



CITY OF SEATAC

PLANNING COMMISSION MEETING

Riverton Room, SeaTac City Hall, 4800 S. 188th Street
January 2, 2018, 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 public hearing
- 3) Approval of the minutes of November 21, 2017 (EXHIBIT A) & December 5, 2017 regular meetings (EXHIBIT A-1)
- 4) Briefing: Zoning Code amendments to implement the POS/City of SeaTac 2018 ILA (EXHIBIT B)
- 5) Worksession: Food Trucks / Mobile Vending (EXHIBITS C, C-1, & C-2)
- 6) Worksession: Subdivision Code update (EXHIBITS D & D-1)
- 7) CED Director's Report
- 8) Planning Commission Comments (including suggestions for next meeting agenda)
- 9) 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 November 21, 2017
Regular Meeting

Members present: Tej Basra, Roxie Chapin, Tom Dantzler, Brandon Pinto, Jim Todd, Stanley Tombs
Members absent: Pam Pollock
Staff present: CED Director Jeff Robinson; Steve Pilcher, Planning Manager; Al Torrico, Senior Planner

1. Call to Order

Chair Todd called the meeting to order at 5:31 p.m.

Newly appointed Commissioner Brandon Pinto was introduced and welcomed.

2. Public Comment

Earl Gipson, SeaTac, spoke regarding the draft Interlocal Agreement between the City of SeaTac and Port of Seattle. He urged Commission members to carefully review the document and analyze which party benefits from its various provisions.

Rick Forschler, SeaTac, advocated allowing higher densities along arterial streets and asked that staff and the Commission examine the potential of upzoning along these corridors. He noted that for areas in need of sewers, the cost of forming a Utility Local Improvement District needs to be offset by increased densities.

3. Approval of Minutes

Move and second to approve the minutes of the November 7, 2017 meeting as written. **Passed 6-0.**

4. Worksession on Multifamily Housing Design Standards

Senior Planner Al Torrico presented an overview of current trends in multifamily housing, in terms of which demographics are moving into this type of housing and some of the amenities they are seeking. He then presented a series of slides of contrasting multifamily designs, asking for feedback on what design elements the Commission found preferable.

Commission members expressed the desire to not have standards be so prescriptive that they result in uniformity of design. They favored the use of durable building materials that ensure long-term sustainability.

Other design elements that were favored include:

- large windows
- roof-top outdoor space
- courtyards surrounded by the building
- functional balconies, potentially extended into the public right-of-way
- electric vehicle charging stations

The Commission stressed the need for the standards to be flexible and the need to consider different price points in the market. It was noted that the market already controls some aspects of design. In addition, the standards shouldn't been overly detailed ("into the weeds").

Mr. Torrico reviewed some of the issues staff has found with the current code and asked for direction on how to move forward with the update process. Staff will return at a future date with draft code language.

5. Worksession on Food Trucks

Planning Manager Steve Pilcher reminded the Commission that due to a recent issue with food trucks being found operating at the airport's cell phone waiting lot and at business site in the city, staff is suggesting amending the Zoning Code to clearly allow this land use. Currently, food trucks are only allowed within the District Center of the Angle Lake Station District.

He noted the distinction between food trucks that serve the general public versus those that only cater special events and/or specific businesses. He also stated staff is reaching out to the Washington State Food Truck Association, but their representative was not able to be in attendance at the meeting.

Mr. Pilcher reviewed a series of questions with the Commission and received the following direction:

- In general, food trucks should not be allowed to operate within the public right-of-way.
- Food trucks should be allowed to operate as a "primary use" of a property, provided the site is improved to a minimal standard.
- A property owner should have the flexibility of deciding how many food trucks may be allowed to operate at any one time on a particular site.
- Do not establish a minimum parking standard for food truck operations nor prohibit food trucks from locating within parking stalls on a developed site.
- Do not establish a separation standard from any "bricks and mortars" restaurants.
- Do not restrict hours of operation.
- Allow the use of sandwich board signs.
- Establish a flat business license fee, whether a food truck originates in SeaTac or from outside the city.
- Consider establishing the regulation as a "pilot" program.

Staff will prepare initial draft code language for review at the next meeting.

6. Subdivision Code update

Mr. Pilcher noted that a draft of the code is posted on the City’s website and that staff will be hosting a meeting in the first part of December to review the proposed changes with designated stakeholders. That group has been notified of the process and provided with a link to the draft changes.

7. Director’s Report

CED Director Jeff Robinson thanked the Commission for their hard work. He also noted that there is a “Frequently Asked Questions” section on the City’s web page concerning the draft Interlocal Agreement with the Port of Seattle.

8. Commissioners’ Reports

None.

9. Adjournment

Moved and seconded to adjourn. Motion passed 6-0. The meeting adjourned at 7:35 p.m.



CITY OF SEATAC
PLANNING COMMISSION
Minutes of December 5, 2017
Regular Meeting

Members present: Ten Basra, Roxie Chapin, Pam Pollock, Brandon Pinto, Jim Todd, Stanley Tombs
Members absent: Tom Dantzler (excused)
Staff present: Steve Pilcher, Planning Manager; Joe Scorcio, City Manager

1. Call to Order

Chair Todd called the meeting to order at 5:30 p.m.

2. Public Comment

Earl Gipson, SeaTac, spoke regarding food trucks, stating the Commission should review the Port's pilot program. He stressed the need to ensure the City is receiving sales tax revenue. He suggested the City use a pilot program approach.

3. Approval of Minutes

The packet did not include the minutes from the previous meeting on November 21.

4. Work session on Mobile Food Vending

Planning Manager Steve Pilcher noted that based upon the discussion at the last meeting, staff had drafted potential code amendments to allow mobile food vending in nonresidential zones. He mentioned that most suburban cities have been allowing food trucks as part of special events, so there are not a lot of examples of code language. However, staff did find a good example from the City of Yelm, which was featured on the web site of the Washington State Food Truck Association.

Commissioners noted that food trucks are often found servicing construction sites, which could be located in residential zone, and that this should be accommodated in the regulations. City Manager Joe Scorcio noted that these typically differ from commercial food trucks in that they do not serve the general public and in most cases, are delivering prepared food. It was agreed that the code should distinguish between this activity, catered events, and food trucks open to the general public.

Mobile food vending often occurs as a part of special events. Per the draft code, these would be allowed via either a Temporary Use or Special Use permit if these events are not occurring within commercial zones.

It was agreed that mobile food vending should only be allowed to occur on a paved surface. The Commission discussed the need for vendors to show proof of the property owner's permission before being permitted to operate. It was agreed this would be desirable.

Concerning vending at developed properties, it was agreed there should not be a limitation on the amount of stalls that may be occupied by food vendors.

After discussion, it was agreed there should be a limitation on the number of hour per day that a mobile food vendor should be allowed on a site. Rather than specifying a time period, it was agreed to have an overall cap, perhaps 18 hours within a 24 hour period. If there are no time limits, these operations can become permanent.

If a mobile food vendor is the primary use of a site, it was agreed that parking should be required. However, the Commission did not recommend establishing a defined standard.

In terms of allowing mobile food vending as a pilot program, it was agreed the code amendment should remain in effect for at least 18 months to provide sufficient time to gather data and analyze the issue.

Staff will draft revisions to the code for the Commission to consider before proceeding to public hearing.

5. Report on recent Land Use and Parks Committee meeting

Council member Rick Forschler reported on Monday's special committee meeting, where the Comprehensive Plan map amendments M2 and M2-A were discussed. He also explained an email he had sent to numerous property owners along Military Rd. S. He thanked the Commission for their recommendation of approval of these two proposals.

6. Director's Report

Mr. Pilcher noted that the expansion of the Riverton Room was almost complete and that future work session meetings will be held in that room. City Manager Scorcio outlined the other security improvements that are occurring at City Hall.

He advised the Commission that the City Council is scheduled to take action on the Comprehensive Plan amendments and implementing zoning at their next meeting on December 12th. He also stated that the package of miscellaneous code amendments had been delayed, but will be presented in the first two months of next year.

The Commission agreed to cancel their December 19th meeting.

7. Commissioners' Reports

It was suggested to add an economic development update to the SeaTac magazine and/or the City Manager's weekly update.

8. Adjournment

Moved and seconded to adjourn. Motion passed 6-0. The meeting adjourned at 6:59 p.m.

MEMORANDUM

COMMUNITY & ECONOMIC DEVELOPMENT

Date: January 2, 2018
To: Planning Commission
From: Albert Torrico, Senior Planner
Subject: 2018 ILA Implementation

On December 12, 2017, the SeaTac City Council and Port of Seattle Commission approved the 2018 Interlocal Agreement, which will become effective on February 17, 2018.

The new ten-year agreement jointly establishes a mutual and cooperative system to recognize jurisdictional authorities and avoid disputes. The new agreement includes:

- Support for public safety and traffic enforcement
- Support of traffic impact fees, permits fees and stormwater fees for Port-owned property
- Unique land use and development regulations that meet the needs of both the City and Port
- Quality assurance for Port development permits integrated into the City permit tracking system, and
- A process for the Port to further support City business license compliance

City staff has been working to implement the new Agreement since its approval a few weeks ago. One of the implementation tasks requires amendments to SeaTac Municipal Code, Chapter 15.210, Uses and Standards of the AVO and AVC Airport Zones. The changes are necessary to ensure that SMC 15.210 is consistent with the new Agreement. Because we are amending the Zoning Code, the Planning Commission needs to review, conduct a public hearing, and recommended approval of the amendments.

The following is a summary of the key dates to amend and approve amendments to SMC 15.210:

- January 2: Planning Commission briefing
- January 11: Draft text amendments completed
- January 11: Include draft amendments in PC packet
- January 16: Send public hearing notice to City Clerk
- January 18: Planning Commission worksession
- January 22: Public Hearing notice published
- February 6: PC conducts public hearing, makes recommendation

We look forward to briefing the Commission on this issue at your meeting on January 2nd.



MEMORANDUM

COMMUNITY & ECONOMIC DEVELOPMENT

Date: December 28, 2017
To: Planning Commission
From: Steve Pilcher, Planning Manager
Subject: Mobile Food Vending

This topic has been discussed at two prior Planning Commission meetings and at two meetings of the City Council's Land Use and Parks Committee. Staff has drafted some additional changes in response to comments from both bodies and also as a result of additional research into how some other jurisdictions are addressing this business activity. Attached to this memo are proposed revisions to the Zoning Code (over which the Planning Commission has purview) and a new chapter, SMC 5.55, Mobile Food Vendors. The latter is would become a part of the Municipal Code that deals generally deals with business licenses and does not require formal Planning Commission action.

Staff is recommending the Commission conduct a public hearing on these proposed amendments at your February 6, 2018 regular meeting.

Revisions to the Zoning Code

Proposed changes to the Zoning Code since your last review are noted on the attached. One significant difference is that staff is recommending that the Zoning Code only deal with traditional zoning issues (such as allowed locations, how allowed, etc.), while operational standards be placed in the new chapter SMC 5.55. This approach results in the relocation of some standards to the new SMC 5.55.

The draft text includes notes reflecting the reasoning behind the proposed changes.

New SMC Chapter 5.55

Also attached is a new chapter proposed to be added to the SeaTac Municipal Code, chapter 5.55, Mobile Food Vendors. This chapter is based upon the City of Lynnwood's regulations, but with fewer standards.

Section 5.55.060 includes requirements for submitting an application. Generally, staff feels these should be established administratively, rather than being codified, as that provides greater flexibility in changing standards should the need arise. However, the highlighted areas give an indication of what would likely be required to submit an application.

Section 5.55.080, General regulations, includes operational standards, some of which have been relocated from the draft changes to the Zoning Code previously reviewed by the Commission.

As noted, the Commission does not have a mandate to conduct a public hearing or recommend a formal opinion on this section of code. However, your thoughts and opinions are valuable, so staff would appreciate any comments you may have on this draft chapter.

Next steps

As noted, we are anticipating scheduling the Zoning Code amendments for public hearing at your February 6, 2018 meeting. In the meantime, we will be introducing the business license amendments to the City Council's Administration and Finance Committee and also anticipate reviewing these amendments with the Land Use & Parks Committee at their January meeting.

15.105.130 Mobile Food Vending

Sales of prepared ready-to-eat food to the general public at a temporary location from a motor vehicle that incorporates a kitchen or food preparation area. (Comment: minor amendment to definition)

Chapter 15.205

LAND USE CHART

15.205.040 Use Chart

ZONES:

UL – Urban Low

O/C/MU – Office/Commercial/Mixed Use

UM – Urban Medium

O/CM – Office/Commercial Medium

UH – Urban High

CB – Community Business

UH-UCR – Urban High-Urban Center Residential

CB-C – Community Business in the Urban Center

T – Townhouse

ABC – Aviation Business Center

MHP – Mobile Home Park

BP – Business Park

NB – Neighborhood Business

I – Industrial

P – Park

P – Permitted Use; C – Conditional Use
Permit required

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABC	BP	I	P	ADDITIONAL STANDARDS
RETAIL AND COMMERCIAL																
Mobile Food Vending							<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	See SMC 15.415.300 Mobile Food Vending

Chapter 15.300

CITY CENTER OVERLAY DISTRICT

15.300.055 City Center Overlay District Use Chart

ZONES:

UM – Urban Medium

O/CM – Office/Commercial Medium

UH – Urban High

O/C/MU – Office/Commercial/Mixed Use

UH-UCR – Urban High-Urban Center Residential

T – Townhouse

NB – Neighborhood Business

P – Park

CB-C – Community Business in the Urban Center

P – Permitted Use; C – Conditional Use
 Permit required

LAND USE	UM	UH	UH-UCR	NB	CB-C	O/CM	O/C/MU	T	P	Additional Regulations
RETAIL AND COMMERCIAL										
Mobile Food Vending				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	See SMC 15.415.300 Mobile Food Vending

Chapter 15.305

SOUTH 154TH STREET STATION AREA OVERLAY DISTRICT

15.305.055 S. 154th Street Station Area Overlay District Use Chart

ZONES:

UL – Urban Low

CB-C – Community Business in the Urban Center

UM – Urban Medium

T – Townhouse

UH – Urban High

P – Park

UH-UCR – Urban High-Urban Center Residential

P – Permitted Use; C – Conditional Use Permit required

LAND USE	UL	UM	UH	UH-UCR	CB-C	T	P	Additional Regulations
RETAIL AND COMMERCIAL								
Mobile Food Vending					<u>P</u>		<u>P</u>	See SMC 15.415.300 Mobile Food Vending

Chapter 15.310

ANGLE LAKE STATION AREA OVERLAY DISTRICT

15.310.050 Use Chart

A. Use Chart Guide.

1. **About the Use Chart.** The following chart lists all of the permitted and conditional land uses allowed in each zone.
2. **How to Use the Use Chart.** The land uses are listed vertically along the left hand side and the zones are listed horizontally across the top. Each square in the chart shows the following possibilities for the use and the zone:

P: The use is permitted.

C: The use is allowed subject to a conditional use permit.

