

ORDINANCE NO. _____

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Chapter 9.50 of the SeaTac Municipal Code related to the Permit Parking Program.

WHEREAS, Ordinance No. 18-1038 as adopted by the City Council on November 13, 2018; and

WHEREAS, City neighborhoods and business areas, particularly within the McMicken Heights/Sue Linda areas have experienced increased competition for limited on-street parking due to increased demand generated by the Sound Transit Airport Light Rail Station, Sea-Tac Airport, under-parked multifamily developments, and the construction of the pedestrian bridge across International Blvd. providing access to the Airport Light Rail Station and Sea-Tac Airport; and

WHEREAS, the residents of affected areas, specifically the residents in McMicken Heights/Sue Linda areas, have utilized cones or barriers to deter parking along their neighborhood streets and to reduce obstructions to mailboxes, driveways and allow for garbage pick-up service; and

WHEREAS, the City recognizes that multi-family developments present a unique challenge due to their residential densities and often face inadequate on-site parking conditions; and

WHEREAS, this was reviewed by the Public Safety and Justice Committee on July 11, 2019;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. Chapter 9.50 of the SeaTac Municipal Code is hereby amended to read as follows:

9.50.010 Purpose.

A. The Program is established with the intent to:

1. Prioritize parking for residents and local businesses;
2. Manage availability of on-street parking supply in designated areas;
3. Implement a process for issuing permits that authorize parking within restricted zones;
4. Establish rules and regulations to implement the program;
5. Provide for a means of enforcement; and
6. Provide for recovery of the costs for the administration of the Program; and
7. To protect the public health, safety and welfare.

9.50.020 Definitions.

For the purposes of this Chapter, the following definitions shall apply:

- A. “Business” means a Person, as defined in SMC 5.05.010(D), that has been issued a Business License pursuant to SMC Chapter 5.05 and is located within a Parking Permit Zone.
- B. “City Manager” means City Manager or designee.
- C. “Duplex” has the same meaning as in SMC 15.105.040.
- D. “Dwelling Unit” has the same meaning as in SMC 15.105.040.
- E. “Multi-Family Building” has the same meaning as in SMC 15.105.130. “Parking Permit” or “Permit” means an affirmative authorization issued electronically by the City Manager to a Resident or Business, that enables a specific vehicle to park within a Parking Permit Zone in excess of the posted time limits.
- F. “Permit holder” means a Resident or Business that applied and was approved to park within the Permit Parking Zone.
- G. “Permit Parking Zone” (PPZ) means a designated area where time limits are established for parking on certain public streets that apply to all vehicles except vehicles with a valid Parking Permit.
- H. “Program” means Permit Parking Program.
- I. “Resident” means an individual who resides within a Permit Parking Zone.
- J. “Single Family Dwelling Unit” has the same meaning as “Dwelling Unit, Detached” in SMC 15.105.040.
- K. “Townhouse” has the same meaning as in SMC 15.105.200.
- L. “Vehicle” has the same meaning as Motor Vehicle, as defined in RCW 46.04.370.

9.50.030 Authority.

- A. Consistent with SMC 9.05.090, the City Manager is authorized to identify and designate by appropriate signage parking restrictions, time limitations for City streets located within the PPZ, in order to provide for reasonable parking availability and safe use of City streets.
- B. Parking Compliance Officer(s) are limited commission officers who shall have the authority to issue a notice of infraction to enforce violations of this Chapter.

9.50.040 Parking Permits.

A. A Resident or Business is eligible to apply for a Parking Permit in the manner set forth in this Section. A parking permit is assigned to a specific vehicle and does not guarantee a parking space and does not exempt the permit holder from observing zones where parking is prohibited at all or at specified times for safety reasons or for reasons other than related to the parking permit, including but not limited to, permanent or temporary no parking zones, loading zones, fire zones, and disabled parking areas.

