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ORDINANCE NO. 08-1001

AN ORDINANCE of the City Council of the City of SeaTac, Washington, related to the Development Regulations; amending Sections 15.12.030, 15.12.040, 15.14.060, 15.15.030, 15.22.030, 15.35.120 and 15.38.120 of the SeaTac Municipal Code; adding new Sections 15.10.430.05, 15.10.480, 15.10.541, 15.10.542, 15.10.668.03, and 15.12.100 to the SeaTac Municipal Code; and repealing Sections 15.10.105 and 15.10.106 of the SeaTac Municipal Code.

WHEREAS, it is appropriate to amend the City's development regulations regarding Conditional Use Permits (CUP's); and

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City's Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations, has held a public hearing for the purpose of soliciting public comment in regard to Zoning Code changes, and has recommended the amendments and additions for adoption by the Council;

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

Section 1. Section 15.12.030 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.030 Recreational/Cultural Uses

ZONES: UH – Urban High Density O/CM – Office/Commercial Medium
P – Park NB – Neighborhood Business BP – Business Park
MHP – Mobile Home Park CB – Community Business O/C/MU – Office/Commercial/Mixed Use

UL – Urban Low Density ABC – Aviation Business Center T – Townhouse
 UM – Urban Medium Density I – Industrial/Manufacturing

USE #	LAND USE	ZONES												
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T
	RECREATIONAL/CULTURAL USES													
022	Community Center	P			C	C*	P	P*	P*(2)		P*		P*	C*
023	Golf Course	P		C				C*				P*		
024	Theater	P(2)					P	P*	P*(2)	P	P*	C*		
025	Drive-In Theater							P*						
026	Stadium/Arena	C						C*		C	C*	P*		
027	Amusement Park	C(1)						C*			C*	C*		
028	Library			P	P	C*	P	P*	P*		P*	C*	P*	C*
029	Museum				C	C*	P	P*	P*		P*	C*		
030	Conference/ Convention Center						P	P*	P*	P	P*	C*(2)		
031	Cemetery	C			C	C*	C	P*	P*					
032	Private/Public Stable	P		SDO										
033	Park	P	P	P	P	P*	P	P*	P*	P	P*	P*	P*	P*
034	Church Religious Use Facility	<u>C/P</u> <u>(5,6)</u>		<u>C/P</u> <u>(5,6)</u>	<u>C/P</u> <u>(5/6)</u>	P*	P	P*	P*		P*	P*(2)	P*	C*
035	Church Religious Use Facility Accessory	<u>C/P</u> <u>(5,6)</u>		C(2,3)	C(2,3)	C*(3)	P(3)	P*(3)	P*(3)		P*(3)		P*	C*(2)
036	Recreational Center	P		P (5/4)	P (5/4)*	P (5/4)*	C	P*	P*(2)	P	P*	P*(1)	P*	
036.5	Health Club					C*(2)	P	P*	P*	P(2)	P*	P*	P*	
037	Arcade (Games/Food)	P				P*(2)	P	P*(2)	P*(2)		P*(2)	P*(2)	P*(2)	
038	Sports Club			<u>C/P</u> <u>(4)</u> <u>(5,6)</u>			C	P	P	P				
039	<u>Nonprofit Organization</u>	<u>C/P</u> <u>(5,6)</u>		<u>C/P</u> <u>(5,6)</u>	<u>C/P</u> <u>(5,6)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>		<u>P</u>	

P – Permitted Use; C – Conditional Use Permit; SDO – Special District Overlay Rules

* See Chapters 15.13 and 15.35 SMC for additional development standards.

- (1) Site must be adjacent to an improved arterial.
- (2) Accessory to primary use not to exceed twenty percent (20%) of total building square footage.
- (3) May include an overnight shelter, not to exceed twenty percent (20%) of total building square footage, providing an operating plan is approved ensuring there are no significant traffic or noise impacts to neighbors, and that health and safety standards are met.
- (4) ~~Applies only to the Glacier High School site.~~

- (5) The hours to conduct outdoor activities may be limited dependent on their location relative to adjacent residential properties. Such activities may be limited due to potential noise impacts, activities between the hours of 10:00 p.m. to 8:00 a.m., or lighting that cannot be screened that would cast glare on adjacent residences.
- (5) Allowed as a Minor CUP subject to criteria under SMC 15.22.030 E
- (6) Allowed as a "Permitted Use" subject to the criteria in SMC 15.12.100

Section 2. Section 15.12.040 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.040 General, Educational, Health Services Uses

**ZONES: UH – Urban High Density O/CM – Office/Commercial Medium
P – Park NB – Neighborhood Business BP – Business Park
MHP – Mobile Home Park CB – Community Business O/C/MU – Office/Commercial/Mixed Use
UL – Urban Low Density ABC – Aviation Business Center T – Townhouse**

USE #	LAND USE	ZONES												
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T
	GENERAL USES													
041	Wireless Communications Facility (**)	C/P (6)	C/P (6)	C/P(6)	C/P(6)	C/P*(6)	P/C(6)	P/C*(6)	P/C*(6)	P/C(6)	P/C*(6)	P/C*(6)	P/C*(6) (6)	C/P*(6)
042	Communications Facility (**)			Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-C*	Mr.-P Mjr.-C	Mr.-P Mjr.-P*	Mr.-P Mjr.-P*	Mr.-P Mjr.-P	Mr.-P Mjr.-P*	Mr.-P Mjr.-P*	Mr.-P Mjr.-C*	Mr.-P Mjr.-C*
043	Dry Cleaner					P*(1,2)	P	P*	P*(1)		P*(2)	P*(2)	P*(2)	P*(2)
046	Funeral Home/ Crematory	C					P	P*	P*(1)	P	P*(2)			
047	Veterinary Clinic		+				P	P*	P*(1)	P	P*(2)		C*	
048	Kennel						P	P*		P				
049	Day Care I		P(3,5)	P(3,5)	P(3,5)	P*(3,5)	P(3,5)		P*(1,3,5)		P*(2,3,5)	P*(3,5)	P*(2,3,5)	P*(2,3,5)
050	Day Care II		C(3)	C(3, 9)	P(3)	P*(3)	P(3)	P*(3)	P*(3)		P*(2, 3)		P*(2, 3)	P*(2,3)
051	General Repair						P	P*	P*(1)	P	P*(2)			
	EDUCATIONAL USES													
055	Elementary – Jr. High			C	C	C*			C*					
056	High School			C	C	C*	P	C*	C*					
057	Vocational School						C	P*	C*	C	P*(2)	C*	P*(2)	
058	Specialized Instruction School			P/C(4, 9, 10)	P/C(4, 9, 10)	P/C*(4, 9, 10)	P	P*	P*	P	P*(2)	C*	P*(2)	
059	College/University			C	C	C*		P*	P*		P*	C*	P*(2)	
	HEALTH SERVICES USES													
062	Office/Outpatient Clinic					P*	P	P*	P*	P	P*	P*	P*	
064	Hospital						P	P*	P*		C*	P*		
065	Medical/Dental Lab					C*	P	P*	P*	P	P*	P*	P*	P*(2)
066	Miscellaneous Health						P	P*	P*		C*	C*	C*	
067	Opiate Substitution Treatment Facility							C(8)	C(8)	C(8)		C(8)		

UM – Urban Medium Density I – Industrial/Manufacturing

P – Permitted Use; C – Conditional Use Permit

* See Chapters 15.13 and 15.32 SMC for additional development standards.

(**) See Chapter 15.31A SMC for additional development standards.

(1) Accessory to primary use not to exceed twenty percent (20%) of primary square footage.

(2) Permitted as a part of a mixed use development.

(3) Day Care I: DSHS license required.

Day Care II: DSHS license required/SEPA review required.

- (4) Limited to three (3) students per day except as allowed within ~~old~~ a school facilities or religious use facility subject to a Conditional Use Permit.
- (5) Except as provided pursuant to SMC [15.10.166](#) for family day care.
- (6) See the use charts in Chapter 15.31A.031(B) and (C) for specifics.
- (7) Repealed by Ord. 04-1030.
- (8) Subject to the CUP-EPF siting process (SMC [15.22.035](#)).
- (9) Allowed as a Minor CUP subject to criteria under SMC 15.22.030 E
- (10) Allowed as a “Permitted Use” subject to the criteria in SMC 15.12.100

Section 3. Section 15.14.060 of the SeaTac Municipal Code is hereby amended to read as follows:

15.14.060 Landscaping Standards for Residential, Accessory, Recreational/Cultural Uses

USE #	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 NON-COMPATIBLE USES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE*
	RESIDENTIAL USES					
001	Single-Family	–	–	–	–	–
001A	Single-Family Attached Dwelling Unit	–	–	–	–	–
002	Duplex	–	–	–	–	–
003	Townhouses	III/20 ft. ¹	IV/5 ft.	III/10 ft.	II/15 ft. ¹	Yes (over 3 units)
004	Multi-Family	III/20 ft. ¹	IV/5 ft.	III/5 ft.	I/15 ft.	Yes
005	Senior Citizen Multi	II/20 ft.	IV/5 ft.	III/5 ft.	I/15 ft.	Yes
006	Manufactured Home	–	–	–	–	–
006A	Mobile Home	–	–	–	–	–
007	Bed and Breakfast/Guesthouse	–	–	–	–	–
008	Community Residential Facility I	–	–	–	–	–
008a	Community Residential Facility II	II/20 ft.	IV/5 ft.	III/5 ft.	I/15 ft.	Yes
008b	Transitional Housing	II/20 ft.	IV/5 ft.	III/5 ft.	I/15 ft.	Yes
008c	Halfway House	II/20 ft.	IV/5 ft.	II/10 ft.	I/20 ft.	Yes
009	Overnight Shelter	II/20 ft.	IV/5 ft.	II/20 ft.	I/20 ft.	Yes
010	Convalescent Center/Nursing Home	II/20 ft.	IV/5 ft.	II/15 ft.	–	Yes
011	Mobile Home Park	II/20 ft.	–	I/20 ft.	–	–
013	College Dormitory	IV/10 ft.	–	IV/5 ft.	II/10 ft.	Yes

	ACCESSORY USES					
018	Home Occupation	–	–	–	–	–
019	Shed/Garage	–	–	–	–	–
	RECREATIONAL/CULTURAL USES					
022	Community Center	II/10 ft.	–	–	–	Yes
023	Golf Course	–	–	–	–	Yes
024	Theater	II/20 ft.	–	I/5 ft.	I/20 ft. (SF)	Yes
025	Drive-In Theater	IV/20 ft.	–	I/5 ft.	I/20 ft. (SF)	Yes
026	Stadium/Arena	IV/20 ft.	III/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
027	Amusement Park	IV/20 ft.	III/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
028	Library	IV/10 ft.	–	II/5 ft.	–	Yes
029	Museum	IV/10 ft.	–	II/10 ft.	–	Yes
030	Conference/Convention Center	IV/10 ft.	IV/5 ft.	I/5 ft.	I/20 ft. (SF)	Yes
031	Cemetery	IV/20 ft.	–	–	–	–
032	Private/Public Stable	–	–	–	–	–
033	Park	–	–	–	–	–
034	Church Religious Use Facility	IV/10 ft.	–	–	I/10 ft.	Yes
035	Church Religious Use Facility Accessory	IV/10 ft.	–	–	I/10 ft.	Yes
036	Recreational Center	IV/10 ft.	IV/5 ft.	IV/5 ft.	II/10 ft.	Yes
036.5	Health Club	IV/10 ft.	IV/5 ft.	III/5 ft.	I/10 ft.	Yes
037	Arcade (Games/Food)	IV/10 ft.	–	IV/5 ft.	II/10 ft.	Yes
038	Sports Club	IV/10 ft.	IV/5 ft.	IV/5 ft.	II/10 ft.	Yes

* See SMC [15.14.090](#).

1Pursuant to the Design Standards for Multi-Family Housing, Chapter [15.19 SMC](#).

(SF) Adjacent to single-family zones for buffering purposes. See SMC [15.14.057](#).

Section 4. Section 15.15.030 of the SeaTac Municipal Code is hereby amended to read as follows:

15.15.030 Parking Space Requirements for Recreational/Cultural Uses

USE #	LAND USE	MINIMUM SPACES REQUIRED
	RECREATION/CULTURAL USES	
022	Community Center	1 per 400 sf of building, plus 1 per employee
023	Golf Course	3 per hole, plus 1 per employee
024	Theater	1 per 3 fixed seats, plus 1 per employee
025	Drive-In Theater	–
026	Stadium/Arena	1 per 3 fixed seats, plus 1 per employee

027	Amusement Park	1 per 200 sf of area within enclosed buildings, plus 1 for every 3 persons that the outdoor facilities are designed to accommodate at maximum capacity
028	Library	1 per 200 sf of building
029	Museum	1 per 200 sf of building
030	Conference/Convention Center	1 per 3 fixed seats, plus 1 per 40 sf for assembly areas without fixed seats
031	Cemetery	1 per 40 sf of chapel area, plus 1 per employee
032	Private/Public Stable	1 per 2 stalls
033	Park	1 space for each 3 users at maximum utilization
034	Church Religious Use Facility	1 per 4 fixed seats, or 1 per 40 sf of gfa used for assembly purposes without fixed seats
035	Church Religious Use Facility Accessory	1 per 500 gsf
036	Recreational Center	1 per 400 sf of building
036.5	Health Club	1 per 150 sf of leasable space
037	Arcade (Games/Food)	1 per 250 sf of building
038	Sports Club	1 per 100 sf of building plus 1 per 4 fixed seats if tournaments or competitions are held at the sports club. If tournaments or competitions are proposed, a traffic control plan, approved by the City, shall be submitted.*
	EXCEPTIONS	
	Bowling Center	5 per lane, plus 1 per employee
	Golf Driving Range	1 per tee, plus 1 per employee

*If bench or pew seating is used, each twenty-four (24) lineal inches of bench or pew seating shall be considered as a separate seat.

Section 5. Section 15.22.030 of the SeaTac Municipal Code is hereby amended to read as follows:

15.22.030 Conditional Use Permit (CUP)

- A. A major conditional use permit (CUP) is a permit granted by the Hearing Examiner, which sets special conditions regarding a use in a zone where the use is not permitted outright due to the nature of impacts created by the use.
- B. A minor conditional use permit may be granted by the City Manager, or designee, to allow specified uses as listed under subsection (E) of this section.
the following:
 - ~~1. The expansion of an existing legal conditional use;~~
 - ~~2. To allow permitting of a wireless telecommunications facility pursuant to the criteria set forth in subsection (E) of this section.~~

- C. The CUP process is a means of imposing special conditions and requirements on development, so that the compatibility of uses shall be maintained considering other existing and potential uses within the general area where the conditional use is proposed. Conditions imposed on a CUP will reasonably assure that a nuisance or hazard to life or property will not occur. The CUP process is not a means to reduce the requirements of a zone classification where the conditional use is proposed.
- D. The applicant must show that the proposed development satisfies all of the following criteria for approval by the Hearing Examiner or City Manager, or designee:
1. The proposed use is listed as a conditional use under the zone classification use charts, Chapter [15.12](#) SMC;
 2. The site is adequate in size and shape for the proposed project and the use conforms to the general character of the neighborhood;
 3. The unique character of topography, arterial streets and adjacent land use complement the proposed conditional use;
 4. The conditional use would not be detrimental to surrounding land use;
 5. Modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this code;
 6. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
 7. The conditional use will be supported by adequate public facilities or services, and will not adversely affect public services to the surrounding area unless conditions can be established to mitigate adverse impacts.
- E. A minor conditional use permit may be granted by the City Manager, or designee, only in the following situations:
1. The minor conditional use must conform to the criteria as set forth in this section and all other requirements of this code.
 2. To allow the expansion of an existing, legal conditional use which has previously been permitted within the zone classification, provided the requested expansion of the existing conditional use is either:
 - a. No greater than twenty percent (20%) of the gross floor area of the existing conditional use; and
 - b. Exempt from environmental review under the State Environmental Policy Act (SEPA).

3. To allow location of a new concealed freestanding WCF in a low intensity zone, subject to the requirements set forth in Chapter [15.31](#) SMC.
4. To allow the following uses in school facilities or City facilities within the residential zones and park zone, subject to size criteria:
 - a. Religious Use Facilities, with a congregation of 80 or less persons.
 - b. Specialized Instruction School with 80 or less students.
 - c. Day Care II.
 - d. A pre-school, with an attendance of 130 or less children.
 - e. A Sports Club with a membership of 80 or less persons.
 - f. Nonprofit Organizations with a local membership of 80 or less members.
5. To allow the following uses in existing Religious Use Facilities within the residential zones, subject to size criteria.
 - a. Specialized Instruction School with 60 or less students.
 - b. Day Care II.
 - c. Nonprofit Organizations with a local membership of 60 or less members.

The minor conditional use must conform to the criteria as set forth in this section and all other requirements of this code.

Section 6. Section 15.35.120 of the SeaTac Municipal Code is hereby amended to read as follows:

15.35.120 Recreational/Cultural Uses

ZONES:

- P – Park ABC – Aviation Business Center
- UM – Urban Medium Density I – Industrial/Manufacturing
- UH – Urban High Density O/CM – Office/Commercial Medium
- UH-UCR – Urban High-Urban Center Residential O/C/MU – Office/Commercial/Mixed Use
- NB – Neighborhood Business T – Townhouse
- CB-C – Urban Center

P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES										
		P	UM	UH	UH-	NB	CB-	ABC	I	O/CM	O/C/MU	T

					UCR		C					
	RECREATIONAL/CULTURAL USES											
022	Community Center	P	C	P	P	P	P	P		P	P	C
023	Golf Course	P										
024	Theater	P(2)				P	P	P		P		
025	Drive-In Theater											
026	Stadium/Arena	C					C		C	C		
027	Amusement Park	C(1)					C			C		
028	Library		P	C	P	P	P	P		P	P	C
029	Museum		C	C	P	P	P	P		P		
030	Conference/Convention Center					P	P	P	P	P		
031	Cemetery	C	C	C		C	C	P				
032	Private/Public Stable	P										
033	Park	P	P	P	P	P	P	P	P	P	P	P
034	Church Religious Use Facility	<u>C/P</u> <u>(3,4)</u>	<u>C/P</u> <u>(3,4)</u>	P	P	P	P	P		P	P	C
035	Church Religious Use Facility Accessory	<u>C/P</u> <u>(3,4)</u>	C(2)	C(2)	P(2)	P	P	P		P	P	C(2)
036	Recreational Center	P		P	P	P	P	P	P	P	P	
036.5	Health Club			C(2)	P	P	P	P	P(2)	P	P	
037	Arcade (Games/Food)	P		P(2)	P(2)	P	P	P(2)		P(2)	P(2)	
038	Nonprofit Organizations	<u>C/P</u> <u>(3,4)</u>	<u>C/P</u> <u>(3,4)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	

- (1) Site must be adjacent to an improved arterial.
(2) Accessory to primary use not to exceed twenty percent (20%) of primary square footage.
(3) Allowed as a Minor CUP subject to criteria under SMC 15.22.030 E
(4) Allowed as a "Permitted Use" subject to the criteria in SMC 15.12.100

Section 7. Section 15.38.120 of the SeaTac Municipal Code is hereby amended to read as follows:

15.38.120 Recreational/Cultural Uses

- ZONES:**
P – Park
UL – Urban Low Density
UM – Urban Medium Density
UH – Urban High Density
UH-UCR – Urban High-Urban Center Residential
T – Townhouse
CB-C – Urban Center

P – Permitted Use; C – Conditional Use Permit; Blank Cell Means Use Prohibited

USE	LAND USE	ZONES
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#		P	UL	UM	UH	UH-UCR (2)	CB-C (2)						T
	RECREATIONAL/CULTURAL USES												
022	Community Center	P		C	P	P	P						C
023	Golf Course	P											
024	Theater	P(1)				P	P						
025	Drive-In Theater												
026	Stadium/Arena												
027	Amusement Park												
028	Library			P	C	P	P						C
029	Museum			C	C	P	P						
030	Conference/Convention Center					P	P						
031	Cemetery												
032	Private/Public Stable	P											
033	Park	P		P	P	P	P						P
034	Church Religious Use Facility	C/P (3,4)		C/P (3,4)	P	P	P						C
035	Church Religious Use Facility Accessory	C/P (3,4)		C/P(1,3,4)	C (1)	P(1)	P						C(1)
036	Recreational Center	P			P	P	P						
036.5	Health Club				C(1)	P	P						
037	Arcade (Games/Food)	P			P(1)	P(1)	P						
038	<u>Nonprofit Organization</u>	C/P (3,4)		C/P (3,4)	P	P	P						

- (1) Accessory to primary use not to exceed twenty percent (20%) of primary square footage.
(2) For new development and redevelopment projects that are located in the CB-C and UH-UCR zone, except for the areas south of S. 154th St., at least sixty (60) percent of of the length of the exterior ground floor facing the street(s) shall be a pedestrian-oriented retail, office, or public use as described in 15.38.107.
(3) Allowed as a Minor CUP subject to criteria under SMC 15.22.030 E
(4) Allowed as a “Permitted Use” subject to the criteria in SMC 15.12.100

Section 8. A new Section 15.10.431.01 of the SeaTac Municipal Code is hereby added to read as follows:

15.10.430.05 Nonprofit Organization

A non-commercial organization that does not operate to make a profit.

Section 9. A new Section 15.10.480 of the SeaTac Municipal Code is hereby added to read as follows:

15.10.480 Preschool

A nursery school or educational program that is geared towards the education of very young children, generally between the ages of three to five, but excluding day care uses

Section 10. A new Section 15.10.541 of the SeaTac Municipal Code is hereby added to read as follows:

15.10.541 Religious Use Facility

A structure or place in which worship, ceremonies, rituals, and education pertaining to a particular system of beliefs are held.

Section 11. A new Section 15.10.542 of the SeaTac Municipal Code is hereby added to read as follows:

15.10.542 Religious Use Facility, Accessory

Uses which are secondary to the religious purpose of the religious use facility and are considered as providing services to members and other individuals. The uses include, but are not limited to, bookstores, cafeteria, child day care, educational classes, social services, and limited retail sales of only religious use facility related materials, and operation of overnight shelters as limited by SMC [15.12.030](#).

Section 12. A new Section 15.10.668.03 of the SeaTac Municipal Code is hereby added to read as follows:

15.10.668.03 Use, Subsidiary

A use on the property that is subordinate to the primary use of a property.

Section 13. A new Section 15.12.100 of the SeaTac Municipal Code is hereby added to read as follows:

15.12.100 Subsidiary Permitted Uses in Schools, Religious Use Facilities, and Park Facilities

A. The following uses shall be deemed subsidiary uses and permitted outright in school or City owned facilities within the residential zones and park zone subject to the criteria listed under subsection C of this section:

1. Religious Use Facilities, with a congregation of 40 or less persons.
2. Specialized Instruction School with 40 or less students.
3. A pre-school, with an attendance of 60 or less children .
4. A Sports Club with a membership of 40 or less persons.
5. Nonprofit Organizations with a local membership of 40 or less members.

B. The following uses shall be subsidiary and permitted outright in religious use facilities within the residential zones subject to the criteria listed under subsection C of this section:

1. Specialized Instruction School with 30 or less students.
2. A pre-school, with an attendance of 30 or less children.
3. Nonprofit Organizations with a local membership of 30 or less members.

C. Prior to approval of any uses allowed under subsections A and B of this Section, such uses shall comply with the following criteria:

1. The proposed use shall apply for a Type I Site Plan Review Permit.
2. The operations of the subsidiary use shall not conflict with the operations of the primary use on the property.
3. The subsidiary use shall not result in any additional off-street parking other than what is required for the primary use on the property.
4. A lease agreement between the subsidiary use and the primary use shall be submitted to and approved by the Director of Planning and Community Development. The lease agreement shall stipulate that, if the subsidiary use expands to exceed the allow number or persons for a permitted subsidiary use listed under subsections (A) and (B), the subsidiary use shall apply for a Conditional Use Permit (CUP) as required under SMC 15.22.030.
5. If two (2) or more subsidiary uses are proposed on school property, the total membership/congregation for the subsidiary uses shall not exceed 80 persons, and shall meet the following criteria:
 - a. The subsidiary uses shall operate during different hours of the day with at least one (1) hour separation in the hours of operation between each separate subsidiary use.
 - b. A lease agreement between the subsidiary use and the primary use shall be submitted to and approved by the Director of Planning and Community Development. The lease agreement, at a minimum shall stipulate the following:
 - i. If more than one subsidiary use is located on the property, its hours of operation shall conform to the requirement of subsection (C) (5) (a.).

ii. If two (2) or more subsidiary uses expand to exceed more than 80 persons, then all subsidiary uses shall conform to the requirements for a Conditional Use Permit (CUP) under SMC 15.22.030.

6. If two (2) or more subsidiary uses are proposed in a religious use facility, the total membership/congregation for the subsidiary uses shall not exceed 60 persons and shall meet the following criteria:

a. The subsidiary uses operate during different hours of the day with at least one (1) hour separation in the hours of operation of each separate subsidiary use.

b. A lease agreement between the subsidiary use and the primary use shall be submitted to and approved by the Director of Planning and Community Development. The lease agreement, at a minimum shall stipulate the following:

i. If more than one subsidiary use is located on the property, its hours of operation shall conform to the requirement of subsection (C) (6) (a.).

ii. If two (2) or more subsidiary uses expand to exceed more than 60 persons, then all subsidiary uses shall conform to the requirements for a Conditional Use Permit (CUP) under SMC 15.22.030.

Section 14. Section 15.10.105 of the SeaTac Municipal Code is hereby deleted:

15.10.105 Church

~~An establishment, the principal purpose of which is religious worship and/or memorial services. The principal building or other structure containing the sanctuary of the principal place of worship and includes related accessory uses.~~

Section 15. Section 15.10.106 of the SeaTac Municipal Code is hereby deleted

15.10.106 Church, Accessory Uses

~~Uses which are secondary to the religious purpose of the church and are considered as providing services to members and other individuals. The uses include, but are not limited to, bookstores, cafeteria, child day care, educational classes, social services, and limited retail sales of only church related materials, and operation of overnight shelters as limited by SMC [15.12.030](#).~~

Section 16. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 17. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 18. The Ordinance shall be effective five (5) days after passage and publication.

ADOPTED this 8th day of January, 2008, and signed in authentication thereof on this 8th day of January, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date 01/23/08]

ORDINANCE NO. 08-1002-FAILED

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the purchase of real property identified as tax parcel 0043000019, located at 3261 South 152nd Street in SeaTac, Washington, authorizing the City Manager to execute any documents necessary to effectuate the purchase, and amending the City's 2008 Annual Budget.

WHEREAS, the City Council desires that the City purchase property located at 3261 South 152nd Street, located in SeaTac, Washington; and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide additional appropriation authority for the Municipal Capital Improvements Fund and additional revenue and appropriation authority for the Municipal Facilities CIP Fund;

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

Section 1. The City Council finds that it is in the interest of the City of SeaTac to purchase the real property identified as tax parcel 0043000019, located at 3261 South 152nd Street, SeaTac, Washington, for the purchase price of \$285,000. In addition to the purchase price, the City Council also authorizes the expenditure of no more than \$12,000 towards the seller's closing costs, and customary buyer's closing costs not to exceed \$1000.

Section 2. The City Manager is authorized to execute any necessary documents necessary to effectuate the purchase.

Section 3. The 2008 Annual City Budget shall be amended to increase expenditures in the Municipal Capital Improvements Fund (BARS Account No. 301.000.04.597.43.00.000) by \$300,000 which also includes \$2,000 for an appraisal and Level 1 Environmental Site Assessment of the property.

Section 4. The 2008 Annual City Budget shall be amended to increase revenue in the Municipal Facilities CIP Fund (BARS Account No. 306.397.43.00.000) by \$300,000 and increase expenditures in this Fund (BARS Account No. 306.000.12.594.19.61.006) by \$300,000.

Section 5. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this _____ day of _____, 2008, and signed in authentication thereof on this _____ day of _____, 2008.

CITY OF SEATAC

_____, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mark S. Johnsen, Senior Assistant City Attorney

[Effective Date: _____]

[152nd Property Acquisition and 2008 Budget Amendment]

ORDINANCE NO. 08-1003

AN ORDINANCE of the City Council of the City of SeaTac, Washington vacating a portion of South 158th Street lying westerly of International Boulevard.

WHEREAS, the Port of Seattle has requested vacation of a certain portion of the City street and right-of-way of South 158th lying westerly of International Boulevard, as shown on the map attached as Exhibit “B” to this Ordinance; and

WHEREAS, SMC 11.05.090 adopts the street vacation procedures of Chapter 35.79 RCW; and

WHEREAS, RCW 35.79.010 authorizes the City Council to initiate street vacation by resolution setting a public hearing which was, in this case, established by Resolution No. 07-021 fixing the public hearing for January 22, 2008, to be followed by Council action; and

WHEREAS, no apparent municipal use of the said right-of-way exists, and the owner has reason to convert this portion of the right-of-way to its development purposes; and

WHEREAS, no objections to vacation were filed prior to the hearing, and the Council finds that no person has demonstrated special injury due to substantial impairment of access to such person’s property; and

WHEREAS, the Council finds that vacation of the aforesaid portion of the right-of-way, as legally described on Exhibit “A” and as depicted on the map marked Exhibit “B” to this Ordinance, is in the public interest;

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

Section 1. Vacation of Rights-of-Way. The portion of the right-of-way of South 158th Street lying westerly of International Boulevard legally described on Exhibit “A” to this

Ordinance, and depicted on the map marked Exhibit "B" to this Ordinance, within the City of SeaTac, is hereby vacated, subject to payment pursuant to Section 3, below.

Section 2. Reservation of Easements. Notwithstanding Section 1 of this Ordinance, all existing utility easements located within the said portion of the right-of-way of South 158th Street/International Boulevard are reserved until released by the Grantees thereof.

Section 3. Compensation Required. The Port of Seattle, which is the sole landowner of property abutting the aforesaid right-of-way, shall compensate the City in an amount equal to the full appraised value of the total area so vacated, pursuant to law, together with a processing fee, which has been determined to be the total sum of \$647,250.00.

Section 4. Codification. This Ordinance shall not be codified in the SeaTac Municipal Code.

