

Chapter 1.20

HEARING EXAMINER SYSTEM

Sections:

- 1.20.010 Purpose.
- 1.20.020 Office created.
- 1.20.030 Appointment and terms.
- 1.20.040 Removal.
- 1.20.050 Qualifications.
- 1.20.060 Examiner pro tem.
- 1.20.070 Freedom from improper influence.
- 1.20.080 ~~Decisions appealable to the Council. Power and Authority.~~ – CHANGES PROPOSED**
- ~~1.20.090 Recommendations to the Council. - REPEALED~~
- 1.20.100090 ~~Decisions of the Examiner which are final.~~ – CHANGES PROPOSED**
- 1.20.110100 ~~Hearing procedures.~~ – CHANGES PROPOSED**
- ~~1.20.120 Public hearing. - REPEALED~~
- ~~1.20.130 Appeal hearing. - REPEALED~~
- ~~1.20.140 Examiner actions. - REPEALED~~
- ~~1.20.150 Appeal to Examiner Notice and content and supplemental information. - REPEALED~~
- ~~1.20.160 Appeal to Council Notice. - REPEALED~~
- ~~1.20.170 Appeal to Council Content. - REPEALED~~
- ~~1.20.180 Appeal to Council Consideration. - REPEALED~~
- ~~1.20.190 Appeal to Council Council action. - REPEALED~~
- ~~1.20.200 Reconsideration of final action. - REPEALED~~
- ~~1.20.210 Review of final decisions. - REPEALED~~

1.20.080 Power and Authority.

A. The examiner shall have the exclusive authority to hold public hearings and make recommendations and decisions on all applications, permits, approvals, or appeals as provided for in the GHMC. Unless otherwise specified in the GHMC, all appeals shall be governed by the process set forth in Chapter 16A.17 SMC.

B. The examiner shall have the power and authority to:

1. Receive and examine available information;
2. Conduct hearings in accordance with SMC Title 16A, Chapter 42.32 RCW and all other applicable law, and to prepare a record thereof;
3. Administer oaths and affirmations;
4. Issue subpoenas and examine witnesses; provided, that no person shall be compelled to divulge information which he or she could not be compelled to divulge in a court of law;
5. Regulate the course of the hearing;
6. Make and enter written findings of fact and conclusions to support his or her decisions;
7. At the examiner's discretion, hold conferences for the simplification of the issues;
8. Conduct discovery;
9. Dispose of procedural requests or similar matters;
10. Take official notice of matters of law or material facts;
11. Issue summary orders in supplementary proceedings;
12. Dismiss an appeal or take other appropriate action when the examiner determines that he/she has no jurisdiction, the appeal is completely without merit, or where a party or representative fails to appear at a hearing;
13. Take any other action authorized by or necessary to carry out this chapter; and
14. Adopt Rules of Procedure.

C. The above authority may be exercised on all matters for which jurisdiction is assigned to the examiner by city ordinance, code or other legal action of the city council. The nature of the examiner's decision shall be as specified in this chapter and in each ordinance or code which grants jurisdiction to the examiner.

~~1.20.080~~—Decisions appealable to the Council.

~~For the following cases, the Examiner shall receive and examine available information, conduct public hearings, prepare records and reports thereof, and make decisions, which shall be given the effect of an administrative decision appealable to the Council:~~

~~A. Preliminary subdivisions;~~

~~B. Preliminary planned unit developments;~~

~~C. Rezone(s) initiated by the property owner(s);~~

~~D. Other applications or appeals which the Council may refer by ordinance, specifically declaring that the Hearing Examiner's decision shall be appealable to the Council.~~

~~1.20.090~~—Recommendations to the Council.

~~For the following cases, the Examiner shall receive and examine available information, conduct public hearings, prepare records and reports thereof, and make a recommendation to the City Council:~~

~~A. Other applications or matters which the Council may refer by ordinance specifically declaring that the Hearing Examiner shall make a recommendation to City Council.~~

~~1.20.100~~1.20.090** Decisions of the Examiner which are final.**

Decisions made by the Examiner shall be final and conclusive unless otherwise specified in the municipal code or state law.

~~For the following cases, the Examiner shall receive and examine available information, conduct public hearings or appeal hearings, prepare records and reports thereof, and make decisions, which shall be final and conclusive:~~

~~A. Applications for major conditional use permits;~~

~~B. Applications for variances;~~

~~C. Applications for shoreline substantial development permits, conditional use permits or shoreline variances;~~

~~D. Appeals from the decision of the City Manager or designee on applications for short subdivisions and lot line adjustments;~~

~~E. Appeals from threshold determinations;~~

~~F. Appeals from notices and orders issued as code enforcement actions;~~

~~G. Appeals from decisions regarding the abatement of nonconforming uses;~~

~~H. Appeals from administrative decisions or determinations by City officials where the governing ordinance provides for an appeal to the Examiner;~~

~~I. Other applications or appeals which the Council may prescribe by ordinance;~~

~~J. Appeal for a sign amortization extension;~~

~~K. Appeals from administrative decisions regarding minor conditional use permits;~~

~~L. Conditional use permit—essential public facilities (CUP-EPF).~~

1.20.1101.20.100 Hearing procedures.

~~The Examiner shall have the power to prescribe procedures for the conduct of hearings subject to confirmation of the Council; and also to issue summons and subpoena to compel the appearance of witnesses and production of documents and materials, to order discovery, to administer oaths, and to preserve order.~~

A. Public hearings held by the Examiner shall be conducted pursuant to SMC Chapter 16A.13, Public Hearings.

B. Appeal hearings held by the Examiner shall be conducted pursuant to SMC Chapter 16A.17, Appeals.

1.20.120 — Public hearing.