 If the square is blank, the use is not permitted in that zone.
3. **Additional Standards According to Use.** Additional standards that apply to a particular use and zone are noted by number and described in the column on the far right of the chart. If the standard is not preceded by a number, the standard applies to all zones. (Ord. 16-1009 § 1)

15.310.055 Angle Lake Station Area Overlay District Use Chart

ZONES:

UM – Urban Medium

ABC – Aviation Business Center

UH – Urban High

CB-C – Community Business in the Urban Center

UH-UCR – Urban High-Urban Center Residential

I – Industrial

P – Park

P – Permitted Use; C – Conditional Use Permit required

LAND USE	UM	UH	UH-UCR	ABC	CB-C	I	<u>P</u>	Additional Regulations
RETAIL AND COMMERCIAL								
Mobile Vending				P(+)	P(+)	<u>P</u>	<u>P</u>	See SMC 15.415.300 Mobile Food Vending (+) Permitted outside the public right-of way within the District Center. See map in SMC 15.310.010.

Chapter 15.415

COMMERCIAL STANDARDS AND REGULATIONS

Sections:

- 15.415.005 Purpose
- 15.415.010 Authority and Application
- 15.415.100 Fueling/Service Stations
- 15.415.200 Sexually Oriented Business
- 15.415.300 Mobile Food Vending

15.415.005 Purpose

The purpose of this chapter is to delineate regulations that apply to the following commercial uses: fueling/service stations, sexually oriented businesses and mobile food vending.

15.415.010 Authority and Application

The provisions of this chapter shall apply to all fueling/service stations, sexually oriented businesses and mobile food vending uses, regardless of where located.

15.415.300 Mobile Food Vending

A. Application. The provisions of this section shall apply to all mobile food vending businesses in all zones where such use is permitted. ~~This section shall expire on December 31, 2019.~~
(Comment: LUP Committee did not support an expiration date)

B. Exemptions. These provisions do not apply to catered, private events or the sale of packaged food products from motorized vehicles (e.g., ice cream vendors, sales at construction sites, etc.).

C. Mobile Food Vending as Permitted Uses. Mobile food vending may be permitted as follows:

1. Mobile food vending may be permitted as a primary or accessory use in applicable zones.
2. Mobile food vending may be allowed within parks, plazas, or schools as part of a special event, approved pursuant to either a Temporary Use Permit or a Special Use Permit.
3. Mobile food vending shall not be located within any public right-of-way.

D. Standards for Mobile Food Vending.

1. Mobile food vendors shall obtain a City of SeaTac business license and conform to all King County – Seattle Health Department standards.
- ~~2. Mobile food vendors must obtain and provide proof of written permission from the property owner for each location at which it operates. (Comment: moved to business license code)~~
3. All mobile food vending operations shall be self-contained, provided that outdoor seating may be provided.
- ~~4. Mobile food vendors shall not occupy a site for more than 18 hours during any 24-hour period. (Comment: moved to business license code)~~

5. Parking & Circulation.

- i. Drive-up and/or drive-through facilities are prohibited.
- ii. All mobile vending shall locate on a paved surface and maintain adequate pedestrian and vehicular circulation through parking lots.
- iii. Mobile food vending as a primary use shall provide adequate paved parking to serve customers.
- iv. Mobile food vending located within a parking lot serving a primary use shall not occupy more than X percent of the number of stalls required for the primary use of the property. (Comment: Planning Commission does not support this standard)

6. Signage. In addition to advertising on the mobile vending vehicle, secondary signage shall also be allowed pursuant to SMC 15.600.070.

Chapter 15.445

LANDSCAPING AND TREE RETENTION

15.445.210 Landscaping Standards Chart

LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NONCOMPATIBLE ZONES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE (See SMC 15.445.250)	ADDITIONAL REGULATIONS
RETAIL and COMMERCIAL						
Mobile Vending	N/A	N/A	N/A	N/A	N/A	

Chapter 15.455

PARKING AND CIRCULATION

~~15.455.120 Parking Chart for Required Off-Street Spaces~~

LAND USE	MINIMUM SPACES REQUIRED	ADDITIONAL REGULATIONS
RETAIL AND COMMERCIAL		
Mobile Vending	X if the primary use of a site.	None required if an accessory use.

(Comment: Planning Commission does not support imposing a parking standard)

Chapter 5.55
MOBILE FOOD VENDORS

Sections:

5.55.010 Purpose.

5.55.020 Definitions.

5.55.030 Mobile food vendor business – License required – Exemptions.

5.55.040 Display of license.

5.55.050 Restrictions applicable to all mobile food vendors.

5.55.060 Mobile food vendor license – Application.

5.55.070 License fee.

5.55.080 General regulations.

5.55.010 Purpose.

The purpose of this chapter is to allow for mobile food vendors (food trucks) to conduct business within the corporate limits of the City of SeaTac in order to accommodate new businesses and support entrepreneurship.

5.55.020 Definitions.

A. “Mobile food preparation van” or “food truck” means a commercially manufactured motorized vehicle in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for service, sale or distribution.

B. “Mobile food vendor” means a seller of food from a mobile food preparation van, truck or other vehicle or conveyance.

5.55.030 Mobile food vendor business – License required – Exemptions.

No person, firm or corporation shall engage in a mobile food vendor business without having first obtained a business license from the City; provided, however, that no license shall be required of the following:

A. Persons, firms or corporations who conduct the sale of seasonal fresh fruits and vegetables that are unprepared and similar agricultural products, as exempted by RCW 36.71.090.

B. Any “solicitor,” as the term is defined in Chapter 5.10 SMC, that is licensed under that same chapter.

5.55.040 Display of license.

All mobile food vendor licenses shall be prominently displayed upon all vehicles from which a mobile food vendor sells products.

5.55.050 Restrictions applicable to all mobile food vendors.

A. Mobile food vending on public streets and public rights-of-way within the corporate limits of the City shall not be permitted unless approved as an authorized participant in a city-approved right-of-way use permit.

B. A mobile food vendor shall not obstruct or cause to be obstructed the passage of any pedestrian or vehicle on any sidewalk, street, fire lane, or any parking area, including obstructions caused by customer queues or customers consuming any food sold by the mobile food vendor at or near the place where the items are being offered for sale.

5.55.060 Mobile food vendor license – Application.

A. The submittal requirements for business license review shall be as established by the City Manager or designee (OR: include the following:

1. A site plan of the site layout, depicting the following:

a. Ingress and egress; and

b. Location of the vending unit on the property on which food will be offered for sale.

2. A photograph of the vending unit, proposed signs, and any equipment.

3. Written approval by the King County health district that the food preparation and service complies with health regulations.

4. Evidence of a current state of Washington vehicle registration.

5. A written plan documenting appropriate disposal of wastewater generated by the vending unit. Grease shall be properly disposed of per adopted Washington State health regulations.

6. Documentation that the vending unit has been approved by the state of Washington Department of Labor and Industries.

B. The mobile food vendor shall comply with the standards of the state of Washington Department of Labor and Industries for electrical service to the mobile food preparation van. In no event shall the mobile food vendor locate electric lines overhead or on the ground surface in any location in which the public has access.

C. The mobile food vendor must obtain and provide proof of written permission from the property owner for each location at which the mobile food vendor proposes to offer food for sale. This includes written permission for the mobile food vendor's location on the site, and for the mobile food vendor's staff to use the property owner's restrooms.

D. No portable restrooms shall be allowed on a site.

5.55.070 License fee.

Business license fees for mobile food vendors shall be as established in the City's Fee Schedule. The city business license will serve as evidence that the applicant has applied for and obtained a Washington State Department of Revenue business registration number.

5.55.080 General regulations.

A. The mobile food vendor shall leave the site clean and vacant each day, including picking up trash and litter generated by the mobile food vendor's customers.

B. The use of any portion of the vending unit as living or sleeping quarters is prohibited.

C. All attachments to the vending unit, including but not limited to signs, lights, overhangs, and awnings, shall be maintained in such a manner as to not create a hazard to pedestrians, customers or vehicles. Flashing lights and similar displays are prohibited.

D. All exterior trash receptacles not intended for customer use shall be screened from public view and securely covered.

E. Wastewater.

1. The mobile food vendor shall install an appropriate grease trap in the vending unit, and shall maintain the grease trap.

2. Grease shall be properly disposed of per adopted Washington State health regulations. Wastewater generated by the vending unit shall be disposed of in a proper manner and documented.

F. One portable pop-up 10-foot-by-12-foot tent or umbrella may be used for cover for patrons, or up to three tables with beach type umbrellas. Cooking shall not take place under any tent. Umbrellas and canopies must be removed at the end of each day.

G. The owner of real property on which a mobile food vendor is located shall be responsible for overall site maintenance. The property owner shall be responsible for the mobile food vendor's compliance with the provisions of this chapter with respect to the mobile food vendor's operation on the owner's property.

J. Mobile food vendors shall not serve alcoholic beverages.

K. Mobile food vendors shall not occupy a site for more than 18 hours during any 24 hour period.

L. All mobile food vendors shall comply with all laws, rules and regulations regarding food handling, and all mobile food preparation vans and motor vehicles used by mobile food vendors shall comply with all applicable laws, rules and regulations respecting such vehicles as established by the King County health department, the Washington State Motor Vehicle Code, and any applicable sections of the city code regarding the operation of the business.



MEMORANDUM

COMMUNITY & ECONOMIC DEVELOPMENT

Date: December 28, 2017
To: Planning Commission
From: Steve Pilcher, Planning Manager
Subject: Subdivision Code update

Last summer, staff briefed the Commission on a project to streamline the Subdivision Code. Since that time, we have produced a draft document; uploaded that document onto the City's website; and notified all surveyors and engineers who have worked on short plats within the city during the past 3 years. These professionals were invited to review the document and provide any comments. In addition, staff invited this same group to a "stakeholders" meeting on December 14th, to provide an opportunity to review the recommended changes and to offer any comments. Unfortunately, only one engineer attended that meeting, along with one member of the public.

Attached to this memorandum is the current draft of the proposed amendments. As you can see by reviewing the document, the main emphasis has been to eliminate excess language and correct references to the proper departments and/or positions that are responsible for administering the code. Staff is also recommending the elimination of some provisions that it finds to be onerous or not relevant to a city such as SeaTac.

A few highlights:

- Staff is recommending that submittal requirements/standards for the various subdivision applications be removed from the code and instead, be established by the CED Director.
- The standard for potentially requiring screening of a private road (SMC 14.19.060) is recommended for deletion, as this is not uniformly applied.
- References to street improvements are either eliminated or changed to link to the City's Street Standards. (Currently, the City uses the King County Road Standards, but is in the process of developing its own standards).
- Requirements for providing landscaping and open space within long subdivisions and binding site plans are recommended to be deleted, as these are unduly onerous.

In summary, these amendments basically put the code on a "diet," shedding excess language, while correcting outdated references.

If the Commission is ready to move forward with these changes, it is recommended that a public hearing be held at your February 6th meeting.

Title 14
SUBDIVISIONS*

Chapters:

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

Chapter 14.15

AUTHORITY AND PURPOSE

Sections:

- 14.15.010 Purpose
- 14.15.020 Authority, Scope, ~~and~~ Exceptions and Administration
- 14.15.030 Violations and Remedies
- 14.15.040 Liberal Construction
- 14.15.050 Additional Administrative Authority

14.15.010 Purpose

The purpose of this title is to advance the orderly and efficient use of land resources within the City; to accomplish the goals of the City's Comprehensive Plan; to promote the public health, safety, and general welfare of City residents and landowners; to establish clear and consistent standards and procedures for the platting, subdivision, and dedication of real property and for adjustment of lots and boundaries; and to ensure consistency with Chapter 58.17 RCW. (Ord. 09-1012 § 1 (Exh. A))

14.15.020 Authority, Scope, ~~and~~ Exceptions and Administration

A. Authority. This title is adopted pursuant to the authority of Chapters 35A.10, 35A.58 and 58.17 RCW.

B. Scope. The dimensions, configuration, improvement and method of creating all subdivisions, lot mergers, and adjustment of property boundaries within the corporate limits of the City, except where exempted by subsection (C) of this section, shall conform to this title and all applicable provisions of the SeaTac Municipal Code, including but not limited to: SMC Titles 11, 12, 13, and 15. Each division of land, merger of lots, or adjustment of property boundaries within the corporate limits of the City shall further comply with all applicable provisions of the Revised Code of Washington. In any case where conflict arises between provisions of this title or, the SeaTac Zoning Code, ~~the Revised Code of Washington, or other applicable state administrative regulations,~~ the most recently adopted provision shall prevail.

C. Exceptions. The provisions of this title shall not apply to divisions of land as listed under RCW 58.17.040.

D. Administration. The Director of the Department of Community and Economic Development shall be responsible for the administration of this title. (Ord. 11-1002 § 2; Ord. 09-1012 § 1 (Exh. A))

14.15.030 Violations and Remedies

A. No land shall be divided, nor ownership thereof changed or transferred, in a way that creates a substandard lot or in any other way violates this title. The City shall not allow as a building site any resulting lot that is inconsistent with the SeaTac Municipal Code, access/road standards, fire code, building code or established King County health requirements.

B. No person, firm or corporation proposing to divide land, or having divided land, shall enter into any contract to sell, lease or transfer any lot or part of the subject division until such division has been recorded with King County.

- C. Each sale, lease, or transfer of any one (1) lot, tract, or parcel of land in violation of this title shall be deemed a separate and distinct offense, and each day during which such sale, lease, or transfer continues unabated shall be considered an additional violation.
- D. Except as provided herein, the City shall not issue any building permit affecting any part of a subdivision until that subdivision has been approved by the City and has been recorded with King County. One (1) building permit may be issued for any lot undergoing the short or long subdivision process, provided no existing structures are located on the property.
- E. The City shall defer any application under this title that involves land subject to dispute between the City and the applicant, or between the applicant and any other public agency, until such dispute is resolved.
- F. Where the City demonstrates that an applicant has willfully omitted, contrived or otherwise misrepresented any portion of an application, subdivision, or plat submitted under this title, that misrepresentation shall void the entire application. Any fees paid to the City for the review procedure shall be forfeited and any fees due and owing shall remain an outstanding debt subject to collection. Where an error, omission or representation is demonstrated to be a willful falsification, the City shall not consider a subsequent land use action involving the same applicant and any portion of the subject property for the period of one (1) year. Any such action after that period shall require a new application. (Ord. 09-1012 § 1 (Exh. A))

14.15.040 Liberal Construction

The provisions of this title shall be liberally construed to give full effect to the objectives and purposes for which it was enacted. (Ord. 09-1012 § 1 (Exh. A))

14.15.050 Additional Administrative Authority

The Director of the Department of Community and Economic Development ~~and the Director of the Public Works Department~~ shall have the authority to modify recognized standards and conditions, with regard to lot dimensions and configuration, public streets, private roads, or any signage required under this title, as may be necessary to:

- A. Preserve the intent and purpose of this title, the SeaTac Municipal Code, including the Zoning Code, and ensure compliance with the SeaTac Comprehensive Plan;
- B. Assure that development preserves the compatibility of existing and potential properties and uses;
- C. Preserve natural and cultural features;
- D. Protect the public health, safety and general welfare; and
- E. Help reduce the cost of development.