B. Permit Limits.

1. For Residents whose Dwelling Unit is a Single Family Dwelling Unit, or is located within a Duplex, no more than two (2) Parking Permits may be issued at any one time per address.
2. For Residents whose Dwelling Unit is located within a Townhouse or Multi-Family Building, no more than one (1) Parking Permits may be issued at any one time per address.
3. For Businesses, no more than two (2) Parking Permits may be issued at any one time per address, unless the Business is located in a Townhouse or Multi-Family Building, in which case only one (1) Parking Permit is allowed at any one time per address.
4. For Residents and Businesses located at the same address, no more than two (2) Parking Permits may be issued at any one time, unless the Residence/Business is located in a Townhouse or Multi-Family Building, in which case only one (1) Parking Permit is allowed at any one time.
5. After an evaluation of on-street parking within the PPZ that demonstrates excess on-street parking capacity, and there is a compelling need for the issuance of additional permits, the City Manager may issue additional Permits in excess of the Permit Limit established in this Section to Residents whose Dwelling Unit is located within a Townhouse or Multi-Family Building. However, administrative rules must first be promulgated by the City Manager prior to the issuance of such additional Permits. there is a compelling

C. Permit Application and Eligibility.

A permit application shall be submitted electronically or on a form provided by the City. A Resident or Business shall provide and attest to the accuracy of the information provided, and acknowledge the terms and conditions of the Permit.

1. For a Resident to obtain a Permit, all of the following requirements shall be met:
 - a. The Resident must reside within the PPZ for which the Permit is to be issued; and
 - b. The Resident must provide proof of residency by submitting a copy of one (1) of the following:
 - i. A valid driver's license with the Resident's name and current address.
 - ii. A current property tax statement in the Resident's name.
 - iii. A current utility bill in the Resident's name dated within thirty (30) days of the application date.
 - iv. A voter registration card with the Resident's name and current address, or

- v. Any other documentation deemed acceptable by the City Manager.
- c. The vehicle must be registered to the same address as the Resident's address.
- 2. For a Business to obtain a Permit, all of the following requirements shall be met:
 - i. The Business must be located within the PPZ for which the Permit is to be issued; and
 - ii. The address listed on the Business's City Business License is located within the PPZ for which the Permit is to be issued.

D. Fees.

- 1. Fees shall be adopted under the SeaTac fee schedule. The Finance Director may establish an annual system for permit renewal and fee collection.
 - a. Permit fees shall be paid at the time the application is submitted.
 - b. The Program may allow a reduced fee based on the applicant's annual income; provided, any discount is subject to proof of eligibility through supporting financial information submitted to the City.
 - c. All Permit fees are non-refundable.
- 2. Reissuance Fee. An administrative fee may be assessed for the reissuance of each permit.

E. Permit Issuance, Expiration, and Renewal.

- 1. Issuance. A parking permit shall only be issued for a specific vehicle and zone, and is non-transferable to any other vehicle.
- 2. Reissuance or Cancellation of Parking Permit. A Permit Holder shall cancel or request reissuance of a permit in the event a permitted vehicle has been sold, stolen, or destroyed. When a permit has been reissued, the original permit will be deemed inactive and no longer valid.
- 3. Expiration and Renewal. Parking permits shall be valid for one (1) year from the date the permit was issued. Permits may be renewed annually.

F. Denial of Permit. Issuance of a Permit may be denied for any of the following reasons:

- 1. Any material misrepresentation on a permit application.
- 2. The Resident or Business does not satisfy the requirements under SMC 9.50.040 (C).
- 3. Issuance of the Permit will result in exceeding the Permit limits established in SMC 9.50.040(B).
- 4. The Permit application is incomplete.

If the issuance of a Permit is denied, the City shall provide the applicant with the reason(s) for denial in writing. The applicant may remedy the issue(s) by providing supplemental or clarifying information and resubmitting the application.