Section 5. Recordation. The City Clerk shall cause a certified copy of this Ordinance to be recorded in the records of the King County Recorder following the effective date hereof.

Section 6. Effective Date. This Ordinance shall be in full force and effect upon receipt of the compensation required by Section 3 of this Ordinance, but in no event sooner than thirty (30) days after passage.

ADOPTED this 22nd day of January, 2008, and signed in authentication thereof on this 22nd day of January, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: _____]

[Vacation of So. 158th St/Int'l Blvd.]

ORDINANCE NO. 08-1004

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to enter into an Interlocal Agreement with Central Puget Sound Regional Transit Authority for construction of the City's Utility Conversion Project, and amending the City's 2008 Annual Budget.

WHEREAS, the SeaTac City Council has reviewed Agenda Bill 2889 submitted by the Public Works Department, requesting authorization for the City Manager to enter into an Interlocal Agreement with Central Puget Sound Regional Transit Authority for construction of the City's utility conversion project, and

WHEREAS, the estimated cost of the work to be provided in this agreement, including a ten percent contingency, is \$815,882; and

WHEREAS, the City's Adopted 2008 Annual City Budget includes a \$500,000 appropriation in the Transportation CIP Fund for International Blvd underground conversions; and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide additional appropriation authority in the Transportation CIP Fund in the amount of \$315,882;

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

Section 1. The City Manager is authorized to enter into an Interlocal Agreement with Central Puget Sound Regional Transit Authority for construction of the City's Utility Conversion Project.

Section 2. The 2008 Annual City Budget shall be amended to increase expenditures in the Transportation CIP Fund (BARS No. 307.000.11.595.30.63.149) by \$315,882.

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this ____ day of _____, 2008, and signed in authentication thereof on this ____ day of _____, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney
[Effective Date: _____]

[Sound Transit Interlocal Agreement and 2008 Budget Amendment]

ORDINANCE NO. 08-1005

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the purchase of real property identified as tax parcel 2823049185, located at 3120 South 176th Street in SeaTac, Washington, authorizing the City Manager to execute any documents necessary to effectuate the purchase, and amending the City's 2008 Annual Budget.

WHEREAS, the City Council desires that the City purchase property located at 3120 176th Street, located in SeaTac, Washington; and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide additional appropriation authority for the Municipal Capital Improvements Fund and additional revenue and appropriation authority for the Municipal Facilities CIP Fund;

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

Section 1. The City Council finds that it is in the interest of the City of SeaTac to purchase the real property identified as tax parcel 2823049185, located at 3120 176th Street, SeaTac, Washington, for the purchase price of \$849,900. In addition to the purchase price, the City Council also authorizes the expenditure of no more than \$3,000 towards the customary buyer's closing costs.

Section 2. The City Manager is authorized to execute any necessary documents necessary to effectuate the purchase.

Section 3. The 2008 Annual City Budget shall be amended to increase expenditures in the Municipal Capital Improvements Fund (BARS Account No. 301.000.04.597.43.00.000) by \$865,125 which also includes \$12,225 for an appraisal, ALTA survey, and Level 2 Environmental Site Assessment of the property.

Section 4. The 2008 Annual City Budget shall be amended to increase revenue in the Municipal Facilities CIP Fund (BARS Account No. 306.397.43.00.000) by \$865,125 and increase expenditures in this Fund (BARS Account No. 306.000.12.594.19.61.004) by \$865,125.

Section 5. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 22nd day of January, 2008, and signed in authentication thereof
on this 22nd day of January, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: 02/02/08]

[176th Property Acquisition and 2008 Budget Amendment]

ORDINANCE NO. 08-1006

AN ORDINANCE of the City Council of the City of SeaTac, Washington, adding a new Section 15.10.488 to the SeaTac Municipal Code and amending Section 15.15.130 of the SeaTac Municipal Code, related to Shared Parking Between Nonprofit Organizations.

WHEREAS, it is appropriate to amend the City's development regulations regarding shared parking between nonprofit organizations; and

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City's Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations, has held a public hearing for the purpose of soliciting public comment in regard to Zoning Code changes, and has recommended the amendments and additions for adoption by the Council;

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

Section 1. Section 15.15.130 of the SeaTac Municipal Code is hereby amended to read as follows:

15.15.130 Off-Site Parking Location

- A. The City Manager, or designee, may authorize a portion of the required parking for an accessory use (or for up to thirty percent (30%) of the primary use) to be located on a site other than the subject property if:
 - 1. Adequate parking exists for the primary use on the ~~subject~~ property receiving the additional parking. For the purpose of this section, adequate parking is parking

that conforms to current off-street parking requirements for the primary use on the property.

2. Adequate pedestrian, van or shuttle connection between the sites exists;
 3. The sites are within one (1) mile of each other; and
 4. The site used for off-site parking is zoned to allow public/private parking as a permitted use.
- B. Nonprofit uses adjacent to each other shall be allowed to share parking, regardless of zoning classification; provided, that:
1. If the shared parking requires an expansion of the parking lot on the property receiving the additional parking, all permit requirements otherwise required for such expansion (such as a conditional use permit and environmental (SEPA) review) must be met.
 2. All requirements of this subsections (A)(1) through (A)(3) and (C) are met.
 3. Temporary shared parking arrangements between nonprofit uses not exceeding 360 days, shall met all the requirements of subsections (A)(1) through (A)(3) and subsections (C)(2) through (C)(4).
- C. Criteria to be used by the City Manager or designee in authorizing off-site parking are:
1. Off-site parking shall be accessed only by employees, not by the general public.
 2. The proposed connections between the sites are safe for pedestrians and vehicles.
 3. The proposed plan is compatible with adjacent uses.
 4. Off-site impacts are negligible or minimized.
 5. A contingency plan is submitted by the applicant and approved by the City that would provide for the parking to be developed on the subject property or established elsewhere if the off-site parking arrangement is no longer available.
- D. Legal documentation is required for the approved, off-site parking location and shall be recorded with the City of SeaTac City Clerk and the Department of Planning and Community Development. Off-site parking may be removed only if alternative parking is provided in conformance with the code and such parking is approved by the City Manager or designee.

Section 2. A new Section 15.10.688.01 of the SeaTac Municipal Code is hereby added to read as follows:

15.10.488 Primary Use

The primary or predominant use of any lot or parcel.

Section 3. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 4. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 5. The Ordinance shall be effective five (5) days after passage and publication.

ADOPTED this 22nd day of January, 2008, and signed in authentication thereof on this 22nd day of January, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date 02/02/08]

ORDINANCE NO. 08-1007

AN ORDINANCE of the City Council of the City of SeaTac, Washington authorizing a Farmers Market at Angle Lake Park and amending the City's 2008 Annual Budget.

WHEREAS, the SeaTac City Council has reviewed Agenda Bill #2898 submitted by the Public Works Department, requesting authorization for a proposed farmers market that will take place on Sundays from June 15 – September 14, 2008 at Angle Lake Park; and

WHEREAS, the Council believes that a farmers market will enhance our community's quality of life, by serving SeaTac's culturally and economically diverse population by increasing access to produce that is seasonally farm fresh and nutritious; and

WHEREAS, the estimated cost to the City to create a Farmers Market for 2008 is \$14,355; and

WHEREAS, the City's adopted 2008 Annual City Budget did not include appropriation for this expenditure; and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide additional appropriation authority in the General Fund in the amount of \$14,355;

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

Section 1. The City Council authorizes the City Manager and the Department of Public Works to develop and implement a Farmers Market at Angle Lake to take place on Sundays from June 15 – September 14, 2008 at Angle Lake Park.

Section 2. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 12th day of February, 2008, and signed in authentication thereof on this 12th day of February, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 02/23/08]

[Farmers Market Authorization 2008]

ORDINANCE NO. 08-1008

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to execute a contract with Gardner Johnson, LLC to execute a residential market study for 2008, and amending the City's 2008 Annual Budget.

WHEREAS, the City Council desires to have a residential market study performed for both light rail station areas; and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide additional appropriation authority in the General Fund for a residential market study;

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

Section 1. The City Council finds that it is in the interest of the City of SeaTac to conduct a residential market study for the price of \$20,200.

Section 2. The City Manager is authorized to execute a contract with Gardner Johnson LLC, in substantially similar form as attached hereto as Exhibit A, and in an amount not to exceed \$20,200, in order to execute the study.

Section 3. The 2008 Annual City Budget shall be amended to increase expenditures in the City Manager's Office Professional Services (BARS Account No. 001.000.03.513.10.41.000) by \$20,200.

Section 4. The 2008 Annual City Budget shall be amended to increase expenditures in the General Fund (BARS Account No. 001.000.03.513.10.41.000) by \$20,200.

Section 5. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 12th day of February, 2008, and signed in authentication thereof on this 12th day of February, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: _02/23/08_____]

[Residential Market Study]

ORDINANCE NO. 08-1009

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to enter into an Interlocal Agreement with King County Fire District 37 for fire apparatus maintenance, and amending the City's 2008 Annual Budget.

WHEREAS, the SeaTac City Council has reviewed Agenda Bill 2913 submitted by the SeaTac Fire Department, requesting approval of an Interlocal Agreement for fire apparatus maintenance between King County Fire District 37 and the City of SeaTac, and

WHEREAS, the estimated additional cost to the City for this service in 2008 is \$31,000; and

WHEREAS, the City's Adopted 2008 Annual City Budget did not include sufficient appropriation for this additional expenditure; and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide additional appropriation authority in the General Fund in the amount of \$31,000;

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

Section 1. The City Council authorizes the City Manager to enter into an Interlocal Agreement with King County Fire District 37 to provide fire apparatus maintenance, in substantially similar form as attached hereto as Exhibit A.

Section 2. The 2008 Annual City Budget shall be amended to increase expenditures in the General Fund by \$31,000 (BARS #001.000.09.522.20.51.023).

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 26th day of February, 2008, and signed in authentication thereof on this 26th day of February, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: 3/08/2008]

[Fire Apparatus Maintenance ILA and 2008 Budget Amendment]

ORDINANCE NO. 08-1010

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 15.10.067, 15.10.074, and 15.12.050 of the SeaTac Municipal Code, and adding new Sections 15.10.670.3 and 15.10.670.5 to the SeaTac Municipal Code, regarding Automobile Repair, Automotive Service Center, and Vehicles.

WHEREAS, it is appropriate to amend the City's development regulations regarding automotive repair and automobile service centers; and

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City's Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations, has held a public hearing for the purpose of soliciting public comment in regard to Zoning Code changes, and has recommended the amendments and additions for adoption by the Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC,

WASHINGTON DO ORDAIN as follows:

Section 1. Section 15.10.067 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.067 Automobile Repair

Automobile repair includes fixing, incidental body or fender work, painting, upholstering, engine tune-up, major engine or transmission repair, adjusting lights or brakes, brake repair, other similar repair work and supplying and installing replacement parts of or for passenger vehicles and light trucks small vehicles.

Section 2. Section 15.10.074 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.074 Automotive Service Center

Establishment primarily engaged in ~~automotive~~ small vehicle repair and detailing, including the sale and installation of lubricants, tires, batteries, mufflers and similar accessories.

Section 3. Section 15.12.050 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.050 Government/Office, Business Uses

ZONES: UH – Urban High Density O/CM – Office/Commercial Medium
 P – Park NB – Neighborhood Business BP – Business Park
 MHP – Mobile Home Park CB – Community Business O/C/MU – Office/Commercial/Mixed Use
 UL – Urban Low Density ABC – Aviation Business Center T – Townhouse
 UM – Urban Medium Density I – Industrial/Manufacturing
 P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES												
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T
	GOVERNMENT/OFFICE USES													
071	Social Service Office					C*	P	P*	P*	P	P*	C*(1)	P*	
072	Public Agency Office					P*	P	P*	P*	P	P*	C*(1)	P*	
073	Public Agency Yard	C(2)		P(4)				P*	C*	P	C*	C*	C*	
074	Public Archives	C(3)					C	P*	P*	P	P*	C*	P*	
075	Court							P*	P*	P	P*	C*(1)	P*	
076	Police Facility	P		C	P	P*	P	P*	P*	P	P*	P*	P*	
077	Fire Facility	P		C	P	P*	P	P*	P*	P	P*	P*	P*	
079	Helipad/Airport and Facilities									P				
080	Utility Use			C	C	C*	C	C*	P*	P	C*	C*	C*	
081	Utility Substation					C*	C	P*	P*	P	C*	C*	C*	
082	Financial Institution						P	P*	P*	P	P*	C*(1)	P*	
083	City Hall			P	C*	C*		P*	P*		P*	C*	P*	
083.5	Secure Community Transition Facility							C*(5)	C*(5)	C(5)	C*(5)	C*(5)		
	BUSINESS SERVICES USES													
084	Landscaping Business							P*	P*	P		P*		

085	Butterfly/Moth Breeding						P	P*	P*	P					
086	Construction/Trade							C*	P*(1)	P	C*				
087	Truck Terminal							C*	P*(1)	P	C*				
088	Airport Support Facility								P*						
089	Warehouse/Storage						C	C*	P*	P	C*	P*			
090	Professional Office						P*	P	P*	P*	P	P*	P*(1)	P*	
091	Heavy Equipment Rental								C*	P					
092	Misc. Equipment Rental Facility						C	P*		P	P*(1)				
093	Auto Rental/Sales							P*	P*(1)	P	C*(1)				
094	Public/Private Parking						C	P*	P*	P	C*(1)				
095	Motor Freight Repair														
	Large Vehicle Repair									P					
096	Heavy Equipment Repair									P					
097	R and D/Testing						C	C*	P*	P	C*	P*			
098	Commercial/Industrial Accessory Uses						P	P*	P*	P	C*				

* See Chapters 15.13 and 15.35 SMC for additional development standards.

- (1) Accessory to primary use not to exceed twenty percent (20%) of primary use.
- (2) A public agency yard located on property within the park zone may be used as a combined maintenance facility for park and nonpark purposes; provided, that the facility shall be no more expansive than that which is reasonably expected to be needed for park maintenance when park facilities are fully developed.
- (3) A public archives facility located on property within the park zone is limited to existing structures.
- (4) Applies only to City of SeaTac Public Works Maintenance Facility located at the Glacier High School site, on an interim basis. The City of SeaTac shall be allowed to expand the maintenance facility at that site to the extent authorized by the City Council; until such time as a replacement facility at another site is operational.
- (5) Secure community transition facilities are subject to the CUP-EPF siting process (SMC 15.22.035).

Section 4. A new Section 15.10.670.3 of the SeaTac Municipal Code is hereby added to read as follows:

15.10.670.3 Vehicle, Large

Motor vehicles including, motorcycles, passenger cars, trucks, and vans which have gross vehicle weights greater than sixteen thousand (16,000) pounds. In addition, Large Vehicle also includes recreational vehicles, buses, and boats, but does not include aircraft.

Section 5. A new Section 15.10.670.5 of the SeaTac Municipal Code is hereby added to read as follows:

15.10.670.5 Vehicle, Small

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

Section 6. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 7. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 8. The Ordinance shall be effective five (5) days after passage and publication.

ADOPTED this 26th day of February, 2008, and signed in authentication thereof on this 26th day of February, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date 03/08/2008]

ORDINANCE NO. 08-1011

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the purchase of Long Term Care Insurance for LEOFF 1 Retired Fire Fighters, and amending the City's 2008 Annual Budget.

WHEREAS, the SeaTac City Council has reviewed Agenda Bill 2917 submitted by the Human Resources Department, requesting approval to purchase long term care insurance for the City's LEOFF 1 retired Fire Fighters, and

WHEREAS, the City of SeaTac is responsible for the medical care of its retired Fire Fighters hired under the LEOFF 1 Retirement System, including nursing home care that may be needed later in life by these retirees, and

WHEREAS, the City has determined the most cost-effective method to mitigate the potential high cost of providing this care in the future is to purchase a long term care insurance policy through MetLife Insurance Company to insure the City for a substantial portion of the potential cost of this care, should it be required by the City's LEOFF 1 retirees in the future, and

WHEREAS, the estimated cost to the City for this insurance for the remainder of 2008 is \$5,004; and

WHEREAS, the City's Adopted 2008 Annual City Budget did not include appropriation for this expenditure; and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide additional appropriation authority in the General Fund in the amount of \$5,004;

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

Section 1. The City Council authorizes the City to purchase long term care insurance for the City's LEOFF 1 retired Fire Fighters.

Section 2. The 2008 Annual City Budget shall be amended to increase expenditures in the General Fund by \$5,004 (BARS #001.000.09.522.10.23.006).

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this _____ day of _____, 2008, and signed in authentication thereof on this _____ day of _____, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: 03/22/08]

[Purchase of Long Term Care Insurance for LEOFF 1 Retired Fire Fighters and 2008 Budget Amendment]

ORDINANCE NO. 08-1012

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2008 Annual City Budget to include 2007 Budget Carryovers.

WHEREAS, certain expenditures were included in the 2007 Annual City Budget which were not initiated or completed during the 2007 fiscal year; and

WHEREAS, contractual or legal obligations require carryover of certain items; and

WHEREAS, City staff recommend that the remaining expenditures be made in 2008;

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

Section 1. The 2008 Annual City Budget shall be amended to increase the total General Fund revenue by \$30,000.

Section 2. The 2008 Annual City Budget shall be amended to increase the total General Fund expenditures by \$268,440.

Section 3. The 2008 Annual City Budget shall be amended to increase the total Hotel/Motel Tax Fund expenditures by \$97,948.

Section 4. The 2008 Annual City Budget shall be amended to increase the total Facility Repair and Replacement Fund expenditures by \$2,983.

Section 5. The 2008 Annual City Budget shall be amended to increase the total Municipal CIP Fund expenditures by \$331,216.

Section 6. The 2008 Annual City Budget shall be amended to increase the Fire Equipment Reserve Fund expenditures by \$512,692.

Section 7. The 2008 Annual City Budget shall be amended to increase the total Municipal Facilities CIP Fund expenditures by \$4,988,467.

Section 8. The 2008 Annual City Budget shall be amended to increase the total Transportation CIP Fund expenditures by \$2,132,603.

Section 9. The 2008 Annual City Budget shall be amended to increase the total SWM Construction Fund expenditures by \$106,200.

Section 10. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this ____ day of _____, 2008, and signed in authentication thereof on this ____ day of _____, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney
[Effective Date: 03/22/08]

[2008 Budget Amendment for 2007 carryovers]

ORDINANCE NO. 08-1013

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the purchase of real property identified as tax parcel 0043000019, located at 3261 South 152nd Street in SeaTac, Washington, authorizing the City Manager to execute any documents necessary to effectuate the purchase, and amending the City's 2008 Annual Budget.

WHEREAS, the City Council desires that the City purchase property located at 3261 South 152nd Street, located in SeaTac, Washington; and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide additional appropriation authority for the Municipal Capital Improvements Fund and additional revenue and appropriation authority for the Municipal Facilities CIP Fund;

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

Section 1. The City Council finds that it is in the interest of the City of SeaTac to purchase the real property identified as tax parcel 0043000019, located at 3261 South 152nd Street, SeaTac, Washington, for the purchase price of \$270,000. In addition to the purchase price, the City Council also authorizes the expenditure of customary buyer's closing costs estimated to be \$1,500.

Section 2. The City Manager is authorized to execute any necessary documents necessary to effectuate the purchase.

Section 3. The 2008 Annual City Budget shall be amended to increase expenditures in the Municipal Capital Improvements Fund (BARS Account No. 301.000.04.597.43.00.000) by \$276,000 which also includes \$2,000 for an appraisal and Level 1 Environmental Site Assessment of the property, and \$2,500 towards the estimated cost of a boundary survey.

Section 4. The 2008 Annual City Budget shall be amended to increase revenue in the Municipal Facilities CIP Fund (BARS Account No. 306.397.43.00.000) by \$276,000 and increase expenditures in this Fund (BARS Account No. 306.000.12.594.19.61.006) by \$276,000.

Section 5. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this _____ day of _____, 2008, and signed in authentication thereof on this _____ day of _____, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: 03/22/08]

[152nd Property Acquisition and 2008 Budget Amendment]

ORDINANCE NO. 08-1014

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 15.35.950 of the SeaTac Municipal Code regarding Parking Bonus Incentives in the City Center.

WHEREAS, it is appropriate to amend the City's development regulations regarding parking bonus incentives in the City Center; and

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City's Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations, has held a public hearing for the purpose of soliciting public comment in regard to Zoning Code changes, and has recommended the amendments and additions for adoption by the Council;

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

Section 1. Section 15.35.950 of the SeaTac Municipal Code is hereby amended to read as follows:

15.35.950 Parking Bonus Incentive Program

- A. A parking allowance bonus, beyond the maximum parking specified in SMC 15.35.810, will be granted to those developments which provide retail/commercial or service space beyond the requirements of SMC 15.35.620, or a public benefit in the form of:
1. Dedicated public right-of-way, in an arrangement and amount per parcel that conforms to the City Center vehicular and pedestrian access plan; and/or

2. Publicly accessible on-site open space greater than the minimum ten percent (10%) of net site area required, or an equivalent monetary contribution to the City Center open space fund; and/or
 3. A water feature or public art display incorporated into publicly accessible on-site open space, as approved by the Director of Planning and Community Development.
- B. The formula for calculating parking bonuses above maximum allowed for on-site land uses shall be as follows:
1. One (1) additional parking stall will be awarded for each one hundred fifty (150) square feet of interconnected public right-of-way dedicated according to the City Center vehicular and pedestrian access plan;
 2. One (1) additional parking stall will be awarded for each one hundred fifty (150) square feet of publicly accessible on-site open space greater than the minimum ten percent (10%) of net site area required. To receive parking bonus in lieu of additional on-site open space, developments may contribute to the City Center open space fund in increments of equivalent monetary value;
 3. Except for hotel/motel uses, One (1) additional parking stall will be awarded for each ~~twenty-five (25)~~ two hundred fifty (250) square feet of retail/commercial, service, or residential space, in addition to the minimum ground floor retail/commercial or service space required under SMC 15.35.620, included on the same site as part of a mixed use development at the time of construction; and/or
 4. Hotel/motel uses shall be awarded 0.5 parking spaces per hotel/motel unit, in addition to the minimum ground floor retail/commercial, or service space required under SMC 15.35.620, included on the same site as part of a mixed use development at the time of construction; and/or
 45. Up to sixty (60) additional parking stalls may will be awarded for a water feature or public art display of equivalent value incorporated into publicly accessible on-site open space, as approved by the Director of Planning and Community Development. Value shall be determined by the per-square-foot market value of the underlying land multiplied by the square footage of the additional parking stalls.

Section 2. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 3. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 4. The Ordinance shall be effective five (5) days after passage and publication. Furthermore, the amendments created by this Ordinance shall be repealed 120 days after the effective date of this Ordinance.

ADOPTED this 25 day of March, 2008, and signed in authentication thereof on this 25 day of March, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date 04/05/08]

ORDINANCE NO. 08-1015

AN ORDINANCE of the City Council of the City of SeaTac, Washington adding section 9.05.110 and repealing section 9.15.040 of the SeaTac Municipal Code related to parking in fire lanes.

WHEREAS, the Washington State Legislature classified certain traffic offenses, including parking violations as “traffic infractions” and established mandatory penalties therefore; and

WHEREAS, by Ordinance No. 98-1013, the City Council adopted specific provisions relating to parking in fire lanes and violations; and

WHEREAS, the monetary penalty for parking in fire lane violations has not been adjusted since April 1998; and

WHEREAS, the City Council has determined that the penalties for such violations set forth in the SeaTac Municipal Code do not act as a sufficient deterrent to the blocking of fire lanes; and

WHEREAS, the City Council finds that blocking or obstructing fire lanes presents a risk to the health, safety, and welfare of the public and the City’s firefighters;

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

Section 1. A new Section 9.05.110 is hereby added to the SeaTac Municipal Code, to read as follows:

9.05.110 Parking in fire lanes prohibited.

- A. It is a parking infraction, with a monetary penalty of two hundred fifty dollars (\$250.00), for any person to stop, stand or park a vehicle in a designated fire lane.
- B. For the purpose of this section, “designated fire lane” shall mean the area within any public right-of-way, public or private easement, or public or

private property designated for fire trucks, other fire fighting equipment, emergency equipment, or emergency vehicles to use, travel upon and/or park.

- C. Whenever any vehicle without an operator is found parked, standing or stopped in a designated fire lane, the registered owner of the vehicle is responsible for an infraction under this section. In any prosecution for an infraction under this subsection, proof that the particular vehicle described in the notice of infraction was parked, standing or stopped in a designated fire lane, together with proof that the defendant named in the notice of infraction was at the time of such violation the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred. It shall be no defense that the vehicle was parked illegally by another, unless proof is presented that the vehicle had been stolen and not returned to the registered owner by the date of the violation. This section shall not apply to registered owners who have transferred vehicle ownership prior to the violation date. It is a parking infraction, with a monetary penalty of two hundred fifty dollars (\$250.00) for violations under this subsection.
- D. In addition to any other penalty established by this section or Chapter 13.150 SMC, any vehicle violating this section shall be deemed an unauthorized vehicle and declared a traffic and fire hazard. The vehicle shall be subject to immediate impoundment, without prior notification to its owner. Pursuant to state law, the owner may be responsible for all fees.
- E. Each day such violation continues constitutes a separate offense.

Section 2. Section 9.15.040 of the SeaTac Municipal Code is hereby repealed.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared void or 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 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED this 8th day of April, 2008, and signed in authentication thereof on this 8th day of April, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 04-19-08]

[SMC 9.15.040 – parking in fire lanes]

ORDINANCE NO. 08-1016

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2008 Annual City Budget for a correction to the 2007 carryovers.

WHEREAS, Ordinance 08-1012, adopted on March 11, 2008, amended the 2008 Annual City Budget and carried over appropriations included in the 2007 Budget which were not initiated or completed during the 2007 fiscal year; and

WHEREAS, one item, the South 188th Street sidewalk repair project, was inadvertently left off the list of carryovers; and

WHEREAS, the contract for this work was awarded in December 2007, and the City is contractually obligated for this expenditure; and

WHEREAS, the 2008 Annual City Budget needs to be amended to increase the appropriation amount to include this work in the Arterial Street Fund;

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

Section 1. The 2008 Annual City Budget shall be amended to increase Arterial Street Fund #102 expenditures by \$241,098.

Section 2. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 13th day of May, 2008, and signed in authentication thereof on this 13th day of May, 2008.

CITY OF SEATAC

Gene Fisher, Deputy Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney
[Effective Date: _____]

[2008 Budget Amendment for Correction to 2007 Carryovers]

ORDINANCE NO. 08-1017

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Chapter 3.80 of the SeaTac Municipal Code regarding the Lodging Tax Advisory Committee.

WHEREAS, the City has previously imposed an excise tax on charges for lodging by hotels, motels, and similar business enterprises, pursuant to Chapter 67.28 RCW, which is presently codified at Chapter 3.80 of the SeaTac Municipal Code; and

WHEREAS, the City Council passed Resolution 97-021, establishing an ad-hoc lodging tax advisory committee; and

WHEREAS, the City Council desires to make the lodging tax advisory committee a standing committee, and codify other provisions of Resolution 97-021;

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

Section 1. Chapter 3.80 of the SeaTac Municipal Code is hereby amended to read as follows:

3.80.010 Levied – Amount.

Pursuant to provisions of Chapter 67.28 RCW, there is levied a special excise tax in the maximum amount authorized by the said law on the sale of or charge made for the furnishing of lodging by a hotel, rooming house, tourist court, motel, trailer camp and the granting of any similar license to use real property as distinguished from the renting or leasing of real property; provided, that it shall be presumed that the occupancy of real property for a continuous period of one (1) month or more constitutes a rental or lease of real property, and not a mere license to use or enjoy the same.

3.80.020 Definitions.

The definitions as are now contained in RCW 82.08.010 and in RCW 67.28.080, and subsequent amendments thereto, are adopted as the definitions applicable to this chapter.

3.80.030 Tax deemed in addition to license fee or other taxes.

The tax levied herein shall be in addition to any license fee or any tax imposed or levied under any law or any other ordinance of the City; provided, however, that pursuant to Chapter 67.28 RCW, such tax shall be deducted from the amount of tax the seller would otherwise be

required to collect and to pay to the State Tax Commission under the provisions of Chapter 82.08 RCW.

3.80.040 Fund created – Use of funds.

There is created a special fund in the treasury of the City, into which all such taxes collected herein shall be placed for the purpose of paying all or any part of the costs of tourism promotion, acquisition of tourism-related facilities, or operation of tourism-related facilities, or to pay or secure the payment of all or any portion of general obligation bonds or revenue bonds issued for such purpose or purposes under the provisions of Chapter 67.28 RCW, and amendments thereto. The nature of tourism-related facilities and operation of tourism-related facilities shall be as defined in applicable bond ordinances.

3.80.050 Administration and collection.

For the purpose of the tax levied herein in this chapter:

A. The Department of Revenue of the State is designated as the agent of the City for the purpose of collection and administration;

B. The administrative provisions contained in RCW 82.08.050 through 82.08.070, and as contained in Chapter 82.32 RCW, shall apply with respect to the administration and collection by said department;

C. All rules and regulations adopted by the Department of Revenue for the administration of Chapter 82.08 RCW are adopted;

D. The Department of Revenue is authorized to prescribe and utilize such special forms and procedures as the department may deem necessary and appropriate.

3.80.060 Violation – Penalty.

Any person, firm or corporation violating or failing to comply with the provisions of this chapter or any lawful rule or regulation adopted pursuant hereto shall, upon conviction, be punished by a fine in the sum not to exceed five hundred dollars (\$500.00). Each day of violation will be considered a separate offense.

3.80.070 Hotel-Motel Tax Advisory Committee Created.

As required by RCW 67.28.1817, there is hereby created a standing lodging tax advisory committee to be known as the “Hotel-Motel Tax Advisory Committee of the City of SeaTac”, for the purposes set forth in Chapter 67.28 RCW.

3.80.080 Membership—Appointment by Mayor.

The total number of Committee members shall be set at nine (9), including the Chair. The Chair shall be a member of the City Council who is appointed by the Mayor. The Mayor shall also appoint the other members to the Hotel-Motel Tax Advisory Committee, subject to confirmation by the Council.