Chapter 14.16

DEFINITIONS

Sections:

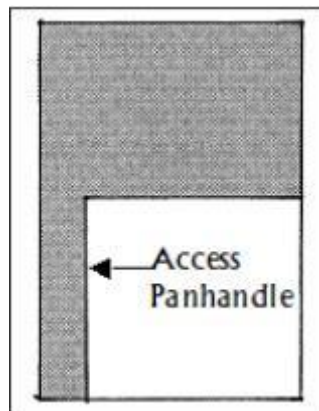
14.16.002	Access, Panhandle
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14.16.016	Binding Site Plan
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- ~~14.16.216 Street Naming~~
- 14.16.218 Subdivision
- 14.16.222 Subdivision, Long
- 14.16.226 Subdivision, Short
- 14.16.230 Tract
- 14.16.232 Vegetated LID BMPs
- 14.16.234 Zoning Code

14.16.002 Access, Panhandle

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

Fig. 14.16.002a



(Ord. 09-1012 § 1 (Exh. A))

14.16.006 Alteration, Subdivision

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

14.16.010 Applicant

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

14.16.014 Application

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

14.16.016 Binding Site Plan

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

14.16.018 Block (Street)

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

14.16.022 Block Length

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

14.16.026 Bond (Financial Instrument)

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

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

14.16.028 Building Footprint

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

- A. Access easements;
- B. Utility easements;
- C. Sensitive areas easements and buffers;
- D. That area within the drip-line of any tree; or
- E. Required building setbacks pursuant to SMC 15.400.100 and 15.400.200. (Ord. 16-1022 § 1 (Exh. B); Ord. 16-1007 § 16; Ord. 09-1012 § 1 (Exh. A))

14.16.030 Buffer Strip

A linear land area designed and established to minimize the visual, noise and other environmental impacts a given land use may have on others. A buffer strip may include, but is not limited to, preserved natural vegetation, native and drought tolerant vegetation, evergreen trees, shrubs and tree plantings, vegetated LID BMPs, or landscape berms. (Ord. 16-1022 § 1 (Exh. B); Ord. 09-1012 § 1 (Exh. A))

~~14.16.040 Common Open Space~~

~~Any open space area, as defined in Chapter 15.105 SMC, available to all residents of the subject property that is appropriate for a variety of passive or active recreational activities. (Ord. 16-1022 § 1 (Exh. B); Ord. 09-1012 § 1 (Exh. A))~~

14.16.042 Comprehensive Plan

The officially adopted City of SeaTac Comprehensive Plan, ~~including all the components thereof adopted by reference or lawfully incorporated parts thereof. It includes, but is not limited to, components required by State law, State growth management and subdivision law as referenced in the RCW. (Ord. 09-1012 § 1 (Exh. A))~~ as referenced in SMC 16A.25.

14.16.050 Cul-De-Sac

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

14.16.054 Dedication

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

14.16.058 Density, Base Lot

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

14.16.066 Department

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

14.16.070 Development

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

~~14.16.074 Development Engineer~~

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

~~14.16.078 Development Review Committee (DRC)~~

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

14.16.082 Director

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

~~14.16.086 Directors~~

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

~~14.16.090 Division~~

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

14.16.094 Easement

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

14.16.098 Environmental Impact Statement (EIS)

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

14.16.102 Floodplain

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

14.16.106 Hammerhead Turnaround

The area at the end of an access easement or closed road that provides intersecting space in which a vehicle may turn, back up, and then return to the primary street in accordance with the dimensional standards of Chapter 11.05 SMC. An emergency vehicle hammerhead turnaround constitutes a fire lane as defined in SMC 13.150.030. (Ord. 09-1012 § 1 (Exh. A))

14.16.110 Hearing Examiner

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

14.16.114 Improvements

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

14.16.118 Land Surveyor, Professional

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

14.16.122 Lot

A legal parcel of land for building purposes which shall have sufficient size to meet minimum requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have access to an improved public street, or to an approved private access. (Ord. 09-1012 § 1 (Exh. A))

14.16.126 Lot, Separate

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

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

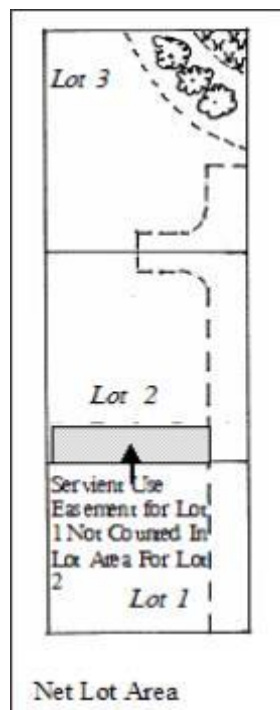
14.16.130 Lot Area

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

~~**14.16.134 Lot Area, Net**~~

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

Fig. 14.16.134a



~~(Ord. 09-1012 § 1 (Exh. A))~~

14.16.138 Lot Line Adjustment

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

~~**14.16.140 Lot Numbering**~~

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

14.16.142 Lot of Record

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

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

Distributed stormwater management practices, integrated into a project design, that emphasize natural hydrologic processes of infiltration, filtration, storage, evaporation and transpiration while protecting against off-site flooding and soil instability. LID BMPs include, but are not limited to, bioretention, permeable pavement, cast in place pavers, limited infiltration systems, roof downspout controls, dispersion, soil amendments, and minimal excavation foundations. (Ord. 16-1022 § 1 (Exh. B))

14.16.144 Material Error

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

~~**14.16.146 Merger, Lot**~~

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

14.16.150 Modification, Substantial

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

14.16.154 Monument

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

14.16.156 Open Space

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

- A. Natural areas with outstanding scenic or recreational (active or passive) value;
- B. Public access areas to creeks, rivers, lakes or Puget Sound;
- C. Lands that create corridors between natural features;
- D. Areas defined as critical areas under the critical areas ordinance;
- E. Any landscaped area that exceeds the minimum adopted landscape requirements;
- F. Active outdoor recreation areas;
- G. Multi-purpose green spaces;
- H. LID BMPs, including rain gardens, bioretention, vegetated roofs with roof access, and dispersion; and/or
- I. Pedestrian and bicycle-only corridors separate from the public or private roadway system and dedicated to passive recreation, including access links in sensitive area buffers. The square footage (length times width) of pedestrian and bicycle-only corridor shall be counted as usable open space. (Ord. 16-1022 § 1 (Exh. B))

~~14.16.158 Ordinary High Water Mark~~

~~A line on the bed and banks of any water body, where the action of waters is so common and usual as to have distinctly segregated aquatic soils and/or vegetation from those of the abutting upland. Where this line cannot be discerned visually, the line of mean high water may be substituted. For Angle Lake, the line of mean high water has been determined to be generally analogous to the three hundred forty seven (347) foot NAVD-88 derived elevation of the high water release structure on the lake's eastern shore. The actual position of ordinary high water may vary between properties. (Ord. 09-1012 § 1 (Exh. A)) See SMC 18.200.~~

14.16.162 Owner

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

14.16.170 Plat, Preliminary

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

14.16.174 Plat, Final

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

14.16.178 Responsible Official

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

14.16.180 Reviewing Authority

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

14.16.182 Road or Street, Public

All publicly owned streets, highways, freeways, avenues, alleys, courts, places, or other public ways in the City, whether improved or unimproved, held in public ownership and intended to be open as a matter of right to public vehicular and pedestrian access. (Ord. 09-1012 § 1 (Exh. A))

14.16.186 Road or Street, Private

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

~~14.16.194 Setback~~

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

~~structure, support structure, support shelter, or wireless telecommunication facility equipment shelter is located. (Ord. 09-1012 § 1 (Exh. A))~~ See SMC 15.105.190.

14.16.196 Short Plat

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

~~14.16.200 Side-by-Side Short Subdivisions~~

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

14.16.202 Site Plan, Graphic

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

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

~~14.16.206 Stacked Short Subdivision~~

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

~~14.16.210 State Environmental Policy Act (SEPA)~~

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

~~14.16.216 Street Naming~~

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

14.16.218 Subdivision

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

14.16.222 Subdivision, Long

A division or redivision of land into ~~five (5)~~ ten (10) or more lots, tracts, parcels, or sites for the purpose of development, sale, lease, or transfer of ownership. (Ord. 09-1012 § 1 (Exh. A))

14.16.226 Subdivision, Short

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

14.16.230 Tract

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

14.16.232 Vegetated LID BMPs

LID BMPs that utilize landscaping. (Ord. 16-1022 § 1 (Exh. B))

14.16.234 Zoning Code

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

Chapter 14.17

GENERAL STANDARDS AND PROCEDURES

Sections:

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

14.17.010 Purpose

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

14.17.020 General Provisions

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

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

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

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

E. Site planning and design shall consider stormwater management, especially the design and integration of LID BMPs, as early as possible in the project planning phase. Locate buildings away from soils that provide effective infiltration, site LID BMPs in areas with good

infiltration capacity, reduce impervious surfaces, and retain native vegetation. (Ord. 16-1022 § 1 (Exh. B); Ord. 15-1012 § 4; Ord. 09-1012 § 1 (Exh. A))

14.17.030 Lot Configuration and Access

A. The type of development contemplated, the topography of the site, ~~its solar exposure, and its natural features~~ the presence of critical areas shall be jointly considered within the configuration of any short subdivision, long subdivision or binding site plan. Where possible, the size, shape and orientation of lots shall reflect these considerations.

B. To the maximum extent possible, lots shall be configured to assure the minimum prescribed frontage on a public street, except as provided in subsection (D) of this section.

C. Where local topography or other preexisting conditions prevent direct frontage, a private road may connect a lot to a public street. The applicant shall bear the burden of demonstrating that no reasonable configuration would allow direct access to a public street

D. Lots shall be configured to prevent direct lot access to ~~highways or~~ arterial streets. If no other alternative exists, lot access may be provided by frontage on a minor arterial or collector arterials. The applicant shall bear the burden of demonstrating the necessity for direct access to a minor arterial or collector arterial.

E. Where an applicant proposes to create ten (10) or more lots, ~~all lots~~ the subdivision shall be configured to provide for public streets to facilitate further division.

F. Where an applicant proposes to create three (3) or more lots, or has sufficient land under current zoning to create three (3) or more lots, all lots shall be configured so that no more than two (2) panhandle lots are located adjacent to each other.

G. Lots shall be configured consistent with the natural topography of the site, shall assure drainage away from existing/proposed buildings, and prevent any increase of runoff toward adjacent properties. (Ord. 15-1012 § 5; Ord. 09-1012 § 1 (Exh. A))

14.17.040 Complete Application Required

A. ~~The City shall require a~~ complete application shall be required before taking review action on any proposed subdivision.

B. All applications for subdivision shall be submitted on the appropriate forms to the Department. The Department shall prescribe the format of all application forms and shall provide the same to applicants. The application shall include all information deemed necessary by the Director to make a decision consistent with State and City standards.

C. In addition to any other submissions required under SMC 16A.07.030, applications for subdivision shall be considered complete only after the City verifies that the applicant has provided all items required by the application checklist. ~~These items shall include, but are not limited to:~~

~~1. One (1) copy of the DRC comments.~~

~~2. Five (5) signed and complete copies of the appropriate subdivision application form.~~

~~3. Water and sewer availability certifications from each utility district serving the property. Where provided, all lots shall be served by public water and sewer systems.~~

~~4. Five (5) copies of a title report, dated within thirty (30) days of application submission.~~

5. ~~Five (5) paper copies of a preliminary plat or preliminary development plan, prepared according to SMC 14.20.030 and certified by a professional land surveyor.~~
6. ~~Five (5) paper copies of a tree survey showing the location of all trees eight (8) inches in caliper as measured four (4) feet from its base. The tree survey shall provide the common name for each tree.~~
7. ~~Three (3) copies of a conceptual storm drainage and site grading plan, prepared in accordance with Chapters 12.10 and 13.190 SMC.~~
8. ~~Five (5) copies of written consent to allow the City access to the subject land under SMC 14.17.020(C).~~
9. ~~Five (5) copies of any other documentation required by the City to support its decision.~~
10. ~~Appropriate fee for review, as established in the City fee schedule.~~
11. ~~One (1) set of envelopes with labels and postage for all adjacent property owners within one thousand (1,000) feet of the subject property's boundaries. An additional set of envelopes may be required if SEPA review is required with the short plat. (Ord. 09-1012 § 1 (Exh. A))~~

14.17.050 Public Notice Requirements

Subdivision actions shall be subject to the public notice procedures established by [Title 16A SMC, Chapters 16A.09, 16A.13 and 16A.15 SMC and any other applicable notice provisions of this title or the SeaTac Municipal Code.](#) (Ord. 09-1012 § 1 (Exh. A))

14.17.060 General Application Review

- A. A proposed subdivision will be reviewed under the provisions of this title and all other zoning and land use control ordinances in effect at the time a fully completed application is submitted.
- B. ~~Pursuant to SMC 16A.05.020, a~~Any applicant proposing a subdivision shall schedule and participate in no less than one (1) [pre-application](#) meeting ~~with the Development Review Committee (DRC)~~ prior to the submission of an application. ~~Prior to this meeting, the prospective applicant shall, at a minimum, present a conceptual drawing to the Department portraying the proposed subdivision or binding site plan. The drawing shall describe the approximate locations and dimensions of both the existing and proposed lots, the existing and proposed street layout and other information necessary to determine the general characteristics of the site.~~
- C. Upon issuance of a Determination of Completeness, the Director ~~or his designee~~ shall transmit copies of the subject preliminary plat or graphic site plan and any accompanying documents to the following officials or departments.
 1. The Director, ~~or designee~~, shall review and prepare findings that the proposed subdivision conforms with the applicable elements of [the State's Growth Management Act, the State Environmental Policy Act,](#) the City Comprehensive Plan, the Zoning Code, the City Shoreline Master Program, local SEPA rules and this title.
 2. The ~~City Engineer~~[Director](#), ~~or designee~~, shall review the proposed subdivision for its conformance with adopted City traffic and infrastructure plans; its adequacy regarding storm drainage, streets, alleys, rights-of-way, and its conformance with any applicable improvement standards and specifications.

3. The City Fire Marshal or designee shall review the proposed subdivision for conformance with the Fire Code as adopted by the City.
4. The Director, ~~or designee,~~ may forward the application materials to any other City department, utility provider, school district or other public or private entity deemed appropriate with a request for review and comment. (Ord. 09-1012 § 1 (Exh. A))

14.17.080 Criteria for Approval of Subdivision Application

Whether subdivision is proposed by short subdivision, long subdivision or binding site plan, the reviewing authorities shall base their evaluations, recommendations and decisions on the criteria below.

A. Each reviewing authority shall assess the proposal's general compliance with all state and city statutes, regulations and other standards in effect on the date ~~the Director, or designee, determined~~ the application is determined to be complete. Such standards include, but are not limited to, the following:

1. This title and the ~~City~~ Zoning Code;
2. ~~Growth Management Act and~~ the City Comprehensive Plan;
3. ~~State Environmental Policy Act and SEPA rules;~~
4. Shoreline Management Act and applicable shoreline programs;
5. Surface Water Management Code, Comprehensive Storm Drainage Plan, and Basin Plans, as may be applicable;
6. Fire Code as adopted by the City;
7. Comprehensive Transportation Plan, City Road Standards and Right-of-way Use Code; and
8. Clearing and Grading Code.

B. Where applicable, each reviewing authority shall assess the adequacy of existing and proposed lots, tracts, streets, sidewalks, parking facilities, utilities and general improvements to accommodate subsequent land uses.