~~A. Before rendering a decision on any application, the Examiner shall hold a public hearing which shall be electronically recorded. For applications subject to Council action, the public hearing by the Examiner shall constitute a hearing by the Council.~~

~~B. Whenever a project requires more than one permit or approval, the Examiner shall order a consolidation of and conduct the required public hearings to avoid unnecessary costs or delays. Decisions of the Examiner to order and conduct consolidated hearings shall be final in all cases.~~

1.20.130 — Appeal hearing.

~~The appeal hearing shall be electronically recorded and each party shall have the right to call and cross-examine witnesses.~~

1.20.140 — Examiner actions.

~~Within ten (10) days of the conclusion of a hearing or rehearing, the Examiner shall render a written recommendation or decision and shall transmit a copy thereof to the City, which shall then transmit the decision to all parties of record.~~

~~A. The Examiner's decision may be to grant or deny the application or appeal, or the Examiner may grant the application or appeal with such conditions, modifications and restrictions as the Examiner finds necessary to make the application or appeal compatible with the environment and carry out applicable State laws and regulations and the regulations, policies, objectives and goals of the Comprehensive Plan, the zoning code, the subdivision code and other ordinances, policies and objectives of the City.~~

~~B. The conditions, modifications and restrictions that the Examiner may impose include additional setbacks, screenings in the form of landscaping or fencing, covenants, easements and dedications of additional road right-of-way. Performance bonds or equivalent measures may be required to insure compliance with the conditions, modifications and restrictions.~~

1.20.150 — Appeal to Examiner — Notice and content and supplemental information.

~~A. All notices of appeal regarding any decision being appealed to the Examiner shall be filed with the City Clerk only on forms provided by the City Clerk within fourteen (14) days from the date of the decision, together with a filing fee in the amount specified in the City's schedule of fees by resolution of the City Council.~~

~~B. An appellant must file any supplemental written reports, arguments, or briefs within twenty-one (21) days of filing the appeal.~~

1.20.160 — Appeal to Council — Notice.

~~Decisions by the Examiner may be appealed to the Council by an aggrieved party by filing a notice of appeal with the City Clerk within fourteen (14) calendar days of the Examiner's written decision, together with a filing fee as may be specified by resolution of the City Council. If no appeal is filed within fourteen (14) calendar days, the Examiner's decision shall be considered as final and conclusive.~~

1.20.170 — Appeal to Council — Content.

~~If a notice of appeal has been filed, the appellant shall file any written arguments within twenty-one (21) calendar days of the date of filing the appeal. The written arguments should specify the basis for the appeal and any arguments in support of the appeal. If appeal arguments are not timely filed, the Examiner's decision shall be considered as final and conclusive.~~

~~1.20.180—Appeal to Council—Consideration.~~

~~Consideration by the Council of the appeal shall be based upon the record of the Examiner's public hearing and upon written appeal statements based upon the record; provided the Council may allow parties a period of time for oral argument based on the record. If, after consideration of the record, written appeal statements and any oral argument the Council may:~~

- ~~A. Affirm the decision of the Examiner; or~~
- ~~B. Determine that an error in fact or procedure may exist or additional information or clarification is desired, the Council shall remand the matter to the Examiner; or~~
- ~~C. Determine that the recommendation of the Examiner is based on an error in judgment of conclusion, the Council may modify or reverse the decision of the Examiner.~~

~~1.20.190—Appeal to Council—Council action.~~

~~The Council shall take final action by ordinance or resolution on an Examiner's recommendation or on any appeal of an Examiner's decision and when doing, the Council shall make and enter findings of fact and conclusions from the record which support its action. Said findings and conclusions shall set forth and demonstrate the manner in which the action is consistent with, carries out and helps implement objectives and goals of the Comprehensive Plan, the zoning code, the subdivision code and other official laws, policies and objectives of the City. The Council may adopt as its own all or portions of the Examiner's findings and conclusions.~~

~~1.20.200—Reconsideration of final action.~~

~~The Council may reconsider any action after it has become final if:~~

- ~~A. The action was based in whole or in part on erroneous facts or information;~~
- ~~B. The action when taken failed to comply with existing laws or regulations applicable thereto; or~~
- ~~C. An error or procedure occurred which prevented consideration of the interests of persons directly affected by the action.~~

~~1.20.210—Review of final decisions.~~

- ~~A. Decisions of the Council shall be final and conclusive unless appealed pursuant to Chapter 16A.17 SMC; provided, no development or related action may occur during said twenty (20) day, or thirty (30) day for plat approvals, appeal period.~~
- ~~B. Decisions of the Examiner in cases identified in SMC 1.20.100 shall be final and conclusive, unless appealed pursuant to Chapter 16A.17 SMC; provided, no development or related action may occur during said appeal period.~~
- ~~C. Notwithstanding the foregoing provisions of this section, final decisions of the Council relating to matters governed by the State Shorelines Management Act shall be appealed to the State Shorelines Hearing Board as specified in the said Act.~~

Chapter 2.75

EMERGENCY MANAGEMENT

Sections:

- 2.75.010 Purpose.** – CHANGES PROPOSED
2.75.020 Emergency management policy.
2.75.030 Definitions. – CHANGES PROPOSED
2.75.040 Emergency management organization.
2.75.050 Emergency operations plan. – CHANGES PROPOSED
2.75.060 Emergency or disaster powers of the Mayor or successor. – CHANGES PROPOSED
2.75.070 Emergency and disaster powers of the Emergency Management Director. – CHANGES PROPOSED
2.75.080 National Incident Management System – NEW SECTION
2.75.0980 Functions and duties of departments and employees.
2.75.100 Emergency Management Coordinating Committee – NEW SECTION
2.75.09110 Private liability.
2.75.1200 Penalty.
2.75.1340 Compensation Board.
2.75.1420 Severability.