3.80.090 Qualifications.

(a) In addition to the Chair, the Committee must be composed equally of: (i) representatives of businesses located within the City required to collect the Hotel-Motel Tax; and (ii) persons involved in activities authorized to be funded by revenue received from the Hotel-Motel Tax. Persons who are eligible for appointment under (i) of this Section are not eligible for

appointment under (ii) of this Section. Persons who are eligible for appointment under (ii) of this Section are not eligible for appointment under (i) of this Section. The term for each member appointed under this Subsection shall be for three years.

3.80.100 Continuation of Appointment.

Members of the Committee may continue to serve until their successors are appointed.

3.80.110 Voting.

Each member of the Committee, including the Chair, shall be entitled to one vote on Committee joint comments and recommendations to the Council. Individual dissenting or concurring comments may also be forwarded to the Council.

3.80.120 Annual Council Review.

As required by RCW 67.28.1817 (1), the City Council shall annually review the membership of the Committee, and shall make such changes to the number of members appointed to the Committee as the Council may deem appropriate. In no event shall the number of Committee members be reduced to less than five.

3.80.130 Duties of the Committee.

Any proposed imposition of a Hotel-Motel Tax, any proposed increase in the rate of the Hotel-Motel Tax, any proposed repeal of an exemption from the tax, and any proposed change in the use of revenue received from the Hotel-Motel Tax shall be submitted to the Committee for review and comment, at least forty-five days before final action on or passage of the proposal by the Council. The Committee may hold public hearings and solicit public comments. The Committee shall submit to the Council comments on any proposal in a timely manner through generally applicable public comment procedures. The Committee's comments shall include an analysis of the extent to which the proposal will accommodate activities for tourists or increased tourism, and the extent to which the proposal will affect the long-term stability of the fund established for receipt of revenue from the Hotel-Motel Tax.

3.80.140 Procedures.

The Committee may establish administrative procedures for the conduct of meetings, voting, review, analysis, and preparation of comments. Such procedures do not require Council approval.

3.80.150 Facilities.

The City shall provide the Committee with a suitable room and accommodations and with office supplies and equipment, and clerical assistance, as may reasonably be necessary for conduct of the business of the Committee.

Section 2. In appointing the initial members of the Committee under this Ordinance, it is the intent of the City Council that, to the extent possible, the Mayor shall appoint existing members of the Hotel-Motel Tax Advisory Committee. The Mayor shall appoint initial members of the Committee to staggered terms of one to three years, with the initial terms commencing no earlier than July 1, 2008.

Section 3. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 4. Only Section 1 of this Ordinance shall be codified.

Section 5. This Ordinance shall be in full force and effect thirty (30) days after passage and publication as provided by law.

ADOPTED this 27th day of May, 2008, and signed in authentication thereof on this 27th day of May, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 07-02-08]

[Lodging Tax]

ORDINANCE NO. 08-1018

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2008 Annual City Budget for corrections to the 2007 carryovers.

WHEREAS, Ordinance 08-1012, adopted on March 11, 2008, amended the 2008 Annual City Budget and carried over appropriations included in the 2007 Budget which were not initiated or completed during the 2007 fiscal year; and

WHEREAS, Ordinance 08-1016, adopted on May 13, 2008, amended the 2008 Budget to correct the South 188th Street sidewalk repair project that was inadvertently left off the list of carryovers; and

WHEREAS, three additional items have been identified as also having been inadvertently left off the list of carryovers; and

WHEREAS, the 2008 Annual City Budget needs to be amended to increase the budgeted amount in the appropriate line items to provide the necessary appropriation authority in the 2008 Budget for these items;

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

Section 1. The 2008 Annual City Budget shall be amended to increase General Fund #001 expenditures (BARS No. 001.000.09.594.22.64.009) by \$9,732.

Section 2. The 2008 Annual City Budget shall be amended to increase Transit Planning Fund #106 expenditures (BARS No. 106.000.03.547.10.41.000) by \$84,923.

Section 3. The 2008 Annual City Budget shall be amended to increase Hotel/Motel Tax Fund #107 expenditures (BARS No. 107.000.03.557.30.41.104) by \$3,232.

Section 4. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 10th day of June, 2008, and signed in authentication thereof on this 10th day of June, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney
[Effective Date: _____]

[2008 Budget Amendment for Corrections to 2007 Carryovers]

ORDINANCE NO. 08-1019

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2008 Annual City Budget for miscellaneous items.

WHEREAS, the SeaTac City Council has reviewed agenda bill #2960 submitted by the Finance Department which details certain expenditures exceeding fiscal year 2008 appropriation authority in the Human Resources and Planning Department budgets in the General Fund (Fund 001); and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide additional appropriation authority to fund certain expenditures in these two departments not provided for in the adopted 2008 Budget;

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

Section 1. The 2008 Annual City Budget shall be amended to increase the total General Fund expenditures by \$31,590.

Section 2. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 10th day of June, 2008, and signed in authentication thereof on this 10th day of June, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante-Bartolo, City Attorney

[Effective Date: _____]

ORDINANCE NO. 08-1021

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Chapter 11.30 of the SeaTac Municipal Code related to Commute Trip Reduction, and adopting the City of SeaTac Commute Trip Reduction Plan.

WHEREAS, under State law as set forth in RCW 70.94.521 through 70.94.551, the City is required to develop and implement a program and plan to reduce single occupant vehicle commute trips and vehicle miles traveled by City employees and by the employees of affected employers; and

WHEREAS, the Commute Trip Reduction (CTR) Efficiency Act was passed in 2006 so as to remain consistent with the CTR Board Guidelines; and

WHEREAS, WAC 468-63-030 established statewide minimum program goals and targets for local CTR plans: the minimum state target is to reduce the proportion of drive-alone travel by CTR commuters in each affected urban growth area by 10 percent by 2011, and in order to reduce emissions of greenhouse gases and other air pollutants in affected urban growth areas, the minimum state target is to reduce commute trip vehicle miles traveled per CTR commuter in each affected urban growth area by 13 percent by 2011;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC DO

ORDAIN AS FOLLOWS:

Section 1. The purpose of this Ordinance is to improve air quality, reduce traffic congestion and minimize energy consumption. These regulations are prepared to comply with RCW 70.94.521. This Ordinance does this by requiring employer-based programs that encourage employees to find alternatives to drive alone commuting with collaboration between the City of SeaTac and affected employers.

Section 2. Chapter 11.30 of the SeaTac Municipal Code is hereby amended to read as follows:

~~11.30.010 Definitions.~~

~~The following definitions shall apply to this chapter:~~

~~1. "Affected employee" means a full-time employee who is scheduled to begin his or her regular work day at a single worksite between 6:00 a.m. and 9:00 a.m. (inclusive) on two (2) or more weekdays per week for at least twelve (12) continuous months. For the purposes of this~~

~~chapter, principles and associates in a corporation, partners (general or limited) in a partnership and participants in a joint venture are to be considered employees.~~

~~2. “Affected employer” means a public or private employer that employs one hundred (100) or more affected employees at a single worksite who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. (inclusive) on two (2) or more weekdays for twelve (12) continuous months. The individual employees may vary during the year. Construction worksites, when the expected duration of the construction is less than two (2) years, are excluded from this definition.~~

~~3. “Alternative mode” means any type of commute transportation other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed work weeks if they result in reducing commute trips.~~

~~4. “Alternative work schedules” means programs such as compressed work weeks, flextime, and working on Saturday and/or Sunday that eliminate peak period work trips for affected employees.~~

~~5. “Base year” means the period from January 1, 1992, through December 31, 1992, on which goals for vehicle miles travelled (VMT) per employee and proportion of single-occupant vehicle (SOV) trips shall be based.~~

~~6. “City” means the City of SeaTac.~~

~~7. “Commute trips” means trips made from a worker’s home to a worksite with a regularly scheduled arrival time of 6:00 a.m. to 9:00 a.m. (inclusive) on weekdays.~~

~~8. “CTR (commute trip reduction) Administrator” means the person designated by the City to administer the City’s CTR responsibilities and to oversee enforcement of the City ordinance.~~

~~9. “CTR (commute trip reduction) plan” means the City of SeaTac’s plan as set forth in conformity with this chapter to regulate and administer the CTR programs of affected employers within its jurisdiction.~~

~~10. “CTR (commute trip reduction) program” means an employer’s strategies to reduce affected employees’ SOV use and VMT per employee.~~

~~11. “CTR (commute trip reduction) task force” means a group of individuals designated by the governor whose primary responsibility is to establish guidelines for implementation of the CTR law.~~

~~12. “CTR (commute trip reduction) task force guidelines” means the model standards for local jurisdictions to use in the creation and administration of commute trip reduction plans and programs. The standards are guidelines to create consistency among local jurisdictions.~~

~~13. “CTR (commute trip reduction) zone” means the area, such as a census tract or combination of census tracts within the City of SeaTac. The area is characterized by similar employment density, population density, level of transit service, parking availability, access to high occupancy vehicle facilities, and other factors that are determined to affect the level of SOV commuting.~~

~~14. “Compressed work week” means an alternative work schedule, in accordance with employer policy, that regularly allows a full-time employee to eliminate at least one (1) work day every two (2) weeks by working longer hours during the remaining days, resulting in fewer commute trips by the employee. This definition is primarily intended to include weekly and biweekly arrangements, the most typical being four (4) ten (10) hour days or eighty (80) hours in nine (9) days, but may also include other arrangements. Compressed work weeks are understood to be an ongoing arrangement.~~

~~15. “Dominant mode” means the mode of travel used for the greatest distance of a trip.~~

16. ~~“Employee” means anyone who receives financial or other remuneration in exchange for work provided to an employer, including owners or partners of the employer.~~

17. ~~“Employer” means a sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, whether public, nonprofit, or private, that employs workers.~~

18. ~~“Employee transportation coordinator (ETC)” means the person designated by applicable employers to coordinate the employer’s compliance with the City pursuant to SMC 11.30.070.~~

19. ~~“Flex time” means an employer policy allowing individual employees some flexibility in choosing the time, but not the number, of their working hours to facilitate the use of alternative modes.~~

20. ~~“Full-time employee” means a person other than an independent contractor, scheduled to be employed on a continuous basis for fifty two (52) weeks per year for an average of at least thirty five (35) hours per week.~~

21. ~~“Good faith effort” means that an employer has met the minimum requirements identified in RCW 70.94.531 and this chapter, and is working collaboratively with the City to continue its existing CTR program or is developing and implementing program modifications likely to result in improvements to its CTR program over an agreed upon length of time.~~

22. ~~“Implementation” means active pursuit by an employer of the CTR goals of RCW 70.94.521 through 70.94.551 and this chapter as evidenced by appointment of a transportation coordinator, distribution of information to employees regarding alternatives to SOV commuting, and commencement of other measures according to their CTR program and schedule.~~

23. ~~“Mode” means the type of transportation used by employees, such as single-occupant vehicles, rideshare vehicle (carpool, vanpool), transit, ferry, bicycle, and walking.~~

24. ~~“Peak period” means the hours from 6:00 a.m. to 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.~~

25. ~~“Peak period trip” means any employee trip that delivers the employee to begin his or her regular workday between 6:00 a.m. and 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.~~

26. ~~“Proportion of SOV (single-occupant vehicle) trips or SOV rate” means the number of commute trips over a set period made by affected employees in SOVs divided by the number of affected employees working during that period.~~

27. ~~“Single-occupant vehicle (SOV)” means a motor vehicle occupied by one (1) employee for commute purposes, including a motorcycle.~~

28. ~~“Single-occupant vehicle (SOV) trips” means trips made by affected employees in SOVs.~~

29. ~~“Single worksite” means a building or group of buildings on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-way occupied by one (1) or more affected employers.~~

30. ~~“Telecommuting” means the use of telephones, computers, or other similar technology to permit an employee to work from home, eliminating a commute trip, or to work from a work place closer to home, reducing the distance traveled in a commute trip by at least half.~~

31. ~~“Transportation demand management (TDM)” means the method of creating programs to reduce the number of single-occupancy vehicle (SOV) trips during a.m./p.m. rush hours.~~

32. ~~“Transportation management association (TMA)” means a group of employers or an association representing a group of employers in a defined geographic area. A TMA may represent employers within specific City limits, or may have a sphere of influence that extends beyond City limits.~~

~~33. “Vehicle miles traveled (VMT) per employee” means the sum of the individual vehicle commute trip lengths in miles made by affected employees over a set period divided by the number of affected employees during that period.~~

~~34. “Waiver” means an exemption from CTR program requirements granted to an employer by the City based on unique conditions that apply to the employer or employment site.~~

~~35. “Week” means a seven (7) day calendar period, starting on Monday and continuing through Sunday.~~

~~36. “Weekday” means any day of the week except Saturday or Sunday.~~

~~11.30.020 Commute trip reduction goals.~~

~~The commute trip reduction goals for employers affected by this chapter are to achieve the following reductions in vehicle miles traveled per employee as well as in the proportion of single-occupant vehicles from the 1992 base year value of SeaTac’s CTR zone:~~

- ~~A. Fifteen (15) percent after two (2) years;~~
- ~~B. Twenty (20) percent after four (4) years;~~
- ~~C. Twenty five (25) percent after six (6) years;~~
- ~~D. Thirty five (35) percent after twelve (12) years.~~

~~11.30.030 Designation of CTR zone and base year values.~~

~~Employers in the City of SeaTac fall within the South King County CTR zone designated by the boundaries shown on the map in Attachment A.*~~

~~The base year value of this zone for proportion of SOV trips shall be eighty five percent (85%). The base year value for vehicle miles traveled (VMT) per employee shall be set at 9.3. Commute trip reduction goals for major employers shall be calculated based on these values. Therefore, affected employers in the City of SeaTac that have been participating in the CTR program since the beginning, shall establish programs designed to result in SOV rates of not more than seventy two percent (72%) in 1995, sixty eight percent (68%) percent in 1997, sixty four percent (64%) in 1999, and fifty five percent (55%) in 2005 and VMT per employee of not more than 7.9 miles in 1995, 7.4 miles in 1997, 7.0 miles in 1999, and 6.0 miles in 2005.~~

~~* Attachment A is on file in the office of the City Clerk.~~

~~11.30.040 City employee CTR plan.~~

~~The 1992 City of SeaTac CTR Plan is set forth in Attachment B hereto*, and incorporated herein by this reference, and a copy of which shall be on file in the office of the City Clerk. The plan may be amended by further action of the City Council.~~

~~* Attachment B is on file in the office of the City Clerk.~~

~~11.30.050 Implementation responsibility.~~

~~The City of SeaTac Public Works Department and the designated CTR Administrator shall be responsible for implementing this chapter, the CTR plan, and the City’s CTR program for its~~

~~own employees. The Public Works Director shall have the authority to issue such rules and administrative procedures as are necessary to implement this chapter.~~

~~11.30.060 Applicability.~~

~~The provisions of this chapter shall apply to any affected employer at any single worksite within the corporate limits of the City of SeaTac. Employees will only be counted at their primary worksite. The following classifications of employees are excluded from the counts of employees: (1) seasonal agricultural employees, including seasonal employees of processors of agricultural products; and (2) employees of construction worksites when the expected duration of the construction is less than two (2) years.~~

~~A. Notification of Applicability.~~

~~1. In addition to SeaTac's established public notification for adoption of an ordinance, the following notification steps will be taken:~~

- ~~a. A notice of availability of a summary of this chapter; and~~
- ~~b. A notice of requirements; and~~
- ~~c. Criteria for affected employers to comply with the ordinance; and~~
- ~~d. Any subsequent revisions shall be published at least once in a newspaper of general circulation in the general SeaTac area.~~

~~2. Known affected employers located in the City will receive formal written notification by certified mail that they are subject to this chapter within thirty (30) days after January 26, 1993.~~

~~3. Affected employers that, for whatever reason, do not receive notice within thirty (30) days of adoption of the ordinance must identify themselves to the City within one hundred eighty (180) days of January 26, 1993. Once they identify themselves, such employers will be granted one hundred fifty (150) days within which to develop and submit a CTR program for approval.~~

~~4. Any existing employer of seventy five (75) or more employees who obtains a business license in the City shall be required to complete an Employer Assessment Form, provided to the applicant by the City, to determine whether or not an employer will be deemed affected or nonaffected in accordance with the provisions of this chapter.~~

~~B. New Affected Employers.~~

~~1. Employers that meet the definition of the "affected employer" in this chapter must identify themselves to the City within one hundred eighty (180) days of either moving into the City or growing in employment at a worksite to one hundred (100) or more affected employees. Such employers will be granted a minimum of one hundred fifty (150) days, after applying for a business license or renewal, to develop and submit a CTR program.~~

~~2. New affected employers shall have two (2) years to meet the first CTR goal of a fifteen percent (15%) reduction from the base year values identified in SMC 11.30.030; four (4) years to meet the second goal of a twenty percent (20%) reduction; six (6) years to meet the third goal of a twenty five percent (25%) reduction; and twelve (12) years to meet the fourth goal of a thirty five percent (35%) reduction from the time they begin their program.~~

~~C. Change in Status as an Affected Employer.~~

~~1. If an affected employer can document that it faces an extraordinary circumstance that will change its status as an affected employer, it can apply for a waiver pursuant to SMC 11.30.100.~~

~~2. If an employer initially designated as affected employer no longer employs one hundred (100) or more affected employees and has not employed one hundred (100) or more affected employees for the past twelve (12) months, that employer is no longer an affected employer. It is the responsibility of the employer to provide documentation to the City that it is no longer an affected employer.~~

~~3. If the same employer returns to the level of one hundred (100) or more affected employees twelve (12) or more months after its change in status to an “unaffected” employer, that employer shall be treated as a new affected employer, and will be subject to the same program requirements as other new affected employers.~~

~~11.30.070 Requirements for employers.~~

~~An affected employer is required to make a good faith effort as defined in RCW 70.94.534(2) and this chapter to develop and implement a CTR program that will encourage its employees to reduce VMT per employee and SOV commute trips. The CTR program must include the mandatory elements described below, including submittal of a CTR program description and annual progress report.~~

~~A. Description of Employer’s CTR Program. Each affected employer is required to submit a description of its CTR program to the City on the official form available from the CTR Administrator or Public Works Department. At a minimum, the employer’s description must include:~~

- ~~1. General description of each employment site location within the City limit including transportation characteristics, surrounding services and including unique conditions experienced by the employer or its employees;~~
- ~~2. Number of employees affected by the CTR program;~~
- ~~3. Documentation of compliance with the mandatory CTR program elements (noted in subsection (B));~~
- ~~4. Description of the additional elements included in the CTR program; and~~
- ~~5. Schedule of implementation, assignment of responsibilities, and commitment to provide appropriate resources to carry out the CTR program.~~

~~B. Mandatory Program Elements. Each employer’s CTR program shall include the following mandatory elements:~~

~~1. Employee Transportation Coordinator (ETC). The employer shall designate a transportation coordinator to administer the CTR program. The coordinator’s and/or designee’s name, location, and telephone number must be displayed prominently at each affected worksite. The coordinator shall oversee all elements of the employer’s CTR program and act as liaison between the employer and the City of SeaTac. An affected employer with multiple sites may have one (1) transportation coordinator for all sites.~~

~~2. Information Distribution. Information about an employer’s CTR program as well as alternatives to SOV commuting shall be provided to employees at the time of their hire and thereafter at least once a year. This shall consist of, at a minimum:~~

- ~~a. Summary of the employer’s program; and~~
- ~~b. ETC name and phone number; and~~
- ~~c. Schedule of accessible bus/train routes; and~~
- ~~d. Phone number of local transit agencies information.~~

~~3. Annual Progress Report. The CTR program must include an annual review of employee commuting and of progress toward meeting the SOV reduction goals. Affected employers shall file a progress report annually with the City, including, but not limited to, a program description and a description of information distributed to employees and the method of distribution. The employer should contact the City's CTR Administrator or Public Works Department for the correct report packet. Survey information or approved alternative information must be provided in the reports submitted in the second, fourth, sixth, eighth, tenth, and twelfth years after program implementation begins. For worksites that have been participating in the CTR program since the beginning, this requirement applies to the 1995, 1997, 1999, 2001, 2003 and 2005 annual reports.~~

~~4. Additional Program Elements. In addition to the specific program elements noted above, the employer's CTR program shall designate a set of measures created to meet the CTR goals. The measure can be derived from the following elements, as noted below:~~

- ~~a. Providing preferential parking or reduced parking charges, or both, for high occupancy vehicles;~~
- ~~b. Instituting or increasing parking charges for single-occupant vehicles;~~
- ~~c. Providing commuter ride matching services to facilitate employee ride sharing for commute trips;~~
- ~~d. Providing subsidies for transit fares, carpools or vanpools;~~
- ~~e. Permitting the use of the employer's vehicles for carpooling or vanpooling;~~
- ~~f. Allowing flex time work schedules to facilitate or encourage employee's use of transit, carpools or vanpools;~~
- ~~g. Coordinating with transportation providers to provide additional regular or express service to the worksite;~~
- ~~h. Constructing special loading and unloading facilities for transit, carpool, and vanpool users;~~
- ~~i. Providing bicycle parking facilities, lockers, changing areas, and showers for employees who bicycle or walk to work;~~
- ~~j. Providing parking incentives such as rebates for employees who do not use the parking facilities;~~
- ~~k. Providing guarantee ride home programs and emergency taxi service;~~
- ~~l. Other innovative elements or technology as approved by the City.~~

~~11.30.080 Recordkeeping.~~

~~Affected employers shall maintain all records required by the Director of Public Works and the CTR Administrator for the duration of the CTR ordinance.~~

~~11.30.090 Schedule and process for CTR reports, program review and implementation.~~

~~A. CTR Program. Not more than six (6) months after January 26, 1993, or within six (6) months after an employer becomes subject to the provisions of this chapter, the employer shall develop a CTR program and shall submit to the City a description of that program for review.~~

~~B. CTR Annual Reporting Date. Employers will be required to submit an annual CTR report to the City beginning with the first annual reporting date assigned during the initial program submittal. The annual reporting date shall be no less than twelve (12) months from the day the~~

~~initial program description is submitted. Subsequent year's reports will be due on September 1st to maintain consistency with other affected employers in the City.~~

~~C. Content of Annual Report. The annual progress report shall describe each of the CTR measures that were in effect for the previous year, the results of any commuter surveys undertaken during the year, and the number of employees participating in CTR programs. Survey information or approved alternative information must be provided in the reports submitted in the second, fourth, sixth, eighth, tenth, and twelfth years after program implementation begins.~~

~~D. Program Review. The City shall provide the employer with written notification indicating whether a CTR program was approved or deemed unacceptable.~~

~~1. Initial program descriptions will be deemed acceptable if: i) all required information on the program description form is provided, and, ii) the program description includes the following information:~~

~~a. Name, location and telephone number of the employee transportation coordinator for each worksite.~~

~~b. Plan for and documentation of regular distribution of information to employees about the employer's CTR program at the worksite, including alternatives to driving alone to work.~~

~~c. Plan for and implementation of at least one (1) additional measure designed to achieve the applicable goal.~~

~~2. Annual reports will be deemed acceptable if the annual report form is complete and contains information about implementation of the prior year's program elements and proposed new program elements and implementation schedule. Annual reports must also contain a review of employee commuting and report of progress toward meeting SOV goals.~~

~~3. Program Modification Criteria.~~

~~a. If an employer makes a good faith effort as defined in RCW 70.94.534(2) and this chapter, and meets either or both the applicable SOV or VMT goal, the employer has satisfied the objectives of the CTR plan and will not be required to modify its CTR program.~~

~~b. If an employer makes a good faith effort, as defined in RCW 70.94.534(2) and this chapter, but has not met or is not likely to meet the applicable SOV or VMT goal, the City shall work collaboratively with the employer to make modifications to its CTR program. After agreeing on modifications, the employer shall submit a revised CTR program description to the City for approval within thirty (30) days of reaching an agreement.~~

~~c. If an employer fails to make a good faith effort, as defined in RCW 70.94.534(2) and this chapter, and fails to meet either the applicable SOV or VMT reduction goal, the City shall work collaboratively with the employer to identify modifications to the CTR program and shall direct the employer to revise its program within thirty (30) days to incorporate the modifications. In response to the recommended modifications, the employer shall submit a revised CTR program description, including the requested modifications or equivalent measures, within thirty (30) days of receiving written notice to revise its program. The City shall review the revisions and notify the employer of acceptance or rejection of the revised program. If a revised program is not accepted, the City will send written notice to that effect to the employer within thirty (30) days and, if necessary, require the employer to attend a conference with program review staff for the purpose of reaching a consensus on the required program. A final decision on the required program will be issued in writing by the City within ten (10) working days of the conference.~~

~~E. Implementation of Employer's CTR Program. The employer shall implement the approved CTR program not more than one hundred eighty (180) days after the program was first submitted to the City unless extensions allow for late implementation. Implementation of programs that have been modified based on nonattainment of CTR goals must occur within thirty (30) days following City approval of such modifications.~~

~~11.30.100 Request for waivers/modification of CTR requirements.~~

~~A. Waivers.~~

~~1. Employer Waiver. An affected employer may submit a request to the CTR Administrator that the City grant a waiver from CTR program requirements for a particular worksite. The employer must demonstrate that it would experience undue hardship in complying with the requirements of the chapter as a result of the characteristics of its business, its work force, or its location(s). A waiver may be granted if and only if the affected employer demonstrates that it faces an extraordinary circumstance, such as bankruptcy, and is unable to implement any measures that could reduce the proportion of SOV trips and VMT per employee. Requests for waivers applying to the initial program submittals are due within three months after the employer has been notified that it is subject to this chapter, and, thereafter, requests can be made at any time. Requests must be made in writing by certified mail or delivery, return receipt. The notice should clearly explain the conditions for which the affected is seeking an exemption from the requirements of the CTR program. The City shall review annually all employers receiving waivers, and shall determine whether the waiver will continue to be in effect during the following program year.~~

~~2. Employee Exemptions. Specific employees or groups of employees who are required to drive alone to work as a condition of employment may be exempted from a worksite's CTR program. Exemptions may also be granted for employees who work variable shifts throughout the year and who do not rotate as a group to identical shifts. The City will use the criteria identified in the CTR task force guidelines to assess the validity of employee exemption requests. The City shall review annually all employee exemption requests, and shall determine whether the exemption will be in effect during the following program year.~~

~~B. Goal Modification. Any affected employer may request that the City modify its CTR program goals. Such requests shall be submitted in writing by certified mail or delivery, return request, at least sixty (60) days prior to the date the worksite is required to submit its program description and annual report. The goal modification request must clearly explain why the worksite is unable to achieve the applicable goal. The worksite must also demonstrate that it has implemented all of the elements contained in its approved CTR program. The City will review and grant or deny requests for goal modifications in accordance with procedures and criteria identified in the CTR task force guidelines. An employer may not request a modification of the applicable goals until one (1) year after the City approves its initial program description or annual report.~~

~~C. Modification of CTR Program Elements. If an employer wants to change a particular aspect of its CTR program during the period of time between annual reporting dates, the employer must contact the City.~~

~~D. Extensions. An employer may request to the CTR Administrator for additional time to submit a CTR program or a CTR annual progress report, or to implement or modify a program. Such requests shall be made in writing prior to the due date anytime a program submission is~~

~~going to be more than one (1) week late. Extensions for the program or implementing measures not to exceed ninety (90) days shall be considered for reasonable cause. Employers will be limited to a total of ninety (90) days allowed extension per year. Extensions shall not exempt an employer from any responsibility in meeting program goals. Extensions granted due to delays or difficulties with any program element(s) shall not be cause for discontinuing or failing to implement other program elements. An employer's annual reporting date shall not be adjusted permanently as result of any extension. An employer's annual reporting date may be extended at the discretion of the CTR Administrator.~~

~~11.30.110 Credit for transportation demand management efforts.~~

~~A. Credit for Programs Implemented Prior to the Base Year. Employers with successful TDM programs implemented prior to the 1992 base year may apply to the City for program credit.~~

~~1. Employers whose VMT per employee and proportion of SOV trips are already equal to or less than the goals for one (1) or more future goal years, and who commit in writing to continue their current level of effort, shall be exempt from the following year's annual report.~~

~~2. Employers applying for the program credit in their initial 1993 program description shall be considered to have met the 1995 CTR goals if their VMT per employee and proportion of SOV trips are equivalent to a twelve percent (12%) or greater reduction from the base year zone values. This three (3) percentage point credit applies only to the 1995 CTR goals.~~

~~Application for a program exemption credit shall include results from a survey of employees, or equivalent information that establishes the applicant's VMT per employee and proportion of SOV trips.~~

~~B. Credit for Alternative Work Schedules, Telecommuting, Bicycling and Walking by Affected Employees. The City will count commute trips eliminated through alternative work schedules, telecommuting options, bicycling and walking as 1.2 vehicle trips eliminated. This assumption applies to both the proportion of SOV trips and VMT per employee. This type of credit is applied when calculating the SOV and VMT rates of affected employers. Refer to administrative guidelines for overall calculation equations and review process.~~

~~11.30.120 Employer peer review group.~~

~~A. Appointment of Members. The City shall appoint member(s) from affected employers to subregional employer peer review groups created through interlocal agreement with other jurisdictions. Membership on an employer peer review group shall be determined in such interlocal agreement.~~

~~B. Review of Staff Recommendations. Employers may file a written request for review by the employer peer review group of staff recommendations issued regarding the following actions:~~

- ~~1. Rejection of an employer's proposed program.~~
- ~~2. Denial of an employer's request for a waiver or modification of any of the requirements under this chapter or a modification of the employer's program.~~
- ~~3. Denial of credits requested under SMC 11.30.110.~~

~~Such requests must be filed with the City within ten (10) days after the employer receives notice of a staff recommendation. Timely requests for review shall be forwarded by the City to~~

~~the employer peer review group. Any peer review group shall be advisory in nature. The City shall not be bound by any comments or recommendations of any peer review group.~~

~~11.30.130 Appeals.~~

~~A. Appeal of Final Decisions. Employers may file a written appeal of the City's final decisions regarding the following actions:~~

- ~~1. Rejection of an employer's proposed program.~~
- ~~2. Denial of an employer's request for a waiver or modification of any of the requirements under this chapter or a modification of the employer's program.~~
- ~~3. Denial of credits requested under SMC 11.30.110.~~

~~Such appeals must be filed with the City within twenty (20) days after the employer receives notice of a final decision.~~

~~Timely appeals shall be heard by the City's Hearing Examiner. Determinations on appeals shall be based on whether the decision being appealed was consistent with the State law.~~

~~11.30.140 Enforcement.~~

~~A. Compliance. For purposes of this section, "compliance" shall mean submitting required reports and documentation at prescribed times and fully implementing all provisions in an accepted CTR program.~~

~~B. Violations. The following actions shall constitute a violation of this chapter:~~

- ~~1. Failure to make a good faith effort, as defined in RCW 70.94.534(2) and this chapter.~~
- ~~2. Failure to implement an approved CTR program, unless the program elements that are carried out can be shown through quantifiable evidence to meet or exceed VMT and SOV goals as specified in this chapter. Failure to implement a CTR program includes but is not limited to:
 - ~~a. Failure of any affected employer to submit a complete CTR program within the deadlines specified in SMC 11.30.090.~~
 - ~~b. Failure to submit required documentation for annual reports.~~
 - ~~c. Submission of fraudulent data.~~~~

~~3. Failure to modify a CTR program found to be unacceptable by the City under SMC 11.30.090(D).~~

~~C. Penalties. Each day of failure by an employer to implement a commute trip reduction program or modify an unacceptable commute trip reduction program shall constitute a separate violation and it is classified as a Class 1 civil infraction pursuant to RCW 7.80.120. The penalty for this violation shall be two hundred fifty dollars (\$250.00) per day.~~

~~An employer shall not be liable for civil penalties if failure to implement an element of a CTR program was the result of an inability to reach agreement with a certified collective bargaining agent under applicable laws where the issue was raised by the employer and pursued in good faith. Unionized employers shall be presumed to act in good faith compliance if they do the following:~~

- ~~1. Propose to a recognized union any provision of the employer's CTR program that is subject to bargaining as defined by the National Labor Relations Act; and~~
- ~~2. Advise the union of the existence of the statute and mandates of the CTR program approved by the City of SeaTac and advise the union that the proposal being made is necessary for compliance with State law (RCW 70.94.531).~~

~~No affected employer with an approved CTR program may be held liable for failure to reach the applicable SOV or VMT goals.~~

~~D. Appeals of Penalties. Affected employers may appeal penalties pursuant to RCW 7.80.100.~~

11.30.010. Definitions. The following definitions shall apply to this Chapter:

1. "Affected Employee" means a full-time employee who begins his or her regular work day at a single worksite covered by the Commute Trip Reduction Plan between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays for at least twelve continuous months who is not an independent contractor. Seasonal agricultural employees, including seasonal employees of processors of agricultural products, are excluded from the count of affected employees.
2. "Affected Employer" means an employer that employs one hundred (100) or more full-time employees at a single worksite covered by the Commute Trip Reduction Plan who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays for at least twelve continuous months. Construction worksites, when the expected duration of the construction is less than two years, are excluded from this definition.
3. "Alternative Mode" means any means of commute transportation other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed work week schedules if they result in reducing commute trips.
4. "Alternative Work Schedules" mean programs such as compressed work week schedules that eliminate work trips for affected employees.
5. "Base year" means the twelve-month period which commences when a major employer is determined by the jurisdiction to be participating within the CTR program. The City of SeaTac uses this twelve-month period as the basis upon which it develops commute trip reduction goals.
6. "Base year survey" or "baseline measurement" means the survey, during the base year, of employees at a major employer worksite to determine the drive-alone rate and vehicle miles traveled per employee at the worksite. The jurisdiction uses this measurement to develop commute trip reduction goals for the major employer. The baseline measurement must be implemented in a manner that meets the requirements specified by City of SeaTac.
7. "Carpool" means a motor vehicle, including a motorcycle, occupied by two to six people of at least 16 years of age traveling together for their commute trip, resulting in the reduction of a minimum of one motor vehicle commute trip.
8. "Commute Trips" mean trips made from a worker's home to a worksite (inclusive) on weekdays.
9. "CTR" is the abbreviation of Commute Trip Reduction.