~~C. The Director or designee shall assess the proposed subdivision or binding site plan's compatibility with adjacent land uses. (Ord. 09-1012 § 1 (Exh. A))~~

14.17.090 Filing

A. The applicable City ~~departments officials~~ shall sign each final subdivision plat or graphic site plan to certify approval ~~by the appropriate authorities.~~

B. The applicant shall pay the City or otherwise designate funds to King County as necessary to cover all costs for filing the final plat with King County.

C. The Department shall forward the signed final plat, with all appropriate copies and documentation, to the King County Recorder for recording. (Ord. 09-1012 § 1 (Exh. A))

14.17.095 Time Limits on Preliminary Approval – Long Subdivision and Binding Site Plan

Where a subdivision or binding site plan is considered concurrently with a planned unit development, the final plat or graphic site plan must be recorded no later than the date on which the first phase development plan or comprehensive development plan is submitted to the City. Failure to meet this requirement shall void any approval under this title. (Ord. 09-1012 § 1 (Exh. A))

14.17.100 Variances

Subject to Hearing Examiner review and the criteria established under SMC 15.115.010, an applicant may request a variance from the dimensional standards and improvement requirements of this title, the Zoning Code, and other provisions of the SeaTac Municipal Code. (Ord. 16-1007 § 21; Ord. 09-1012 § 1 (Exh. A))

14.17.110 Appeals

Any person aggrieved by any administrative decision under this title may appeal that decision consistent with the procedures prescribed in ~~Chapters 15.115 and~~ 16A.17 SMC. (Ord. 16-1007 § 22; Ord. 09-1012 § 1 (Exh. A))

Chapter 14.18

SHORT SUBDIVISION

Sections:

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

14.18.010 Purpose

This chapter establishes specific review procedures and approval criteria for the short subdivision of land into nine (9) or fewer lots. This chapter shall at a minimum implement the requirements of state law. (Ord. 15-1012 § 6; Ord. 09-1012 § 1 (Exh. A))

14.18.020 General Limitations

The following general limitations shall apply to all short subdivision applications:

A. Only a separate lot, as defined by SMC 14.16.126, or a combination of two (2) or more contiguous separate lots may be short subdivided;

B. A maximum of nine (9) lots may be created by any single application;

~~C. A maximum of nine (9) lots may be created from two (2) or more contiguous lots;~~

D. Except as provided in SMC 14.15.020(C), if the lot to be subdivided was created through a prior short subdivision, at least five (5) years must have passed since the recording of such prior short subdivision, except that when the short plat contains fewer than nine (9) lots, a short plat alteration may be requested to create additional lots up to a maximum of nine (9) within the original short plat boundaries. A short plat alteration shall contain the same information as required in a short plat application. (Ord. 15-1012 § 7; Ord. 09-1012 § 1 (Exh. A))

14.18.030 Material Errors

Applications found to contain and be based upon significant material errors shall be deemed incomplete and subsequent resubmittals shall be treated as new applications, as determined by the Director or designee. (Ord. 09-1012 § 1 (Exh. A))

14.18.040 Changes to Proposed or Approved Short Plats

A. Applicant generated modifications or requests for revision(s) to short subdivisions which are not made in response to staff review or public appeal which result in substantial changes as determined by the Director, or designee, including but not limited to the creation of additional lots ~~and elimination of open space requirements~~, shall be treated as new applications for the purpose of vesting.

B. Proposals to amend an approved final short plat shall be treated as an alteration pursuant to the provisions of this chapter and Chapter 14.25 SMC regarding alterations. (Ord. 09-1012 § 1 (Exh. A))

14.18.050 Short Subdivision Review

A. Short subdivisions ~~involving nine (9) or less resulting lots~~ shall be subject to administrative review with notice, as established within SMC Title 16A and hereafter amended.

B. Upon receipt of a complete application, staff will conduct a review of the proposed short subdivision pursuant to the provisions of SMC Title 16A and shall issue a notice of decision (NOD) within ninety (90) days on the preliminary short subdivision. The notice of decision shall have one (1) of the following effects:

1. Approve the preliminary short subdivision without conditions; or
2. Approve the preliminary short subdivision with conditions; or
3. Deny the preliminary short subdivision.

C. The notice of decision (NOD) shall ~~specifically cite each applicable City department's~~ findings of fact regarding the proposed subdivision's compliance with all state and city statutes, regulations, or other standards. The notice shall directly relate these findings to any conditions of approval or reasons for denial.

~~D. Once the NOD is issued, the applicant may submit for final short plat review. (Ord. 15-1012 § 8; Ord. 09-1012 § 1 (Exh. A))~~

14.18.060 Preliminary Plat Format and Content Requirements

A. The preliminary short plat shall serve as the primary reference by which the City evaluates any proposal for short subdivision, and as the basis for any subsequent conditions for approval.

B. The preliminary short plat shall be prepared by a professional land surveyor and drawn to ~~specifications as established by the Director, a scale of not less than one (1) inch equals fifty (50) feet. The preliminary short plat shall, at a minimum, consist of the following:~~

~~1. The stamp of the professional land surveyor registered in the State of Washington who prepared the plat.~~

~~2. Shall be drawn on an eighteen (18) inch by twenty-four (24) inch sheet with a two (2) inch margin on the left edge and one-half (1/2) inch margin on other edges.~~

~~3. The names and the addresses of the developer and the licensed land surveyor who prepared the preliminary plat.~~

~~4. North point, graphic scale and date of drawing.~~

~~5. Existing off-site subdivision lots, blocks, streets and easements shown as dotted lines.~~

~~6. Proposed lot lines shown as solid lines and all proposed and existing easements shown in dashed lines.~~

~~7. The location, bearings and distances of existing and proposed property lines; and existing section lines in feet and decimals of a foot.~~

~~8. Streets, building structures, watercourses, and bridges.~~

~~9.— Any recorded public or private utility and drainage easements, both on the land to be subdivided and on adjoining lands to a distance of twenty-five (25) feet from the edge of the subject property division, including the recording numbers of each easement.~~

~~10.— The location of existing trees (over eight (8) inches in diameter as measured four (4) feet from its base) on the property. The location of existing trees over eight (8) inches diameter as measured four (4) feet from its base to a distance of twenty-five (25) feet from the edge of the subject property division may be requested based upon a site inspection; provided, that the adjacent property owner/s grant permission to enter their properties. If no permission is granted, only the location of the trees on the property shall be located.~~

~~11.— Topographic contours and elevations at five (5) foot intervals for slopes less than or equal to five percent (5%) and at two (2) foot intervals for slopes greater than five percent (5%) to accurately predict drainage characteristics of the property. The topographic contours shall be provided by a land surveyor licensed in Washington State. Off-site topographic contours on adjacent property may be required to provide supplemental information. Requests for off-site topographic contours shall be based upon on-site inspections of the proposed plat. If no permission is granted by adjacent property owners to enter their property to allow the survey of off-site topographic contours, only topographic contours to the property line are required. Where permission cannot be obtained for off-site contours, the applicant shall provide off-site contours as provided by the City of SeaTac Geographical Information System (GIS). A note shall be placed on the face of the preliminary plat that contours generated by GIS are not surveyed contours and that the City does not guarantee their accuracy.~~

~~12.— Identity and location of any existing and/or abandoned well(s) on the property.~~

~~13.— The location of existing, or proposed, rockeries and other types of walls on the property. The location of rockeries and other types of walls located within twenty-five (25) feet of the property lines of the plat may be requested based upon a site inspection of the property, provided the adjacent property owner/s grant permission to enter their properties. If no permission is granted, only rockeries and other types of walls on the property shall be located.~~

~~14.— The location and identification of any visible physical appurtenances, such as fences or structures, which may indicate encroachment, lines of dispute, or conflict of title.~~

~~15.— Source and date of topographic data referenced on the plat.~~

~~16.— Acreage of the land to be subdivided, the numeric designation of each proposed lot, and the area as square footage of each individual lot.~~

~~17.— Bearings and dimensions of each lot line.~~

~~18.— Bearings, angles, or azimuths shown in degrees, minutes, and seconds.~~

~~19.— Radius, delta, arc length and long chord bearing and distance of curves shown.~~

~~20.— The location, width, and names of existing streets or easements abutting or providing access to the short subdivision. If access is by private street, the public street providing access to the private street shall be shown.~~

~~21.— Legal description and tax lot (parcel) number of the property to be subdivided.~~

~~22.—The legal description of each lot within the proposed short subdivision.~~

~~23.—Dedication statement with signature lines and notary block with minimum text size of eight-hundredths (0.08) inches and line widths not less than eight-thousandths (0.008) inches (vicinity maps, seals and certificates are excluded).~~

~~24.—The date of the last recorded segregation.~~

~~25.—Indicate basis of bearing shown.~~

~~C.—All areas and dimensions shall be portrayed to the nearest one-hundredth (1/100) of a foot. Angles and bearings shall be portrayed in degrees, minutes and seconds. (Ord. 09-1012 § 1 (Exh. A))~~

14.18.070 Final Short Plat Format and Content Requirements

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

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

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

~~1.—Be drawn on an eighteen (18) inch by twenty-four (24) inch sheet with a two (2) inch margin on the left edge and one-half (1/2) inch margin on the other edges to an appropriate (twenty (20) or thirty (30) feet to one (1) inch) engineering scale and stamped by a professional land surveyor registered in the State of Washington.~~

~~2.—Permanent black ink on mylar with a fixed halide base, or equivalent shown.~~

~~3.—Final short plat name, file number and City logo in a block in the upper left hand corner of the short plat drawing.~~

~~4.—Numerical scale, graphic scale and north arrow shown on drawing.~~

~~5.—Section, township, and range shown on drawing.~~

~~6.—Surveyor's certification, date and stamp shown on drawing.~~

~~7.—Surveyor's name and address block shown on drawing.~~

~~8.—All found monuments (description, type, and size) labeled and referenced to an existing County Survey and/or Survey of Record.~~

~~9.—All curve information including central angle (delta), radius, tangent length, length of arc, and long cord bearing and distance clearly shown.~~

~~10.—Basis of bearing shown on drawing with bearings and distances on all lot sides.~~

~~11.—Existing public rights-of-way with name, width and surface type shown.~~

~~12.—Existing easements shown with recording numbers.~~

- ~~13. Legend showing symbols for monuments found and monuments set shown.~~
- ~~14. A house address system shall be provided by the City for short subdivisions and the house number(s) must be clearly shown on the short plat at the time of approval for each lot.~~
- ~~15. The location of all significant trees to be saved on each lot, if applicable.~~
- ~~16. The location of the building envelope for each lot.~~
- ~~17. King County Department of Assessments signature block shown.~~
- ~~18. City of SeaTac approval signature blocks for Community and Economic Development and Department of Public Works and date.~~
- ~~19. King County Recorder's signature block located on the bottom or right edge of the plat.~~
- ~~20. The face of the short plat containing a private road easement shall bear the statement: "Warning: The City of SeaTac has no responsibility to build, improve, maintain, or otherwise service the private roads contained within, or providing service to, the property described in this plat."~~
- ~~21. Name of property owner and final short plat address shown.~~
- ~~22. Quarter section vicinity map showing section number and plat site.~~
- ~~23. Short plat mylar shall be suitable for microfilming with uniform contrast.~~
- ~~24. Five (5) paper copies submitted for review prior to the submittal of the mylar drawing.~~
~~— (The applicant will be contacted for one (1) mylar copy of the final short plat, after City review is completed.)~~
- ~~25. The legal description of the land to be subdivided shown on the final short plat mylar the same as the title report.~~
- ~~26. Legal descriptions for the proposed lots and easements shown on the plat map.~~
- ~~27. Dedication statement (including owner's acknowledgement) and property owner signature lines with names under the signature line(s) and date.~~
- ~~28. Notary declaration of property owner's signature(s).~~
- ~~29. Datum per SMC 14.26.050.~~
- ~~30. All monuments have been installed prior to the recording of the final short plat and tied to section monumentation.~~
- ~~31. Short plat closure calculations.~~
- ~~32. One (1) original as-built engineering mylar drawing for all required improvements within the short subdivision with three (3) copies.~~
- ~~33. All lot corners staked correctly on the ground prior to recording of the final short plat.~~

- ~~34.— Deed legal description at variance with survey identified and submitted.—~~
- ~~35.— Certification by the City of SeaTac Finance Department that all delinquent and current special assessments outstanding on property are paid in full.—~~
- ~~36.— Certification by the King County Finance Department that all property taxes have been paid. (RCW 58.08.030—58.08.040)~~
- ~~37.— In the case where more than one (1) mylar page is submitted, the graphic representation of the short subdivision shall be shown on the first mylar page.—~~

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

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

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

Fig. 14.18.070a

<p>APPROVALS: DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT Checked and approved this _____ day of _____ 20____ _____ Planning and Community Development Director</p> <p>PUBLIC WORKS DEPARTMENT Checked and approved this _____ day of _____ 20____ _____ Public Works Director</p>	<p>RECORDING NO. _____</p> <p>SCALE: 1 inch = _____ ft. _____</p> <p>PORION OF _____ 1/4 of _____ 1/4, S. _____ T. _____ R. _____</p>	<p>VOL./PAGE _____</p>
<p>DEPARTMENT OF ASSESSMENTS Checked and approved this _____ day of _____ 20____ _____ City Assessor</p> <p>City Number _____ Assessor Number _____</p>		
<p>APPROVALS: DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT Checked and approved this _____ day of _____ 20____ _____ Planning and Community Development Director</p> <p>PUBLIC WORKS DEPARTMENT Checked and approved this _____ day of _____ 20____ _____ Public Works Director</p>		
<p>DOCUMENT IS AVAILABLE IN ELECTRONIC FORM VIA EMAIL OR COPIED TO YOUR DISC</p> <p>QUARTER SECTION VICINITY MAP</p> <p>LAND SURVEYOR'S CERTIFICATE This sheet, this certificate represents a survey made by me or under my direction in accordance with the requirements of the appropriate State and County Statutes and Ordinance in _____ 20____ Certificate No. _____</p> <p>RECORDING'S CERTIFICATE I certify that I have received this _____ day of _____ 20____ In book _____ of _____ pages _____ of the register of _____ City _____ Supl. of Records _____</p> <p>RECORDING NO. _____</p> <p>APPLICANT'S NAME PROJECT ADDRESS</p> <p>SURVEYOR'S NAME & ADDRESS</p> <p>DATE _____</p> <p>SCALE _____</p> <p>SHEET _____ OF _____</p>		

(Ord. 16-1022 § 1 (Exh. B); Ord. 11-1002 § 2; Ord. 09-1012 § 1 (Exh. A))

14.18.080 Time Limits on Preliminary Approval

A. Once granted preliminary approval for any short subdivision, the applicant shall have three (3) years in which to file a final short plat with the City. Where any conditions for approval are not satisfied, required improvements not constructed or financial surety provided, or the final short plat ~~not recorded~~ is not filed within those three (3) years, the preliminary approval shall be null and void.