2.75.010 Purpose.

The declared purposes of this chapter are to provide for the preparation and implementation of plans for mitigation, preparedness, response and recovery activities within the City in the event of an emergency or disaster, and to provide for the coordination of emergency functions and services of the City and other affected public agencies and private persons, corporations and organizations, in accordance with RCW 36.70A.130(2)(b) and WAC 365-196-640(4). Any expenditures made in connection with such emergency management activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City.

2.75.030 Definitions.

- A. “Emergency” or “disaster” as used in this chapter shall mean an event or set of circumstances which: (1) demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken area within the City overtaken by such occurrences, or (2) reaches such a dimension or degree of destructiveness as to warrant the Mayor proclaiming the existence of a disaster or the Governor declaring a state of emergency in accordance with appropriate local ordinances and State statute.
- A.B. “Emergency management” shall mean the preparation for the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to mitigate, prepare for, respond to, and recover from emergencies and disasters, and to aid victims suffering from injury or damage resulting from disasters caused by all hazards, whether natural or manmade, and to provide support for search and rescue operations for persons and property in distress.
- C. “Emergency or disaster” as used in this chapter shall mean an event or set of circumstances which: (1) demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken area within the City overtaken by such occurrences, or (2) reaches such a dimension or degree of destructiveness as to warrant the Mayor proclaiming the existence of a disaster or the Governor declaring a state of emergency in accordance with appropriate local ordinances and State statute.
- D. “Emergency management organization” or “EMO” means the City’s emergency management function operating within the Public Works Department.
- E. “Emergency management director” means the individual designated by the Public Works Director to oversee the administration and operation of the City’s emergency management organization pursuant to SMC 2.75.040.

F. “Hazard vulnerability analysis” means the comprehensive examination and reporting of all potential technological or natural hazards that the City may be exposed to and/or suffer loss from. This analysis is used as a basis for developing the City’s hazard mitigation plan.

B.G. “Mitigation” includes risk analysis, review and identification of technological and natural hazards, development of strategies to minimize such hazards, and development of resources and capabilities to respond effectively to risks not controlled through conventional

H. “Prevention” means to avoid or stop an imminent, threatened, or actual act of terrorism

I. “Preparation” means the active planning, writing and revising of operational procedures and policies to prepare for responding to a disaster. It includes coordination with local, county, state and federal agencies to ensure cohesive working relationships and compatible emergency plans.

J. “Recovery” includes assessment of community needs after an emergency or disaster event; prioritization of actions for relief, reconstruction or rehabilitation and coordination of agencies regarding same; documentation of costs for future reimbursement; and facilitation of disaster assistance offices in providing the community with efficient mechanisms to obtain federal, state and local assistance.

K. “Response” includes the initiation of warnings for a potential disaster, initiation of actions necessary to effectively act during a disaster, damage assessment and evaluation, coordination of operations, logistics, planning and finance activities during a disaster, and documentation of actions taken during a disaster.

C.L. “Whole community engagement” means a process to regularly engage the whole community to seek and obtain continued and coordinated stakeholder involvement and input regarding the emergency management program, including but not limited to policies, plans, ordinances, training, exercises, budget, public education, strategies and other emergency management topics.

2.75.050 Emergency operations plan.

The emergency operations plan, prepared under the direction of the Emergency Management Director, is the official emergency operations plan of the City of SeaTac. The plan shall conform to the requirements of Chapter 118-30 WAC, as they now exist or may hereafter be amended, and shall comply with any other administrative rules and regulations of the state of Washington promulgated under authority of Chapter 38.52 RCW governing emergency management of subdivisions of the state. The Emergency Management Director shall file a copy of said plan in the office of the City Clerk, and distribute copies of said plan to appropriate City departments.

2.75.060 Emergency or disaster powers of the Mayor or successor.

In the event of a proclamation of a disaster as herein provided, or upon the proclamation of a state of emergency by the Governor of the State, the Mayor or successor is hereby empowered:

A. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council;

B. To request the County Executive to proclaim a local emergency when, in the opinion of the Mayor, the resources of the area or region are inadequate to cope with the disaster;

C. To be the head of the Policy Group in the event of an emergency or disaster to assure policy decisions and continuity of government is addressed and maintained;

D. To require the Emergency Management Director to periodically report pertinent and requested information to the Mayor or successor and to the Policy Group on the status of the City during an event;

E. In order to assure continuity of government and succession authority and lines of communications, it is necessary to define the succession lines for the Mayor if he/she is not available or incapacitated during an emergency or disaster. In the event the Mayor is incapacitated or absent during an emergency or disaster, the Deputy Mayor shall assume the responsibilities of the Mayor. In the event the Deputy Mayor is incapacitated or absent during a disaster, then the Council may appoint any qualified Councilmember to serve as Mayor and he/she shall assume the

responsibilities of the Mayor. This does not preclude the powers of the Emergency Management Director to proclaim an emergency or disaster in the event it is immediately needed in order to save lives and property in the City of SeaTac.