10. "CTR Program" means an employer's strategies to reduce employees' drive alone commutes and average VMT per employee.
11. "Commute trip vehicle miles traveled per employee" means the sum of the individual vehicle commute trip lengths in miles over a set period divided by the number of full-time employees during that period.
12. "Compressed Work Week" means an alternative work schedule, in accordance with employer policy, that regularly allows a full-time employee to eliminate at least one work day every two weeks by working longer hours during the remaining days, resulting in fewer commute trips by the employee. This definition is primarily intended to include weekly and bi-weekly arrangements, the most typical being four 10-hour days or 80 hours in nine days, but may also include other arrangements.
13. "Custom Bus/Buspool" means a commuter bus service arranged specifically to transport employees to work.
14. "Dominant Mode" means the mode of travel used for the greatest distance of a commute trip.
15. "Drive Alone" means a motor vehicle occupied by one (1) employee for commute purposes, including a motorcycle.
16. "Drive Alone Trips" means commute trips made by employees in single occupant vehicles.
17. "Employee Transportation Coordinator (ETC)" means a person who is designated as responsible for the development, implementation and monitoring of an employer's CTR program.
18. "Employer" means a sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district, or other individual or entity, whether public, non-profit, or private, that employs workers.
19. "Exemption" means a waiver from any or all CTR program requirements granted to an employer by City of SeaTac based on unique conditions that apply to the employer or employment site.
20. "Flex-Time" is an employer policy that provides work schedules allowing individual employees flexibility in choosing the start and end time but not the number of their working hours.
21. "Full-Time Employee" means a person, other than an independent contractor, whose position is scheduled on a continuous basis for 52 weeks for an average of at least 35 hours per week.

22. "Good Faith Effort" means that an employer has met the minimum requirements identified in RCW 70.94.531 and this Chapter, and is working collaboratively with the City of SeaTac to continue its existing CTR program or is developing and implementing program modifications likely to result in improvements to its CTR program over an agreed-upon length of time.
23. "Implementation" means active pursuit by an employer of the CTR goals of RCW 70.94.521-555 and this Chapter as evidenced by appointment of an employee transportation coordinator (ETC), distribution of information to employees regarding alternatives to drive alone commuting, and commencement of other measures according to its approved CTR program and schedule.
24. "A major employer" means a private or public employer, including state agencies, that employs one hundred or more full-time employees at a single worksite who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. on weekdays for at least twelve continuous months.
25. "Major employer worksite" or "affected employer worksite" or "worksite" means the physical location occupied by a major employer, as determined by the City of SeaTac.
26. "Major employment installation" means a military base or federal reservation, excluding tribal reservations, or other locations as designated by City of SeaTac, at which there are one hundred or more affected employees.
27. "Mode" means the means of transportation used by employees, such as single-occupant motor vehicle, rideshare vehicle (carpool or vanpool), transit, ferry, bicycle, walking, compressed work week schedule and telecommuting.
28. "Notice" means written communication delivered via the United States Postal Service with receipt deemed accepted three days following the day on which the notice was deposited with the Postal Service unless the third day falls on a weekend or legal holiday in which case the notice is deemed accepted the day after the weekend or legal holiday.
29. "Peak Period" means the hours from 6:00 a.m. to 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.
30. "Peak Period Trip" means any commute trip that delivers the employee to begin his or her regular workday between 6:00 a.m. and 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.
31. "Proportion of Drive Alone Trips" or "Drive Alone Rate" means the number of commute trips over a set period made by employees in single occupancy vehicles divided by the number of potential trips taken by employees working during that period.
32. "Ride Matching Service" means a system which assists in matching commuters for the purpose of commuting together.

33. "Teleworking" or "Telecommuting" means the use of telephones, computers, or other similar technology to permit an employee to work from home, eliminating a commute trip, or to work from a work place closer to home, reducing the distance traveled in a commute trip by at least half.
34. "Transit" means a multiple-occupant vehicle operated on a for-hire, shared-ride basis, including bus, passenger ferry, rail, shared-ride taxi, shuttle bus, or vanpool.
35. "Transportation Demand Management (TDM)" means a broad range of strategies that are primarily intended to reduce and reshape demand on the transportation system.
36. "Transportation Management Association (TMA)" means a group of employers or an association representing a group of employers in a defined geographic area. A TMA may represent employers within specific city limits or may have a sphere of influence that extends beyond city limits.
37. "Vanpool" means a vehicle occupied by from five (5) to fifteen (15) people traveling together for their commute trip, resulting in the reduction of a minimum of one motor vehicle trip.
38. "Vehicle Miles Traveled (VMT) Per Employee" means the sum of the individual vehicle commute trip lengths in miles made by employees over a set period divided by the number of employees during that period.
39. "Week" means a seven-day calendar period starting on Monday and continuing through Sunday.
40. "Weekday" means any day of the week except Saturday or Sunday.
41. "Writing," "Written," or "In Writing" means original signed and dated documents. Facsimile (fax) transmissions are a temporary notice of action that must be followed by the original signed and dated document via mail or delivery.

11.30.015. City of SeaTac CTR Plan. The goals established for the City and affected employers in the City are set forth in the City of SeaTac's Commute Trip Reduction Plan, as adopted by the SeaTac City Council.

11.30.020. Commute Trip Reduction Goals.

A. The City of SeaTac's goals for reducing the proportions of drive-alone commute trips and vehicle miles traveled per employee by affected employers in the City's jurisdiction, major employment installations, and other areas designated by the City are hereby established as referenced in the City of SeaTac's CTR Plan. These goals establish the desired level of performance for the CTR program in its entirety in City of SeaTac. The City of SeaTac will set the individual worksite goals for affected employers based on how the worksite can contribute to City of SeaTac's overall goal established in the CTR plan.

B. Commute Trip Reduction Goals for Affected Employers.

1. The drive-alone and VMT goals for affected employers in City of SeaTac are hereby established as set forth in the City's CTR Plan.
2. If the goals for an affected employer or newly affected employer are not listed in the CTR Plan, they shall be established by the City of SeaTac at a level designed to achieve City of SeaTac's overall goals for the jurisdiction and other areas as designated by the City of SeaTac. The City of SeaTac shall provide written notification of the goals for each affected employer worksite by providing the information when City of SeaTac reviews the employer's proposed program and incorporating the goals into the program approval issued by the City of SeaTac.

11.30.030. Implementation Responsibility. The City Manager or designee shall be responsible for implementing this Chapter, the CTR Plan, and the City of SeaTac CTR program together with any authority necessary to carry out such responsibilities such as rule-making or certain administrative decisions.

11.30.040. Applicability.

A. The provisions of this Chapter shall apply to any affected employer within the geographic limits of the City of SeaTac's CTR Plan.

B. **Notification of Applicability.** In addition to the City of SeaTac's established public notification for adoption of an ordinance, a notice of availability of a summary of an ordinance, a notice of the requirements and criteria for affected employers to comply with this Chapter, and subsequent revisions shall be published at least once in the City of SeaTac's official newspaper not more than 30 days after adoption of this Chapter.

Affected employers located in the City of SeaTac are to receive written notification that they are subject to this Chapter. Such notice shall be addressed to the company's chief executive officer, senior official, CTR program manager, or Employee Transportation Coordinator at the worksite. Such notification shall provide 90 days for the affected employer to perform a baseline measurement consistent with the measurement requirements specified by the City of SeaTac.

Affected employers that, for whatever reason, do not receive notice within 30 days of adoption of this Chapter and are either notified or identify themselves to the City of SeaTac within 90 days of the adoption of this Chapter will be granted an extension to assure up to 90 days within which to perform a baseline measurement consistent with the measurement requirements specified by the City of SeaTac.

Affected employers that have not been identified or do not identify themselves within 90 days of the adoption of this Chapter and do not perform a baseline measurement consistent with the measurement requirements specified by the City of SeaTac within 90 days from the passage of this Chapter are in violation of this Chapter.

If an affected employer has already performed a baseline measurement, or an alternative acceptable to the City of SeaTac, under previous iterations of this Chapter, the employer is not required to perform another baseline measurement.

C. Newly Affected Employers. Employers meeting the definition of "affected employer" in this Chapter must identify themselves to the City of SeaTac within 90 days of either moving into the boundaries of the City of SeaTac or growing in employment at a worksite to one hundred (100) or more affected employees. Employers who do not identify themselves within 90 days are in violation of this Chapter.

Newly affected employers identified as such shall be given 90 days to perform a baseline measurement consistent with the measurement requirements specified by the City of SeaTac. Employers who do not perform a baseline measurement within 90 days of receiving written notification that they are subject to this Chapter are in violation of this Chapter.

Not more than 90 days after receiving written notification of the results of the baseline measurement, the newly affected employer shall develop and submit a CTR Program to the City of SeaTac. The program will be developed in consultation with the City of SeaTac staff to be consistent with the goals of the CTR Plan adopted. The program shall be implemented not more than 90 days after approval by City of SeaTac. Employers who do not implement an approved CTR Program according to this schedule are in violation of this Chapter and subject to the penalties outlined in SMC 11.30.080.

Newly affected employers will be given 90 days to designate an employee transportation coordinator (ETC) to work closely with the City of SeaTac staff to develop, implement, and monitor strategies and processes to meeting defined CTR goals for their job site. If for any reason the ETC is displaced from their position, a new transportation coordinator must be designated by the employer within 90 days. Employers who fail to designate an ETC within 90 days of being identified as an affected employer are in violation of this Chapter.

D. Change in Status as an Affected Employer. Any of the following changes in an employer's status will change the employer's CTR program requirements:

1. If an employer initially designated as an affected employer no longer employs one hundred (100) or more affected employees and expects not to employ one hundred (100) or more affected employees for the next twelve (12) months, that employer is no longer an affected employer. It is the responsibility of the employer to notify the City of SeaTac that it is no longer an affected employer. The burden of proof lies with the employer.
2. If the same employer returns to the level of one hundred (100) or more affected employees within the same twelve (12) months, that employer will be considered an affected employer for the entire 12 months and will be subject to the same program requirements as other affected employers.

3. If the same employer returns to the level of one hundred (100) or more affected employees twelve (12) or more months after its change in status to an "unaffected" employer, that employer shall be treated as a newly affected employer and will be subject to the same program requirements as other newly affected employers.

E. Requirements for Employers – RCW 70.94.531. An affected employer is required to make a good faith effort, as defined in RCW 70.94.534(2) and this Chapter, to develop and implement a CTR program that will encourage its employees to reduce VMT per employee and drive alone commute trips. The CTR program must include the mandatory elements as outlined in SMC 11.30.050.

11.30.050 Program Elements.

A. Mandatory Program Elements. Each employer's CTR program shall include the following mandatory elements:

1. **Employee Transportation Coordinator (ETC).** The employer shall designate an Employee Transportation Coordinator (ETC) to administer the CTR program. The ETC and/or designee's name, location, and telephone number must be prominently displayed physically or electronically at each affected worksite. The ETC shall oversee all elements of the employer's CTR program and act as liaison between the employer and the City of SeaTac. The objective is to have an effective transportation coordinator presence at each worksite; an affected employer with multiple sites may have one ETC for all sites. The ETC must complete the basic ETC training provided by King County within six months of being designated as ETC.
2. **Information Distribution.** Information about alternatives to drive alone commuting as well as a summary of the employer's CTR Program shall be provided to employees at least once a year and to new employees at the time of hire. The summary of the employer's CTR Program shall also be submitted to the City of SeaTac with the employer's program description and regular report.

B. Additional Program Elements. In addition to the specific program elements described above, the employer's CTR program shall include additional elements as needed to meet CTR goals. Elements may include, but are not limited to, one or more of the following:

1. Provision of preferential parking for high-occupancy vehicles;
2. Reduced parking charges for high-occupancy vehicles;
3. Instituting or increasing parking charges for drive alone commuters;
4. Provision of commuter ride matching services to facilitate employee ridesharing for commute trips;
5. Provision of subsidies for rail, transit, or vanpool fares and/or transit passes;
6. Provision of vans or buses for employee ridesharing;
7. Provision of subsidies for carpools, walking, bicycling, teleworking, or compressed schedules;
8. Provision of incentives for employees that do not drive alone to work;

9. Permitting the use of the employer's vehicles for carpooling or vanpooling;
10. Permitting flexible work schedules to facilitate employees' use of transit, carpools, or vanpools;
11. Cooperation with transportation providers to provide additional regular or express service to the worksite;
12. Construction of special loading and unloading facilities for transit, carpool, and vanpool users;
13. Provision of bicycle parking facilities, lockers, changing areas, and showers for employees who bicycle or walk to work;
14. Provision of a program of parking incentives such as a rebate for employees who do not use the parking facilities;
15. Establishment of a program to permit employees to work part- or full-time at home or at an alternative worksite closer to their homes which reduces commute trips;
16. Establishment of a program of alternative work schedules, such as a compressed work week, which reduces commute trips;
17. Implementation of other measures designed to facilitate the use of high-occupancy vehicles, such as on-site day care facilities, emergency taxi services, or guaranteed ride home programs;
18. Charging employees for parking, and/or the elimination of free parking; and
19. Other measures that the employer believes will reduce the number and length of commute trips made to the site.

C. CTR Program Report and Description.

1. Affected employers shall review their program and file a regular progress report with the City of SeaTac in accordance with the format provided by the City.
2. The CTR Program Report and Description outlines the strategies to be undertaken by an employer to achieve the commute trip reduction goals for the reporting period. Employers are encouraged to consider innovative strategies and combine program elements in a manner that will best suit their location, site characteristics, business type, and employees' commuting needs. Employers are further encouraged to cooperate with each other to implement program elements.
3. At a minimum, the employer's CTR Program Report and Description must include:
 - a. a general description of the employment site location, transportation characteristics, employee parking availability, on-site amenities, and surrounding services;
 - b. the number of employees affected by the CTR program and the total number of employees at the site;
 - c. documentation on compliance with the mandatory CTR program elements (as described in Section 6.1);
 - d. description of any additional elements included in the employer's CTR program (as described in Section 6.2); and

- e. a statement of organizational commitment to provide appropriate resources to the program to meet the employer's established goals.

D. Biennial Measure of Employee Commute Behavior. In addition to the baseline measurement, employers shall conduct a program evaluation as a means of determining worksite progress toward meeting CTR goals. As part of the program evaluation, the employer shall distribute and collect Commute Trip Reduction Program Employee Questionnaires (surveys) at least once every two years, and strive to achieve at least a 70% response rate from employees at the worksite.

11.30.060 Record Keeping. Affected employers shall maintain a copy of their approved CTR Program Description and Report, their CTR Program Employee Questionnaire results, and all supporting documentation for the descriptions and assertions made in any CTR report to City of SeaTac for a minimum of 48 months. City of SeaTac and the employer shall agree on the record keeping requirements as part of the accepted CTR program.

11.30.070. Schedule and Process for CTR Program Description and Report.

A. Document Review. The City of SeaTac shall provide the employer with written notification if a CTR program is deemed unacceptable. The notification must give cause for any rejection. If the employer receives no written notification of extension of the review period of its CTR program or comment on the CTR program or annual report within 90 days of submission, the employer's program or annual report is deemed accepted. The City of SeaTac may extend the review period up to 90 days. The implementation date for the employer's CTR program will be extended an equivalent number of days.

B. Schedule. Upon review of an employer's initial CTR program, the City of SeaTac shall establish the employer's regular reporting date.

C. Modification of CTR Program Elements. Any affected employer may submit a request to the City of SeaTac for modification of CTR requirements. Such request may be granted if one of the following conditions exist:

1. The employer can demonstrate it would be unable to comply with the CTR program elements for reasons beyond the control of the employer; or
2. The employer can demonstrate that compliance with the program elements would constitute an undue hardship.

The City of SeaTac may ask the employer to substitute a program element of similar trip reduction potential rather than grant the employer's request.

D. Extensions. An employer may request additional time to submit a CTR Program Description and Report, or to implement or modify a program. Such requests shall be via written notice at least 30 days before the due date for which the extension is being requested. Extensions not to exceed 90 days shall be considered for reasonable causes. The City of SeaTac shall grant or

deny the employer's extension request by written notice within 10 working days of its receipt of the extension request. If there is no response issued to the employer, an extension is automatically granted for 30 days. Extensions shall not exempt an employer from any responsibility in meeting program goals. Extensions granted due to delays or difficulties with any program element(s) shall not be cause for discontinuing or failing to implement other program elements. An employer's regular reporting date shall not be adjusted permanently as a result of these extensions. An employer's annual reporting date may be extended at the discretion of the City of SeaTac.

E. Implementation of Employer's CTR Program. Unless extensions are granted, the employer shall implement its approved CTR program, including approved program modifications, not more than 90 days after receiving written notice from the City of SeaTac that the program has been approved or with the expiration of the program review period without receiving notice from the City.

11.30.080. Enforcement.

A. Compliance. For purposes of this section, compliance shall mean:

1. Fully implementing in good faith all mandatory program elements as well as provisions in the approved CTR Program Description and Report;
2. Providing a complete CTR Program Description and Report on the regular reporting date; and
3. Distributing and collecting the CTR Program Employee Questionnaire during the scheduled survey period.

B. Program Modification Criteria. The following criteria for achieving goals for VMT per employee and proportion of drive alone trips shall be applied in determining requirements for employer CTR program modifications:

1. If an employer meets either or both goals, the employer has satisfied the objectives of the CTR plan and will not be required to improve its CTR program;
2. If an employer makes a good faith effort, as defined in RCW 70.94.534(2) and this Chapter, but has not met the applicable drive alone or VMT goal, no additional modifications are required.
3. If an employer fails to make a good faith effort as defined in RCW 70.94.534(2) and this Chapter, and fails to meet the applicable drive alone or VMT reduction goal, the City of SeaTac shall direct the employer to revise its program within 30 days to come into compliance with the measures defined by RCW 70.94.534(2), including specific recommended program modifications. In response to the recommended modifications, the employer shall submit a revised CTR Program Description and Report, including the requested modifications or equivalent measures, within 30 days of receiving written

notice to revise its program. The City of SeaTac shall review the revisions and notify the employer of acceptance or rejection of the revised program. If a revised program is not accepted, the City of SeaTac will send written notice to that effect to the employer within 30 days and, if necessary, require the employer to attend a conference with program review staff for the purpose of reaching a consensus on the required program. A final decision on the required program will be issued in writing by the City of SeaTac within 10 working days of the conference.

C. Violations. The following constitute violations if the deadlines established in this Chapter are not met:

1. Failure to self identify as an affected employer;
2. Failure to perform a baseline measurement, including:
 - a. Employers notified or that have identified themselves to the City of SeaTac within 90 days of the adoption of this Chapter and that do not perform a baseline measurement consistent with the requirements specified by the City of SeaTac within 90 days from the notification or self-identification;
 - b. Employers not identified or self-identified within 90 days of the adoption of this Chapter and that do not perform a baseline measurement consistent with the requirements specified by the City of SeaTac within 90 days from the adoption of this Chapter;
3. Failure to develop and/or submit on time a complete CTR program;
4. Failure to designate an ETC within 90 days from notification or self-identification;
5. Failure to implement an approved CTR program, unless the program elements that are carried out can be shown through quantifiable evidence to meet or exceed VMT and drive alone goals as specified in this Chapter;
6. Submission of false or fraudulent data in response to survey requirements;
7. Failure to make a good faith effort, as defined in RCW 70.94.534 and this Chapter; or
8. Failure to revise a CTR program as defined in RCW 70.94.534(4) and this Chapter.

D. Penalties

1. Violation of this Chapter shall constitute a civil infraction subject to a penalty of two hundred fifty dollars (\$250.00).
2. No affected employer with an approved CTR program which has made a good faith effort may be held liable for failure to reach the applicable drive alone or VMT goal;

3. Each day of failure to implement the program is a continuing offense and shall constitute a separate violation.
4. An affected employer shall not be liable for civil penalties if failure to implement an element of a CTR program was the result of an inability to reach agreement with a certified collective bargaining agent under applicable laws where the issue was raised by the employer and pursued in good faith. Unionized employers shall be presumed to act in good faith compliance if they:
 - a. Propose to a recognized union any provision of the employer's CTR program that is subject to bargaining as defined by the National Labor Relations Act; and
 - b. Advise the union of the existence of the statute and the mandates of the CTR program approved by the City of SeaTac and advise the union that the proposal being made is necessary for compliance with state law RCW 70.94.531.

11.30.090. Exemptions and Goal Modifications.

A. Worksite Exemptions. An affected employer may request the City of SeaTac to grant an exemption from all CTR program requirements or penalties for a particular worksite. The employer must demonstrate that it would experience undue hardship in complying with the requirements of this Chapter as a result of the characteristics of its business, its work force, or its location(s). An exemption may be granted if and only if the affected employer demonstrates that it faces extraordinary circumstances, such as bankruptcy, and is unable to implement any measures that could reduce the proportion of drive alone trips and VMT per employee. Exemptions may be granted by the City of SeaTac at any time based on written notice provided by the affected employer. The notice should clearly explain the conditions for which the affected employer is seeking an exemption from the requirements of the CTR program. The City of SeaTac shall grant or deny the request within 30 days of receipt of the request. The City of SeaTac shall review annually all employers receiving exemptions, and shall determine whether the exemption will be in effect during the following program year.

B. Employee Exemptions. Specific employees or groups of employees who are required to drive alone to work as a condition of employment may be exempted from a worksite's CTR program. Exemptions may also be granted for employees who work variable shifts throughout the year and who do not rotate as a group to identical shifts. The City of SeaTac will use the criteria identified in the CTR Board Administrative Guidelines to assess the validity of employee exemption requests. The City of SeaTac shall grant or deny the request within 30 days of receipt of the request. The City of SeaTac shall review annually all employee exemption requests, and shall determine whether the exemption will be in effect during the following program year.

C. Modification of CTR Program Goals.

1. An affected employer may request that the City of SeaTac modify its CTR program goals. Such requests shall be filed in writing at least 60 days prior to the date the worksite is required to submit its program description or annual report. The goal modification request must clearly explain why the worksite is unable to achieve the

applicable goal. The worksite must also demonstrate that it has implemented all of the elements contained in its approved CTR program.

2. The City of SeaTac will review and grant or deny requests for goal modifications in accordance with procedures and criteria identified in the CTR Board Guidelines.
3. An employer may not request a modification of the applicable goals until one year after the City of SeaTac's approval of its initial program description or annual report.

11.30.100. Appeals.

A. Employers may file a written appeal of the City's final decisions regarding the following actions:

1. Rejection of an employer's proposed program.
2. Denial of an employer's request for a waiver or modification of any of the requirements under this Chapter or a modification of the employer's program.

B. Such appeals must be filed with the City within fifteen (15) days after the City sends a notice of final decision to the employer.

C. Timely appeals shall be heard by the City's Hearing Examiner. Determinations on appeals shall be based on whether the decision being appealed was consistent with the state law.

Section 3. The City of SeaTac's Commute Trip Reduction Plan, as approved by the WSDOT CTR Board, is hereby adopted.

Section 4. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances shall not be affected.

Section 5. This Ordinance shall be in full force and effect 5 days after passage and publication as required by law.

ADOPTED this 24th day of June, 2008, and signed in authentication thereof on this 24th day of June, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: 07-24-08]

[Commuter Trip Reduction]

ORDINANCE NO. 08-1021

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Chapter 11.30 of the SeaTac Municipal Code related to Commute Trip Reduction, and adopting the City of SeaTac Commute Trip Reduction Plan.

WHEREAS, under State law as set forth in RCW 70.94.521 through 70.94.551, the City is required to develop and implement a program and plan to reduce single occupant vehicle commute trips and vehicle miles traveled by City employees and by the employees of affected employers; and

WHEREAS, the Commute Trip Reduction (CTR) Efficiency Act was passed in 2006 so as to remain consistent with the CTR Board Guidelines; and

WHEREAS, WAC 468-63-030 established statewide minimum program goals and targets for local CTR plans: the minimum state target is to reduce the proportion of drive-alone travel by CTR commuters in each affected urban growth area by 10 percent by 2011, and in order to reduce emissions of greenhouse gases and other air pollutants in affected urban growth areas, the minimum state target is to reduce commute trip vehicle miles traveled per CTR commuter in each affected urban growth area by 13 percent by 2011;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC DO

ORDAIN AS FOLLOWS:

Section 1. The purpose of this Ordinance is to improve air quality, reduce traffic congestion and minimize energy consumption. These regulations are prepared to comply with RCW 70.94.521. This Ordinance does this by requiring employer-based programs that encourage employees to find alternatives to drive alone commuting with collaboration between the City of SeaTac and affected employers.