B. Where all required improvements have been constructed or financial surety provided, all conditions satisfied, and all required documents have been submitted within the three (3) year filing period, the Director may grant a single extension of up to one hundred eighty (180) days for the processing and recording of the final short plat. Applicants shall have a maximum of thirty (30) days to comply with any additional requests for information that the City may make during the extension period. (Ord. 09-1012 § 1 (Exh. A))

Chapter 14.19

SHORT SUBDIVISION – MANDATORY IMPROVEMENTS

Sections:

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

14.19.010 Private Road Width and Construction Standards

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

- A. The private access road shall be constructed to the standards in Chapter 11.05 SMC, Road Standards.
- B. At the request of the applicant, the width of the private access easement and the paved width of the roadway, as specified in Chapter 13.150 SMC, may be decreased subject to the approval of ~~both the~~ Directors under the following circumstances:
 - 1. Where an existing house constricts the access easement.
 - 2. The access easement may be reduced to save trees of eight (8) inches in caliper or greater, as measured four (4) feet from their base, on the properties.
 - 3. ~~Where roads only serve two (2) residences.~~
 - 4. Where fire sprinklers are installed and circumstance 6 (below) is demonstrated.
 - 5. Unique conditions on the property as determined by the Directors.
 - 6. Approval of the request does not adversely impact the health, safety, and welfare of the residents within the short subdivision and the operations of the public road, nor conflicts with any other adopted code. (Ord. 16-1022 § 1 (Exh. B); Ord. 15-1012 § 9; Ord. 09-1012 § 1 (Exh. A))

~~14.19.030 Private Road Construction – Stacked Short Subdivisions~~

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

14.19.050 Hammerhead Turnaround – Emergency Vehicles

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

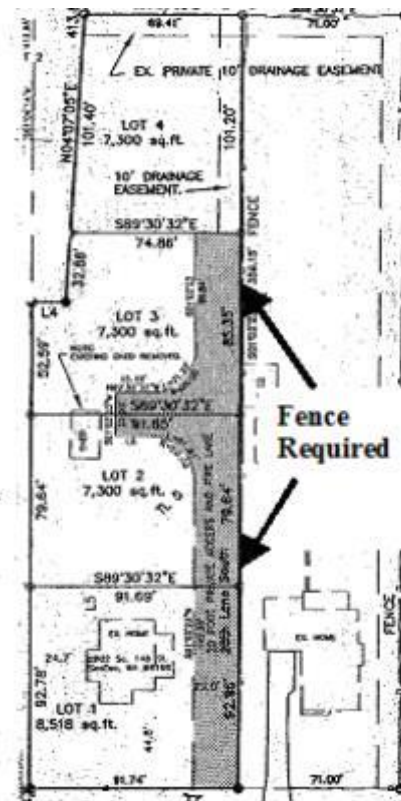
~~14.19.060 Private Roads – Screening from Adjacent Property~~

~~In short subdivisions of three (3) or more lots, a fence or a minimum five (5) foot wide Type I landscaping buffer as identified in SMC 15.445.110(A), as approved by the Director, shall be installed between the private access easement and adjacent single-family lot/s along the length~~

~~of the easement. Two-thirds (2/3) of the cost of the fence shall be borne by the developer of the short plat, with the adjacent property owner responsible for one-third (1/3) of the cost of the fence. The height of the fence shall conform to the requirements of Chapter 15.435 SMC. No fence shall be required under the following circumstances:~~

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

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



~~(Ord. 16-1022 § 1 (Exh. B); Ord. 16-1007 § 23; Ord. 09-1012 § 1 (Exh. A))~~

14.19.070 Storm Drainage Improvements

Storm drains and stormwater facility improvements shall be provided pursuant to SMC Title 12. (Ord. 16-1022 § 1 (Exh. B); Ord. 09-1012 § 1 (Exh. A))

Chapter 14.20

LONG SUBDIVISION

Sections:

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

14.20.010 Purpose

This chapter establishes specific review procedures and approval criteria for the division of land into ~~five (5)~~ten (10) or more lots. This chapter shall at a minimum implement the requirements of state law. (Ord. 09-1012 § 1 (Exh. A))

~~14.20.020 SEPA/Environmental Checklist~~

~~A. In addition to the general application requirements established by Chapter 14.17 SMC, the applicant shall submit five (5) copies of the prescribed environmental checklist before a long subdivision application will be considered as complete.~~

~~B. Where information obtained in the DRC meeting indicates the need to pursue an environmental impact statement and the applicant agrees with this determination, the environmental checklist will not be required for a determination of completeness. The application will include a record of the applicant obligation to complete an environmental impact statement. (Ord. 09-1012 § 1 (Exh. A))~~

14.20.030 Preliminary Plat Format and Content Requirements

A. The preliminary plat shall serve as the primary reference by which the City evaluates any proposal for subdivision, and as the basis for any subsequent conditions for approval.

B. The preliminary plat shall be prepared by a professional land surveyor in accordance with the standards established by the Director, and drawn to a scale of not less than one (1) inch per thirty (30) feet. ~~The preliminary plat shall at a minimum portray:~~

- ~~1. Names of the property owner, the licensed land surveyor, and the licensed civil engineer submitting and preparing the application.~~
- ~~2. Legal description of the subject property referenced to section, township, and range, and to the nearest established street lines or monuments.~~
- ~~3. Datum, basis of bearings, and ties to a minimum of two (2) existing section monuments.~~
- ~~4. North point and a graphic scale.~~
- ~~5. Existing government survey section lines.~~

- ~~6. Complete documentation of the recording number, date and method of each immediately preceding subdivision or binding site plan affecting the subject property.~~
- ~~7. Complete documentation of the recording number, date and method of any immediately preceding lot merger or lot line adjustment affecting the property.~~
- ~~8. Location of all existing survey monuments.~~
- ~~9. Location of existing property lines, indicated by heavy broken lines.~~
- ~~10. Location of proposed property lines, indicated by heavy solid lines.~~
- ~~11. Bearings and lengths of each property line.~~
- ~~12. Area and other dimensions of each lot, tract or parcel.~~
- ~~13. Total acreage of the land to be subdivided.~~
- ~~14. Proportion of total acreage to be maintained as common open space, where applicable.~~
- ~~15. Topographic contours and elevations at five (5) foot intervals for slopes less than or equal to five percent (5%) and at two (2) foot intervals for slopes greater than five percent (5%) to accurately predict drainage characteristics of the property. The topographic contours shall be provided by a land use surveyor licensed in Washington State. Off-site topographic contours on adjacent property may be required to provide supplemental information. Requests for off-site topographic contours shall be based upon on-site inspections of the proposed plat. If no permission is granted by adjacent property owners to enter their property to allow the survey of off-site topographic contours, only topographic contours to the property line are required. Where permission cannot be obtained for off-site contours, the applicant shall provide off-site contours as provided by the City of SeaTac Geographical Information System (GIS). A note shall be placed on the face of the preliminary plat that contours generated by GIS are not surveyed contours and that the City does not guarantee their accuracy.~~
- ~~16. Existing buildings and structures.~~
- ~~17. Alleys and streets, the latter identified by name.~~
- ~~18. Statement of soil types and a Level 1 drainage analysis conducted pursuant to SMC Title 12.~~
- ~~19. Ordinary high water mark and other boundaries of lakes, ponds, streams, or wetlands, where applicable.~~
- ~~20. Trees with a diameter in excess of eight (8) inches in caliper as measured four (4) feet from their base. The location of trees shall be surveyed and shown on the preliminary plat plan.~~
- ~~21. Any recorded use limitations or abatements.~~
- ~~22. Recorded public or private rights of way, access, utility or other easements.~~
- ~~23. Other lines of ingress/egress.~~
- ~~24. Location of any on-site fire hydrants, or the nearest hydrant from lots without hydrants.~~

~~C. All areas and dimensions shall be portrayed to the nearest one-hundredth (1/100) of a foot. Angles and bearings shall be portrayed in degrees, minutes and seconds. (Ord. 09-1012 § 1 (Exh. A))~~

14.20.050 Preliminary Review of Long Subdivision

Where a long subdivision or binding site plan is proposed, the City shall publish a written report summarizing its own findings, comments and recommendations, and those of any other agency or district that has previously reviewed the proposal. This report shall specifically address the criteria established by SMC 14.20.055 and 14.22.020(A) and shall document any conditions of approval or the factual basis for denial. ~~City staff shall forward the report to the applicant and the Hearing Examiner no later than fourteen (14) days prior to the public hearing. (Ord. 09-1012 § 1 (Exh. A))~~

14.20.055 Criteria for Review of Long Subdivisions

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

A. Streets shall conform in effect to the City of SeaTac Comprehensive Transportation Plan as adopted and/or to the general pattern of the highway-street system of SeaTac.

~~B. The proposed subdivision and its ultimate use shall be in the best interests of the public welfare and the neighborhood development of the areas and the subdivider shall present evidence to this effect when requested.~~

~~C.~~ Adequate storm drains and stormwater facility improvements shall be provided in accordance with Chapter 12.10 SMC.

~~D. Street trees are provided between the sidewalk and curbing within the subdivision.~~

~~E.~~ Sidewalks or walkways shall be required for all proposed streets including perimeter streets in business and residential subdivisions.

~~F. Recreation space is provided as required pursuant to SMC 14.21.010(E).~~

~~G.~~ Pedestrian circulation is provided for children for access to school facilities or school bus stops.

~~H.~~ All lots conform to the minimum lot area and width requirements of the Zoning Code.

~~I.~~ Water and sewer service is available to the subdivision.

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

~~K.~~ Bonding of improvements.

~~L.~~ Subdivision layout and design.

Where appropriate, staff recommendations shall recommend conditions for approval or document any factual basis for denial. (Ord. 16-1022 § 1 (Exh. B); Ord. 11-1002 § 3; Ord. 09-1012 § 1 (Exh. A))

14.20.057 Hearing Examiner Review

A. Following comprehensive administrative review and notice of any application for long subdivision, and within ninety (90) days of the project determination of completeness, the Hearing Examiner shall conduct ~~the scheduled a~~ public hearing and issue a notice of decision (NOD) on the preliminary long subdivision. The notice of decision shall include specific review of all criteria listed in SMC 14.17.080 and 14.20.055. The Hearing Examiner shall address any other issue raised in the staff report or by the applicant. Within the notice of decision, the Hearing Examiner shall:

1. Approve the application ~~for preliminary long subdivision~~; or
2. Approve the application ~~for preliminary long subdivision~~ with conditions; or
3. Deny the application; or
4. Return the application to the applicant for additional information or modifications.

B. Where the notice of decision requires additional information or modifications, deadlines shall be set forth in writing for both the applicant's return of the revised application and the timing of the subsequent decision by the Hearing Examiner. The latter decision shall only consider approval, approval with conditions, or denial of the application. The Hearing Examiner shall not thereafter return the application to the applicant for modifications. (Ord. 09-1012 § 1 (Exh. A))

14.20.060 Final Administrative Review for Long Subdivisions

A. The applicant shall file for final plat approval within five (5) years of preliminary approval. The ~~City Council~~ Hearing Examiner may approve a one (1) time extension, not exceeding one (1) year, to file the final plat, subject to the following criteria:

1. The applicant has applied for permits and has begun substantial work to install improvements as conditioned by the preliminary plat approval; or
2. The applicant has bonded for all improvements.

B. In addition to any other requirements established under Chapter 14.17 SMC and SMC 14.20.020(A), the applicant will also submit with the final plat:

1. Certification by the County that all taxes have been paid in accordance with RCW 58.17.160(4).
2. All final subdivisions shall be recorded with surveys consistent with Chapter 58.09 RCW. All lot corners shall be staked correctly on the ground. In all subdivisions, at least two (2) off-site existing or newly set monuments shall be referenced in the survey.

C. Upon receipt of a final plat and all supporting documents, the Department shall forward those documents to ~~the applicable~~ City departments staff for review. Each department shall determine if the final plat remains in compliance with the preliminary approval for long subdivision, the required improvements and conditions, and applicable City codes. Final plats shall be administratively approved, disapproved, or returned to the applicant within thirty (30)

days from the date of filing thereof, unless the applicant consents to an extension of such time period.

D. Upon notice from each applicable City department that the final plat complies with the preliminary conditions for approval, the Director shall place the final subdivision on the next available [Council Hearing Examiner](#) agenda.

E. Prior to the date at which the [City Council Hearing Examiner](#) will consider the final subdivision, the Department shall issue a report and recommendation to the [Council Hearing Examiner](#) concerning the conformity of the final subdivision with the established conditions for preliminary approval. (Ord. 09-1012 § 1 (Exh. A))

14.20.070 Final [City Council Hearing Examiner](#) Review of Long Subdivision

A. The [City Council Hearing Examiner](#) shall have the sole authority to finalize long subdivisions. Following review of staff reports, the original application ~~and the~~ final plat, ~~and the~~ [Hearing Examiner's decision](#), ~~the Council~~ shall approve, disapprove, or return the proposed final subdivision to the applicant for further modifications or corrections.

B. The [City Council Hearing Examiner](#) shall not approve a proposed long subdivision without its own written findings that the applicant has adequately addressed each of the criteria and issues listed under SMC 14.17.080 and 14.20.055.

~~C. Long subdivision approval shall be conferred by City Council resolution. (Ord. 09-1012 § 1 (Exh. A))~~

14.20.080 Effective Period for Terms of Approval

A. A long subdivision shall be governed for a period of five (5) years by any and all conditions established for it on the date of preliminary approval. The five (5) year period shall begin on the date of final approval pursuant to RCW 58.17.170.

B. Pursuant to RCW 58.17.170, the City ~~Council~~ reserves the authority to alter any original conditions for subdivision approval should a serious threat to the public health or safety arise. (Ord. 09-1012 § 1 (Exh. A))

14.20.090 Certification of Plat for Recording

In addition to the departmental signatures required under SMC 14.17.090, the City Manager shall sign the final plat of each long subdivision to certify approval by the [City Council Hearing Examiner](#). (Ord. 09-1012 § 1 (Exh. A))

14.20.100 Substantial Modification to Approved Subdivisions

A. Where an applicant requests substantial modifications to an approved preliminary or unrecorded final subdivision, and where those substantial modifications are not in response to staff review or public appeal, that request shall be treated as a new application for the purpose of vesting. The City shall determine modifications to be substantial wherever the applicant proposes:

1. The creation of additional lots; or
2. The reduction or elimination of open space; or
3. Changes to conditions of approval on an approved preliminary subdivision.

B. Where the City determines a substantial modification has been proposed, the applicant may proceed with the original plat, request lesser modifications, or abandon the original application for a new proposal.

C. Any applicant seeking substantial modifications through a new action shall initiate and complete the application process required under this title as if no earlier application had been made.

D. The City shall review no more than one (1) subdivision and/or binding site plan application on any property at one (1) time. In seeking substantial modification under a new proposal, the applicant abandons all prior applications. (Ord. 09-1012 § 1 (Exh. A))

Chapter 14.21

LONG SUBDIVISION – MANDATORY IMPROVEMENTS

Sections:

14.21.010 Mandatory Improvements

14.21.010 Mandatory Improvements

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

A. Sidewalks shall be required for all streets bordering and within the subject subdivision. All sidewalks shall at a minimum conform to the standards established under the SeaTac Municipal Code and SMC Title 11 applicable regulations.