F. To require the emergency services of any City officer or employee and, in the event of a proclamation of emergency in the City or of a proclamation of emergency or disaster by the county executive or the state's Governor affecting the City, to command the service and equipment of as many citizens of the City as may be deemed necessary in light of the emergency or disaster proclaimed;

G. The Mayor or successor shall have the power to sign, on behalf of the City, mutual aid agreements with other municipalities, the county and other governmental subdivisions, which have been approved by the City council.

2.75.070 Emergency and disaster powers of the Emergency Management Director.

The Emergency Management Director has the duties and is hereby empowered:

A. To request the Mayor or successor to proclaim the existence or threatened existence of a disaster and the termination thereof, if a quorum of the City Council is available and functioning, or to issue such proclamation, if a quorum of the City Council is not available, subject to confirmation by the City Council at the earliest practicable time;

B. To control and direct the efforts of the emergency management organization of the City for the accomplishment of the purposes of this chapter;

C. To direct coordination and cooperation between neighboring jurisdictions, divisions, services and staff of the departments and services of the City in carrying out the provisions of the emergency management plan, and to resolve questions of authority and responsibility that may arise between them;

D. To act on behalf of the Mayor or successor if he/she is unable to carry out his/her duties, in carrying out purposes of this chapter or the provisions of the emergency management plan;

E. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people and to bind the City for the fair value thereof, and, if required immediately, to commandeer the same for public use;

F. To require emergency services of any City officer or employee and, in the event of the proclamation of a state of emergency by the Governor in the region in which this City is located, to command the service and equipment of as many citizens of this City as may be deemed necessary in the light of the disaster proclaimed; and such persons to be entitled to all privileges, benefits and immunities as are provided by State law for registered emergency workers;

G. To determine the incident command structure based upon the type of event or upon change of status of the event. The Emergency Management Director will strive to assign incident command to the Fire Department for natural disasters, Police Department for terrorist attacks or civil unrest, and Public Works Department for recovery efforts;

H. To requisition necessary personnel or material of any City department or agency with concurrent notification to the City Manager or designee.

I. Prepare and submit all plans, annexes, attachments, program papers, progress reports, and other documents required by Chapter 118-30 WAC, as amended, or any other administrative rules and regulations of the state of Washington promulgated under the authority of Chapter 38.52 RCW governing emergency management plans of subdivisions of the state;

J. Review and update such documents within the time frames prescribed by Chapter 38.52 RCW and Chapter 118-30 WAC;

K. Conduct such emergency operations exercises as may be required by law;

L. Conduct periodic inspections of the City's emergency facilities and systems, including but not limited to an emergency operations center and communication system, to determine their state of readiness;

M. Monitor the City’s compliance with the requirements of relevant state laws and regulations related to emergency management;

N. Prepare and implement the mandates of the National Incident Management System; and

O. Facilitate coordination with the City’s emergency management coordinating committee.

2.75.080 National Incident Management System.

The National Incident Management System (NIMS) promulgated by the Federal Emergency Management Agency is established as the standard for incident management within the City.

2.75.0980 Functions and duties of departments and employees.

All City departments, and all officers and employees thereof, are hereby assigned the powers and duties set forth in the emergency operations plan referenced in SMC 2.75.050.

2.75.100 Emergency Management Coordinating Committee.

A. To facilitate whole community engagement in the City’s emergency management planning, there is hereby created an emergency management coordinating committee for the City of SeaTac, which shall, to the extent possible, consist of the following:

1. The City’s emergency manager, who shall act as chair;
2. The City manager, or his or her designee;
3. The public works director, or his or her designee;
4. The community development director, or his or her designee;
5. The City police chief, or his or her designee;
6. The City fire chief, or his or her designee;
7. A representative of each school district located within the City;
8. A representative of each utility that serves citizens of SeaTac;
9. A representative of the SeaTac Citizen Advisory Committees

B. As appropriate, the City manager may appoint additional members to the emergency management coordinating committee from City staff, faith-based organizations, neighboring jurisdictions, human services organizations, neighborhood associations, major local employers, or small business representatives, based upon such member’s knowledge, experience, resources or capabilities in the area of emergency management.

C. The emergency management coordinating committee shall meet at a frequency established by the committee, but at a minimum biannually. The committee shall choose a vice-chair to act in the absence of the emergency manager.

D. It shall be the duty of the emergency management coordinating committee to review and advise the City manager and City council on the City’s emergency management programs, mutual aid agreements, ordinances, resolutions, contracts and rules and regulations as are necessary to implement such plans and agreements. The committee shall report to the City council annually on the “state of emergency management” in the City, and more frequently if an emergency or disaster event warrants such a report.

2.75.11090 Private liability.

No individual, firm, association, corporation or other party owning, maintaining or controlling any building or premises, who voluntarily and without compensation grants to the City a license or privilege or otherwise permits said City to inspect, designate and use the whole or any part or parts of such building or premises for the purpose of

sheltering persons during an actual, impending, mock or practice emergency or disaster, or their successors in interest, or the agents or employees of any of them, shall be subject to liability for injuries sustained by any person while in or upon said building or premises as a result of any act or omission in connection with the upkeep or maintenance thereof, except a willful act of negligence, when such a person has entered or gone into or upon said building or premises for the purpose of seeking refuge therein during an emergency or disaster or an attack by enemies of the United States or during a disaster drill, exercise or test ordered by a lawful authority.

2.75.1200 Penalty.

A violation of this chapter shall constitute a misdemeanor and shall be punishable as such; provided, that whenever any person shall commit a second offense hereunder, the same shall constitute a gross misdemeanor and shall be punishable as such. It shall be a violation of this chapter to:

A. Willfully obstruct, hinder, or delay any member of the emergency management organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter or in the performance of any duty imposed upon such member by virtue of this chapter;

B. Wear, carry or display, without authority, any means of identification specified by the emergency management agency of the City.