Section 2. Chapter 11.30 of the SeaTac Municipal Code is hereby amended to read as follows:

~~11.30.010 Definitions.~~

~~The following definitions shall apply to this chapter:~~

~~1. "Affected employee" means a full-time employee who is scheduled to begin his or her regular work day at a single worksite between 6:00 a.m. and 9:00 a.m. (inclusive) on two (2) or more weekdays per week for at least twelve (12) continuous months. For the purposes of this~~

~~chapter, principles and associates in a corporation, partners (general or limited) in a partnership and participants in a joint venture are to be considered employees.~~

~~2. “Affected employer” means a public or private employer that employs one hundred (100) or more affected employees at a single worksite who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. (inclusive) on two (2) or more weekdays for twelve (12) continuous months. The individual employees may vary during the year. Construction worksites, when the expected duration of the construction is less than two (2) years, are excluded from this definition.~~

~~3. “Alternative mode” means any type of commute transportation other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed work weeks if they result in reducing commute trips.~~

~~4. “Alternative work schedules” means programs such as compressed work weeks, flextime, and working on Saturday and/or Sunday that eliminate peak period work trips for affected employees.~~

~~5. “Base year” means the period from January 1, 1992, through December 31, 1992, on which goals for vehicle miles travelled (VMT) per employee and proportion of single-occupant vehicle (SOV) trips shall be based.~~

~~6. “City” means the City of SeaTac.~~

~~7. “Commute trips” means trips made from a worker’s home to a worksite with a regularly scheduled arrival time of 6:00 a.m. to 9:00 a.m. (inclusive) on weekdays.~~

~~8. “CTR (commute trip reduction) Administrator” means the person designated by the City to administer the City’s CTR responsibilities and to oversee enforcement of the City ordinance.~~

~~9. “CTR (commute trip reduction) plan” means the City of SeaTac’s plan as set forth in conformity with this chapter to regulate and administer the CTR programs of affected employers within its jurisdiction.~~

~~10. “CTR (commute trip reduction) program” means an employer’s strategies to reduce affected employees’ SOV use and VMT per employee.~~

~~11. “CTR (commute trip reduction) task force” means a group of individuals designated by the governor whose primary responsibility is to establish guidelines for implementation of the CTR law.~~

~~12. “CTR (commute trip reduction) task force guidelines” means the model standards for local jurisdictions to use in the creation and administration of commute trip reduction plans and programs. The standards are guidelines to create consistency among local jurisdictions.~~

~~13. “CTR (commute trip reduction) zone” means the area, such as a census tract or combination of census tracts within the City of SeaTac. The area is characterized by similar employment density, population density, level of transit service, parking availability, access to high occupancy vehicle facilities, and other factors that are determined to affect the level of SOV commuting.~~

~~14. “Compressed work week” means an alternative work schedule, in accordance with employer policy, that regularly allows a full-time employee to eliminate at least one (1) work day every two (2) weeks by working longer hours during the remaining days, resulting in fewer commute trips by the employee. This definition is primarily intended to include weekly and biweekly arrangements, the most typical being four (4) ten (10) hour days or eighty (80) hours in nine (9) days, but may also include other arrangements. Compressed work weeks are understood to be an ongoing arrangement.~~

~~15. “Dominant mode” means the mode of travel used for the greatest distance of a trip.~~

16. ~~“Employee” means anyone who receives financial or other remuneration in exchange for work provided to an employer, including owners or partners of the employer.~~

17. ~~“Employer” means a sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, whether public, nonprofit, or private, that employs workers.~~

18. ~~“Employee transportation coordinator (ETC)” means the person designated by applicable employers to coordinate the employer’s compliance with the City pursuant to SMC 11.30.070.~~

19. ~~“Flex time” means an employer policy allowing individual employees some flexibility in choosing the time, but not the number, of their working hours to facilitate the use of alternative modes.~~

20. ~~“Full-time employee” means a person other than an independent contractor, scheduled to be employed on a continuous basis for fifty two (52) weeks per year for an average of at least thirty five (35) hours per week.~~

21. ~~“Good faith effort” means that an employer has met the minimum requirements identified in RCW 70.94.531 and this chapter, and is working collaboratively with the City to continue its existing CTR program or is developing and implementing program modifications likely to result in improvements to its CTR program over an agreed upon length of time.~~

22. ~~“Implementation” means active pursuit by an employer of the CTR goals of RCW 70.94.521 through 70.94.551 and this chapter as evidenced by appointment of a transportation coordinator, distribution of information to employees regarding alternatives to SOV commuting, and commencement of other measures according to their CTR program and schedule.~~

23. ~~“Mode” means the type of transportation used by employees, such as single-occupant vehicles, rideshare vehicle (carpool, vanpool), transit, ferry, bicycle, and walking.~~

24. ~~“Peak period” means the hours from 6:00 a.m. to 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.~~

25. ~~“Peak period trip” means any employee trip that delivers the employee to begin his or her regular workday between 6:00 a.m. and 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.~~

26. ~~“Proportion of SOV (single-occupant vehicle) trips or SOV rate” means the number of commute trips over a set period made by affected employees in SOVs divided by the number of affected employees working during that period.~~

27. ~~“Single-occupant vehicle (SOV)” means a motor vehicle occupied by one (1) employee for commute purposes, including a motorcycle.~~

28. ~~“Single-occupant vehicle (SOV) trips” means trips made by affected employees in SOVs.~~

29. ~~“Single worksite” means a building or group of buildings on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-way occupied by one (1) or more affected employers.~~

30. ~~“Telecommuting” means the use of telephones, computers, or other similar technology to permit an employee to work from home, eliminating a commute trip, or to work from a work place closer to home, reducing the distance traveled in a commute trip by at least half.~~

31. ~~“Transportation demand management (TDM)” means the method of creating programs to reduce the number of single-occupancy vehicle (SOV) trips during a.m./p.m. rush hours.~~

32. ~~“Transportation management association (TMA)” means a group of employers or an association representing a group of employers in a defined geographic area. A TMA may represent employers within specific City limits, or may have a sphere of influence that extends beyond City limits.~~

~~33. “Vehicle miles traveled (VMT) per employee” means the sum of the individual vehicle commute trip lengths in miles made by affected employees over a set period divided by the number of affected employees during that period.~~

~~34. “Waiver” means an exemption from CTR program requirements granted to an employer by the City based on unique conditions that apply to the employer or employment site.~~

~~35. “Week” means a seven (7) day calendar period, starting on Monday and continuing through Sunday.~~

~~36. “Weekday” means any day of the week except Saturday or Sunday.~~

~~11.30.020 Commute trip reduction goals.~~

~~The commute trip reduction goals for employers affected by this chapter are to achieve the following reductions in vehicle miles traveled per employee as well as in the proportion of single-occupant vehicles from the 1992 base year value of SeaTac’s CTR zone:~~

- ~~A. Fifteen (15) percent after two (2) years;~~
- ~~B. Twenty (20) percent after four (4) years;~~
- ~~C. Twenty five (25) percent after six (6) years;~~
- ~~D. Thirty five (35) percent after twelve (12) years.~~

~~11.30.030 Designation of CTR zone and base year values.~~

~~Employers in the City of SeaTac fall within the South King County CTR zone designated by the boundaries shown on the map in Attachment A.*~~

~~The base year value of this zone for proportion of SOV trips shall be eighty five percent (85%). The base year value for vehicle miles traveled (VMT) per employee shall be set at 9.3. Commute trip reduction goals for major employers shall be calculated based on these values. Therefore, affected employers in the City of SeaTac that have been participating in the CTR program since the beginning, shall establish programs designed to result in SOV rates of not more than seventy two percent (72%) in 1995, sixty eight percent (68%) percent in 1997, sixty four percent (64%) in 1999, and fifty five percent (55%) in 2005 and VMT per employee of not more than 7.9 miles in 1995, 7.4 miles in 1997, 7.0 miles in 1999, and 6.0 miles in 2005.~~

~~* Attachment A is on file in the office of the City Clerk.~~

~~11.30.040 City employee CTR plan.~~

~~The 1992 City of SeaTac CTR Plan is set forth in Attachment B hereto*, and incorporated herein by this reference, and a copy of which shall be on file in the office of the City Clerk. The plan may be amended by further action of the City Council.~~

~~* Attachment B is on file in the office of the City Clerk.~~

~~11.30.050 Implementation responsibility.~~

~~The City of SeaTac Public Works Department and the designated CTR Administrator shall be responsible for implementing this chapter, the CTR plan, and the City’s CTR program for its~~

~~own employees. The Public Works Director shall have the authority to issue such rules and administrative procedures as are necessary to implement this chapter.~~

~~11.30.060 Applicability.~~

~~The provisions of this chapter shall apply to any affected employer at any single worksite within the corporate limits of the City of SeaTac. Employees will only be counted at their primary worksite. The following classifications of employees are excluded from the counts of employees: (1) seasonal agricultural employees, including seasonal employees of processors of agricultural products; and (2) employees of construction worksites when the expected duration of the construction is less than two (2) years.~~

~~A. Notification of Applicability.~~

~~1. In addition to SeaTac's established public notification for adoption of an ordinance, the following notification steps will be taken:~~

- ~~a. A notice of availability of a summary of this chapter; and~~
- ~~b. A notice of requirements; and~~
- ~~c. Criteria for affected employers to comply with the ordinance; and~~
- ~~d. Any subsequent revisions shall be published at least once in a newspaper of general circulation in the general SeaTac area.~~

~~2. Known affected employers located in the City will receive formal written notification by certified mail that they are subject to this chapter within thirty (30) days after January 26, 1993.~~

~~3. Affected employers that, for whatever reason, do not receive notice within thirty (30) days of adoption of the ordinance must identify themselves to the City within one hundred eighty (180) days of January 26, 1993. Once they identify themselves, such employers will be granted one hundred fifty (150) days within which to develop and submit a CTR program for approval.~~

~~4. Any existing employer of seventy five (75) or more employees who obtains a business license in the City shall be required to complete an Employer Assessment Form, provided to the applicant by the City, to determine whether or not an employer will be deemed affected or nonaffected in accordance with the provisions of this chapter.~~

~~B. New Affected Employers.~~

~~1. Employers that meet the definition of the "affected employer" in this chapter must identify themselves to the City within one hundred eighty (180) days of either moving into the City or growing in employment at a worksite to one hundred (100) or more affected employees. Such employers will be granted a minimum of one hundred fifty (150) days, after applying for a business license or renewal, to develop and submit a CTR program.~~

~~2. New affected employers shall have two (2) years to meet the first CTR goal of a fifteen percent (15%) reduction from the base year values identified in SMC 11.30.030; four (4) years to meet the second goal of a twenty percent (20%) reduction; six (6) years to meet the third goal of a twenty five percent (25%) reduction; and twelve (12) years to meet the fourth goal of a thirty five percent (35%) reduction from the time they begin their program.~~

~~C. Change in Status as an Affected Employer.~~

~~1. If an affected employer can document that it faces an extraordinary circumstance that will change its status as an affected employer, it can apply for a waiver pursuant to SMC 11.30.100.~~

~~2. If an employer initially designated as affected employer no longer employs one hundred (100) or more affected employees and has not employed one hundred (100) or more affected employees for the past twelve (12) months, that employer is no longer an affected employer. It is the responsibility of the employer to provide documentation to the City that it is no longer an affected employer.~~

~~3. If the same employer returns to the level of one hundred (100) or more affected employees twelve (12) or more months after its change in status to an “unaffected” employer, that employer shall be treated as a new affected employer, and will be subject to the same program requirements as other new affected employers.~~

~~11.30.070 Requirements for employers.~~

~~An affected employer is required to make a good faith effort as defined in RCW 70.94.534(2) and this chapter to develop and implement a CTR program that will encourage its employees to reduce VMT per employee and SOV commute trips. The CTR program must include the mandatory elements described below, including submittal of a CTR program description and annual progress report.~~

~~A. Description of Employer’s CTR Program. Each affected employer is required to submit a description of its CTR program to the City on the official form available from the CTR Administrator or Public Works Department. At a minimum, the employer’s description must include:~~

- ~~1. General description of each employment site location within the City limit including transportation characteristics, surrounding services and including unique conditions experienced by the employer or its employees;~~
- ~~2. Number of employees affected by the CTR program;~~
- ~~3. Documentation of compliance with the mandatory CTR program elements (noted in subsection (B));~~
- ~~4. Description of the additional elements included in the CTR program; and~~
- ~~5. Schedule of implementation, assignment of responsibilities, and commitment to provide appropriate resources to carry out the CTR program.~~

~~B. Mandatory Program Elements. Each employer’s CTR program shall include the following mandatory elements:~~

~~1. Employee Transportation Coordinator (ETC). The employer shall designate a transportation coordinator to administer the CTR program. The coordinator’s and/or designee’s name, location, and telephone number must be displayed prominently at each affected worksite. The coordinator shall oversee all elements of the employer’s CTR program and act as liaison between the employer and the City of SeaTac. An affected employer with multiple sites may have one (1) transportation coordinator for all sites.~~

~~2. Information Distribution. Information about an employer’s CTR program as well as alternatives to SOV commuting shall be provided to employees at the time of their hire and thereafter at least once a year. This shall consist of, at a minimum:~~

- ~~a. Summary of the employer’s program; and~~
- ~~b. ETC name and phone number; and~~
- ~~c. Schedule of accessible bus/train routes; and~~
- ~~d. Phone number of local transit agencies information.~~

~~3. Annual Progress Report. The CTR program must include an annual review of employee commuting and of progress toward meeting the SOV reduction goals. Affected employers shall file a progress report annually with the City, including, but not limited to, a program description and a description of information distributed to employees and the method of distribution. The employer should contact the City's CTR Administrator or Public Works Department for the correct report packet. Survey information or approved alternative information must be provided in the reports submitted in the second, fourth, sixth, eighth, tenth, and twelfth years after program implementation begins. For worksites that have been participating in the CTR program since the beginning, this requirement applies to the 1995, 1997, 1999, 2001, 2003 and 2005 annual reports.~~

~~4. Additional Program Elements. In addition to the specific program elements noted above, the employer's CTR program shall designate a set of measures created to meet the CTR goals. The measure can be derived from the following elements, as noted below:~~

- ~~a. Providing preferential parking or reduced parking charges, or both, for high occupancy vehicles;~~
- ~~b. Instituting or increasing parking charges for single-occupant vehicles;~~
- ~~c. Providing commuter ride matching services to facilitate employee ride sharing for commute trips;~~
- ~~d. Providing subsidies for transit fares, carpools or vanpools;~~
- ~~e. Permitting the use of the employer's vehicles for carpooling or vanpooling;~~
- ~~f. Allowing flex time work schedules to facilitate or encourage employee's use of transit, carpools or vanpools;~~
- ~~g. Coordinating with transportation providers to provide additional regular or express service to the worksite;~~
- ~~h. Constructing special loading and unloading facilities for transit, carpool, and vanpool users;~~
- ~~i. Providing bicycle parking facilities, lockers, changing areas, and showers for employees who bicycle or walk to work;~~
- ~~j. Providing parking incentives such as rebates for employees who do not use the parking facilities;~~
- ~~k. Providing guarantee ride home programs and emergency taxi service;~~
- ~~l. Other innovative elements or technology as approved by the City.~~

~~11.30.080 Recordkeeping.~~

~~Affected employers shall maintain all records required by the Director of Public Works and the CTR Administrator for the duration of the CTR ordinance.~~

~~11.30.090 Schedule and process for CTR reports, program review and implementation.~~

~~A. CTR Program. Not more than six (6) months after January 26, 1993, or within six (6) months after an employer becomes subject to the provisions of this chapter, the employer shall develop a CTR program and shall submit to the City a description of that program for review.~~

~~B. CTR Annual Reporting Date. Employers will be required to submit an annual CTR report to the City beginning with the first annual reporting date assigned during the initial program submittal. The annual reporting date shall be no less than twelve (12) months from the day the~~

~~initial program description is submitted. Subsequent year's reports will be due on September 1st to maintain consistency with other affected employers in the City.~~

~~C. Content of Annual Report. The annual progress report shall describe each of the CTR measures that were in effect for the previous year, the results of any commuter surveys undertaken during the year, and the number of employees participating in CTR programs. Survey information or approved alternative information must be provided in the reports submitted in the second, fourth, sixth, eighth, tenth, and twelfth years after program implementation begins.~~

~~D. Program Review. The City shall provide the employer with written notification indicating whether a CTR program was approved or deemed unacceptable.~~

~~1. Initial program descriptions will be deemed acceptable if: i) all required information on the program description form is provided, and, ii) the program description includes the following information:~~

~~a. Name, location and telephone number of the employee transportation coordinator for each worksite.~~

~~b. Plan for and documentation of regular distribution of information to employees about the employer's CTR program at the worksite, including alternatives to driving alone to work.~~

~~c. Plan for and implementation of at least one (1) additional measure designed to achieve the applicable goal.~~

~~2. Annual reports will be deemed acceptable if the annual report form is complete and contains information about implementation of the prior year's program elements and proposed new program elements and implementation schedule. Annual reports must also contain a review of employee commuting and report of progress toward meeting SOV goals.~~

~~3. Program Modification Criteria.~~

~~a. If an employer makes a good faith effort as defined in RCW 70.94.534(2) and this chapter, and meets either or both the applicable SOV or VMT goal, the employer has satisfied the objectives of the CTR plan and will not be required to modify its CTR program.~~

~~b. If an employer makes a good faith effort, as defined in RCW 70.94.534(2) and this chapter, but has not met or is not likely to meet the applicable SOV or VMT goal, the City shall work collaboratively with the employer to make modifications to its CTR program. After agreeing on modifications, the employer shall submit a revised CTR program description to the City for approval within thirty (30) days of reaching an agreement.~~

~~c. If an employer fails to make a good faith effort, as defined in RCW 70.94.534(2) and this chapter, and fails to meet either the applicable SOV or VMT reduction goal, the City shall work collaboratively with the employer to identify modifications to the CTR program and shall direct the employer to revise its program within thirty (30) days to incorporate the modifications. In response to the recommended modifications, the employer shall submit a revised CTR program description, including the requested modifications or equivalent measures, within thirty (30) days of receiving written notice to revise its program. The City shall review the revisions and notify the employer of acceptance or rejection of the revised program. If a revised program is not accepted, the City will send written notice to that effect to the employer within thirty (30) days and, if necessary, require the employer to attend a conference with program review staff for the purpose of reaching a consensus on the required program. A final decision on the required program will be issued in writing by the City within ten (10) working days of the conference.~~

~~E. Implementation of Employer's CTR Program. The employer shall implement the approved CTR program not more than one hundred eighty (180) days after the program was first submitted to the City unless extensions allow for late implementation. Implementation of programs that have been modified based on nonattainment of CTR goals must occur within thirty (30) days following City approval of such modifications.~~

~~11.30.100 Request for waivers/modification of CTR requirements.~~

~~A. Waivers.~~

~~1. Employer Waiver. An affected employer may submit a request to the CTR Administrator that the City grant a waiver from CTR program requirements for a particular worksite. The employer must demonstrate that it would experience undue hardship in complying with the requirements of the chapter as a result of the characteristics of its business, its work force, or its location(s). A waiver may be granted if and only if the affected employer demonstrates that it faces an extraordinary circumstance, such as bankruptcy, and is unable to implement any measures that could reduce the proportion of SOV trips and VMT per employee. Requests for waivers applying to the initial program submittals are due within three months after the employer has been notified that it is subject to this chapter, and, thereafter, requests can be made at any time. Requests must be made in writing by certified mail or delivery, return receipt. The notice should clearly explain the conditions for which the affected is seeking an exemption from the requirements of the CTR program. The City shall review annually all employers receiving waivers, and shall determine whether the waiver will continue to be in effect during the following program year.~~

~~2. Employee Exemptions. Specific employees or groups of employees who are required to drive alone to work as a condition of employment may be exempted from a worksite's CTR program. Exemptions may also be granted for employees who work variable shifts throughout the year and who do not rotate as a group to identical shifts. The City will use the criteria identified in the CTR task force guidelines to assess the validity of employee exemption requests. The City shall review annually all employee exemption requests, and shall determine whether the exemption will be in effect during the following program year.~~

~~B. Goal Modification. Any affected employer may request that the City modify its CTR program goals. Such requests shall be submitted in writing by certified mail or delivery, return request, at least sixty (60) days prior to the date the worksite is required to submit its program description and annual report. The goal modification request must clearly explain why the worksite is unable to achieve the applicable goal. The worksite must also demonstrate that it has implemented all of the elements contained in its approved CTR program. The City will review and grant or deny requests for goal modifications in accordance with procedures and criteria identified in the CTR task force guidelines. An employer may not request a modification of the applicable goals until one (1) year after the City approves its initial program description or annual report.~~

~~C. Modification of CTR Program Elements. If an employer wants to change a particular aspect of its CTR program during the period of time between annual reporting dates, the employer must contact the City.~~

~~D. Extensions. An employer may request to the CTR Administrator for additional time to submit a CTR program or a CTR annual progress report, or to implement or modify a program. Such requests shall be made in writing prior to the due date anytime a program submission is~~

~~going to be more than one (1) week late. Extensions for the program or implementing measures not to exceed ninety (90) days shall be considered for reasonable cause. Employers will be limited to a total of ninety (90) days allowed extension per year. Extensions shall not exempt an employer from any responsibility in meeting program goals. Extensions granted due to delays or difficulties with any program element(s) shall not be cause for discontinuing or failing to implement other program elements. An employer's annual reporting date shall not be adjusted permanently as result of any extension. An employer's annual reporting date may be extended at the discretion of the CTR Administrator.~~

~~11.30.110 Credit for transportation demand management efforts.~~

~~A. Credit for Programs Implemented Prior to the Base Year. Employers with successful TDM programs implemented prior to the 1992 base year may apply to the City for program credit.~~

~~1. Employers whose VMT per employee and proportion of SOV trips are already equal to or less than the goals for one (1) or more future goal years, and who commit in writing to continue their current level of effort, shall be exempt from the following year's annual report.~~

~~2. Employers applying for the program credit in their initial 1993 program description shall be considered to have met the 1995 CTR goals if their VMT per employee and proportion of SOV trips are equivalent to a twelve percent (12%) or greater reduction from the base year zone values. This three (3) percentage point credit applies only to the 1995 CTR goals.~~

~~Application for a program exemption credit shall include results from a survey of employees, or equivalent information that establishes the applicant's VMT per employee and proportion of SOV trips.~~

~~B. Credit for Alternative Work Schedules, Telecommuting, Bicycling and Walking by Affected Employees. The City will count commute trips eliminated through alternative work schedules, telecommuting options, bicycling and walking as 1.2 vehicle trips eliminated. This assumption applies to both the proportion of SOV trips and VMT per employee. This type of credit is applied when calculating the SOV and VMT rates of affected employers. Refer to administrative guidelines for overall calculation equations and review process.~~

~~11.30.120 Employer peer review group.~~

~~A. Appointment of Members. The City shall appoint member(s) from affected employers to subregional employer peer review groups created through interlocal agreement with other jurisdictions. Membership on an employer peer review group shall be determined in such interlocal agreement.~~

~~B. Review of Staff Recommendations. Employers may file a written request for review by the employer peer review group of staff recommendations issued regarding the following actions:~~

- ~~1. Rejection of an employer's proposed program.~~
- ~~2. Denial of an employer's request for a waiver or modification of any of the requirements under this chapter or a modification of the employer's program.~~
- ~~3. Denial of credits requested under SMC 11.30.110.~~

~~Such requests must be filed with the City within ten (10) days after the employer receives notice of a staff recommendation. Timely requests for review shall be forwarded by the City to~~

~~the employer peer review group. Any peer review group shall be advisory in nature. The City shall not be bound by any comments or recommendations of any peer review group.~~

~~11.30.130 Appeals.~~

~~A. Appeal of Final Decisions. Employers may file a written appeal of the City's final decisions regarding the following actions:~~

- ~~1. Rejection of an employer's proposed program.~~
- ~~2. Denial of an employer's request for a waiver or modification of any of the requirements under this chapter or a modification of the employer's program.~~
- ~~3. Denial of credits requested under SMC 11.30.110.~~

~~Such appeals must be filed with the City within twenty (20) days after the employer receives notice of a final decision.~~

~~Timely appeals shall be heard by the City's Hearing Examiner. Determinations on appeals shall be based on whether the decision being appealed was consistent with the State law.~~

~~11.30.140 Enforcement.~~

~~A. Compliance. For purposes of this section, "compliance" shall mean submitting required reports and documentation at prescribed times and fully implementing all provisions in an accepted CTR program.~~

~~B. Violations. The following actions shall constitute a violation of this chapter:~~

- ~~1. Failure to make a good faith effort, as defined in RCW 70.94.534(2) and this chapter.~~
- ~~2. Failure to implement an approved CTR program, unless the program elements that are carried out can be shown through quantifiable evidence to meet or exceed VMT and SOV goals as specified in this chapter. Failure to implement a CTR program includes but is not limited to:
 - ~~a. Failure of any affected employer to submit a complete CTR program within the deadlines specified in SMC 11.30.090.~~
 - ~~b. Failure to submit required documentation for annual reports.~~
 - ~~c. Submission of fraudulent data.~~~~

~~3. Failure to modify a CTR program found to be unacceptable by the City under SMC 11.30.090(D).~~

~~C. Penalties. Each day of failure by an employer to implement a commute trip reduction program or modify an unacceptable commute trip reduction program shall constitute a separate violation and it is classified as a Class 1 civil infraction pursuant to RCW 7.80.120. The penalty for this violation shall be two hundred fifty dollars (\$250.00) per day.~~

~~An employer shall not be liable for civil penalties if failure to implement an element of a CTR program was the result of an inability to reach agreement with a certified collective bargaining agent under applicable laws where the issue was raised by the employer and pursued in good faith. Unionized employers shall be presumed to act in good faith compliance if they do the following:~~

- ~~1. Propose to a recognized union any provision of the employer's CTR program that is subject to bargaining as defined by the National Labor Relations Act; and~~
- ~~2. Advise the union of the existence of the statute and mandates of the CTR program approved by the City of SeaTac and advise the union that the proposal being made is necessary for compliance with State law (RCW 70.94.531).~~

~~No affected employer with an approved CTR program may be held liable for failure to reach the applicable SOV or VMT goals.~~

~~D. Appeals of Penalties. Affected employers may appeal penalties pursuant to RCW 7.80.100.~~

11.30.010. Definitions. The following definitions shall apply to this Chapter:

1. "Affected Employee" means a full-time employee who begins his or her regular work day at a single worksite covered by the Commute Trip Reduction Plan between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays for at least twelve continuous months who is not an independent contractor. Seasonal agricultural employees, including seasonal employees of processors of agricultural products, are excluded from the count of affected employees.
2. "Affected Employer" means an employer that employs one hundred (100) or more full-time employees at a single worksite covered by the Commute Trip Reduction Plan who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays for at least twelve continuous months. Construction worksites, when the expected duration of the construction is less than two years, are excluded from this definition.
3. "Alternative Mode" means any means of commute transportation other than that in which the single-occupant motor vehicle is the dominant mode, including telecommuting and compressed work week schedules if they result in reducing commute trips.
4. "Alternative Work Schedules" mean programs such as compressed work week schedules that eliminate work trips for affected employees.
5. "Base year" means the twelve-month period which commences when a major employer is determined by the jurisdiction to be participating within the CTR program. The City of SeaTac uses this twelve-month period as the basis upon which it develops commute trip reduction goals.
6. "Base year survey" or "baseline measurement" means the survey, during the base year, of employees at a major employer worksite to determine the drive-alone rate and vehicle miles traveled per employee at the worksite. The jurisdiction uses this measurement to develop commute trip reduction goals for the major employer. The baseline measurement must be implemented in a manner that meets the requirements specified by City of SeaTac.
7. "Carpool" means a motor vehicle, including a motorcycle, occupied by two to six people of at least 16 years of age traveling together for their commute trip, resulting in the reduction of a minimum of one motor vehicle commute trip.
8. "Commute Trips" mean trips made from a worker's home to a worksite (inclusive) on weekdays.
9. "CTR" is the abbreviation of Commute Trip Reduction.

10. "CTR Program" means an employer's strategies to reduce employees' drive alone commutes and average VMT per employee.
11. "Commute trip vehicle miles traveled per employee" means the sum of the individual vehicle commute trip lengths in miles over a set period divided by the number of full-time employees during that period.
12. "Compressed Work Week" means an alternative work schedule, in accordance with employer policy, that regularly allows a full-time employee to eliminate at least one work day every two weeks by working longer hours during the remaining days, resulting in fewer commute trips by the employee. This definition is primarily intended to include weekly and bi-weekly arrangements, the most typical being four 10-hour days or 80 hours in nine days, but may also include other arrangements.
13. "Custom Bus/Buspool" means a commuter bus service arranged specifically to transport employees to work.
14. "Dominant Mode" means the mode of travel used for the greatest distance of a commute trip.
15. "Drive Alone" means a motor vehicle occupied by one (1) employee for commute purposes, including a motorcycle.
16. "Drive Alone Trips" means commute trips made by employees in single occupant vehicles.
17. "Employee Transportation Coordinator (ETC)" means a person who is designated as responsible for the development, implementation and monitoring of an employer's CTR program.
18. "Employer" means a sole proprietorship, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district, or other individual or entity, whether public, non-profit, or private, that employs workers.
19. "Exemption" means a waiver from any or all CTR program requirements granted to an employer by City of SeaTac based on unique conditions that apply to the employer or employment site.
20. "Flex-Time" is an employer policy that provides work schedules allowing individual employees flexibility in choosing the start and end time but not the number of their working hours.
21. "Full-Time Employee" means a person, other than an independent contractor, whose position is scheduled on a continuous basis for 52 weeks for an average of at least 35 hours per week.

22. "Good Faith Effort" means that an employer has met the minimum requirements identified in RCW 70.94.531 and this Chapter, and is working collaboratively with the City of SeaTac to continue its existing CTR program or is developing and implementing program modifications likely to result in improvements to its CTR program over an agreed-upon length of time.
23. "Implementation" means active pursuit by an employer of the CTR goals of RCW 70.94.521-555 and this Chapter as evidenced by appointment of an employee transportation coordinator (ETC), distribution of information to employees regarding alternatives to drive alone commuting, and commencement of other measures according to its approved CTR program and schedule.
24. "A major employer" means a private or public employer, including state agencies, that employs one hundred or more full-time employees at a single worksite who are scheduled to begin their regular work day between 6:00 a.m. and 9:00 a.m. on weekdays for at least twelve continuous months.
25. "Major employer worksite" or "affected employer worksite" or "worksite" means the physical location occupied by a major employer, as determined by the City of SeaTac.
26. "Major employment installation" means a military base or federal reservation, excluding tribal reservations, or other locations as designated by City of SeaTac, at which there are one hundred or more affected employees.
27. "Mode" means the means of transportation used by employees, such as single-occupant motor vehicle, rideshare vehicle (carpool or vanpool), transit, ferry, bicycle, walking, compressed work week schedule and telecommuting.
28. "Notice" means written communication delivered via the United States Postal Service with receipt deemed accepted three days following the day on which the notice was deposited with the Postal Service unless the third day falls on a weekend or legal holiday in which case the notice is deemed accepted the day after the weekend or legal holiday.
29. "Peak Period" means the hours from 6:00 a.m. to 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.
30. "Peak Period Trip" means any commute trip that delivers the employee to begin his or her regular workday between 6:00 a.m. and 9:00 a.m. (inclusive), Monday through Friday, except legal holidays.
31. "Proportion of Drive Alone Trips" or "Drive Alone Rate" means the number of commute trips over a set period made by employees in single occupancy vehicles divided by the number of potential trips taken by employees working during that period.
32. "Ride Matching Service" means a system which assists in matching commuters for the purpose of commuting together.