~~B. Where any residential subdivision is located adjacent to a business, commercial or industrial zone classification, a minimum twenty (20) foot buffer shall be provided. The buffer may be a natural buffer area, vegetated LID BMPs, native and drought tolerant landscaping, berms and/or approved fences, or a combination thereof, and shall be provided prior to the issuance of building permits. The buffer shall be noted as an easement on the face of the plat and a covenant shall be placed on each lot containing the buffer stating that the buffer cannot be altered by the property owner unless otherwise approved by the Department.~~

~~C. Where any residential subdivision is located adjacent to adjacent residential property, a minimum ten (10) foot buffer shall be provided. The buffer may be a natural buffer area, vegetated LID BMPs, native and drought tolerant landscaping, berms and/or approved fences, or a combination thereof, and shall be provided prior to the issuance of building permits. The buffer shall be noted as an easement on the face of the plat and covenant shall be placed on each lot containing the buffer stating that the buffer cannot be altered by the property owner unless otherwise approved by the Department.~~

~~D. New subdivisions shall provide street trees along all public rights-of-way, including the cul-de-sac pursuant to Chapter 11.05 SMC. Street trees shall be deciduous and should be planted at a maximum of thirty (30) feet on center. Spacing shall be determined by the Directors based on site conditions. The minimum size of the street trees should be no less than one and one-half (1-1/2) inches in caliper. The size of street trees shall be determined by the Directors based on site conditions. No impervious surfaces shall be allowed within the planter strip.~~

~~E. In subdivisions of ten (10) or more lots, a minimum of seven percent (7%) of the gross land area shall be reserved as common recreation open space. Active common recreational open space shall not include any critical areas as defined in Chapter 15.700 SMC. Critical areas shall be preserved per Chapter 15.700 SMC.~~

~~F. The specific location and design of any common recreation open space required under this title shall be determined by criteria established under the Zoning Code.~~

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

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

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

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

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

JD. Storm drains and stormwater facility improvements shall be installed pursuant to Chapter 12.10 SMC. (Ord. 16-1022 § 1 (Exh. B); Ord. 16-1007 § 24; Ord. 09-1012 § 1 (Exh. A))

Chapter 14.22

BINDING SITE PLANS

Sections:

- 14.22.010 Purpose
- 14.22.020 General Provisions, Requirements and Limitations
- 14.22.030 Vacation or Dissolution
- 14.22.040 Graphic Site Plan
- 14.22.050 Permissive Variations in Requirements
- 14.22.060 Substantial Modifications to Approved Binding Site Plans

14.22.010 Purpose

This chapter is established to:

- A. Provide an optional subdivision process by which consolidated commercial, industrial, mobile home or condominium uses may be developed in a manner that is qualitatively equivalent to, or better than, traditional lot-by-lot development.
- B. Integrate planned unit development procedures specified under Chapter 15.215 SMC with a complementary subdivision process so that resulting lots, tracts, or parcels may be better planned and operated as parts of a single commercial, industrial, mobile home or condominium development.
- C. Allow the Director flexibility in the application of specific zoning and lot configuration requirements as they may apply interior to the site, provided all resulting development is consistent with applicable health, fire and building codes.
- D. Allow the Director to authorize the sharing of open space, parking, access and other improvements between contiguous properties where developed for the same purpose.
- E. Minimize the need for variances or other special regulatory procedures where development sites are characterized by peculiar geographic, topographic or dimensional features. (Ord. 16-1007 § 25; Ord. 09-1012 § 1 (Exh. A))

14.22.020 General Provisions, Requirements and Limitations

- A. Except as provided in this chapter, the review procedures and criteria established under Chapter 14.20 SMC shall apply to binding site plan applications.
- B. Each lot established or modified consistent with this chapter shall be considered a legal lot of record under this title.
- C. A binding site plan establishes or alters lots, tracts, or parcels and determines specific requirements for their future coordinated development. Approval of a binding site plan shall not in itself authorize the establishment of any specific use thereon.

~~D. The City shall only consider a binding site plan concurrent with a planned unit development application or building permit.~~

ED. Binding site plan applications may be considered for either vacant properties or for the redevelopment of sites that support ongoing uses.

FE. Binding site planning shall result in no less than two (2) contiguous lots.

GF. The binding site plan shall ensure that the collective lots continue to function as one (1) site with respect to, but not limited to, lot access, interior circulation, open space, landscaping, drainage facilities, facility maintenance and parking.

HG. The approved lot configuration of a binding site plan, and all associated provisions, conditions and requirements, shall be legally enforceable upon each current and subsequent owner, purchaser, lessee or other person acquiring an ownership interest of any subject lot, parcel, or tract.

IH. The site plan shall be supported by written covenants, descriptions and similar instruments, in a format determined by the Director. These instruments shall set forth all applicable limitations and conditions, including dedications of property, and shall contain provisions assuring that any development of the site shall remain in conformity with the approved binding site plan.

JJ. The applicant's decision to participate in binding site planning is optional. The City may ask binding site plan applicants to provide a written waiver of the ninety (90) day time limit for review associated with subdivisions. In such a case, the City and applicant shall arrive at a written agreement as to the appropriate duration of site plan review. Nothing in this provision shall be construed as compelling the applicant to provide such a waiver. (Ord. 09-1012 § 1 (Exh. A))

14.22.030 Vacation or Dissolution

A. Where a binding site plan is considered concurrently with a planned unit development, pursuant with Chapter 15.215 SMC, the applicant must receive preliminary approval of the binding site plan no later than the date on which a first phase development plan or comprehensive development plan is submitted to the City. Failure to meet this requirement shall void any approval under this chapter.

B. Where any portion of a concurrent planned unit development or building permit expires or is otherwise voided, the corresponding binding site plan shall be vacated in direct proportion.

C. Where any portion of a binding site plan is vacated, expires or is otherwise voided, that vacated portion shall constitute a single and legally separate lot. This lot shall revert to the original zoning of the site and all associated standards shall apply.

D. Once a binding site plan is recorded, the approved lot configuration and all related provisions shall apply until such time as a subsequent subdivision or binding site plan is approved for the site. The City shall not consider a subsequent subdivision or binding site plan application for five (5) years following the original date of recording.

E. Any subdivision or binding site plan application under subsection (D) of this section shall require the written consent of parties representing no less than sixty-six percent (66%) ownership interest in the entire site. (Ord. 16-1007 § 26; Ord. 09-1012 § 1 (Exh. A))

14.22.040 Graphic Site Plan

Graphic site plans shall serve substantively the same functions as the preliminary and final plats of a proposed subdivision. The applicant shall submit a preliminary graphic site plan to the City to provide for review by staff and the Hearing Examiner. The site subject to an approved site plan shall be surveyed by a professional land surveyor. The professional land surveyor shall prepare a final graphic site plan for recording. Site plans shall portray:

- A. All items of information required of a preliminary or final subdivision plat.
- B. Proposed topography and landscaping of the entire site.
- C. The delineation of all potential building envelopes or proposed footprints.
- D. The location and area of all proposed utilities, drainage features, general improvements, open space, environmentally sensitive areas, water bodies and streams, setbacks, buffers and any other elements required by this title and the SeaTac Municipal Code.
- E. Inscriptions, certifications, references or attachments prescribing all use limitations and conditions established under the binding site planning process.
- F. All other items necessary to ensure conformity of development with the approved site plan.
- G. One (1) of the following statements shall be recorded on the face of every final binding site plan.

- 1. Regarding commercial, industrial or mobile home site plans:

ALL DEVELOPMENT AND USE OF THE LAND DESCRIBED HEREIN SHALL BE IN ACCORDANCE WITH THIS BINDING SITE PLAN, AS IT MAY BE AMENDED WITH THE APPROVAL OF THE CITY, AND IN ACCORDANCE WITH SUCH OTHER GOVERNMENTAL PERMITS, APPROVALS, REGULATIONS, REQUIREMENTS, AND RESTRICTIONS THAT MAY BE IMPOSED UPON SUCH LAND AND THE DEVELOPMENT AND USE THEREOF. UPON COMPLETION, THE IMPROVEMENTS ON THE LAND SHALL BE OWNED BY AN ASSOCIATION OR OTHER LEGAL ENTITY IN WHICH THE OWNERS OF UNITS THEREIN OR THEIR OWNERS' ASSOCIATIONS HAVE A MEMBERSHIP OR OTHER LEGAL OR BENEFICIAL INTEREST. THIS BINDING SITE PLAN SHALL BE BINDING UPON ALL NOW OR HEREAFTER HAVING ANY INTEREST IN THE LAND DESCRIBED HEREIN.

- 2. Regarding condominium site plans:

ALL DEVELOPMENT AND USE OF THE LAND DESCRIBED HEREIN SHALL BE IN ACCORDANCE WITH THIS BINDING SITE PLAN, AS IT MAY BE AMENDED WITH THE APPROVAL OF THE CITY, AND IN ACCORDANCE WITH SUCH OTHER GOVERNMENTAL PERMITS, APPROVALS, REGULATIONS, REQUIREMENTS, AND RESTRICTIONS THAT MAY BE IMPOSED UPON SUCH LAND AND THE DEVELOPMENT AND USE THEREOF. UPON COMPLETION, THE IMPROVEMENTS ON THE LAND SHALL BE INCLUDED IN ONE OR MORE CONDOMINIUMS OR OWNED BY AN ASSOCIATION OR OTHER LEGAL ENTITY IN WHICH THE OWNERS OF UNITS THEREIN OR THEIR OWNERS' ASSOCIATIONS HAVE A MEMBERSHIP OR OTHER LEGAL OR BENEFICIAL INTEREST. THIS BINDING SITE PLAN SHALL BE BINDING UPON ALL NOW OR HEREAFTER HAVING ANY INTEREST IN THE LAND DESCRIBED HEREIN.

(Ord. 09-1012 § 1 (Exh. A))

14.22.050 Permissive Variations in Requirements

An applicant may negotiate for permissive variations in the underlying dimensional standards, consistent with the standards established for planned unit developments under SMC 15.215.170 through 15.215.250. (Ord. 16-1007 § 27; Ord. 09-1012 § 1 (Exh. A))

14.22.060 Substantial Modifications to Approved Binding Site Plans

A binding site plan shall be substantially modified when it exceeds the criteria outlined as follows.

A. Any modification to a binding site plan that will, in the judgment of the Director, cause any one (1) lot to function separately from the whole with respect to lot access and circulation, open space, landscaping, drainage facilities, facility maintenance or parking; and/or

B. Any modification of a binding site plan that, in the judgment of the Director, would provide for an activity not anticipated by the original site plan agreement. (Ord. 09-1012 § 1 (Exh. A))

Chapter 14.23

BINDING SITE PLANS – MANDATORY IMPROVEMENTS

Sections:

14.23.010 Mandatory Improvements

14.23.010 Mandatory Improvements

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

A. Sidewalks shall be required for all streets bordering and within the subject binding site plan. All sidewalks shall at a minimum conform to the performance standards established under the SeaTac Municipal Code and other applicable regulations.

~~B. Where any residential binding site plan is located adjacent to a business, commercial or industrial zone classification, a minimum twenty (20) foot buffer shall be provided. The buffer may be a natural buffer area, vegetated LID BMPs, native and drought tolerant landscaping, berms and/or approved fences, or a combination thereof, and shall be provided prior to the issuance of building permits. The buffer shall be noted as an easement on the face of the plat and covenant shall be placed on each lot containing the buffer stating that the buffer cannot be altered by the property owner unless otherwise approved by the Director.~~

~~C. Where any residential binding site plan is located adjacent to residential property, a minimum ten (10) foot buffer shall be provided. The buffer may be a natural buffer area, vegetated LID BMPs, native and drought tolerant landscaping, berms and/or approved fences, or a combination thereof, and shall be provided prior to the issuance of building permits. The buffer shall be noted as an easement on the face of the plat and covenant shall be placed on each lot containing the buffer stating that the buffer cannot be altered by the property owner unless otherwise approved by the Director.~~

~~D. New binding site plans shall provide street trees along all public rights-of-way, including the cul-de-sac pursuant to Chapter 11.05 SMC. Street trees shall be deciduous and should be planted at a maximum of thirty (30) feet on center. Spacing shall be determined by the Director based on site conditions. The minimum size of the street trees should be no less than one and one-half (1-1/2) inches in caliper. The size of street trees shall be determined by the Director based on site conditions. No impervious surfaces shall be allowed within the planter strip. Irrigation shall be provided for the street trees.~~

EB. In binding site plans containing ten (10) or more lots, a minimum of ten percent (10%) of the gross land area shall be reserved as common open space. Active common open space shall not include any critical areas as defined in Chapter 15.700 SMC. Critical areas shall be preserved per Chapter 15.700 SMC.

FD. The specific location and design of any common open space required under this title shall be determined by criteria established under the Zoning Code.

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

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

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

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

HG. Storm drains and stormwater facility improvements shall be installed pursuant to Chapter 12.10 SMC. (Ord. 16-1022 § 1 (Exh. B); Ord. 16-1007 § 28; Ord. 09-1012 § 1 (Exh. A))

Chapter 14.24

~~LOT MERGERS AND LOT LINE ADJUSTMENTS~~

Sections:

- 14.24.010 Purpose
- 14.24.020 General Provisions, Requirements and Limitations
- 14.24.040 Complete Application Required
- 14.24.050 Lot Line Map Format and Content Requirements
- 14.24.060 Review of ~~Lot Merger and~~ Lot Line Adjustment Applications
- 14.24.070 Recording and Filing

14.24.010 Purpose

This chapter provides for the minor alteration of property where such alterations are consistent with all applicable state statutes and municipal ordinances, codes and regulations. It establishes the general procedures ~~for merging up to four (4) commonly owned lots, tracts or parcels, and~~ for adjusting the boundaries and dimensions of ~~up to four (4)~~ legal lots, tracts or parcels. (Ord. 09-1012 § 1 (Exh. A))

14.24.020 General Provisions, Requirements and Limitations

~~A. No single application under this chapter shall affect more than four (4) lots.~~

BA. No action or series of actions taken under this chapter shall:

1. Create any additional lot, tract or parcel;
2. Result in a lot, tract or parcel that fails to meet the minimum performance standards established for lots under this title and the Zoning Code;
3. Cause an existing building or structure to fail any applicable standard of the Zoning Code;
4. Cause a subject lot to have more than one (1) zoning designation;
5. Adversely affect lot access, easements or drain fields; or
6. Increase the nonconforming aspects of any existing lot or structure.

~~CB.~~ Where an applicant requests any modification to an approved but unrecorded ~~lot merger and~~ lot line adjustment, and where that modification is not in response to staff review, that request shall be treated as a new application for the purpose of vesting. The applicant shall initiate and complete a new application as if no earlier application had been made.

~~DC.~~ Once approval is granted for any ~~lot merger or~~ lot line adjustment, the applicant shall have ~~one (1) year~~ six (6) months in which to file the final lot line maps with the City. If the final lot line maps are not filed with the City in that period, the approval shall be null and void.

~~E. The City shall not review any subsequent application on land adjusted under this chapter until the final plat of such adjustment is recorded with King County.~~

~~F. Where a proposed lot line adjustment creates new buildable lots, adjacent property owner/s shall be notified of the lot line adjustment in accordance with the noticing procedures for short plats as stated under Chapter 16A.09 SMC. (Ord. 09-1012 § 1 (Exh. A))~~

14.24.040 Complete Application Required

A. A complete application is required before the City may take an action on any proposed ~~lot merger or~~ lot line adjustment.