2.75.1310 Compensation Board.

A Compensation Board is hereby created for the processing of claims as provided in Chapter 38.52 RCW. The Compensation Board shall be composed of the Mayor, the City Manager or designee, one Councilmember selected by the Mayor and confirmed by the City Council, the City Attorney or designee, and the local coordinator of medical and health services. The Councilmember shall serve as the chair of the Compensation Board and the City Manager shall serve as the secretary of the Board.

2.75.1420 Severability.

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

Chapter 15.600

Sign Code

Sections:

15.600.005	Purpose
15.600.010	Authority, Application and Exemptions
15.600.015	Definitions
15.600.020	General Sign Provisions – CHANGES PROPOSED
15.600.030	Commercial/Office/Industrial Zone Classification Signs – CHANGES PROPOSED
15.600.040	Multi-Family Residential Zone Classification Signs – CHANGES PROPOSED
15.600.050	Single-Family Residential Low Zone Classification Signs – CHANGES PROPOSED
15.600.060	Noncommercial Speech Sign Standards
15.600.070	Temporary Sign Standards
15.600.080	Electronic Message Signs – CHANGES PROPOSED
15.600.090	Prohibited Signs
15.600.100	Nonconforming Signs
15.600.110	Permits and Fees
15.600.120	Administration, Enforcement and Sign Removal
15.600.130	Variance From Sign Code

15.600.020 General Sign Provisions

A. Requirements Applicable to All Signs.

1. **Structural Requirements.** The structure and erection of signs within the City shall be governed by the adopted Uniform Sign Code and Building Code. Compliance with the Uniform Sign Code and Building Code shall be a prerequisite to issuance of a sign permit under SMC 15.600.110, Permits and Fees.
2. **Electrical Requirements.** Electrical requirements for signs within the City shall be governed by Chapter 13.180 SMC, Electrical Code. Compliance with the Electrical Code shall be required by every sign utilizing electrical energy as a prerequisite to issuance of a sign permit under SMC 15.600.110, Permits and Fees.
3. **Sign Illumination.** Illumination from or upon any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare, or reflection of light on private or public property in the surrounding area, and so as to avoid unreasonably distracting pedestrians or motorists. “Undue brightness” is illumination in excess of that which is reasonably necessary to make the sign reasonably visible to the average person on an adjacent street. Additionally, electronic signs shall meet the standards of SMC 15.600.080, Electronic Message Signs.
4. **Sign Maintenance.** All signs, including signs heretofore installed, shall be constantly maintained in a state of security, safety, repair and professional appearance. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it shall be the duty of the owner and/or occupant of the premises on which the sign is fastened to repair or remove the sign within five (5) days after receiving notice from the City Manager or designee. The premises surrounding a monument sign shall be free and clear of rubbish and any landscaping area free of weeds.
5. **Sign Obstructing View or Passage.** No sign shall be located so as to physically obstruct any door, window or exit from a building. No sign shall be located so as to be hazardous to a motorist’s ingress or egress, or visibility of traffic flow during ingress or egress, from parking areas of any way open to the public. All signs shall comply with SMC 15.400.350, Sight Distance Requirements.
6. **Landscaping for Monument Signs.** All permanent monument signs shall include, as part of their design, general landscaping and curbs about their base to prevent automobiles from hitting the sign-supporting structure and to improve the overall appearance of the installation.

7. **Sign Inspection.** All sign users shall permit the periodic inspection of their signs by the City upon City staff request.
8. **Conflicting Provisions.** Whenever two (2) provisions of this code overlap or conflict with regard to size or placement of a sign, the more restrictive provision shall apply.

B. Number of Permanent Signs.

1. Permanent signage, consisting of monument/freestanding signage and facade/building-mounted signage, is allowed within the commercial/industrial/office zones, multi-family zones, and for noncommercial uses in the ~~single-family~~ residential low-density zones as described in SMC 15.600.030, Commercial/Office/Industrial Zone Classification Signs, 15.600.040, Multi-Family Residential Zone Classification Signs, and 15.600.050, ~~Single-Family~~ Residential Low Zone Classification Signs. Within these zoning classifications, only one (1) freestanding sign is allowed per site. See subsection (C) of this section for a definition of “site.” Each business shall also be allowed the facade signage described within SMC 15.600.030(B)(2) or 15.600.040(B)(2).
2. Where a site has multiple street frontages, one (1) freestanding sign shall be allowed on each street frontage, providing that there shall be a minimum of one hundred (150) feet between each freestanding sign, drawn in a straight line between the closest edges of the signs.
3. In a residential site of one hundred (100) dwelling units or greater, where the dwelling units are clustered into defined neighborhoods, only one (1) freestanding sign shall be allowed to identify each neighborhood containing at least thirty-five (35) residential dwelling units.

C. Monument Sign Design. Any monument sign must be “integrated” (that is, all elements of the sign must be incorporated in a single design).

1. Monument signs shall include design elements that effectively frame the sign on both faces. Alternatively, signs that have a substantial framing element on one (1) side may meet this provision.
2. Monument signs shall integrate a top, middle, and bottom element. The top could include a distinctive sign cap and/or include the name of a multi-tenant center. The middle can include a consistent framing technique for an individual sign or multiple signs in a multi-tenant center. The bottom could include a distinctive base design with special materials and/or design.

Signs less than six (6) feet tall are exempt from this provision.