33. "Teleworking" or "Telecommuting" means the use of telephones, computers, or other similar technology to permit an employee to work from home, eliminating a commute trip, or to work from a work place closer to home, reducing the distance traveled in a commute trip by at least half.
34. "Transit" means a multiple-occupant vehicle operated on a for-hire, shared-ride basis, including bus, passenger ferry, rail, shared-ride taxi, shuttle bus, or vanpool.
35. "Transportation Demand Management (TDM)" means a broad range of strategies that are primarily intended to reduce and reshape demand on the transportation system.
36. "Transportation Management Association (TMA)" means a group of employers or an association representing a group of employers in a defined geographic area. A TMA may represent employers within specific city limits or may have a sphere of influence that extends beyond city limits.
37. "Vanpool" means a vehicle occupied by from five (5) to fifteen (15) people traveling together for their commute trip, resulting in the reduction of a minimum of one motor vehicle trip.
38. "Vehicle Miles Traveled (VMT) Per Employee" means the sum of the individual vehicle commute trip lengths in miles made by employees over a set period divided by the number of employees during that period.
39. "Week" means a seven-day calendar period starting on Monday and continuing through Sunday.
40. "Weekday" means any day of the week except Saturday or Sunday.
41. "Writing," "Written," or "In Writing" means original signed and dated documents. Facsimile (fax) transmissions are a temporary notice of action that must be followed by the original signed and dated document via mail or delivery.

11.30.015. City of SeaTac CTR Plan. The goals established for the City and affected employers in the City are set forth in the City of SeaTac's Commute Trip Reduction Plan, as adopted by the SeaTac City Council.

11.30.020. Commute Trip Reduction Goals.

A. The City of SeaTac's goals for reducing the proportions of drive-alone commute trips and vehicle miles traveled per employee by affected employers in the City's jurisdiction, major employment installations, and other areas designated by the City are hereby established as referenced in the City of SeaTac's CTR Plan. These goals establish the desired level of performance for the CTR program in its entirety in City of SeaTac. The City of SeaTac will set the individual worksite goals for affected employers based on how the worksite can contribute to City of SeaTac's overall goal established in the CTR plan.

B. Commute Trip Reduction Goals for Affected Employers.

1. The drive-alone and VMT goals for affected employers in City of SeaTac are hereby established as set forth in the City's CTR Plan.
2. If the goals for an affected employer or newly affected employer are not listed in the CTR Plan, they shall be established by the City of SeaTac at a level designed to achieve City of SeaTac's overall goals for the jurisdiction and other areas as designated by the City of SeaTac. The City of SeaTac shall provide written notification of the goals for each affected employer worksite by providing the information when City of SeaTac reviews the employer's proposed program and incorporating the goals into the program approval issued by the City of SeaTac.

11.30.030. Implementation Responsibility. The City Manager or designee shall be responsible for implementing this Chapter, the CTR Plan, and the City of SeaTac CTR program together with any authority necessary to carry out such responsibilities such as rule-making or certain administrative decisions.

11.30.040. Applicability.

A. The provisions of this Chapter shall apply to any affected employer within the geographic limits of the City of SeaTac's CTR Plan.

B. **Notification of Applicability.** In addition to the City of SeaTac's established public notification for adoption of an ordinance, a notice of availability of a summary of an ordinance, a notice of the requirements and criteria for affected employers to comply with this Chapter, and subsequent revisions shall be published at least once in the City of SeaTac's official newspaper not more than 30 days after adoption of this Chapter.

Affected employers located in the City of SeaTac are to receive written notification that they are subject to this Chapter. Such notice shall be addressed to the company's chief executive officer, senior official, CTR program manager, or Employee Transportation Coordinator at the worksite. Such notification shall provide 90 days for the affected employer to perform a baseline measurement consistent with the measurement requirements specified by the City of SeaTac.

Affected employers that, for whatever reason, do not receive notice within 30 days of adoption of this Chapter and are either notified or identify themselves to the City of SeaTac within 90 days of the adoption of this Chapter will be granted an extension to assure up to 90 days within which to perform a baseline measurement consistent with the measurement requirements specified by the City of SeaTac.

Affected employers that have not been identified or do not identify themselves within 90 days of the adoption of this Chapter and do not perform a baseline measurement consistent with the measurement requirements specified by the City of SeaTac within 90 days from the passage of this Chapter are in violation of this Chapter.

If an affected employer has already performed a baseline measurement, or an alternative acceptable to the City of SeaTac, under previous iterations of this Chapter, the employer is not required to perform another baseline measurement.

C. Newly Affected Employers. Employers meeting the definition of "affected employer" in this Chapter must identify themselves to the City of SeaTac within 90 days of either moving into the boundaries of the City of SeaTac or growing in employment at a worksite to one hundred (100) or more affected employees. Employers who do not identify themselves within 90 days are in violation of this Chapter.

Newly affected employers identified as such shall be given 90 days to perform a baseline measurement consistent with the measurement requirements specified by the City of SeaTac. Employers who do not perform a baseline measurement within 90 days of receiving written notification that they are subject to this Chapter are in violation of this Chapter.

Not more than 90 days after receiving written notification of the results of the baseline measurement, the newly affected employer shall develop and submit a CTR Program to the City of SeaTac. The program will be developed in consultation with the City of SeaTac staff to be consistent with the goals of the CTR Plan adopted. The program shall be implemented not more than 90 days after approval by City of SeaTac. Employers who do not implement an approved CTR Program according to this schedule are in violation of this Chapter and subject to the penalties outlined in SMC 11.30.080.

Newly affected employers will be given 90 days to designate an employee transportation coordinator (ETC) to work closely with the City of SeaTac staff to develop, implement, and monitor strategies and processes to meeting defined CTR goals for their job site. If for any reason the ETC is displaced from their position, a new transportation coordinator must be designated by the employer within 90 days. Employers who fail to designate an ETC within 90 days of being identified as an affected employer are in violation of this Chapter.

D. Change in Status as an Affected Employer. Any of the following changes in an employer's status will change the employer's CTR program requirements:

1. If an employer initially designated as an affected employer no longer employs one hundred (100) or more affected employees and expects not to employ one hundred (100) or more affected employees for the next twelve (12) months, that employer is no longer an affected employer. It is the responsibility of the employer to notify the City of SeaTac that it is no longer an affected employer. The burden of proof lies with the employer.
2. If the same employer returns to the level of one hundred (100) or more affected employees within the same twelve (12) months, that employer will be considered an affected employer for the entire 12 months and will be subject to the same program requirements as other affected employers.

3. If the same employer returns to the level of one hundred (100) or more affected employees twelve (12) or more months after its change in status to an "unaffected" employer, that employer shall be treated as a newly affected employer and will be subject to the same program requirements as other newly affected employers.

E. Requirements for Employers – RCW 70.94.531. An affected employer is required to make a good faith effort, as defined in RCW 70.94.534(2) and this Chapter, to develop and implement a CTR program that will encourage its employees to reduce VMT per employee and drive alone commute trips. The CTR program must include the mandatory elements as outlined in SMC 11.30.050.

11.30.050 Program Elements.

A. Mandatory Program Elements. Each employer's CTR program shall include the following mandatory elements:

1. **Employee Transportation Coordinator (ETC).** The employer shall designate an Employee Transportation Coordinator (ETC) to administer the CTR program. The ETC and/or designee's name, location, and telephone number must be prominently displayed physically or electronically at each affected worksite. The ETC shall oversee all elements of the employer's CTR program and act as liaison between the employer and the City of SeaTac. The objective is to have an effective transportation coordinator presence at each worksite; an affected employer with multiple sites may have one ETC for all sites. The ETC must complete the basic ETC training provided by King County within six months of being designated as ETC.
2. **Information Distribution.** Information about alternatives to drive alone commuting as well as a summary of the employer's CTR Program shall be provided to employees at least once a year and to new employees at the time of hire. The summary of the employer's CTR Program shall also be submitted to the City of SeaTac with the employer's program description and regular report.

B. Additional Program Elements. In addition to the specific program elements described above, the employer's CTR program shall include additional elements as needed to meet CTR goals. Elements may include, but are not limited to, one or more of the following:

1. Provision of preferential parking for high-occupancy vehicles;
2. Reduced parking charges for high-occupancy vehicles;
3. Instituting or increasing parking charges for drive alone commuters;
4. Provision of commuter ride matching services to facilitate employee ridesharing for commute trips;
5. Provision of subsidies for rail, transit, or vanpool fares and/or transit passes;
6. Provision of vans or buses for employee ridesharing;
7. Provision of subsidies for carpools, walking, bicycling, teleworking, or compressed schedules;
8. Provision of incentives for employees that do not drive alone to work;

9. Permitting the use of the employer's vehicles for carpooling or vanpooling;
10. Permitting flexible work schedules to facilitate employees' use of transit, carpools, or vanpools;
11. Cooperation with transportation providers to provide additional regular or express service to the worksite;
12. Construction of special loading and unloading facilities for transit, carpool, and vanpool users;
13. Provision of bicycle parking facilities, lockers, changing areas, and showers for employees who bicycle or walk to work;
14. Provision of a program of parking incentives such as a rebate for employees who do not use the parking facilities;
15. Establishment of a program to permit employees to work part- or full-time at home or at an alternative worksite closer to their homes which reduces commute trips;
16. Establishment of a program of alternative work schedules, such as a compressed work week, which reduces commute trips;
17. Implementation of other measures designed to facilitate the use of high-occupancy vehicles, such as on-site day care facilities, emergency taxi services, or guaranteed ride home programs;
18. Charging employees for parking, and/or the elimination of free parking; and
19. Other measures that the employer believes will reduce the number and length of commute trips made to the site.

C. CTR Program Report and Description.

1. Affected employers shall review their program and file a regular progress report with the City of SeaTac in accordance with the format provided by the City.
2. The CTR Program Report and Description outlines the strategies to be undertaken by an employer to achieve the commute trip reduction goals for the reporting period. Employers are encouraged to consider innovative strategies and combine program elements in a manner that will best suit their location, site characteristics, business type, and employees' commuting needs. Employers are further encouraged to cooperate with each other to implement program elements.
3. At a minimum, the employer's CTR Program Report and Description must include:
 - a. a general description of the employment site location, transportation characteristics, employee parking availability, on-site amenities, and surrounding services;
 - b. the number of employees affected by the CTR program and the total number of employees at the site;
 - c. documentation on compliance with the mandatory CTR program elements (as described in Section 6.1);
 - d. description of any additional elements included in the employer's CTR program (as described in Section 6.2); and

- e. a statement of organizational commitment to provide appropriate resources to the program to meet the employer's established goals.

D. Biennial Measure of Employee Commute Behavior. In addition to the baseline measurement, employers shall conduct a program evaluation as a means of determining worksite progress toward meeting CTR goals. As part of the program evaluation, the employer shall distribute and collect Commute Trip Reduction Program Employee Questionnaires (surveys) at least once every two years, and strive to achieve at least a 70% response rate from employees at the worksite.

11.30.060 Record Keeping. Affected employers shall maintain a copy of their approved CTR Program Description and Report, their CTR Program Employee Questionnaire results, and all supporting documentation for the descriptions and assertions made in any CTR report to City of SeaTac for a minimum of 48 months. City of SeaTac and the employer shall agree on the record keeping requirements as part of the accepted CTR program.

11.30.070. Schedule and Process for CTR Program Description and Report.

A. Document Review. The City of SeaTac shall provide the employer with written notification if a CTR program is deemed unacceptable. The notification must give cause for any rejection. If the employer receives no written notification of extension of the review period of its CTR program or comment on the CTR program or annual report within 90 days of submission, the employer's program or annual report is deemed accepted. The City of SeaTac may extend the review period up to 90 days. The implementation date for the employer's CTR program will be extended an equivalent number of days.

B. Schedule. Upon review of an employer's initial CTR program, the City of SeaTac shall establish the employer's regular reporting date.

C. Modification of CTR Program Elements. Any affected employer may submit a request to the City of SeaTac for modification of CTR requirements. Such request may be granted if one of the following conditions exist:

1. The employer can demonstrate it would be unable to comply with the CTR program elements for reasons beyond the control of the employer; or
2. The employer can demonstrate that compliance with the program elements would constitute an undue hardship.

The City of SeaTac may ask the employer to substitute a program element of similar trip reduction potential rather than grant the employer's request.

D. Extensions. An employer may request additional time to submit a CTR Program Description and Report, or to implement or modify a program. Such requests shall be via written notice at least 30 days before the due date for which the extension is being requested. Extensions not to exceed 90 days shall be considered for reasonable causes. The City of SeaTac shall grant or

deny the employer's extension request by written notice within 10 working days of its receipt of the extension request. If there is no response issued to the employer, an extension is automatically granted for 30 days. Extensions shall not exempt an employer from any responsibility in meeting program goals. Extensions granted due to delays or difficulties with any program element(s) shall not be cause for discontinuing or failing to implement other program elements. An employer's regular reporting date shall not be adjusted permanently as a result of these extensions. An employer's annual reporting date may be extended at the discretion of the City of SeaTac.

E. Implementation of Employer's CTR Program. Unless extensions are granted, the employer shall implement its approved CTR program, including approved program modifications, not more than 90 days after receiving written notice from the City of SeaTac that the program has been approved or with the expiration of the program review period without receiving notice from the City.

11.30.080. Enforcement.

A. Compliance. For purposes of this section, compliance shall mean:

1. Fully implementing in good faith all mandatory program elements as well as provisions in the approved CTR Program Description and Report;
2. Providing a complete CTR Program Description and Report on the regular reporting date; and
3. Distributing and collecting the CTR Program Employee Questionnaire during the scheduled survey period.

B. Program Modification Criteria. The following criteria for achieving goals for VMT per employee and proportion of drive alone trips shall be applied in determining requirements for employer CTR program modifications:

1. If an employer meets either or both goals, the employer has satisfied the objectives of the CTR plan and will not be required to improve its CTR program;
2. If an employer makes a good faith effort, as defined in RCW 70.94.534(2) and this Chapter, but has not met the applicable drive alone or VMT goal, no additional modifications are required.
3. If an employer fails to make a good faith effort as defined in RCW 70.94.534(2) and this Chapter, and fails to meet the applicable drive alone or VMT reduction goal, the City of SeaTac shall direct the employer to revise its program within 30 days to come into compliance with the measures defined by RCW 70.94.534(2), including specific recommended program modifications. In response to the recommended modifications, the employer shall submit a revised CTR Program Description and Report, including the requested modifications or equivalent measures, within 30 days of receiving written

notice to revise its program. The City of SeaTac shall review the revisions and notify the employer of acceptance or rejection of the revised program. If a revised program is not accepted, the City of SeaTac will send written notice to that effect to the employer within 30 days and, if necessary, require the employer to attend a conference with program review staff for the purpose of reaching a consensus on the required program. A final decision on the required program will be issued in writing by the City of SeaTac within 10 working days of the conference.

C. Violations. The following constitute violations if the deadlines established in this Chapter are not met:

1. Failure to self identify as an affected employer;
2. Failure to perform a baseline measurement, including:
 - a. Employers notified or that have identified themselves to the City of SeaTac within 90 days of the adoption of this Chapter and that do not perform a baseline measurement consistent with the requirements specified by the City of SeaTac within 90 days from the notification or self-identification;
 - b. Employers not identified or self-identified within 90 days of the adoption of this Chapter and that do not perform a baseline measurement consistent with the requirements specified by the City of SeaTac within 90 days from the adoption of this Chapter;
3. Failure to develop and/or submit on time a complete CTR program;
4. Failure to designate an ETC within 90 days from notification or self-identification;
5. Failure to implement an approved CTR program, unless the program elements that are carried out can be shown through quantifiable evidence to meet or exceed VMT and drive alone goals as specified in this Chapter;
6. Submission of false or fraudulent data in response to survey requirements;
7. Failure to make a good faith effort, as defined in RCW 70.94.534 and this Chapter; or
8. Failure to revise a CTR program as defined in RCW 70.94.534(4) and this Chapter.

D. Penalties

1. Violation of this Chapter shall constitute a civil infraction subject to a penalty of two hundred fifty dollars (\$250.00).
2. No affected employer with an approved CTR program which has made a good faith effort may be held liable for failure to reach the applicable drive alone or VMT goal;

3. Each day of failure to implement the program is a continuing offense and shall constitute a separate violation.
4. An affected employer shall not be liable for civil penalties if failure to implement an element of a CTR program was the result of an inability to reach agreement with a certified collective bargaining agent under applicable laws where the issue was raised by the employer and pursued in good faith. Unionized employers shall be presumed to act in good faith compliance if they:
 - a. Propose to a recognized union any provision of the employer's CTR program that is subject to bargaining as defined by the National Labor Relations Act; and
 - b. Advise the union of the existence of the statute and the mandates of the CTR program approved by the City of SeaTac and advise the union that the proposal being made is necessary for compliance with state law RCW 70.94.531.

11.30.090. Exemptions and Goal Modifications.

A. Worksite Exemptions. An affected employer may request the City of SeaTac to grant an exemption from all CTR program requirements or penalties for a particular worksite. The employer must demonstrate that it would experience undue hardship in complying with the requirements of this Chapter as a result of the characteristics of its business, its work force, or its location(s). An exemption may be granted if and only if the affected employer demonstrates that it faces extraordinary circumstances, such as bankruptcy, and is unable to implement any measures that could reduce the proportion of drive alone trips and VMT per employee. Exemptions may be granted by the City of SeaTac at any time based on written notice provided by the affected employer. The notice should clearly explain the conditions for which the affected employer is seeking an exemption from the requirements of the CTR program. The City of SeaTac shall grant or deny the request within 30 days of receipt of the request. The City of SeaTac shall review annually all employers receiving exemptions, and shall determine whether the exemption will be in effect during the following program year.

B. Employee Exemptions. Specific employees or groups of employees who are required to drive alone to work as a condition of employment may be exempted from a worksite's CTR program. Exemptions may also be granted for employees who work variable shifts throughout the year and who do not rotate as a group to identical shifts. The City of SeaTac will use the criteria identified in the CTR Board Administrative Guidelines to assess the validity of employee exemption requests. The City of SeaTac shall grant or deny the request within 30 days of receipt of the request. The City of SeaTac shall review annually all employee exemption requests, and shall determine whether the exemption will be in effect during the following program year.

C. Modification of CTR Program Goals.

1. An affected employer may request that the City of SeaTac modify its CTR program goals. Such requests shall be filed in writing at least 60 days prior to the date the worksite is required to submit its program description or annual report. The goal modification request must clearly explain why the worksite is unable to achieve the

applicable goal. The worksite must also demonstrate that it has implemented all of the elements contained in its approved CTR program.

2. The City of SeaTac will review and grant or deny requests for goal modifications in accordance with procedures and criteria identified in the CTR Board Guidelines.
3. An employer may not request a modification of the applicable goals until one year after the City of SeaTac's approval of its initial program description or annual report.

11.30.100. Appeals.

A. Employers may file a written appeal of the City's final decisions regarding the following actions:

1. Rejection of an employer's proposed program.
2. Denial of an employer's request for a waiver or modification of any of the requirements under this Chapter or a modification of the employer's program.

B. Such appeals must be filed with the City within fifteen (15) days after the City sends a notice of final decision to the employer.

C. Timely appeals shall be heard by the City's Hearing Examiner. Determinations on appeals shall be based on whether the decision being appealed was consistent with the state law.

Section 3. The City of SeaTac's Commute Trip Reduction Plan, as approved by the WSDOT CTR Board, is hereby adopted.

Section 4. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances shall not be affected.

Section 5. This Ordinance shall be in full force and effect 5 days after passage and publication as required by law.

ADOPTED this 24th day of June, 2008, and signed in authentication thereof on this 24th day of June, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: 07-05-08]

[Commuter Trip Reduction]

ORDINANCE NO. 08-1022

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Chapter 3.85 of the SeaTac Municipal Code, related to a multi-family property tax exemption.

WHEREAS, in 1995 the Washington State Legislature adopted RCW 84.14, to encourage increased residential opportunities in cities required to plan under the Growth Management Act, by providing for special property tax valuation for eligible multi-family housing in targeted urban, residential areas; and

WHEREAS, RCW 84.14 further authorized cities with a population of at least five-thousand to adopt procedures to implement the special property tax valuations; and

WHEREAS, the City of SeaTac adopted the SeaTac Comprehensive Plan, to implement the planning requirements of the Growth Management Act; and

WHEREAS, the City of SeaTac's Comprehensive Plan sets forth the 154th Station Area Action Plan and the SeaTac/Airport Station Area Action Plan; and

WHEREAS, the City of SeaTac adopted the Station Area Action Plans as a complement to the SeaTac Comprehensive Plan; and

WHEREAS, the SeaTac Comprehensive Plan establishes a need for multi-family housing and expressly designates the 154th Street and SeaTac/Airport Station Areas as locations for multifamily housing; and

WHEREAS, the Station Area Action Plans demonstrate a need for the redevelopment and establishes a plan for the redevelopment that includes the new construction of multifamily housing; and

WHEREAS, the City Council passed Resolution 08-013 specifying the intent to adopt the 154th Street Station Area and the SeaTac/Airport Station Area as a residential targeted area, and a public hearing was held, as required by RCW 84.14.040

WHEREAS, an assessment of available properties indicates a need for new construction in the residential targeted areas; and

WHEREAS, in order to justify the tax abatement program, it is appropriate that the residential development to which the tax abatement program would apply establishes a long term benefit to the City; and

WHEREAS, the residential development to which the tax abatement program would apply should also reflect a minimum investment; and

WHEREAS, the advantages of new construction to the City outweigh disadvantages; and

WHEREAS, the areas subject to the Station Area Action Plans are located in the City's Urban Center, which is an area in which the City wants to encourage high and medium density residential development; and

WHEREAS, the Station Area Action Plans establish certain development criteria intended to promote development in the Station Areas; and

WHEREAS, to further promote such development, the SeaTac City Council desire to adopt procedures for the application for and approval of property tax incentives for qualifying multifamily housing within the 154th Street and SeaTac/Airport Station Areas;

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

Section 1. A new Chapter 3.85 of the SeaTac Municipal Code (SMC) is hereby created to read as follows:

**CHAPTER 3.85
MULTI-FAMILY PROPERTY TAX EXEMPTION**

Sections:

- 3.85.010 Findings of Fact.
- 3.85.020 Purpose.
- 3.85.030 Definitions.
- 3.85.040 Tax Exemption – Duration – Valuation – Exceptions.
- 3.85.050 Project eligibility.
- 3.85.060 Application procedure.
- 3.85.070 Application Review – Approval – Required findings – Issuance of conditional certificate – Denial – Appeal.
- 3.85.080 Amendment of contract.
- 3.85.090 Extension of conditional certificate – Required findings – Denial – Appeal.
- 3.85.100 Final certificate – Application – Issuance – Denial – Appeal.
- 3.85.110 Annual Certification.
- 3.85.120 Cancellation of tax exemption – Appeal.
- 3.85.130 Review of Program.

3.85.010 Findings of Fact.

A. The South 154th Street Station Area and the SeaTac/Airport Station Area are urban centers as defined in RCW 84.14.010 because they are identifiable districts where urban residents may obtain a variety of products and services.

B. The South 154th Street Station Area and the SeaTac/Airport Station Area currently lack sufficient, available, desirable, and convenient residential housing to meet the needs of the public who would be likely to live in the Station Areas if desirable, attractive, and livable places to live were available.

C. The provision of special property tax valuations within the South 154th Street Station Area and the SeaTac/Airport Station Area will encourage construction of new multifamily housing, and that the provision of such additional housing opportunities in the Station Areas will assist in achieving the goals of the City’s Comprehensive Plan, the Station Area Action Plans, and the purposes set forth in RCW 84.14.007.

D. Encouraging the development of new residential units in the South 154th Street Station Area and the SeaTac/Airport Station Area will enhance the use and redevelopment of existing developed areas reducing sprawl, maximizing the public investment in the infrastructure of the community and ultimately increasing the valuation of property in the Station Areas.

3.85.020 Purpose.

As provided for in RCW 84.14, the purpose of this Chapter is to provide limited, exemptions from ad valorem property taxation for qualified new multifamily housing constructed in the South 154th Street Station Area and the SeaTac/Airport Station Area in order to:

A. Accomplish the planning goals of the Growth Management Act (RCW 36.70A), the City of SeaTac Comprehensive Plan, and the South 154th Street Station Area and SeaTac/Airport Station Area Action Plans; and

B. Encourage residential opportunities within the South 154th Street Station Area and the SeaTac/Airport Station Area; and

C. Stimulate new construction of multifamily housing in the South 154th Street Station Area and the SeaTac/Airport Station Area to increase housing opportunities; and

D. Assist in directing future population growth into the South 154th Street Station Area and the SeaTac/Airport Station Area, thereby encouraging the most efficient use of the City’s infrastructure and high capacity transit; and

E. Achieving development densities that enhance the use of the community’s mass transit opportunities and the public investment in such opportunities and promote community development and in fulfillment of the City’s South 154th Street and SeaTac/Airport Station Area Action Plans.

3.85.030 Definitions.

In construing the provisions of this Chapter, the definitions set forth in RCW 84.14.010, as set forth now or hereafter amended, shall apply, unless modified in this Section. The following definitions shall also apply:

A. Assessor means the King County Assessor.

B. City Manager means the City of SeaTac City Manager, or his/her authorized designee.

C. Multifamily housing or Multiple Unit Housing means a building having twenty (20) or more dwelling units designed for permanent residential occupancy.

D. Residential targeted area means an area within an urban center that has been designated by the City Council as a residential targeted area in accordance with RCW 84.14.040. If a part of any legal lot is within the residential targeted area, then the entire lot shall be deemed to lie within the residential targeted area. Specifically, the following areas are designated residential targeted areas:

1. The South 154th Street Station Area, as designated in the City’s Comprehensive Plan;

2. The SeaTac/Airport Station Area, as designated in the City’s Comprehensive Plan;

3.85.040 Tax Exemption – Duration – Valuation – Exceptions.

A. Duration of Exemption. The value of improvements for property qualifying under this Chapter is exempt from ad valorem property taxation as follows:

1. For eight successive years beginning January 1st of the year immediately following the calendar year of issuance of the Final Certificate of Tax Exemption; or

2. For twelve successive years beginning January 1st of the year immediately following the calendar year of issuance of the Final Certificate of Tax Exemption, if

the property otherwise qualifies for the exemption under RCW 84.14, this Chapter, and meets the conditions in this subsection. For the property to qualify for the twelve-year exemption under this subsection, the applicant must commit to renting or selling at least twenty percent of the multifamily housing units as affordable housing units to low and moderate-income households, and the property must satisfy that commitment and any additional affordability and income eligibility conditions adopted by the local government under this chapter. In the case of projects intended exclusively for owner occupancy, the minimum requirement of this subsection may be satisfied solely through housing affordable to moderate-income households.

B. Limits on exemption. The exemptions provided in (A)(1) and (2) of this section do not include the value of land or the value of non-housing improvements, nor does the exemption apply to increases in assessed valuation of land and non-qualifying improvements. This Chapter also does not apply to increases in assessed valuation made by the assessor on non-qualifying portions of building and value of land, nor to increases made by lawful order of a county board of equalization, the Department of Revenue, or a county, to a class of property throughout the county or specific area of the county achieve the uniformity of assessment or appraisal required by law.

3.85.050 Project eligibility.

To qualify for exemption from property taxation under this Chapter, the property must satisfy all of the following requirements:

A. The property must be located in the designated residential targeted area; and

B. The project must consist of at least twenty (20) dwelling units of multifamily housing, located within a residential structure or a mixed use development, which are intended for permanent residential occupancy; and

C. The property must be used and/or developed in a way that increases or preserves property valuation, and the use or development of the property must represent an increased investment in the property and property maintenance that results in an increase in the over-all property values in the target area; and

D. The project must comply with all zoning requirements, land use regulations, and building code requirements contained in the SeaTac Municipal Code and applicable upon land use permit approval or submittal of a complete building permit application, whichever occurs sooner.

E. For the duration of the exemption granted under this Chapter, the property shall be in full compliance with the provisions of the SeaTac Municipal Code.

F. New construction of multifamily housing must be completed within three (3) years from the date of approval of the application or by any extended deadline granted by the City Manager, pursuant to SMC 3.85.070; and

G. The owner must enter into a written agreement with the City, approved by the City Manager, in which the owner has agreed to the implementation of the development on terms and conditions satisfactory to the City.

3.85.060 Application procedure.

A. The owner of property applying for exemption under this Chapter shall submit an application to the City Manager or designee, on a form established by the City. The owner shall verify the correctness of the information contained in the application by his/her signature and affirmation made under penalty of perjury under the laws of the State of Washington. The application shall contain such information as the City Manager may deem necessary or useful, which at a minimum shall include:

1. A completed City of SeaTac application form, including information setting forth the grounds for tax exemption; and

2. A brief written description of the project, and schematic site and floor plans of the multifamily units and the structure(s) in which they are proposed to be located; and

3. Floor and site plans of the proposed project, which plans may be revised by the owner provided in the opinion of the City Manager, such revisions do not materially alter the nature of the project or the rationale substantiating the exemption application; and

4. A statement from the owner acknowledging the potential tax liability when the property ceases to be eligible for exemption under this Chapter;

B. At the time of initial application under this section, the owner shall pay to the City an initial application fee of one thousand dollars (\$1,000), plus an amount necessary to cover recording fees under SMC 3.85.100; and

C. Except as otherwise provided in SMC 3.85.070, the application shall be submitted any time before (1) an application for a land use approval process and (2) an application for a building or other construction permit, whichever occurs first.

3.85.070 Application Review – Approval – Required findings – Issuance of conditional certificate – Denial – Appeal.

A. The City Manager may approve an application if he or she finds that:

1. When a new structure is being created, a minimum of twenty (20) new multi-family units are being constructed; and

2. The proposed project is or will be, at the time of completion, in conformance with all approved plans, and all applicable requirements of the SeaTac Municipal Code or other applicable requirements or regulations in effect at the time the application is approved; and

3. The owner has complied with all of the requirements of this Chapter, including but not limited to project eligibility requirements contained in SMC 3.85.050, and application requirements contained in SMC 3.85.060; and

4. The project site is located within a designated residential targeted area.

B. The City Manager shall deny an application if the foregoing criteria is not met. If the application is denied, the City Manager shall state in writing the reasons for the denial and send notice of denial to the owner’s last known address within ten (10) working days of the denial.

C. If the application is approved, the owner shall enter into a contract with the City, approved by the City Council, regarding the terms and conditions of the project under this Chapter.

D. Following City Council approval of the contract, and acceptance of the contract by the owner, the City Manager shall issue a conditional certificate of acceptance of tax exemption. The conditional certificate shall expire three (3) years from the date of approval unless an extension is granted as provided in SMC 3.85.090.

