenities

SMC [15.310.310](#)

Minimum Open Space Area Required

SMC [15.310.320](#)

Location and Design of Open Space

1. **Waiving Commercial Open Space Requirements.** Commercial open space requirements may be waived for ground floor retail, or service uses specified in SMC [15.300.730](#) and [15.305.057](#), at the discretion of the Director, to encourage the inclusion of retail and service uses that will serve the multi-family development and immediate neighborhood. The commercial open space requirement shall not be waived for ground floor uses such as hotel/motel and other commercial uses that generate significant demand for open space. (Ord. 16-1009 § 7; Ord. 15-1018 § 1)

### 15.510.900 Concept Illustrations

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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 apply 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 a 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. 16-1022 § 1 (Exh. C); Ord. 15-1018 § 1)

EXHIBIT 'C'  
DATE: 09/05/2017

# Sign Code: Content Neutrality A Preview

Presented by:  
Brianna Burroughs  
Associate Planner  
September 05, 2017



## What is the issue?

- Reed vs. Town of Gilbert  
First Amendment, Free Speech & Signs
  - June 18, 2015 Decision made
  - June 2017 Jurisdictions start moving forward

# Reed vs. Town of Gilbert

## Town of Gilbert Code Regulations

- Town of Gilbert prohibits the display of outdoor signs without a permit.
- 23 categories of signs are permit exempt, three (3) of which are relevant to this case.

Sign Code: Content Neutrality

# Reed vs. Town of Gilbert

## Gilbert Sign Code Standards

- ***Ideological Signs***, “communicating a message or ideas” that do not fit in any other Sign Code category.
  - may be up to 20 square feet and have no placement or time restrictions.
- ***Political Signs***, “designed to influence the outcome of an election,”
  - may be up to 32 square feet and may only be displayed during an election season.
- ***Temporary Directional Signs*** defined as signs directing the public to a church or other “qualifying event,”
  - No more than four signs, limited to six square feet, may be on a single property at any time, and signs may be displayed no more than 12 hours before the “qualifying event” and 1 hour after.

Sign Code: Content Neutrality

# Reed vs. Town of Gilbert

## Visualizing The Code Standards

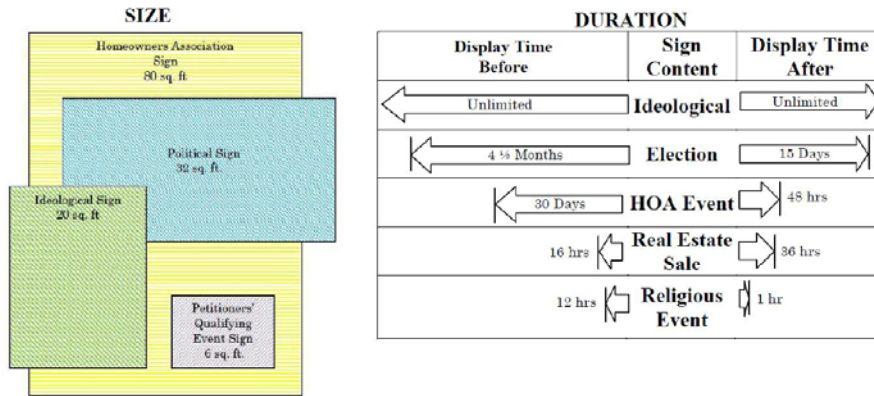


Image provided by Ogden-Murphy-Wallace

Sign Code: Content Neutrality

# Reed vs. Town of Gilbert

## Visualizing The Code Standards

- Example:

<b>Church</b> displays temp. directional signs to help the community find their service.		<b>Political</b> signs go up in the same locations as the Church temp. directional signs.	
Gilbert Code Standards	<ul style="list-style-type: none"> <li>• Sign count: 4 max</li> <li>• 1 location</li> <li>• 6 sf max</li> <li>• Timeline: 12 hours before event, 1 hour after (then remove).</li> </ul>	Gilbert Code Standards	<ul style="list-style-type: none"> <li>• Sign count: Unlimited</li> <li>• Numerous locations</li> <li>• 32 sf max</li> <li>• Timeline: 4½ months before event, 15 days after.</li> </ul>

- Some types of non-commercial groups enjoy privileges of the code that are not shared by all non-commercial groups.

Sign Code: Content Neutrality

# Reed vs. Town of Gilbert

## Good News Community Church

- No permanent meeting location
- 15-20 temporary signs every week in order to inform the community where the service will be held
- Signs displayed the church's name, time, and location
- Posting of the signs was done early Saturday, and removed midday Sunday

Sign Code: Content Neutrality

# Reed vs. Town of Gilbert

## Gilbert Takes Action

*The church was cited twice for violations of the sign code.*

- First, for exceeding the time limits of displaying the signs.
- Second, for exceeding the time limits and failing to include the date of the event on the signs.

**The City took code compliance action based on the church's failure to meet code requirements, so what's the issue?**

Sign Code: Content Neutrality



# Reed vs. Town of Gilbert

## What's The Issue?

- The size, number, and placement-duration of the signs were based solely on the type of content the signs display.
- Good News Church sued the Town of Gilbert for infringing on their first amendment rights.
- Ultimately, Reed won the case because the Town of Gilbert used the content of a non-commercial sign to determine how it would be regulated.

Sign Code: Content Neutrality

# Town of Gilbert Today

- Viewpoint Neutrality.
  1. Notwithstanding anything in this Article to the contrary, no sign or sign structure shall be subject to any limitation based upon the viewpoint of the message contained on such sign or displayed on such sign structure.
  2. Notwithstanding anything in this Article to the contrary, it is the policy of the Town to regulate signs in a manner that does not favor commercial speech over noncommercial speech and does not regulate protected noncommercial speech by message content.
  3. Within this Article, any distinction between onsite signs and offsite signs applies only to commercial messages. It does not apply to noncommercial messages.

Sign Code: Content Neutrality

# How does this affect SeaTac?

## What We've Learned

- non-commercial signs fall under the rights of the first amendment and cannot be regulated based on “content”.
- Most parties involved in this discussion agree on this rule of measurement:
  - “If you have to read the sign to know if it is in compliance with code, then it is a content based sign regulation.”
- **Don't base sign regulations on content!**



Sign Code: Content Neutrality

# How does SeaTac stack up?

## Today

- NO ACTIVE COMPLAINTS!

## Foreseeable Issues:

- Political signs
  - Signs advertising a candidate or candidates for public elective office or a political party, or signs urging a particular vote on a public issue decided by ballot.
- Noncommercial Public Service Sign
  - Noncommercial signs devoted to religious, charitable, cultural, governmental or educational messages.

Sign Code: Content Neutrality

# Looking Forward

- Staff will be looking at the sign code to see what needs to be changed based on the RvG case.
- Staff may also take this opportunity to update minor portions of the code that are outdated or need better clarification.



Sign Code: Content Neutrality