3. Monument signs shall include durable high-quality materials such as stone, brick, concrete, or steel and a design that relates to and/or complements the design of on-site buildings and/or is coordinated with other site design elements (such as distinctive lighting, monuments, wayfinding signs).
4. All permanent monument signs shall include, as part of their design, general landscaping and curbs about their base to prevent automobiles from hitting the sign-supporting structure and to improve the overall appearance of the installation.
5. Posts or other supports must be architecturally covered, painted, or otherwise treated to prevent weathering, and to coordinate with the design of the sign.

D. Setbacks.

1. Interior lots (as per SMC 15.110.040): five (5) feet from the front property line; ten (10) feet from the side property lines.
2. Corner lots: five (5) feet from all property lines.
3. A sign may be set back between zero (0) feet and five (5) feet from the front property line, provided the applicant provides justification and documented proof that the sign’s placement will not hinder vision clearance (as per SMC 15.400.350) for existing and future development on the site.

- E. **Site.** A site shall be considered to be the largest applicable area of the following:
1. A single business located on one (1) or more tax parcels;
 2. Multiple uses sharing the area of one (1) or more tax parcels, whether in a multiple-occupancy building, a multiple-building complex, or other common use of a parcel for business operations.
- F. **Directional Signs.** Directional signs are not included in the number of permanent signs so long as the following conditions are met:
1. The sign shall not exceed nine (9) square feet in surface area.
 - a. Business identification shall comprise no more than twenty-five percent (25%) of the sign.
 2. The number of directional signs shall not exceed one (1) per entrance to a site, except that two (2) directional signs shall be allowed if necessary for safety and oriented to traffic approaching the entrance from two (2) different directions.

Additional signs oriented to the street may be allowed only if shown to be necessary for safety purposes and granted by the Director.
 3. The sign is located on the premises to which the sign is intended to guide or direct pedestrian or vehicular traffic, and meets all other standards of the code. If a directional sign is portable, or constructed of nonrigid materials, see SMC 15.600.070, Temporary Sign Standards, for requirements regarding temporary signs.
 4. Where a property lacks direct street frontage, an off-premises directional sign may be approved through a variance process described in SMC 15.600.130, Variance From Sign Code.
- G. **Street Identification.** Each enterprise, including each building in a multiple building complex, shall display and maintain on-premises street address number identification.
- H. **Each Sign Complete.** In no case shall any sign contain a letter, word, or phrase that is continued onto another sign.

15.600.030 Commercial/Office/Industrial Zone Classification Signs

A. General.

1. This section regulates signs in the following zones: [NBCL](#), CB, CB-C, RBX, I, and [O/CMUVH](#).
2. **Illumination.** Freestanding and building-mounted signs in the commercial/office/industrial zones may be illuminated through internal and external illumination; provided, that such illumination does not create glare on adjacent properties or traffic corridors, and that the following conditions are met:
 - a. **Internal Illumination.** Internal illumination shall be allowed; provided, that if the sign is located adjacent to or across from a [single-family residential low-density](#) zone, one (1) of the following methods shall be used:
 - i. Only the lettering and symbols on the sign shall be illuminated; or
 - ii. If the entire cabinet is illuminated, the background shall be a dark shade or color that minimizes glare, with the foreground (letters and symbols) being light or contrasting.
 - b. **External Illumination.** If external illumination is used, documentation shall be provided that clearly shows that light or glare from the external illumination will not impact traffic corridors or adjacent properties.

B. Standards.

1. **Monument and Freestanding Signs.**

- a. Maximum height: fifteen (15) feet.
- b. Maximum surface area:
 - i. Eighty-five (85) square feet;
 - ii. The size of electronic monument or freestanding signs is limited by SMC 15.600.080, Electronic Message Signs.

2. **Building-Mounted Signs (Including Parapet, Awning, Marquee, Porte-Cochere, and Canopy-Mounted Signs).** The surface area of any building-mounted sign shall not exceed the figures derived from the following schedule. The size of electronic message signs for building-mounted signs is limited by SMC 15.600.080, Electronic Message Signs.

Surface Area of Facade	Maximum Sign Surface Area
Less than 100 sf	30 sf
100 – 199 sf	35 sf + 11% of facade area over 100 sf
200 – 499 sf	40 sf + 12% of facade area over 200 sf
500 – 999 sf	80 sf + 11% of facade area over 500 sf
1,000 sf or greater	10% of facade

Additionally, the following conditions apply:

- a. In multiple occupancy buildings, the facade area for each tenant or user is derived by measuring only the surface area of the exterior facade of the premises actually used by the tenant or user. The sign displayed by the tenant or user must be located on the facade that was used to determine the size of the sign, except as provided in this section.
- b. Unused sign surface area for a facade may be used by any tenant or user within the same multiple occupancy building if the display of the sign is necessary to reasonably identify and locate the use, and the provisions of this code do not provide the use with adequate sign display options.
- c. **Sign Height.** The height of any building-mounted sign shall not extend above the highest exterior wall of the building.
- d. No sign shall be mounted on top of a marquee, porte-cochere, canopy, roof, or other similar structure.
- e. Any building-mounted sign, including any marquee sign, or awning sign attached to a building, shall not project more than six (6) feet from the face of the building to which the sign is attached. Any structural supports shall be an integral part of the design or concealed from view.
- f. All parapet, marquee, and awning signs must be manufactured in such a way that they appear to be a part of the building itself.
- g. Any sign mounted to the facade of a freestanding canopy structure or the facade of a porte-cochere extending more than six (6) feet from a building shall not exceed seventy percent (70%) of the width or height of the fascia the sign is mounted to so as to leave reveal on all sides of the sign and to maintain an appropriate balance between the sign and structure.