B. All applications for ~~lot mergers or~~ lot line adjustments shall be submitted to the Department on the appropriate forms. The Department shall prescribe the format of all application forms and provide the same to applicants. (Ord. 09-1012 § 1 (Exh. A))

~~14.24.050 Lot Line Map Format and Content Requirements~~

~~A. The lot line adjustment map shall serve as the primary reference by which the City evaluates any proposal for lot merger or lot line adjustment. The lot line adjustment plat shall be substantially in the format illustrated in Figure 14.24.050a.~~

~~B. The lot line adjustment map shall be drawn to a scale of not less than one (1) inch per thirty (30) feet.~~

~~C. The complete lot line adjustment map shall include an index sheet as a first page any time the map consists of more than two (2) sheets.~~

~~D. When submitted for final approval, each sheet shall comprise an original drawing in black ink on one (1) or more eighteen (18) inch by twenty four (24) inch mylar sheets. Each mylar sheet shall be a minimum of three (3) millimeters thick.~~

~~E. The drawings on each sheet shall have a two (2) inch border for binding on the left eighteen (18) inch side and one half (1/2) inch borders on the other three sides.~~

~~F. All areas and dimensions shall be portrayed to the nearest one hundredth (1/100) of a foot. Angles and bearings shall be portrayed in degrees, minutes and seconds.~~

~~G. The lot line map shall at a minimum portray:~~

~~1. The case number, date and location of the subject merger or lot adjustment;~~

~~2. Name of the property owner/s;~~

~~3. A full legal description of the subject properties as they exist;~~

~~4. A full legal description as they will be configured following the lot merger or lot line adjustment;~~

~~5. Datum, basis of bearings, and ties to section monumentation;~~


~~6. North point and a graphic scale;~~

~~7. Existing government survey section lines;~~

~~8. Complete documentation of the recording number, date and method of each immediately preceding subdivision or binding site plan affecting the subject property;~~

- ~~9. Complete documentation of the recording number, date and method of any immediately preceding lot merger or lot line adjustment affecting the property;~~
 - ~~10. Location of all existing survey monuments;~~
 - ~~11. Location of existing property lines, indicated by heavy broken lines;~~
 - ~~12. Location of proposed property lines, indicated by heavy solid lines;~~
 - ~~13. Bearings and lengths of each property line;~~
 - ~~14. Proposed area and other dimensions of each lot, tract or parcel following the proposed merger or adjustment, to include total acreage;~~
 - ~~15. Proportion of total acreage to be maintained as common open space, where applicable;~~
 - ~~16. All buildings and structures existing on the affected lots;~~
 - ~~17. Accurate recorded or approved location and boundaries of all streets, roads and alleys; public or private rights-of-way; easements, abatements or deed covenants; or any area otherwise dedicated or reserved for a common purpose. Where applicable, each of the preceding shall be annotated by name, public or private ownership, purpose of dedication, and any limitations;~~
 - ~~18. Position of all required permanent survey control monuments. The Public Works Director or designee shall determine the precise number and location of all monuments. However, monuments shall generally be established at each controlling corner of the divided parcel. All monuments established within a public right-of-way shall be set on the intersection or street centerline. Any required interior monuments shall be installed prior to the release of any related bond;~~
 - ~~19. Designation of all new lots by letter;~~
 - ~~20. Supplemental data sufficient to determine and estimate on the ground the location, bearing and length of each street, easement line, lot line, boundary line and block line;~~
 - ~~21. Notarized signatures of all owners of the property to be adjusted, to include acknowledgement of any dedications, deed restrictions, encumbrances or notes associated with the current lot line adjustment;~~
 - ~~22. Surveyor's certificate, seal and signature consistent with RCW 58.09.080 and all certificates and other information required by Chapter 58.09 RCW;~~
 - ~~23. Approval and signature blocks for the Directors, the King County Department of Assessments and the King County Finance Division;~~
 - ~~24. Recording certificate and signature block for the King County Records and Elections Division.~~
- ~~H. Final submission of the lot line adjustment maps shall include two (2) copies of a final printed computer plot closure or demonstrated mathematical plot closure on all lots, streets, alleys, easements and boundaries.~~

Fig. 14.24.050a

	PROJECT NAME LOT LINE ADJUSTMENT FILE NO: SUB _____	VOL./PAGE _____					
<p>DECLARATION</p> <p>KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED HAVE CAUSED THIS LOT LINE ADJUSTMENT TO BE PREPARED BY A LICENSED SURVEYOR WHO HAS EXAMINED THE RECORDS OF THE CITY OF SEATAC AND HAS DECLARED THAT THE ADJUSTMENT IS IN ACCORDANCE WITH THE PROVISIONS OF THE SEATAC MUNICIPAL CODE AND THE DECISIONS OF THE COMMISSIONERS IN WRITING SHOWN ON THESE SET OUR HANDS AND SEALS.</p> <p>Name _____ Title _____ Name _____ Title _____ Name _____ Title _____</p> <p>I certify that I have a true and correct copy of this instrument and acknowledge it to be the true and correct copy of the same and provide a true and correct copy of the same to the City of SeaTac.</p> <p>Signature of _____ Title of _____ Date of _____</p> <p>I certify that I have a true and correct copy of this instrument and acknowledge it to be the true and correct copy of the same and provide a true and correct copy of the same to the City of SeaTac.</p> <p>Signature of _____ Title of _____ Date of _____</p>		<p>THIS DRAWING IS AVAILABLE IN ELECTRONIC FORM IT MAY BE OBTAINED EITHER VIA EMAIL OR COPIED ONTO YOUR DISC BY STAFF.</p>		<p>1 inch = 40 FEET</p>		VOL./PAGE _____	
<p>APPROVAL:</p> <p>DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT APPROVED THIS _____ DAY OF _____, 20____</p> <p>Director of Planning and Community Development PUBLIC WORKS DEPARTMENT APPROVED THIS _____ DAY OF _____, 20____</p> <p>PUBLIC WORKS DIRECTOR KING COUNTY DEPARTMENT OF ASSESSMENTS Examined and approved this _____ day of _____, 20____</p> <p>City County Assessor _____ Deputy King County Assessor _____</p> <p>RECORDING NO. _____</p>		<p>LAND SURVEYOR'S CERTIFICATE</p> <p>This LOT LINE ADJUSTMENT correctly represents a survey made by me or under my direction in accordance with state and county statutes in _____, 20____.</p> <p>Certificate No. _____</p>		<p>ADDITIONAL NOTES:</p> <p>THIS REQUEST QUALIFIES FOR EXEMPTION UNDER RCW 14.02.010. IT DOES NOT REQUIRE A PUBLIC HEARING OR BE SUBJECT TO EXCLUSION FROM THE FUTURE. THE LEGAL INTERESTS OF THE PROPERTY MUST BE DONE BY SEPARATE INSTRUMENT.</p>		PORTION OF J/A of _____ J/A of _____ S. E. E. N. E. M. DIV. BY _____ DATE _____ JOB NO. _____ DIV. BY _____ SCALE _____ SHEET _____ OF _____	
<p>RECORDER'S CERTIFICATE</p> <p>This for record this _____ day of _____, 20____ at _____ page _____ of the request of _____</p> <p>RECORDER'S NAME _____ My _____ Dept. of Records _____</p>							

(Ord. 09-1012 § 1 (Exh. A))

14.24.060 Review of ~~Lot Merger and~~ Lot Line Adjustment Applications

A. Lot ~~merger and lot~~ line adjustment applications shall be subject to administrative review as established within this title and hereafter amended. ~~Public notice shall not be required except as provided for under SMC 14.24.020(F).~~

~~B. Any applicant proposing a lot line adjustment shall schedule and participate in no less than one (1) meeting with the Development Review Committee (DRC) prior to the submission of an application. Prior to this meeting, the prospective applicant shall, at a minimum, present a conceptual drawing to the Department portraying the proposed lot line adjustment or merger. The drawing shall describe the approximate locations and dimensions of both existing and proposed lots, street layout and other information necessary to determine the general characteristics of the site.~~

C. Following comprehensive administrative review, and within ninety (90) days of ~~the determination of completeness~~ submittal of a complete application, the Director ~~or a designee~~ shall issue a notice of decision (NOD) on the proposed ~~lot merger or~~ lot line adjustment. Within the notice of decision the Director ~~or designee~~ shall:

1. Approve the ~~lot merger or~~ lot line adjustment;
2. Deny ~~lot merger or~~ the lot line adjustment; or
3. Return the application to the applicant for additional information or modifications.

D. The notice of decision shall specifically cite the City's findings of fact regarding the proposal's compliance with applicable statutes, regulations and standards. The notice shall directly relate these findings to any conditions for approval or reasons for denial.

E. Where the notice of decision requires additional information or modifications, deadlines shall be set forth in writing for both the applicant's return of the revised application and a subsequent decision by the City. That latter decision shall only consider approval, approval with conditions, or denial of the application. (Ord. 09-1012 § 1 (Exh. A))

14.24.070 Recording and Filing

A. The applicant shall submit ~~two (2)~~ complete lot line maps to the City for final recording.

B. The applicable City departments shall sign each lot line map to certify approval by the appropriate authorities.

C. The applicant shall pay the City or otherwise designate funds to King County as necessary to cover all costs for recording and filing the final plat with King County.

D. The Department shall forward the signed plat, with all the appropriate copies and documentation, to the King County Assessor for recording. (Ord. 09-1012 § 1 (Exh. A))

Chapter 14.25

ALTERATIONS AND VACATIONS

Sections:

- 14.25.010 Alterations to a Recorded Subdivision
- 14.25.020 Vacation of a Final Short Plat
- 14.25.030 Vacation of a Final Plat

14.25.010 Alterations to a Recorded Subdivision

A. The majority of those persons having an ownership interest in the subject lots, tracts, or parcels of a recorded ~~short or~~ long subdivision may petition the ~~City Council~~ Hearing Examiner for alterations to any portion thereof, or to any conditions for final approval.

B. The City shall not reconsider its original approval and related conditions except where new or previously unrecognized circumstances (such as the discovery of new sensitive areas on site) exist regarding the subject property.

C. The City shall consider no application for alteration that would in its effect substitute an appeal under Chapters 15.115 and 16A.17 SMC.

D. The Hearing Examiner shall not consider any application under this section that might otherwise be reviewed under Chapter 14.20 SMC.

E. Applications for the alteration of an approved subdivision shall be made on the forms and in the manner prescribed by the Director, and shall be otherwise consistent with the requirements of this chapter

1. An application for alteration shall at a minimum include all items required for preliminary ~~short~~ subdivision review ~~under SMC 14.18.060 and 14.18.070~~.

2. Preliminary and final plats submitted with an application for alteration shall portray the entire subdivision as it will be amended. Partial plats shall not be considered.

3. The application shall further include the authorizing signatures representing of the majority ~~of those persons having an ownership interest~~ of lots, tracts, parcels or sites in the subject subdivision or portion to be altered.

4. Where the subdivision or portion to be altered is subject to restrictive covenants, and alteration would result in the negation or violation of one (1) or more covenants, the application shall only be considered once it includes a written agreement by which all parties agree to the termination or alteration of such covenants. All owners of land subject to the covenants must sign the agreement for it to be considered valid.

F. Upon receipt of an application for alteration, the applicant shall provide notice of the application to all owners of property subject to the original subdivision or binding site plan, and as otherwise provided under Chapter 16A.09 SMC. The notice shall indicate the date and location of the public hearing during which the Hearing Examiner shall receive testimony on the alteration.

G. The staff report on the application shall include specific review concerning the nature of the proposed changes and their general consistency with the original approval.

H. The Hearing Examiner shall approve or deny the proposed alteration following its consideration of the public interest, testimony, the staff report and any other information deemed appropriate. The Hearing Examiner shall approve or deny a proposed alteration within ninety (90) days of the submittal of a complete application.

I. If any land within the alteration is part of an assessment district, any outstanding assessments shall be equitably divided and levied against the remaining lots, parcels, or tracts, or be levied equitably on the lots resulting from the alteration.

J. Where any land subject to alteration contains a tract for the general use of persons residing within the subdivision, such land may be altered and divided equitably between the adjacent properties.

Following approval of the alteration, the applicant shall provide a revised final plat of subdivision. ~~This revised plat shall be consistent with SMC 14.20.090.~~ Following certification of the revised plat by signature of the City Manager, it shall be filed with ~~the county auditor~~ King County and become the lawful plat of the property. (Ord. 16-1007 § 29; Ord. 09-1012 § 1 (Exh. A))

~~14.25.020 Vacation of a Final Short Plat~~

~~A.— Plat and short plat vacations shall be processed as follows and in accordance with the provisions of RCW 58.17.212.~~

~~B.— All short plat vacation applications shall be referred to the hearing examiner for public hearing and consideration pursuant to SMC 1.20.090 and RCW 58.17.212. Following the public hearing the hearing examiner shall determine if the proposed short plat vacation is consistent with the required findings of RCW 58.17.212. If the proposal is found to serve such purposes, the hearing examiner shall approve the application for a short plat vacation.~~

~~C.— Notice of a vacation of a final short plat shall be the same as required for notice of a preliminary short plat under SMC Title 16A. (Ord. 09-1012 § 1 (Exh. A))~~

14.25.030 Vacation of a Final Plat

A. Plat ~~and short plat~~ vacations shall be processed as follows and in accordance with the provisions of RCW 58.17.212.

B. All plat vacation applications shall be referred to the hearing examiner for public hearing and consideration pursuant to SMC 1.20.090 and RCW 58.17.212. Following the public hearing the hearing examiner shall determine if the proposed plat vacation is consistent with the required findings of RCW 58.17.212. ~~If the proposal is found to serve such purposes, the hearing examiner may recommend approval of the application for a plat vacation to the City Council.~~

C. Notice of a vacation of a final plat shall be the same as required for notice of a preliminary plat under SMC Title 16A.

D. Applications for vacations of roads may be processed pursuant to this chapter only when such road vacations are proposed in conjunction with the vacation of the plat. Vacations limited to city roads shall be processed in accordance with Chapter 36.87 RCW. (Ord. 09-1012 § 1 (Exh. A))

Chapter 14.26

COMMON STANDARDS

Sections:

- 14.26.010 Purpose
- ~~14.26.030 Preservation of Natural and Cultural Features~~
- 14.26.040 Lot Status
- 14.26.050 Vertical and Horizontal Survey Controls
- 14.26.060 Requirements for Dedications, Easements or Improvements
- 14.26.070 Owners to Maintain Private Streets, Easements and Utilities

14.26.010 Purpose

This chapter establishes minimum standards, criteria and administrative procedures common to all subdivisions, lot mergers and lot line adjustments. These provisions shall apply to all actions taken under this title. (Ord. 09-1012 § 1 (Exh. A))

~~14.26.030 Preservation of Natural and Cultural Features~~

~~A.— Except where the applicant demonstrates that impacts are unavoidable, all subdivision activity, lot mergers and lot line adjustments shall ensure the preservation of scenic spots, historic sites, and other outstanding natural and cultural features.~~

~~B.— The applicant shall bear the burden for demonstrating that impacts on such features are unavoidable.~~

~~C.— Where unavoidable impacts are demonstrated, they shall be minimized to the maximum extent possible.~~

~~D.— The Directors shall have the authority to modify recognized standards and conditions, as may be necessary to implement this section. (Ord. 09-1012 § 1 (Exh. A))~~

14.26.040 Lot Status

A. A lot, tract or parcel shall be considered legally created or adjusted where public records demonstrate it was:

1. Divided in compliance with all state statutes and local subdivision codes applicable at the time the lot, tract or parcel was created; or
2. Separated from a legally established parent lot by the dedication of public right-of-way.