G. Revocation of Permit. The Police Chief or designee may revoke a Parking Permit(s) if:

1. the Permit Holder made any material misrepresentations when applying for a Permit; or
2. the Permit Holder no longer satisfies the requirements set forth in SMC 9.50.040 (C);
3. If a Permit is revoked, the City shall provide the Permit Holder with the reason(s) for the revocation in writing. Revocation of a Permit may be appealed to the City Manager by filing a written notice of appeal with the City Clerk within 15 days from the date of revocation. The notice of appeal shall include the Permit Holder's name, address, contact phone number, email address, and the reason(s) why the revocation should be overturned. A hearing shall be scheduled as soon as practicable. There is no cost to appeal under this Section, and the decision of the City Manager is final.

9.50.070 Parking Zones and Restrictions.

- A. Permit Parking Zone 1 is depicted on the map as shown in **Exhibit A**.
- B. The parking restrictions and time limitations within a PPZ are enforced twenty-four (24) hours a day, seven (7) days a week, including holidays.

9.50.080 Enforcement and Violations.

- A. Overtime Parking. It is a parking infraction with a monetary penalty of fifty dollars (\$50.00), for any vehicle to remain parked in excess of the posted time limits within a PPZ without a valid Parking Permit. Special license plates for persons with disabilities, parking placards, or special license plates with a special year tab for persons with disabilities pursuant to Chapter 46.19 RCW are not in violation of this Section. B. In addition to Permit revocation as set forth in SMC 9.50.040 (G), it is an infraction, with a monetary penalty of two hundred and fifty dollars (\$250.00), for any person to make a material misrepresentation when applying for a Parking Permit.

9.50.090 Repeated Violation for Overtime Parking.

Once a notice of infraction for overtime parking has been issued and the cited vehicle remains parked where cited for the previous violation, a separate violation occurs upon the expiration of each successive maximum period of parking time as designated by official signs. A separate citation may be issued for each successive violation..

9.50.100 Establishing and Expanding Permit Parking Zones.

- A. The City Manager shall consider whether a Permit Parking Zone within a defined area would promote certain benefits, and may recommend to the City Council establishment of additional Permit Parking Zones in an area where either one of the following instances occur:
 1. Upon receipt of a petition in which 75% of the Residents and/or Businesses in a defined area request the establishment of a new, or expansion of an existing Permit Parking Zone, and available on-street parking spaces in such defined area is routinely below 40% of available on-street parking spaces used for greater than three (3) hours; or
 2. A finding by the City Manager that there are benefits in establishing a new or expanding an existing Permit Parking Zone, which includes but is not limited to:
 - a. Increased access for area residents and business owners;
 - b. Reduced traffic congestion;
 - c. Increased traffic or pedestrian safety;

- d. Reduced air or noise pollution;
 - e. Reduced commuter parking in neighborhoods; and
 - f. Prevention of blighted areas.
- B. Adverse impacts that may prevent establishing, expanding, or reducing a PPZ include but are not limited to:
- 1. Inability to effectively enforce the program restrictions;
 - 2. Lack of alternative transportation modes; and
 - 3. Availability of efficient and more cost effective solutions.

Section 2. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Upon approval of the City Attorney, the City Clerk and the Code Reviser are authorized to make necessary corrections to this Ordinance, including the correction of clerical errors, references to other local, state or federal laws, codes, rules, or regulations, or Ordinance numbering and section/subsection numbering.

Section 4. This Ordinance shall be effective thirty (30) days after passage and publication as required by law.

ADOPTED this _____ day of _____, 2019 and signed in authentication thereof on this _____ day of _____, 2019.

CITY OF SEATAC

Erin Sitterley, Mayor

ATTEST:

Kristina Gregg, City Clerk

APPROVED AS TO FORM:

Mary Mirante Bartolo, City Attorney

[Ordinance Amending Permit Parking Program 9.50]

Exhibit A Parking Permit Zone Map