Figure: CANOPY SIGN

- h. Window signs shall be considered building-mounted signs for the purposes of this section, and shall be counted as part of the aggregate sign surface area allowed. Window signs shall not be mounted between three (3) feet and seven (7) feet of floor level on any floor of a building, unless such signage does not obstruct visibility through the majority of the window.
- i. Decorative lighting including neon and other accent lighting, and any lighted canopy or building panel, shall be considered a building-mounted sign for the purposes of this section, and shall be counted as part of the aggregate sign surface area allowed.

15.600.040 Multi-Family Residential Zone Classification Signs

A. General. This section applies to:

1. Multiple-family buildings and any commercial use, church, school or community use located in the T, URM, URH, CB, RBX, UL, NBCL, I and O/C/MUUV zone classifications.
2. A sign in these classifications may be internally illuminated, provided that:
 - a. The maximum size allowed for an internally illuminated sign shall be twenty-five (25) square feet.
 - b. The background of any internally illuminated sign shall be dark with only the letters or message of the sign illuminated.
 - c. Neon signage shall not be allowed.
 - d. Internal or external illumination shall not create glare on adjacent traffic corridors.
3. See SMC 15.600.080, Electronic Message Signs, for separate size and other limitations regarding electronic signs.
4. The light source for any externally illuminated sign shall be shaded, shielded, directed or reduced so that the light source is not visible from a public street or adjoining residential property. If external illumination is used, documentation shall be provided that clearly shows that light or glare from the external illumination will not impact traffic corridors or adjacent properties. The type of external illumination shall be approved by the Director prior to issuance of a sign permit.

B. Standards.

1. **Monument and Freestanding Signs.** The following limits shall apply to monument and freestanding signs:
 - a. Maximum sign height: fifteen (15) feet – permanent sign.
 - b. Maximum surface area:
 - i. Thirty-five (35) square feet for multi-family uses;
 - ii. Thirty-five (35) square feet for any nonresidential use not on an arterial street;

- iii. Sixty (60) square feet for any nonresidential use fronting on a minor or collector arterial street as defined within the City of SeaTac Comprehensive Plan;
 - iv. Eighty-five (85) square feet for any nonresidential use fronting on a principal arterial street as defined in the City of SeaTac Comprehensive Plan;
 - v. See SMC 15.600.080, Electronic Message Signs, for size limitations on electronic signs.
- c. **Design.** Auxiliary projections or attachments not a part of a single design are prohibited, except under the following circumstances:
- i. The monument sign is located on the primary access road to a multi-family development exceeding thirty (30) dwelling units; and
 - ii. Auxiliary projections or attachments provide a single architectural feature unique to the multi-family development; and
 - iii. The monument sign and auxiliary projections and attachments are on a scale commensurate with the size of the development.

2. **Building-Mounted Signs (Including Parapet, Awning, Marquee, Porte-Cochere, and Canopy-Mounted Signs).** The surface area of any building-mounted sign shall not exceed the figures derived from the following schedule. The size of electronic building-mounted signs is limited by SMC 15.600.080, Electronic Message Signs.

Surface Area of Facade	Maximum Sign Surface Area
Less than 100 sf	21 sf
100 – 199 sf	21 sf + 9% of facade area over 100 sf
200 – 499 sf	30 sf + 10% of facade area over 200 sf
500 – 999 sf	60 sf + 9% of facade area over 500 sf
1,000 sf or greater	10% of facade

Additionally, the following conditions apply:

- a. In multiple occupancy buildings, the facade area for each tenant or user is derived by measuring only the surface area of the exterior facade of the premises actually used by the tenant or user, and the sign displayed by the tenant or user must be located on the facade used to determine the size of the sign, except as provided in this section.
- b. Unused sign surface area for a facade may be used by any tenant or user within the same multiple occupancy building, if the display of the sign is necessary to reasonably identify and locate the use, and the provisions of this code do not provide the use with adequate sign display options.
- c. **Sign Height.** The height of any building-mounted sign shall not extend above the highest exterior wall of the building.
- d. No sign shall be mounted on top of a marquee, porte-cochere, canopy, roof, or other similar structure.
- e. Any building-mounted sign shall not project more than six (6) feet from the face of the building to which the sign is attached. Any structural supports shall be an integral part of the design or concealed from view.

- f. All parapet, marquee, and awning signs must be manufactured in such a way that they appear to be a part of the building itself.
- g. Any sign mounted to the facade of a freestanding canopy structure or the facade of a porte-cochere extending more than six (6) feet from a building shall not exceed thirty (30) inches in height.
- h. Window signs shall be considered building-mounted signs for the purposes of this section, and shall be counted as part of the aggregate sign surface area allowed. Window signs shall not be mounted between three (3) feet and seven (7) feet of floor level on any floor of a building, unless such signage does not obstruct visibility through the majority of the window.
- i. Decorative lighting including neon and other accent lighting, and lighted canopy or wall panels, shall be considered a building-mounted sign for the purposes of this section, and shall be counted as part of the aggregate sign surface area allowed. The width of any decorative lighting strip or accent shall be considered to extend six (6) inches beyond the limits of the actual strip or accent.