E. An owner may appeal a denial of a tax exemption application to the City Council by filing a notice of appeal with the City Clerk within fifteen (15) calendar days of the date that the notice of the denial was mailed, and paying an appeal fee of \$250.00. The appeal before the City Council shall be based upon the record before the City Manager, and the City Manager's decision will be upheld unless the owner can show that there is no substantial evidence on the record to support the City Manager's decision. The decision of the City Council on appeal is final.

3.85.080 Amendment of contract.

A. Any owner seeking amendment(s) to the contract approved by the City Council may do so by submitting a request in writing to the City Manager at any time within three (3) years of the date of the City Council's approval of the contract. Within sixty (60) days of the City's receipt of the written request, the City Council shall either approve or deny the amendment.

B. Any owner seeking amendments to the approved form of contract shall pay to the City an amendment application fee of five hundred dollars (\$500) for administrative costs, plus any amount necessary to cover recording fees.

C. The date for expiration of the Conditional Certificate shall not be extended by contract amendment unless all conditions for extension set forth in SMC 3.85.090 are met.

3.85.090 Extension of conditional certificate – Required findings – Denial – Appeal.

A. The conditional certificate may be extended by the City Manager for a period not to exceed twenty-four (24) consecutive months. The owner shall submit a written request stating the grounds for the extension together with a fee of five hundred dollars (\$500) for the City's administrative cost to process the request. The City Manager may grant an extension if the City Manager finds that:

1. The anticipated failure to complete construction within the required time period is due to circumstances beyond the control of the owner; and
2. The owner has been acting, and could reasonably be expected to continue to act, in good faith and with due diligence; and
3. All the conditions of the original contract between the owner and the City will be satisfied upon completion of the project.

B. If an extension is denied, the City Manager shall state in writing the reason for denial and shall send notice to the owner's last known address within ten (10) working days of the denial. An owner may appeal the denial of an extension to the Hearing Examiner by filing a notice of appeal with the City Clerk within fourteen (14) calendar days after issuance of the notice of the denial. The appeal before the Hearing Examiner shall be based upon the record before the City Manager, and the City Manager's decision will be upheld unless the owner can show that there is no substantial evidence on the record to support the City Manager's decision. The decision of the Hearing Examiner on appeal is final.

3.85.100 Final certificate – Application – Issuance – Denial – Appeal.

A. Upon completion of the construction as provided in the contract between the owner and the City, and upon issuance of a temporary certificate of occupancy, or a permanent certificate of occupancy if no temporary certificate is issued, the owner may request a final certificate of tax exemption. The owner shall file with the City Manager such information as the City Manager may deem necessary or useful to evaluate eligibility for the final certificate, which shall at a minimum include:

1. An audited statement of expenditures made with respect to each multifamily housing unit and the total expenditures made with respect to the entire property, including total project costs, which statement shall be approved by the City of SeaTac Finance Director.

2. A description of the completed work and a statement of qualification for the exemption.

3. A statement that the work was completed within the required three (3) year period or any approved extension; and

B. The time of application for final certificate under this section the owner shall pay to the City a fee of two hundred fifty dollars (\$250.00) to cover the City's administrative costs.

C. Within thirty (30) calendar days of receipt of all materials required for a final certificate, the City Manager shall determine whether the completed work is consistent with the contract between the city and owner, whether all or a portion of the completed work is qualified for exemption under this Chapter and, if so, which specific improvements satisfy the requirements of this Chapter.

D. If the City Manager determines that the project has been completed in accordance with the contract between the owner and the City and the requirements of this Chapter, the City shall file a final certificate of tax exemption with the Assessor within ten (10) calendar days of the expiration of the thirty (30) calendar day period provided under subsection C of this section.

E. The City Manager is authorized to cause to be recorded or to require the owner or owners to record in the real property records of the appropriate office of the County in which the property is located, the contract with the City required under SMC 3.85.050, or such other document(s) as will identify such terms and conditions of eligibility for exemption under this Chapter as the City Manager deems appropriate for recording.

F. The City Manager shall notify the owner in writing that the City will not file a final certificate if the City Manager determines that the project was not completed within the required three (3) year period or any approved extension, or was not completed in accordance with the contract between the owner and the City and the requirements of this Chapter, or the owner's property is otherwise not qualified for the limited exemption under this Chapter.

G. The owner may appeal the City Manager's decision to the Hearing Examiner by filing a notice of appeal with the City Clerk within fourteen (14) calendar days after issuance of the notice of the denial. The appeal before the Hearing Examiner shall be based upon the record before the City Manager, and the City Manager's decision will be upheld unless the owner can show that there is no substantial evidence on the record to support the City Manager's decision. The owner may appeal the Hearing Examiner's decision to the King County Superior Court according to the procedures contained in RCW 34.05.510 through 34.05.598, as provided in RCW 84.14.090(6), within thirty (30) days of notification by the City to the owner of the decision.

3.85.110 Annual Certification.

A. Within thirty (30) days after the first anniversary of the date the City filed the final certificate of tax exemption and each year thereafter, for the duration of the exemption as set forth in SMC 3.85.040, the property owner shall file a certification with the City Manager, verified upon signed affirmation under penalty of perjury under the laws of the State of Washington. The certification shall contain such information as the City Manager may deem necessary or useful, and shall at a minimum include the following information:

1. A statement of occupancy and vacancy of the multifamily units during the previous year; and
2. A certification that the property has not changed use since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the contract with the City and the requirements of this Chapter; and
3. A description of any improvements or changes to the property made after the filing of the final certificate or most recent certification, as applicable.

B. Failure to submit the annual certification may result in cancellation of the tax exemption.

3.85.120 Cancellation of tax exemption – Appeal.

A. If at any time the City Manager determines that the property no longer complies with the terms of the contract or with the requirements of this Chapter, or the use of the property for any reason no longer qualifies for the tax exemption, the tax exemption shall be cancelled and additional taxes, interest and penalties shall be imposed pursuant to state law.

B. If the Owner intends to convert the multifamily housing to another use the owner must notify the City Manager and the King County Assessor within sixty (60) days of the change in use. Upon such change in use, the tax exemption shall be cancelled and additional taxes, interest and penalties shall be imposed pursuant to state law.

C. Upon determining that a tax exemption shall be cancelled, the City Manager shall notify the property owner by certified mail, return receipt requested. The property owner may appeal the determination by filing a notice of appeal with the City Clerk within thirty (30) calendar days after issuance of the decision by the City Manager, specifying the factual and legal basis for the appeal. The appeal will be heard by the Hearing Examiner. At the appeal hearing, all affected parties may be heard and all competent evidence received. The Hearing Examiner shall either affirm or repeal the decision to cancel the exemption based on the evidence received. The Hearing Examiner shall give substantial weight to the City Manager’s decision to cancel the exemption, and the City Manager’s decision will be upheld unless the owner can show that there is no substantial evidence on the record to support the City Manager’s decision. An aggrieved party may appeal the Hearing Examiner’s decision to the King County Superior Court in accordance with the procedures in RCW 34.05.510 through 34.05.598, as provided in RCW 84.14.110(2), within thirty (30) days after issuance of the decision of the Hearing Examiner.

3.85.130 Review of Program.

A. The provisions of this Chapter shall be reviewed by the City Council approximately five (5) years after the effective date of the Ordinance codified herein. Such

review may include, but not be limited to, the number of dwelling units granted property tax exemption under this program, consideration of the multifamily development trends in the City and region, review of administrative processes and procedures, as well as public comment. If the program is terminated, no further applications for a conditional certificate of tax exemption shall be accepted. Incomplete applications shall be returned to the owner.

Section 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, the remainder of such Ordinance or the application thereof to other persons or circumstances shall not be affected.

Section 3. The City Manager is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this Ordinance.

Section 4. This Ordinance shall be in full force and effect five (5) days after passage and publication.

ADOPTED this 8th day of July, 2008, and signed in authentication thereof on this 8th day of July, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 07-19-08]

[Multi-Family Property Tax Exemption]

ORDINANCE NO. 08-1023

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 15.12.060, and 15.35.140 to the SeaTac Municipal Code, regarding Laundromats in the CB and CB-C zones and the base Parking Bonus Maximum for Mixed Use Projects in the City Center.

WHEREAS, it is appropriate to amend the City's development regulations regarding Laundromats and the base parking bonus in the City Center; and

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City's Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations, has held a public hearing for the purpose of soliciting public comment in regard to Zoning Code changes, and has recommended the amendments and additions for adoption by the Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC,

WASHINGTON DO ORDAIN as follows:

Section 1. Section 15.12.060 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.060 Retail/Commercial Uses

ZONES: UH – Urban High Density O/CM – Office/Commercial Medium
P – Park NB – Neighborhood Business BP – Business Park
MHP – Mobile Home Park CB – Community Business O/C/MU – Office/Commercial/Mixed Use
UL – Urban Low Density ABC – Aviation Business Center T – Townhouse
UM – Urban Medium Density I – Industrial/Manufacturing
P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES												
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T
RETAIL/COMMERCIAL USES														
101	Hotel/Motel and Associated Uses					C*	P	P*	P*		P*	C*	C*	
102	Forest Products						P(3)	P*(3)		C(1)	P*(6)			
103	Hardware/Garden Material						P	P*			P*(6)		P*(9)	P*(9)
104	Department/Variety Store						P	P*	P*(2)		P*(6)		P*(9)	P*(9)
105	Food Store					P*(8)	P	P*	P*(2)		P*(6)		P*(9)	P*(9)
106	Agricultural Crop Sales (Farm Only)			P(12)			P	P*	P	P				
106.1	Produce Stand						P	P*	P*	P	C	C		
107	Auto/Boat Dealer							P*		P	C*(6)			
108	Auto Supply Store						P	P*		P	C*(6)		C*(9)	
109	Gasoline/Service Station						P	P*		P				
109.1	Mobile Refueling Operation	P(10)	P(10)	P(10)	P(10)	P(10)	P(10)	P(11)	P(11)	P(11)	P(10)	P(11)	P(10)	P(10)
109.2	Auto Repair						C	P		P				
109.3	Automotive Service Center						P	P	P(13)	P				
110	Apparel/Accessory Store							P*	P*(2)		P*		P(9)	
111	Furniture Store							P*			P*		P(9)	
112	Fast Food/Restaurant					C*(2,4)	P(4)	P*	P*	P	P*(6)	P*(2)	P*(4,9)	P*(4,9)
112.1	Retail Food Shop					P*(8)	P	P*	P*		P*	P*(2)	P*(9)	
112.2	Tavern						P(8)	P*			P*		C*	P*(9)
113	Drug Store						P	P*	P*		P*(6)	P*(2)	P*(9)	P*(9)
114	Liquor Store							P*			P*		C*	
115	Antique/Secondhand Store						P	P*			P*(6)		P*(9)	P*(9)
116	Sporting Goods and Related Stores							P*	P*(2)		P*(6)		P*(9)	P*(9)
117	Media Material					P*(7)	P	P*	P*(2)		P*		P*(9)	
118	Jewelry Store						P	P*	P*(2)		P*(6)		P*(9)	P*(9)
119	Hobby/Toy Store						P	P*	P*(2)		P*(6)		P*(9)	P*(9)
120	Photographic and Electronic Store						P	P*	P*(2)		P*(6)		P*(9)	P*(9)
121	Fabric Store							P*	P*(2)		P*(6)		P*(9)	P*(9)

122	Florist Shop					P*(7)	P	P*	P*(2)		P*(6)		P*(9)	P*(9)
123	Pet Store							P*	P*(2)		P*(6)		P*(9)	P*(9)
124	Wholesale/Bulk Store							C*	C*	P	C*(6)		P*(9)	
125	Beauty Salon					C*(8)	P	P*	P*		C*(6)		P*(9)	P*(9)
125.1	Laundromat				P*(7)	P	P*	P*		P*		P*(9)		
125.2	Espresso Stand					P*(2)	P	P*	P*	P	P*	P*	P*(9)	P*
125.3	Comm. Marine Supply						C	P*		P		P*		
126	Other Retail Uses						C	P*	C*		P*		C	P*(9)
127	Adult Entertainment							C*(5)	C*(5)	C(5)				

* See Chapters 15.13 and 15.35 SMC for additional development standards.

- (1) Forest product related businesses shall provide the following:
 - a. Minimum of ten (10) acres;
 - b. Access to major arterial; and
 - c. Minimum thirty (30) foot buffers around the perimeter of property (Type II landscaping).
- (2) Accessory to primary use not to exceed twenty percent (20%) of primary use.
- (3) Temporary forest product sales related to holidays. Merchandise limited to Christmas trees, wreaths, herbs and associated decorations.
- (4) No fast food restaurants or drive-through facilities allowed.
- (5) See SMC 15.29.010.
- (6) Permitted as part of a mixed use development.
- (7) Small, resident-oriented uses only, as part of a residential mixed use project.
- (8) Small, resident-oriented uses only.
- (9) Permitted as part of a mixed use development, as described in SMC 15.35.610.
- (10) Permitted only to refuel heavy equipment at a construction site, subject to the criteria under SMC 15.13.103.
- (11) Subject to the criteria under SMC 15.13.102.
- (12) No permanent retail sales structures permitted. Retail sales allowed on a seasonal basis for no more than 90 days in a calendar year. Wholesale sales permitted year round only for products produced/grown on site.
- (13) Accessory to primary use not to exceed twenty percent (20%) of primary square footage.

Section 2. Section 15.35.140 of the SeaTac Municipal Code is hereby amended to read as follows:

15.35.140 Government/Office, Business Uses

ZONES:

P – Park ABC – Aviation Business Center

UM – Urban Medium Density I – Industrial/Manufacturing

UH – Urban High Density O/CM – Office/Commercial Medium

UH-UCR – Urban High-Urban Center Residential O/C/MU – Office/Commercial/Mixed Use

NB – Neighborhood Business T – Townhouse

CB-C – Urban Center

P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES											
		P	UM	UH	UH-UCR	NB	CB-C	ABC	I	O/CM	O/C/MU	T	
	GOVERNMENT/OFFICE USES												

071	Social Service Office			C	P	P	P	P	P	P	P	
072	Public Agency Office	P		P	P	P	P	P	P	P	P	
073	Public Agency Yard	C(2)					C	C	P	C	C	
074	Public Agency Archives	C(3)				C	P	P	P	P	P	
075	Court						P	P	P	P	P	
076	Police Facility	P	P	P	P	P	P	P	P	P	P	
077	Fire Facility	P	P	P	P	P	P	P	P	P	P	
079	Helipad/Airport and Facilities								P			
080	Utility Use		C	C	C	C	C	C	P	C	C	
081	Utility Substation			C	C	C	C	C	P	C	C	
082	Financial Institution				P(4)	P	P	P	P	P	P	
083	City Hall				P(4)	P	P	P	P			
083.5	Secure Community Transition Facility						C(7)	C(7)	C(7)	C(7)		
BUSINESS SERVICES USES												
086	Construction/Trade						C	P(1)	P	C		
087	Truck Terminal							P(1)	P			
088	Airport Support Facility							P				
089	Warehouse/Storage					C		P	P	C(1)		
090	Professional Office			P(4)	P(4)	P	P	P	P	P	P	
091	Heavy Equipment Rental							C	P			
092	Misc. Equipment Rental Facility					C	C		P	P(1)		
093	Auto Rental/Sales						P(1)	P(1)	P	C(1)		
094	Public/Private Parking Lot					C(5,6,8)	P(5,6,8)	P(5,6,8)	P(5,6,8)	C(5,6,8)		
095	Motor Freight Repair								P			
096	Heavy Equipment Repair								P			
097	R and D/Testing					C	C	P	P	C		
098	Commercial/Industrial Accessory Uses					P	C	P	P	C		

- (1) Accessory to primary use not to exceed twenty percent (20%) of primary use.
- (2) A public agency yard located on property within the park zone may be used as a combined maintenance facility for park and nonpark purposes; provided, that the facility shall be no more expansive than that which is reasonably expected to be needed for park maintenance when park facilities are fully developed.
- (3) A public archives facility located on property within the park zone is limited to existing structures.
- (4) Permitted as part of a mixed use development, as described in SMC 15.35.610.

- (5) Public/private parking lots up to a maximum of three-hundred (300) parking spaces, are permitted within a structure when associated with other nonparking land uses. Please see SMC 15.35.820 for provisions regarding public/private surface parking lot as an interim use. Please see SMC 15.35.950 for incentives through which additional parking may be allowed.
- (6) Public/private parking lot park-n-fly structures are permitted up to three hundred (300) spaces as a stand-alone structure. (See SMC 15.35.905 for requirements regarding stand-alone structures.) Additional spaces may be added only via the incentive method defined in SMC 15.35.950.
- (7) Secure community transition facilities are subject to the CUP-EPF siting process (SMC 15.22.035).
- (8) Public/private parking lots shall only be allowed in one (1) parking structure per development site.

Section 3. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 4. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 5. The Ordinance shall be effective five (5) days after passage and publication.

ADOPTED this 8th day of July , 2008, and signed in authentication thereof on this 8th day of July , 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date 07-19-08]

1ORDINANCE NO. 08-1024

AN ORDINANCE of the City Council of the City of SeaTac, Washington, adding a new Chapter 15.39 to the SeaTac Municipal Code regarding design standards for townhouse and duplex developments, and repealing Sections 15.19.700 and 15.19.710 of the SeaTac Municipal Code.

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City’s Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations; and

WHEREAS, the Planning Commission held a public hearing for the purpose of soliciting public comment in regard to these Zoning Code changes on July 14, 2008; and

WHEREAS, the Planning Commission has recommended the deletions and additions for adoption by the Council;

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

Section 1. Section 15.19.700 of the SeaTac Municipal Code is repealed.

15.19.700 Townhouse Zone

~~Purpose: This zone allows for townhouses, row houses or other commonwall residential buildings for more than two (2) families. Townhouses offer several advantages over single family detached houses: lower costs for land development, conservation of the land by using less land for a given number of houses and preserving open space, lower long terms maintenance costs, energy efficiency, and increased security for both the house and the neighborhood.~~

~~Townhouses, also known as row houses, are single family attached units with common (or “party”) walls. Townhouses generally have narrow lots, ranging from twenty two (22) to thirty two (32) feet. Each unit has its own front door opening to the outdoors (usually to the street), and typically each house is a complete entity with its own utility connections. Although most townhouses have no side yards, they can have front and rear yards. In most instances, the land on which the townhouse is built, and any front and rear yard, is owned in fee by the resident; however, townhouses can also be structured as condominiums.~~

Section 2. Section 15.19.710 of the SeaTac Municipal Code is repealed.

~~15.19.710 Townhouse Standards~~

~~Intent: The townhouse zone serves to buffer low density residential neighborhoods from adjacent high density residential or commercial developments. Height, setback, and massing standards promote development that fits well architecturally near existing single-family houses, while allowing densities that promote transit use, shared open space amenities, and a pedestrian orientation in a vibrant urban environment.~~

~~The following design standards shall be applied to townhouse development in conjunction with all other applicable multi-family standards identified in this chapter.~~

~~A. Bulk and Dimensional Standards (see also SMC 15.13.010 Standards Chart).~~

~~1. Height. Townhouses shall have a maximum height of thirty five (35) feet. An additional five (5) feet of height may be allowed if sub-grade or underground parking is provided for at least fifty percent (50%) of the units.~~

~~2. Setbacks. The setbacks identified in SMC 15.13.010 shall apply to all townhouse development.~~

~~3. Density.~~

~~a. Outside the City Center, townhouse density shall be a minimum of twelve (12) dwelling units per acre up to a maximum of sixteen (16) dwelling units per acre. Increased density may be allowed per SMC 15.19.600.~~

~~b. Within the City Center, townhouse density shall be a maximum of twenty-four (24) units per acre. Increased density may be allowed per SMC 15.19.600.~~

~~B. Design Standards.~~

~~1. Roof Line Variation.~~

~~a. Roof pitch of at least six (6) feet of height for each twelve (12) linear feet of roof shall be required for all townhouse development.~~

~~b. — Additionally, at least two (2) of the following types of roof line variation shall be required for all townhouse development:~~

~~i. — Vertical offset in ridge line;~~

~~ii. — Gables;~~

~~iii. — False facades;~~

~~iv. — Exaggerated cornices;~~

~~v. — Dormers;~~

~~vi. — Vegetated terraces;~~

~~vii. — Other architectural features such as trellises, cornices, portals or porches.~~

~~c. — The maximum roof line length without variation shall not exceed thirty (30) feet.~~

~~d. — The minimum roof line variation length shall be four (4) feet for dormers and eight (8) feet for all other types of variations.~~

~~C. — Open Space. Open space shall be provided in townhouse development according to the following standards:~~

~~1. — Two hundred (200) square feet of private open space shall be provided for each townhouse unit. Additionally, seventy five (75) square feet of common open space shall be provided for developments of three (3) or more units.~~

~~2. — For developments within the City Center, open space may be as specified above, or may be reduced to one hundred twenty (120) square feet of common open space per unit.~~

~~D. — Off-street parking shall be provided in the rear of each unit via an alleyway or drive separate from the street.~~

~~E. — Front facades shall feature one-half (1/2) flight-up entries and front porches a minimum of sixty (60) square feet in size.~~

~~F. — Townhouse development shall be no less than one hundred and eighty (180) lineal feet as measured along the primary street frontage.~~

Section 3. A new Chapter 15.39 is hereby added to the SeaTac Municipal Code as set forth in Exhibit A.

Section 4. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 5. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 6. The Ordinance shall be effective on August 15, 2008.

ADOPTED this 22nd day of July, 2008, and signed in authentication thereof on this 22nd day of July, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date 08-15-08]

[Townhouse standards]

ORDINANCE NO. 08-1025

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Section 15.16.088, to the SeaTac Municipal Code, regarding Real Estate Signs.

WHEREAS, it is appropriate to amend the City's development regulations regarding Off-site A-frame/board Real Estate Signs and Off-premises Real Estate Directional Arrow Signs; and

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City's Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations, has held a public hearing for the purpose of soliciting public comment in regard to Zoning Code changes, and has recommended the amendments and additions for adoption by the Council;

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

Section 1. Section 15.16.088 of the SeaTac Municipal Code is hereby amended to read as follows:

15.16.088 Real Estate Signs

- A. **On-Premises Real Estate Signs.** Individual residential units for sale shall be allowed one (1) freestanding sign limited to eight (8) square feet in surface area and six (6) feet in height, located no closer than ten (10) feet to the property line of the abutting owner. All signs shall comply with the "sight distance" requirements of SMC 15.13.100.

- B. **Off-Premises Real Estate Signs.** Open houses for residential units shall be allowed display of ~~three~~ four (3 4) off-premises ~~portable~~ A-frame/board signs; provided, that such signs shall not exceed four (4) square feet per side in area nor ~~two~~ three (2 3) feet in height, and shall be displayed only ~~on weekends~~ from dawn to dusk and only when a licensed broker/agent or seller is in attendance at the property for sale.

Off-premises real estate signs advertising open houses may be located on private property with the permission of the owner of the property on which the sign is placed and within the public right-of-way; provided, that the signs do not encroach into a driveway, parking area, sidewalk, pedestrian pathway, vehicular travel lane, median or traffic island, and is at least four (4) feet from the outer pavement edge of a roadway when curb and gutter are not present. No signs shall be posted, tacked, nailed or in any manner affixed upon any utility pole, tree or public or private sign.

- C. **Off-Premises Real Estate Directional Arrow Signs.** Open houses for residential units shall be allowed display of three (3) off-premises directional arrow signs; provided they meet the following standards:

1. The sign is a maximum of one and on-half (1 ½) square feet per side;
2. The maximum height of the sign is three (3) feet;
3. Off-premise real estate directional arrow signs may only be located at an intersection with at least one street classified as a “Principal”, “Minor”, or “Collector” arterial as depicted in the City of SeaTac Comprehensive Plan;
4. May be displayed at any time until the property is sold;

One (1) additional off-premise directional arrow sign is allowed if the home for sale only has access off of a private access easement or private road. The sign may be placed at the intersection of the private access easement or private road and public right-of-way.

Off-premises real estate arrow signs may be located on private property with the permission of the owner of the property on which the sign is placed and within the public right-of-way; provided, that the signs do not encroach into a driveway, parking area, sidewalk, pedestrian pathway, vehicular travel lane, median or traffic island, and is at least four (4) feet from the outer pavement edge of a roadway when curb and gutter are not present. No signs shall be posted, tacked, nailed or in any manner affixed upon any utility pole, tree or public or private sign.

Section 2. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 3. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 4. The Ordinance shall be effective five (5) days after passage and publication.

ADOPTED this 22nd day of July, 2008, and signed in authentication thereof on this 22nd day of July, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date 08-02-08]

ORDINANCE NO. 08-1026

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Section 15.35.310, of the SeaTac Municipal Code, regarding setbacks in the Community Business-Urban Center (CB-C) zone in the City Center.

WHEREAS, it is appropriate to amend the City’s development regulations regarding side and rear yard building setbacks in the CB-C zone in the City Center; and

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City’s Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations, has held a public hearing for the purpose of soliciting public comment in regard to Zoning Code changes, and has recommended the amendments and additions for adoption by the Council;

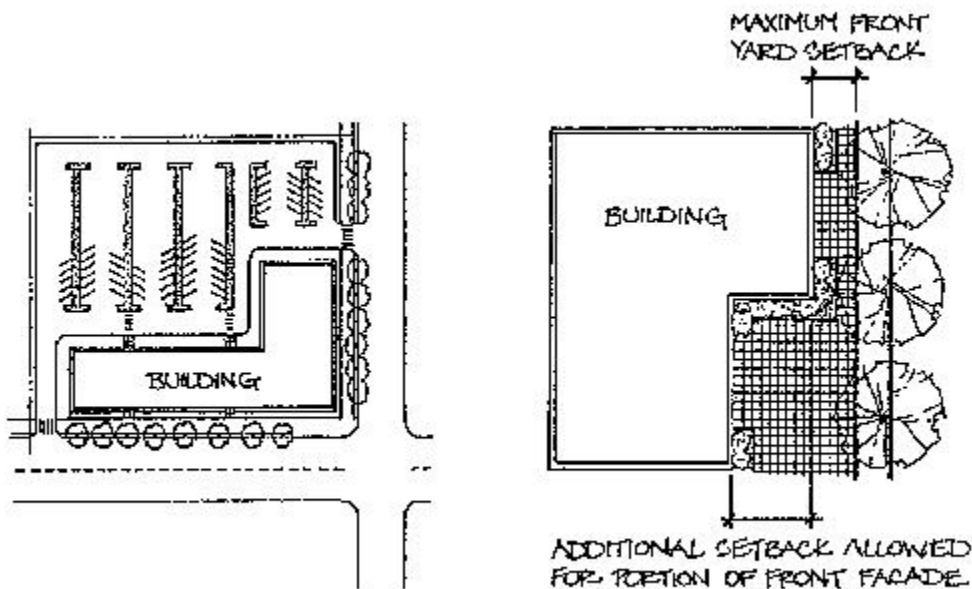
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

Section 1. Section 15.35.310 of the SeaTac Municipal Code is hereby amended to read as follows:

15.35.310 Building Placement/Setbacks

- A. For City Center properties zoned UH-UCR, CB-C, and O/CM, the maximum front yard setbacks shall be as follows, except as provided under SMC 15.35.915, Parking Structure Placement and/or Setbacks:
 - 1. Twenty (20) feet adjacent to International Boulevard, for at least fifty percent (50%) of the building’s front facade;

2. Ten (10) feet adjacent to all other City Center public and/or private streets, as specified in the City Center Plan (see City Center Plan, Figures 5.1 – 5.1b), for at least fifty percent (50%) of the building's front facade.
- B. The front facade of the primary building(s) on-site shall be oriented toward the front property line, with the main pedestrian entrance(s) located on this front facade. Additional building entrances may be oriented toward the rear or side of the building for access to and from parking lots.
 - C. At least fifty percent (50%) of the building's front facade shall be located within the maximum front yard setback, as specified in subsection (A)(1) and (2) of this section. The remaining portions of the front facade may be stepped back a maximum of twenty (20) feet more than the established maximum setback, as approved by the Director of Planning and Community Development, for the purpose of accommodating public open space, porte cocheres, or recessed building entries.
 - D. Building placement and setback shall be arranged to accommodate the front yard open space requirement as specified in SMC 15.35.420.
 - E. For projects in the CB-C zone, where the side and rear setbacks in SMC 15.13.010 conflict with the required landscaping in SMC 15.14.060 and SMC 15.14.120, the side and rear yard setbacks in SMC 15.13.010 shall supersede. This shall not apply where side and rear property lines abut a residential zone.



Section 2. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 3. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 4. The Ordinance shall be effective five (5) days after passage and publication.

ADOPTED this 22nd day of July, 2008, and signed in authentication thereof on this 22nd day of July, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date 08-02-08]

ORDINANCE NO. 08-1027

AN ORDINANCE of the City Council of the City of SeaTac, Washington, reenacting Section 15.35.950 of the SeaTac Municipal Code regarding Parking Bonus Incentives in the City Center, and establishing a sunset date.