B. The City shall allow ~~general~~ use of legally established substandard lots; provided, that such use remains otherwise consistent with the Zoning Code and any other applicable provisions of the SeaTac Municipal Code.

C. The City shall bar any land use or development application that involves one (1) or more illegally created or adjusted lots, tracts or parcels; provided, that applicants may seek to correct the action by which such properties were allegedly created.

D. The Director shall have the authority to determine the legal status of any lot, tract or parcel.

E. ~~Members of the public~~Any individual may request a determination from the Director whether a lot, tract or parcel was legally established. Acceptable evidence of legal establishment may include, but is not limited to:

1. Recorded subdivision plats, binding site plans or lot line maps bearing a verifiable recording number;
2. Previous determinations of lot status or other authenticated documents indicating approval of a subdivision, lot merger or lot line adjustment by King County or the City of SeaTac;
3. Recorded deeds, contracts, or similar documents describing the subject property either individually or as part of a conjunctive legal description (e.g., Lot 1 and Lot 2);
4. Historic tax records or other similar evidence, describing the lot as an individual parcel; or
5. Other records as would be acceptable to the City for a determination of lot status.

F. Any recorded subdivisions or tax lots created before 1937 under Chapter 58.08 RCW shall be reviewed in accordance with Chapter 58.17 RCW and the provisions of SMC Titles 14 and 15. The Director may make a positive determination of separate tax lot status for any separate lot not meeting the dimensional standards of SMC Title 15, provided the lot is not impacted by the following:

1. Sensitive areas and their buffers as defined under SMC Title 15.
2. Structures encroaching over property lines of any proposed separate tax lot, as defined under SMC Title 15. (Ord. 09-1012 § 1 (Exh. A))

14.26.050 Vertical and Horizontal Survey Controls

A. All plats, binding site plans and lot line maps submitted with any application under this title shall reference the North American vertical datum of 1988 and shall be tied to at least one (1) King County Survey Control Network benchmark. The subject plat, binding site plan or lot line maps will portray the benchmark to be used. Where a King County Survey Control Network benchmark does not exist within one-half (1/2) mile of the subject property, or where the total vertical difference between the starting benchmark and the project is equal to or greater than two hundred fifty (250) feet, the City may specify an alternate vertical datum.

B. All plats, binding site plans and lot line maps submitted with any application under this title shall use the North American datum of 1983/91 as their coordinate base and the basis for bearings. All horizontal control for these projects shall be referenced to a minimum of two (2) King County Survey horizontal control monuments. Where two (2) horizontal control monuments do not exist within one (1) mile of the subject property, the City may specify an alternate coordinate base and basis of bearings. (Ord. 09-1012 § 1 (Exh. A))

14.26.060 Requirements for Dedications, Easements or Improvements

Where dedications of property or easements are required under this title, the applicant shall make general improvements as necessary to prepare the subject property for transfer and subsequent development. Such improvements shall at a minimum include the removal of construction debris and any other reasonable action required to ensure public safety. (Ord. 09-1012 § 1 (Exh. A))

14.26.070 Owners to Maintain Private Streets, Easements and Utilities

A. The owners of any property or properties served by private streets, tracts, easements, or community utilities/drainage facilities shall at all times maintain such streets, tracts, easements or facilities in good repair. The City shall not be responsible for the maintenance of private streets, tracts, easements or facilities.

B. The joint responsibility of each private owner for the maintenance of private streets, tracts, easements, or facilities shall be noted on the face of every affected plat.

C. The following notice shall be recorded on the face of the final plat or lot line adjustment as prescribed by the City:

THE CITY OF SEATAC BEARS NO RESPONSIBILITY TO BUILD, IMPROVE, MAINTAIN, OR OTHERWISE SERVICE THE PRIVATE ROADS, TRACTS, EASEMENTS OR OTHER COMMON FACILITIES CONTAINED WITHIN, OR PROVIDING SERVICE TO, THE PROPERTY DESCRIBED IN THIS DOCUMENT.

(Ord. 09-1012 § 1 (Exh. A))

Chapter 14.27

DEDICATION AND IMPROVEMENT OF STREETS

Sections:

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

14.27.010 Purpose

This chapter establishes minimum standards for the dedication and improvement of streets as related to any and all subdivision applications. These provisions shall apply in addition to any others adopted under the SeaTac Municipal Code. (Ord. 09-1012 § 1 (Exh. A))

14.27.020 Street Dedication and Alignment

A. The City shall require dedications of new street rights-of-way within and/or along the boundaries of subdivisions or binding site plans as necessary to:

1. Implement the requirements of the City Transportation Plan;
2. Support development of local access streets and the completion of an unobstructed traffic grid; and
3. Accommodate potential demand for public transportation, sidewalks and bikeways.

B. The City shall have the authority to require the widening of, or additional dedications to, established public rights-of-way where it determines that:

1. Such dedication is necessary to aid the completion of an unobstructed traffic grid; ~~or;~~
2. The proposed subdivision will likely create transportation demand in excess of existing capacity.

C. Where any right-of-way width or portion is required, that right-of-way width or portion shall be dedicated to the City and recorded on the face of the final plat.

D. All streets shall conform in effect to the City Transportation Plan and street classification layout, as adopted and hereafter amended. To the maximum extent possible, streets shall otherwise conform to the general highway-street system pattern established within and around the City. ~~Any proposed variation shall be subject to the review and approval of the Director of Public Works and the Fire Prevention Bureau.~~

E. To the maximum extent possible, all roads proposed to terminate within a given subdivision shall be aligned so that they may potentially connect public collector streets and aide the completion of an unobstructed traffic grid. (Ord. 09-1012 § 1 (Exh. A))

14.27.030 Private Streets

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

BA. Any private street that is permitted shall at a minimum comply with the City's Transportation Plan, stormwater management per SMC 12.10.010; ~~SeaTac Road Standards~~ and International Fire Code.

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

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

1. The ~~Public Works Department~~City shall install each required sign.
2. The owner(s) of the subject property shall pay a sum to the City for each sign. That sum shall be set forth in the City's fee schedule.
3. The sign fee shall be paid in addition to any other applicable fee and shall be paid prior to the approval of the affected subdivision or binding site plan.
4. ~~The sign fee shall be deposited in the Street Maintenance Fund.~~ (Ord. 16-1022 § 1 (Exh. B); Ord. 09-1012 § 1 (Exh. A))

14.27.040 Method of Naming Streets

Streets shall be named pursuant to the requirements of Chapter 11.40 SMC. (Ord. 09-1012 § 1 (Exh. A))

~~14.27.050 Street Trees~~

~~Street trees shall be required pursuant to Chapter 11.05 SMC. Street trees shall be deciduous and should be planted at a maximum of thirty (30) feet on center. Spacing shall be determined by the Directors based on site conditions. The minimum size of the street trees should be no less than one and one-half (1-1/2) inches in caliper. The size of street trees shall be determined by the Directors based on site conditions. No impervious surfaces shall be allowed within the planter strip. (Ord. 16-1022 § 1 (Exh. B); Ord. 09-1012 § 1 (Exh. A))~~

Chapter 14.28

DEFERRAL OF CONDITIONS FOR APPROVAL AND SITE IMPROVEMENTS

Sections:

- 14.28.010 Purpose
- 14.28.020 Conditions for Approval Met
- 14.28.030 On-Site and Off-Site Improvements Required
- 14.28.040 Application to Defer Improvements or Conditions
- 14.28.050 Bond to Defer Improvements or Conditions
- 14.28.060 Deferral Period
- 14.28.070 Security in Lieu of Bond
- 14.28.080 Action Against the Bond
- 14.28.090 Substitution of Parties
- 14.28.100 Restrictive Covenant to Defer Improvements

- 14.28.110 Maintenance Bond

14.28.010 Purpose

This chapter establishes the City's authority to require improvements, describes the administrative process by which improvements may be secured, and provides the procedure by which financial guarantees of improvement may be posted, converted or recovered. (Ord. 09-1012 § 1 (Exh. A))

14.28.020 Conditions for Approval Met

- A. No subdivision shall receive final approval until any and all conditions for approval are met to the satisfaction of the City.

- B. Notwithstanding any other provision of this title, the Directors shall have the power to authorize an applicant to defer the fulfillment of conditions; provided, that deferral may only be permitted in accordance with this chapter. (Ord. 09-1012 § 1 (Exh. A))

14.28.030 On-Site and Off-Site Improvements Required

- A. Except as provided in B and C, below, No subdivision shall receive final approval until any and all required on-site and off-site improvements are constructed in the manner prescribed by the City. This requirement shall apply equally with regard to either public or private improvements.

- B. Notwithstanding any other provision of this title, the Director ~~of the Department of Public Works~~ shall have the power to authorize the deferral of required improvements; provided, that deferral may only be permitted in accordance with this chapter.

- C. The Director ~~of the Department of Public Works~~ shall only permit the deferral of improvements when associated with an application for short subdivision. No other form of subdivision shall be eligible. (Ord. 09-1012 § 1 (Exh. A))

14.28.040 Application to Defer Improvements or Conditions

- A. The ~~Public Works~~ Director may defer on-site and off-site improvements or the fulfillment of conditions upon receipt of a complete application for deferral.

B. The application for deferral shall be made in the form specified by the City. Applications for the deferral of improvements shall include full and complete engineering drawings of the required improvements.

C. The Director's approval or denial of any deferral, as well as the amount of any applicable bond or financial security, shall be conclusive. (Ord. 09-1012 § 1 (Exh. A))

14.28.050 Bond to Defer Improvements or Conditions

A. Where preliminary approval for a deferral is granted, the applicant shall furnish a performance bond or financial guarantee to the City in an amount no less than one hundred twenty percent (120%) of the estimated value of the required improvements or conditions. The Director shall only provide the applicant with final approval of the deferral following the City's receipt of bond. Only a final deferral agreement shall be binding upon the City.

B. The bond shall specify the exact work to be performed or conditions to be met, and shall provide that no change, extension of time, alteration or addition shall otherwise affect the obligation on bond.

C. The bond shall specify the City's right to enter onto any subject property and install any necessary improvements should the City take action against the bond.

D. The applicant shall provide the bond or financial guarantee prior to final approval of the applicable short subdivision.

E. The City shall only release such a bond or financial guarantee once the Director determines that all required improvements have been made and all conditions have been satisfied.

F. The bond or financial guarantee shall be further conditioned on the full restoration of the site in the event that ~~grading~~, clearing, grading or any other site preparation or work is begun and abandoned.

G. When determining the value of conditions and improvements, the Director shall consider all funds necessary for the City to construct improvements or satisfy conditions in place of the applicant. In addition, the ~~respective~~ Director shall consider all resources necessary to rectify any reasonably foreseeable impact on the public health, safety or general welfare that may arise from the applicant's failure to comply with this title. Such costs may include, but are not limited to, materials, general labor, legal and consulting expenses, and public health costs. (Ord. 15-1012 § 11; Ord. 09-1012 § 1 (Exh. A))

14.28.060 Deferral Period

A. The bond shall specify that all work shall be completed and conditions met within a period of time set by the City. When no such period is determined, all work shall be completed and conditions met no later than one (1) year of the date on which the original deferral was granted. All off-site and on-site improvements shall be substantially completed prior to issuance of a certificate of occupancy for any building permit permitted within the short plat.

B. Not later than thirty (30) days to the end of the established period as determined under subsection (A) of this section, or thirty (30) days to the end of the one (1) year, the applicant may apply to the City for extension of the deferral. The applicant shall bear the burden for demonstrating cause for the extension.

C. Should the Directors determine that the applicant has demonstrated sufficient cause, the deferral may be extended for an additional period of up to two (2) years.

D. No improvement or condition shall be deferred for a period in excess of three (3) years from the date on which the original deferral was granted. Where any improvement is not constructed or any condition is not met within three (3) years, the City shall either take action against the bond or financial guarantee or vacate the short subdivision.

E. Upon review and a written substantiation of need, the bond may be decreased as necessary to ensure the completion or satisfaction of any remaining improvements or conditions. In every case, the bond shall remain at an amount no more than one hundred twenty percent (120%) of the estimated value of any remaining improvements or conditions. (Ord. 15-1012 § 12; Ord. 09-1012 § 1 (Exh. A))

14.28.070 Security in Lieu of Bond

The Directors may authorize the substitution of a certified check, cashier's check, or other adequate security in lieu of a bond. Any such check or other security shall be made payable to the City, and shall be in the same amount as that established for the bond. (Ord. 09-1012 § 1 (Exh. A))

14.28.080 Action Against the Bond

The City shall retain the right, in addition to all other remedies available by law, to proceed against the bond, or other security in lieu thereof. (Ord. 09-1012 § 1 (Exh. A))

14.28.090 Substitution of Parties

A. The requirement of posting of any bond or other security for deferral shall be binding on the applicant, and upon on all heirs, successors and assigns of the applicant.

B. No release of the applicant, owner or developer on the bond shall be granted except where an assignee or substitute party is obligated to construct or satisfy any remaining improvements or conditions through the posting of a new bond or other security with the City.

C. Where any such new bond is to be provided by a condominium owners' association or property owners' association, then it shall be necessary for the association to have voted to assume the obligation and a copy of the minutes of the association, duly certified, shall be filed with the new bond prior to approval by the City. (Ord. 09-1012 § 1 (Exh. A))

14.28.100 Restrictive Covenant to Defer Improvements

Where the applicant proposes a residential short subdivision only, a restrictive covenant running with the land may be substituted for the bond or other financial security normally required for a deferral of improvements. The restrictive covenants shall be rendered in a form acceptable to the City and the following standards shall apply:

A. Approval of restrictive covenants in place of a bond or other security shall require a determination by the Director ~~of the Department of Public Works~~ that:

1. No similar improvements exist within the vicinity;
2. It is unlikely that the specified improvements will be necessary within the following five (5) year period;
3. The lack of improvements shall cause no detrimental effect on the public health, safety or welfare; and

4. It is unlikely that the zoning of the site, or of properties adjacent to the site, will change to a higher classification within the following five (5) year period.

B. The restrictive covenant shall require the current or future property owners to join in any future local improvement district (LID) established to construct the required improvements, and that they pay their pro-rata share of the final assessment for that district.

1. Their pro-rata share of that final assessment shall be computed by determining the assessment applicable to the original undivided parcel, and then proportionately allocating that assessment between each lot created by short subdivision;

2. Nothing in this provision shall be construed to restrain any right on the part of the current or future property owners to object to individual assessments.

C. The restrictive covenant shall require that, upon a determination by the Director ~~of the Department of Public Works~~ that the deferred improvements have become necessary, the current or future property owners immediately construct the improvements at their own expense.

D. The restrictive covenant shall require that, in the event the City decides to construct the improvements as part of a public works project, the current or future property owners pay the City their pro-rata share of the cost of the project.

1. Their pro-rata share of that project shall be computed by determining the assessment applicable to the original undivided parcel, and then proportionately allocating that assessment between each lot created by short subdivision. (Ord. 09-1012 § 1 (Exh. A))

14.28.110 Maintenance Bond

As a condition of plat approval, the Director ~~of the Department of Public Works~~ shall have the authority to require the posting of a bond to the City warranting the operation, maintenance and repairs of all required on-site and off-site improvements. Any such condition shall apply for the period of two (2) years following final long subdivision plat approval and one (1) year for final short plat approval. (Ord. 15-1012 § 13; Ord. 09-1012 § 1 (Exh. A))