15.600.050 ~~Single-Family Residential~~ Low Zone Classification Signs

- A. In individual dwelling units within the residential URL and TRM zones, a sign with the occupant’s name two (2) square feet is permitted.
- B. Each residential dwelling shall display and maintain on-premises street address number identification.
- C. Any home occupation shall be allowed the signage described and regulated in SMC 15.465.500(C), Home Occupations.
- D. Any daycare facility, bed and breakfast, short-term rental, or specialized instruction school (other than a specialized instruction school located at a former school district facility) within the URL or TRM zones shall be allowed a nine (9) square foot sign.
- E. Electronic message signs are not allowed, except as permitted by SMC 15.600.080, Electronic Message Signs.
- F. Internally illuminated signs are not allowed except as permitted and regulated by SMC 15.600.040, Multi-Family Residential Zone Classification Signs, for churches, schools, and community uses.

15.600.080 Electronic Message Signs

Electronic message signs shall be allowed, provided they comply with the following requirements:

A. Size and Location.

1. Freestanding/Monument Signs.

- a. That portion of the sign that constitutes the electronic changeable display shall be allowed as follows:

Zone	Maximum Electronic Portion of Sign	Maximum Total Size of Sign
CB, CB-C, <u>CMUVH</u> , I, RBX	55 sf	85 sf
<u>NBCL</u>	25 sf	85 sf
Noncommercial Uses in <u>URL</u> , <u>TRM</u> , <u>URM</u> , <u>URH</u> , <u>CMUVM</u> , P	Not allowed	35 sf not on an arterial
	Not allowed	60 sf on a minor/collector arterial
	25 sf	85 sf on a principal arterial
Commercial Uses in <u>CMUVM</u> , <u>TRM</u> , <u>URM</u> , <u>URH</u>	Not allowed	35 sf
	Not allowed	60 sf on a minor/collector arterial

Zone	Maximum Electronic Portion of Sign	Maximum Total Size of Sign
	25 sf	85 sf on a principal arterial
Multi-Family Uses in O/C/MUVH , URM , URH	Not allowed	35 sf

2. Building-Mounted Signs.

- a. Building-mounted electronic message signs are not allowed in the following zones: [URL](#), [TRM](#), [O/C/MUUVM](#), [URM](#), [URH](#), [P](#), [NBCL](#).
- b. In all other zones, a site or property may be allowed a maximum of fifty-five (55) square feet of building-mounted electronic changeable display per street frontage.

C. Light Levels.

- 1. All signs shall incorporate photocell/light sensors, with automatic dimming technology that appropriately adjusts to ambient light conditions and the means to immediately turn off the display if it malfunctions or if for some reason it is not complying with the regulations in this section.
- 2. Maximum brightness levels for electronic message signs in all zones shall not exceed three-tenths (0.3) foot candles above ambient light as measured using a foot candle meter at a preset distance depending on sign size. Measurement distance shall be determined using the following calculation: the square root of the product of the sign area times one hundred (100). Example using a twelve (12) square foot sign: $(12 \times 100) = 34.6$ feet measuring distance.
- 3. At no time shall the sign be operated at a brightness level greater than the manufacturer’s recommended levels.
- 4. All electronic message signs shall be designed to prevent light trespass into the sky.

D. Residential Zones.

- 1. Electronic message signs shall not be allowed within any dwelling or home occupation in any residential zone.
- 2. Businesses, churches or schools are allowed electronic message signs providing that:
 - a. They comply with subsections (A) through (C)(1) and (C)(3) of this section;
 - b. Electronic displays in residential zones shall be turned off between the hours of 10:00 p.m. and 7:00 a.m.

MISCELLANEOUS APPEAL and REFERENCE CODE CLEAN-UP

From Chapter 5.05 Business Licenses and Regulations

5.05.160 Procedures for an appeal of a notice of denial, suspension or revocation.

I. The decision of the Hearing Examiner is considered final and conclusive per SMC 1.20.~~100(H)~~.

From Chapter 5.35 Fireworks

5.35.050 Public or religious displays of fireworks

J. The denial by the fire code official of a permit issued under this chapter may be appealed to the Hearing Examiner, as set forth in SMC 13.100.100(B). The decision of the Hearing Examiner shall be final and conclusive in accordance with SMC 1.20.~~100(H)~~.

From Chapter 7.35 Graffiti Removal

SMC 7.35.060 Appeal.

Within ten (10) days from the mailing or from personal service of the notice of intent to remove graffiti, the owner or person occupying or controlling the premises affected may appeal the matter to the [SeaTac City Council Hearing Examiner](#). Filing of an appeal will stay, during the pendency of the appeal, any enforcement or actions by the City to abate the graffiti nuisance.

From Chapter 11.40 Designation of Street Names and Numbers

SMC 11.40.090 Appeals

Any party aggrieved by the designation or redesignation of a street may appeal such final action as an appeal from an administrative decision pursuant to SMC 1.20.~~110~~.

From Chapter 11.50 Transportation Concurrency Management

SMC 11.50.150 Reconsiderations and appeals

D. Appeals.

4. The concurrency determination appeal will be consolidated with any other administrative appeals [of permit decisions for the development subject to the concurrency determination.](#) ~~as provided for in SMC 16A.19.020(G).~~

From Chapter 13.270 Building Addresses

SMC 13.270.060 Appeals

Any party aggrieved by the assignment or reassignment of a building address may appeal such final action as an appeal from an administrative decision [to the Hearing Examiner](#) pursuant to SMC [Chapter 1.20.110](#).

From Chapter 14.16 Definitions (Subdivision Code)

SMC 14.16.178 Reviewing Authority

The Departments of Community and Economic Development, Parks and Recreation, Police Services, Fire Services and the Hearing Examiner where applicable ~~under SMC 1.20.090~~.

From Chapter 14.25 Alterations and Vacations

14.25.010 Alterations to a Recorded Subdivision

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.

14.25.030 Vacation of a Final Plat

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.