WHEREAS, on March 25, 2008, the City Council adopted Ordinance 08-1014;
and;

WHEREAS, Section 4 of Ordinance 08-1014 stated that the Ordinance would be repealed 120 days after the Ordinance's effective date; and

WHEREAS, on July 8, 2008, a regular Council Meeting was held, at which time Staff made a presentation regarding Parking Bonus Incentives; and

WHEREAS, the City Council desires to establish a new sunset date to February 1, 2009, and therefore, it is appropriate to reenact Section 15.35.950 of the SeaTac Municipal Code and establish a new sunset date;

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

Section 1. Section 15.35.950 of the SeaTac Municipal Code is hereby reenacted to read as follows:

15.35.950 Parking Bonus Incentive Program

- A. A parking allowance bonus, beyond the maximum parking specified in SMC 15.35.810, will be granted to those developments which provide retail/commercial or service space beyond the requirements of SMC 15.35.620, or a public benefit in the form of:
1. Dedicated public right-of-way, in an arrangement and amount per parcel that conforms to the City Center vehicular and pedestrian access plan; and/or
 2. Publicly accessible on-site open space greater than the minimum ten percent (10%) of net site area required, or an equivalent monetary contribution to the City Center open space fund; and/or

3. A water feature or public art display incorporated into publicly accessible on-site open space, as approved by the Director of Planning and Community Development.
- B. The formula for calculating parking bonuses above maximum allowed for on-site land uses shall be as follows:
1. One (1) additional parking stall will be awarded for each one hundred fifty (150) square feet of interconnected public right-of-way dedicated according to the City Center vehicular and pedestrian access plan;
 2. One (1) additional parking stall will be awarded for each one hundred fifty (150) square feet of publicly accessible on-site open space greater than the minimum ten percent (10%) of net site area required. To receive parking bonus in lieu of additional on-site open space, developments may contribute to the City Center open space fund in increments of equivalent monetary value;
 3. Except for hotel/motel uses, one (1) additional parking stall will be awarded for each two hundred fifty (250) square feet of retail/commercial, service, or residential space, in addition to the minimum ground floor retail/commercial or service space required under SMC 15.35.620, included on the same site as part of a mixed use development at the time of construction;
 4. Hotel/motel uses shall be awarded 0.5 parking spaces per hotel/motel unit, in addition to the minimum ground floor retail/commercial, or service space required under SMC 15.35.620, included on the same site as part of a mixed use development at the time of construction; and/or
 5. Up to sixty (60) additional parking stalls may will be awarded for a water feature or public art display of equivalent value incorporated into publicly accessible on-site open space, as approved by the Director of Planning and Community Development. Value shall be determined by the per-square-foot market value of the underlying land multiplied by the square footage of the additional parking stalls.

Section 2. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 4. Effective Date. This Ordinance shall be effective five (5) days after passage and publication.

Section 5. Sunset Provision. This Ordinance expires on February 1, 2009.

ADOPTED this 22nd day of July, 2008 and signed in authentication thereof on this 22nd day of July, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: 08/02/08]

[Parking Bonus Incentive Extension]

ORDINANCE NO. 08-1028

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2008 Annual City Budget for miscellaneous items.

WHEREAS, the SeaTac City Council has reviewed agenda bill #2987 submitted by the Finance Department which details certain expenditures not provided for in the 2008 Budget or any subsequent budget amendments in the General Fund (Fund 001) and the Municipal Capital Improvements Fund (Fund 301); and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide additional appropriation authority to fund certain expenditures identified in agenda bill #2987;

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

Section 1. The 2008 Annual City Budget shall be amended to increase the total General Fund expenditures by \$23,560, and increases estimated revenue in the General Fund in the amount of \$65,000.

Section 2. The 2008 Annual City Budget shall be amended to increase the total Municipal Capital Improvements Fund expenditures by \$66,647.

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 9th day of September, 2008, and signed in authentication thereof on this 9th day of September, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: _____]

ORDINANCE NO. 08-1029

AN ORDINANCE of the City Council of the City of SeaTac, Washington, creating a new Section 3.40.005 of the SeaTac Municipal Code, and amending Sections 3.40.100 and 3.40.104 of the SeaTac Municipal Code related to Petty Cash Funds.

WHEREAS, the City currently maintains three petty cash funds to provide an effective and efficient manner in which employees can be reimbursed for repetitive, small dollar item cash purchases; and

WHEREAS, it is necessary to increase the amount of two of the three petty cash funds, the Finance Petty Cash Fund and the Community Center Petty Cash Fund, from the current \$300.00 each to \$500.00 in order to provide an adequate balance to more fully meet the ongoing needs of the City; and

WHEREAS, State law requires authorization by the governing body to create petty cash funds, as well as any subsequent increases or decreases in the imprest amount to those funds; and

WHEREAS, it is necessary to also increase the current maximum \$25.00 limit per reimbursement request to \$35.00 to reflect the inflationary higher cost of the smaller dollar item cash purchases reimbursed through petty cash accounts.

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

Section 1. A new Section 3.40.005 is hereby added to the SeaTac Municipal Code to read as follows:

3.40.005. Petty Cash Fund Disbursement.

The maximum authorized reimbursement request from Petty Cash Funds that have been established in SMC 3.40 is \$35.00.

Section 2. Section 3.40.100 of the SeaTac Municipal Code is hereby amended to read as follows:

3.40.100. Petty Cash Account.

There is hereby established an account in the Department of Finance to be known as the Petty Cash Account in a sum not to exceed ~~three-five~~ hundred dollars (\$~~35~~00.00). The account shall be established by issuance of a warrant or check drawn upon the current expense fund and cash in the account shall be maintained by the Director of Finance. Minor sums may be withdrawn from the account for payment or reimbursement upon proper receipts and in accordance with State law and regulations of the Division of Municipal Corporations of the Office of the State Auditor. The account shall be replenished upon approval of vouchers by the City Council in accordance with usual policy and procedure.

Section 3. Section 3.40.104 of the SeaTac Municipal Code is hereby amended to read as follows:

3.40.104. Community Center Petty Cash Fund.

There is established an account to be known as the Community Center Petty Cash Fund in an amount not to exceed ~~three-five~~ hundred dollars (\$~~35~~00.00). The fund shall be established by issuance of a warrant or check drawn upon the current expense fund and cash in the account shall be maintained by the City Manager or designee. Minor sums may be withdrawn from the fund for payment or reimbursement upon proper receipts and in accordance with State law and regulations of the Division of Municipal Corporations of the Office of the State Auditor. The fund shall be replenished upon approval of vouchers by the City Council in accordance with usual policy and procedure.

Section 4. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 9th day of September, 2008, and signed in authentication thereof on this 9th day of September, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: _____]

[Petty Cash Funds]

ORDINANCE NO. 08-1030

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the Official Zoning Map for certain properties in the S. 154th St. Station Area.

WHEREAS, Sound Transit is building the Tukwila International Boulevard Station, a light rail transit station, at International Blvd. and S. 154th St., and

WHEREAS, it is widely accepted that the presence of light rail transit stations create demand for services and building/development types that support higher office, commercial, and residential densities, and increase pedestrian activity; and

WHEREAS, Transit Oriented Development principles seek to create compact, high density mixed use, pedestrian friendly communities centered around high quality high capacity transit systems; and

WHEREAS, the Puget Sound Regional Council (PSRC) has forecast significant growth for the region in which the City is located, over the coming several decades, based on trends of expanding business in the Puget Sound area. In accordance with the Growth Management Act, the City must take actions that will cause future growth to differ from past trends. The City has modified the PSRC forecasts based on City and County policies, including the designation of SeaTac as an Urban Center, and the existing regional plans for high capacity transit; and

WHEREAS, the City does not currently have the residential infrastructure to meet the needs of future populations beyond 2022 as forecasted by the Puget Sound Regional Council; and

WHEREAS, the City's comprehensive plan designates an "Urban Center" with clearly defined boundaries, a mixture of land uses, a pedestrian emphasis, public open spaces and

recreational opportunities, and both daytime and nighttime activities, and densities sufficient to support high capacity transit; and

WHEREAS, the S. 154th St. Station Area is located within the City's designated Urban Center; and

WHEREAS, the City of SeaTac adopted the S. 154th St. Station Area Action Plan on December 12, 2006; and

WHEREAS, the S. 154th St. Station Area Action Plan designated certain areas within the Station Area for higher density uses; and

WHEREAS, on December 12, 2006 the City of SeaTac adopted Map Amendment #3, Map Amendment #4, and Map Amendment #5 of the 2006 City of SeaTac Comprehensive Plan Amendment Process, which designated certain areas for higher density uses consistent with the S. 154th St. Station Area Action Plan, and established Potential Zones for these designated areas; and

WHEREAS, the proposed Rezones implement the Potential Zones established by the 2006 City of SeaTac Comprehensive Plan Map Amendments referenced above for the Phase 1 Rezone properties (Exhibit A); and

WHEREAS, the requirements of the State Environmental Policy Act (SEPA) have been satisfied through issuance of a Determination of Nonsignificance on June 26, 2008; and

WHEREAS, the City provided public notice and held public meetings on January 30, 2008, February 27, 2008, and June 11, 2008 to solicit input from affected property owners and other interested parties about the proposed S. 154th St. Station Area Rezones; and

WHEREAS, the SeaTac City Council held a Public Hearing to gather public comment regarding the proposed Rezones on July 8, 2008;

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

Section 1. The Official Zoning Map, as identified in Section 15.11.140 of the SeaTac Municipal Code, shall be amended for the Phase 1 Rezone properties as specified in Exhibit A.

Section 2. The City Clerk is directed to transmit a complete and accurate copy of this Ordinance, as adopted, to the Department of Community, Trade and Economic Development within ten days after final adoption, pursuant to RCW 36.70A.106 and WAC 365-195-620. The Clerk is also directed to transmit a copy of this Ordinance, together with copies of other Ordinances amending development regulations adopted within the preceding twelve months, to the King County Assessor by the ensuing 31st day of July, pursuant to RCW 35A.63.260.

Section 3. This Ordinance shall be in full force and effect 5 days after passage and publication, as required by law.

ADOPTED this 14th day of October, 2008, and signed in authentication thereof
on this 14th day of October, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: 10-25-08]

\\Webeoc\station area planning\2008 - Station Area Planning\S. 154th St. Station Area\S. 154th S.A.
Rezoning\Council\Phase 1 Rezone-AB & Ord\Rezone Ordinance (Draft 1) 10-07-08.docx

Exhibit A

Phase 1 Rezone Area

ORDINANCE NO. 08-1031

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 15.12.060 and 5.05.400 of the SeaTac Municipal Code and adding new Sections 15.10.456 and 15.12.110 to the SeaTac Municipal Code related to Pawn Shops and Pawnbrokers.

WHEREAS, it is appropriate to amend the City’s development regulations to allow pawn shops within certain commercial zones; and

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City’s Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations, has held a public hearing for the purpose of soliciting public comment in regard to Zoning Code changes, and has recommended the amendments and additions for adoption by the Council;

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

Section 1. Section 15.12.060 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.060 Retail/Commercial Uses

ZONES: UH – Urban High Density O/CM – Office/Commercial Medium
P – Park NB – Neighborhood Business BP – Business Park
MHP – Mobile Home Park CB – Community Business O/C/MU – Office/Commercial/Mixed Use
UL – Urban Low Density ABC – Aviation Business Center T – Townhouse
UM – Urban Medium Density I – Industrial/Manufacturing
P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES												
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T
RETAIL/COMMERCIAL USES														
101	Hotel/Motel and Associated Uses					C*	P	P*	P*		P*	C*	C*	
102	Forest Products						P(3)	P*(3)		C(1)	P*(6)			
103	Hardware/Garden Material						P	P*			P*(6)		P*(9)	P*(9)
104	Department/Variety Store						P	P*	P*(2)		P*(6)		P*(9)	P*(9)
105	Food Store					P*(8)	P	P*	P*(2)		P*(6)		P*(9)	P*(9)
106	Agricultural Crop Sales (Farm Only)			P(12)			P	P*	P	P				
106.1	Produce Stand						P	P*	P*	P	C	C		
107	Auto/Boat Dealer							P*		P	C*(6)			
108	Auto Supply Store						P	P*		P	C*(6)		C*(9)	
109	Gasoline/Service Station						P	P*		P				
109.1	Mobile Refueling Operation	P(10)	P(10)	P(10)	P(10)	P(10)	P(10)	P(11)	P(11)	P(11)	P(10)	P(11)	P(10)	P(10)
109.2	Auto Repair						C	P		P				
109.3	Automotive Service Center						P	P	P(13)	P				
110	Apparel/Accessory Store							P*	P*(2)		P*		P(9)	
111	Furniture Store							P*			P*		P(9)	
112	Fast Food/Restaurant					C*(2,4)	P(4)	P*	P*	P	P*(6)	P*(2)	P*(4,9)	P*(4,9)
112.1	Retail Food Shop					P*(8)	P	P*	P*		P*	P*(2)	P*(9)	
112.2	Tavern						P(8)	P*			P*		C*	P*(9)
113	Drug Store						P	P*	P*		P*(6)	P*(2)	P*(9)	P*(9)
114	Liquor Store							P*			P*		C*	
115	Antique/Secondhand Store						P	P*			P*(6)		P*(9)	P*(9)
116	Sporting Goods and Related Stores							P*	P*(2)		P*(6)		P*(9)	P*(9)
117	Media Material					P*(7)	P	P*	P*(2)		P*		P*(9)	
118	Jewelry Store						P	P*	P*(2)		P*(6)		P*(9)	P*(9)
119	Hobby/Toy Store						P	P*	P*(2)		P*(6)		P*(9)	P*(9)
120	Photographic and Electronic Store						P	P*	P*(2)		P*(6)		P*(9)	P*(9)
121	Fabric Store							P*	P*(2)		P*(6)		P*(9)	P*(9)

122	Florist Shop					P*(7)	P	P*	P*(2)		P*(6)		P*(9)	P*(9)
123	Pet Store							P*	P*(2)		P*(6)		P*(9)	P*(9)
124	Wholesale/Bulk Store							C*	C*	P	C*(6)		P*(9)	
125	Beauty Salon					C*(8)	P	P*	P*		C*(6)		P*(9)	P*(9)
125.1	Laundromat				P*(7)	P	P*	P*		P*		P*(9)		
125.2	Espresso Stand					P*(2)	P	P*	P*	P	P*	P*	P*(9)	P*
125.3	Comm. Marine Supply						C	P*		P		P*		
126	Other Retail Uses						C	P*	C*		P*		C	P*(9)
127	Adult Entertainment							C*(5)	C*(5)	C(5)				
128	Pawn Shop/Pawnbroker							P*(14)		P*(14)				

* See Chapters [15.13](#) and [15.35](#) SMC for additional development standards.

- (1) Forest product related businesses shall provide the following:
 - a. Minimum of ten (10) acres;
 - b. Access to major arterial; and
 - c. Minimum thirty (30) foot buffers around the perimeter of property (Type II landscaping).
- (2) Accessory to primary use not to exceed twenty percent (20%) of primary use.
- (3) Temporary forest product sales related to holidays. Merchandise limited to Christmas trees, wreaths, herbs and associated decorations.
- (4) No fast food restaurants or drive-through facilities allowed.
- (5) See SMC [15.29.010](#).
- (6) Permitted as part of a mixed use development.
- (7) Small, resident-oriented uses only, as part of a residential mixed use project.
- (8) Small, resident-oriented uses only.
- (9) Permitted as part of a mixed use development, as described in SMC [15.35.610](#).
- (10) Permitted only to refuel heavy equipment at a construction site, subject to the criteria under SMC [15.13.103](#).
- (11) Subject to the criteria under SMC [15.13.102](#).
- (12) No permanent retail sales structures permitted. Retail sales allowed on a seasonal basis for no more than 90 days in a calendar year. Wholesale sales permitted year round only for products produced/grown on site.
- (13) Accessory to primary use not to exceed twenty percent (20%) of primary square footage.
- (14) Allowed only in the Industrial (I) zone and Community Business zone within the designated Urban Center (CB-C), but not within the designated "City Center" and "S. 154th Street Station Area" boundaries. Subject to development standards under SMC 15.12.110 and licensing requirements under SMC 5.05

Section 2. Section 15.10.456 of the SeaTac Municipal Code is hereby added to read as follows:

15.10.456 Pawnbroker/Pawn Shop A "Pawnbroker" means and includes every person who takes or receives by way of pledge, pawn, or exchange goods, wares, or merchandise or any kind of personal property whatever, for the repayment of security of any money loaned thereon, or to loan money on deposit of personal property, or who makes a public display of any sign indicating that he has money to loan on personal property on deposit or pledge. Pawnbrokers may operate as Secondhand Stores, as defined in SMC [15.10.561](#).

The term "Pawn Shop" means and includes every place at which the business of pawnbroker is being carried on.

Section 3. Section 15.12.110 of the SeaTac Municipal Code is hereby added to read as follows:

15.12.110 Development Standards for Pawn Shops/Pawnbrokers

A. The following standards shall apply to all Pawn Shop/Pawnbroker uses:

1. Pawn Shops shall not be open for business between the hours of eight (8:00) p.m. and seven (7:00) a.m., except that from December 1st to December 24th of each year, when Pawn Shops may remain open until ten (10:00) p.m. as stated in SMC Chapter 5.05.
2. The structure housing a Pawn Shop/Pawnbroker shall not be located within 1,000 feet from another Pawn Shop, as measured from the perimeter of the subject building;
3. A Pawn Shop/Pawnbroker shall not be located within 1,000 feet of a primary or secondary school use;
4. No outside (exterior) bars, chains, or similar security devices shall be allowed.
5. The use of inside bars, chains, or similar security devices that are visible from a public street or sidewalk shall be allowed provided they are removable and not visible during business hours. The bars, chains, or similar security devices shall be black in color. The design of the bars, chains, or similar security devices shall be approved by the Director of Planning and Community Development.
6. Any Pawn Shop facility shall have installed and use a security and surveillance system to enhance safety and security approved by the City of SeaTac Police Department;
7. Any Pawn Shop facility shall use an on-line registration system (such as "Leads Online") approved by the City of SeaTac Police Department based upon current industry standards for the reporting of pawned merchandise;
8. Any Pawn Shop facility shall have installed and use a driver's license scanner that captures the photographic record and contact information of patrons to provide verification of the patron's identity; and
9. All business, service, repair, processing, storage or merchandise displays shall be conducted wholly within an enclosed building, except off-street parking or loading.

- B. Prior to issuance of any business license to operate a Pawn Shop/ Pawnbroker use within the City of SeaTac, all owners shall be subject to the following licensing requirements, which shall be in addition to those licensing requirements found in SMC 5.05.
1. The Police Department shall conduct an investigation which shall include a review of all criminal records of the applicant, agents, partners, directors, officers, stockholders or managers. Further, the investigation shall consist of investigation of the truth of the statements in the completed application, a review of location and surroundings, and all other matters which might tend to aid in the determination of compliance with the code and whether to grant the license.
 2. After review and approval of the completed Business License application by the City of SeaTac Police Department, the Police Department shall inform the Finance Department that the Business License may not be issued if the Police Department finds:
 - a. Any applicant, agent, partner, director, officer, manager or person holding an ownership interest in the business has been convicted of any felony charges or crimes connected with organized crime.
 - b. That the applicant, agents, partners, directors, officers, stockholders or managers have knowingly made any false, misleading or fraudulent statement of material fact in the application for a license, or in any report or record required to be filed with the city.
 - c. That the applicant, and all employees, agents, partners, directors, officers or managers of the applicant have not satisfactorily met all of the requirements in this chapter to obtain such a license.
- C. It shall be unlawful for any person to work a Pawn Shop without first having successfully passed a criminal background check by the Police Department. The Police Department may consider a successful background check one in which the applicant has not convicted of any felony charges or crimes connected with organized crime.

Section 4. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 5. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 6. The Ordinance shall be effective five (5) days after passage and publication.

ADOPTED this ____ day of _____, 2008, and signed in authentication thereof on this ____ day of _____, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date _____]

An Ordinance amending Section 15.12.060 of the SeaTac Municipal Code and adding new Sections 15.10.456 and 15.12.110 related to Pawn Shops.

ORDINANCE NO. 08-1032

AN ORDINANCE of the City Council of the City of SeaTac, Washington, providing for highway access management permits and administrative process, and adopting by reference RCW 47.50 and Chapters 468-51 and 468-52 of the Washington Administrative Code.

WHEREAS, the City Council finds it necessary to provide regulation and control of vehicular access and connection points of ingress to and egress from the State of Washington highway system within the incorporated areas of the City of SeaTac; and

WHEREAS, the City of SeaTac is required by WSDOT to confirm that it has adopted standards for access permitting on state managed access highways that meet or exceed WSDOT standards;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC DO
ORDAIN AS FOLLOWS:**

Section 1. RCW 47 50, as now or as hereafter amended, is hereby adopted by reference to provide for the regulation and control of vehicular access and connection points of ingress to and egress from the State highway system within the incorporated areas of the City of SeaTac.

Section 2. In order to implement the requirements and authority of RCW Chapter 47.50, Chapter 468-51 and 468-52 of the Washington Administrative Code are hereby adopted by reference as now or hereafter amended.

Section 3. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances shall not be affected.

Section 4. This Ordinance shall not be codified.

Section 5. This Ordinance shall be in full force and effect 5 days after passage and publication as required by law.

ADOPTED this 4th day of November, 2008, and signed in authentication thereof on this 4th day of November, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: 11-15-08]

[Highway Access Management]

ORDINANCE NO. 08-1033

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing repayment of the interfund loan for the purchase of City Hall, and amending the 2008 Annual City Budget to provide for the accounting transactions necessary to record the repayment of the interfund loan.

WHEREAS, the SeaTac City Council has reviewed agenda bill #3008 submitted by the Finance Department which recommends the authorization of repayment of the interfund loan made in 2001 from the Port ILA Fund #105 to the Municipal Facilities CIP Fund #306 to purchase the building that currently houses SeaTac City Hall; and

WHEREAS, the City Council authorized this interfund loan to be a temporary loan, and interfund loans must be “temporary” in the sense that no permanent diversion of the lending fund results from the failure to repay by the borrowing fund, and any interfund loans that continue longer than three years will be scrutinized for a permanent diversion of moneys by the Washington State Auditor’s Office; and

WHEREAS, the remaining balance of this interfund loan at October 31, 2008, is \$7,460,391.81; and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide for the accounting transactions necessary to record the repayment of this interfund loan;

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

Section 1. The City Council authorizes the transfer of \$7,460,391.81 from the General Fund #001 to the Municipal Facilities CIP Fund #306.

Section 2. The City Council authorizes the transfer of \$7,460,391.81 from the Municipal Facilities CIP Fund #306 to the Port ILA Fund #105.

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 4th day of November, 2008, and signed
in authentication thereof on this 4th day of November, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 11-15-08]

[Interfund loan repayment and 2008 Budget amendment]

ORDINANCE NO. 08-1034

AN ORDINANCE of the City Council of the City of SeaTac, Washington, adopting the Annual Budget for the year 2009 and appropriating funds for the estimated expenditures.

WHEREAS, State Law, Chapter 35A.33 RCW requires the City to adopt an annual budget and provides procedures for the filing of estimates, a preliminary budget, deliberations, a public hearing, and final fixing of the budget; and

WHEREAS, a preliminary budget for the fiscal year 2009 has been prepared and filed; a public hearing has been held for the purpose of fixing the final budget; and the City Council has deliberated and has made adjustments and changes deemed necessary and proper;

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

Section 1. The 2009 Annual Budget for the City of SeaTac, covering the period from January 1, 2009, through December 31, 2009, is hereby adopted by reference with appropriations in the amount of \$60,207,570.

Section 2. The budget sets forth totals of estimated appropriations for each separate fund, and the aggregate totals for all such funds. The said budget appropriation, in summary by fund and aggregate total of the City of SeaTac are as follows:

<u>Fund Number</u>	<u>Fund Name</u>	<u>Appropriations</u>
001	General	\$ 30,369,787
102	Street	6,260,735
106	Transit Planning	89,260
107	Hotel/Motel Tax	1,246,925
108	Building Management	285,300
110	Facility Repair and Replacement	161,281
201	City Hall Limited Tax G.O. Bond	426,490
202	Transportation Bond	862,403
203	Hotel/Motel Tax Bond	384,458
204	Special Assessment Debt	246,655
205	LID Guarantee	19,500
301	Municipal Capital Improvements	2,786,742
306	Municipal Facilities CIP	2,550,000
307	Transportation CIP	5,131,650

<u>Fund Number</u>	<u>Fund Name</u>	<u>Appropriations</u>
308	Light Rail Station Areas CIP	\$ 5,018,000
403	SWM Utility	1,995,534
406	SWM Construction	1,850,000
501	Equipment Rental	<u>522,850</u>
TOTAL ALL FUNDS		\$ 60,207,570

Section 3. A complete copy of the final budget as adopted herein shall be transmitted to the Division of Municipal Corporations in the Office of the State Auditor, and to the Association of Washington Cities. One complete copy of the final budget as adopted herein shall be filed with the City Clerk and shall be available for use by the public.

Section 4. This Ordinance shall be in full force and effect for the fiscal year 2009 five (5) days after passage and publication as required by law.

ADOPTED this 25th day of November, 2008, and signed in authentication thereof on this 25th day of November, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 12-07-08]

[2009 Annual Budget Ordinance]

ORDINANCE NO. 08-1035

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 15.19.610, 15.19.620, 15.19.630, 15.19.640 and 15.19.650 of the SeaTac Municipal Code and adding new Sections 15.19.660 and 15.19.670 to the SeaTac Municipal Code related to Multifamily Density and Height Incentives.

WHEREAS, it is appropriate to amend the City’s development regulations to allow density and height incentives in multifamily developments; and

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City’s Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations, has held a public hearing for the purpose of soliciting public comment in regard to Zoning Code changes, and has recommended the amendments and additions for adoption by the Council;

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

Section 1. Section 15.19.610 of the SeaTac Municipal Code is hereby amended to read as follows:

15.19.610 Application of Incentives

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

The number of allowed units in a development may be increased for incorporation of the incentives in this section. The maximum density incentive that may be achieved through the application of multiple incentives is a thirty percent (30%) increase in the base number of permitted units. The maximum height incentive that may be achieved through the application of multiple incentives is a fifteen foot (15') increase in the maximum building height identified in Chapter 15.13.010 SMC. An incentive used to obtain additional height in this chapter may not be used to obtain additional density. Density incentives as specified in Chapter 15.24 SMC may be combined with these incentives, but the total of all incentives may not exceed a thirty percent (30%) increase in the base number of permitted units. The bonuses shall be on a building by building basis and are not transferable from one building to another.

Section 2. Section 15.19.620 of the SeaTac Municipal Code is hereby amended to read as follows:

15.19.620 Senior Housing

Intent: Encourage the provision of senior housing within the community to allow for a variety of housing options to aging persons as their family size and housing needs change. This incentive is not applicable to projects whose sole purpose is senior housing (i.e. adult family homes, assisted living facilities, nursing homes, etc.)

Density Bonus: A twenty percent (20%) increase in the allowed number of units shall be permitted when a minimum of thirty-five percent (35%) of the units within the project are reserved as for senior citizen assisted dwellings as defined by SMC 15.10.220.

Height Bonus: A ten foot (10') increase in the maximum allowed height shall be permitted when a minimum of thirty-five percent (35%) of the units within the project are reserved as senior citizen assisted dwellings as defined by SMC 15.10.220.

Section 3. Section 15.19.630 of the SeaTac Municipal Code is hereby amended to read as follows:

15.19.630 Mixture of Unit Sizes

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

Density Bonus: A ~~five~~ ten percent (~~5~~ 10%) increase in the allowed number of units shall be permitted with a mixture of unit sizes in a development with at least thirty-five percent (35%) of the units being two (2) bedroom or larger units.

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

Section 4. Section 15.19.640 of the SeaTac Municipal Code is hereby amended to read as follows:

15.19.640 Condominium/Owner-Occupied Housing

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

Density Bonus: A ~~ten~~ thirty percent (~~40~~ 30%) increase in the allowed number of units shall be permitted for a condominium development, where the ~~covenants and bylaws~~ codes, conditions, and restrictions (CCR's) of the homeowners' association or other restrictive covenants are set up to maintain home ownership within the development and restrict the number of units that may be used as rental properties. CCR's shall be reviewed and approved by the Director of Planning and Community Development prior to recording to ensure this provision cannot be modified or eliminated.

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

Section 5. Section 15.19.650 of the SeaTac Municipal Code is hereby amended to read as follows:

15.19.650 Underground Parking

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

Density Bonus: A ~~fifteen~~ ten percent (~~45~~ 10%) increase in the allowed number of units shall be permitted for developments where a minimum of seventy-five percent (75%) of the parking is placed underground.

Height Bonus: A five foot (5') increase in the allowed building height shall be permitted for developments where a minimum of twenty-five percent (25%) of the parking is placed underground.

Section 6. Section 15.19.660 of the SeaTac Municipal Code is hereby added to read as follows:

15.19.660 Outdoor Recreation/Open Space

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

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

Height Bonus: A five foot (5') increase in the allowed building height shall be permitted when at least fifteen percent (15%) additional recreation and/or open space, over that is required, is provided within a multi-family development.

Section 7. Section 15.19.670 of the SeaTac Municipal Code is hereby added to read as follows:

15.19.670 Architectural Design

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

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

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

The enhanced design elements shall consist of the following:

- A. Incorporate all methods of articulation identified in 15.19.220 A.
- B. Utilize all methods of window treatment identified in 15.19.220 C.
- C. Incorporate three (3) or more roof line variations identified in 15.19.220 E.

Section 8. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 9. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 10. The Ordinance shall be effective five (5) days after passage and publication.

ADOPTED this 25th day of November, 2008, and signed in authentication thereof on this 25th day of November, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date 12-07-08]

An ordinance of the City Council of the City of SeaTac, Washington, regarding Multifamily Density and Height Incentives.

ORDINANCE NO. 08-1036

An ORDINANCE of the City Council of the City of SeaTac, Washington, amending portions of the City of SeaTac Comprehensive Plan.

WHEREAS, pursuant to the requirements of the Washington State Growth Management Act, the City of SeaTac is required to develop and adopt a Comprehensive Plan, which plan is required to include various elements for land use, housing, transportation, capital facilities and utilities, and which may include other elements such as, community image, economic vitality, environmental management, parks, recreation and open space, and human services; and

WHEREAS, the City adopted its Comprehensive Plan in December, 1994, after study, review, community input and public hearings; and

WHEREAS, the State Growth Management Act (RCW 36.70A.130) requires that each comprehensive land use plan and development regulations be subject to continuing review and evaluation by the county or city that adopted them; and

WHEREAS, the State Growth Management Act provides for amendments to the Comprehensive Plan no more than once per year; and

WHEREAS, the City Council authorized, by Resolution No. 97-001, a process for amending the Comprehensive Plan; and

WHEREAS, it is necessary to update the Comprehensive Plan Capital Facilities Element, 6-year Capital Facilities Plan, and other sections as identified through public process; and

WHEREAS, procedures for amending the Plan have been implemented in 2008,

including efforts to solicit public input, acceptance of proposals for Comprehensive Plan amendments, evaluation according to preliminary and final criteria; and

WHEREAS, the environmental impacts of the proposed amendments have been assessed, and a Determination of Nonsignificance, File No. SEP08-00008, was issued October 13, 2008; and

WHEREAS, after a public hearing on October 27, 2008, which was continued to November 10, 2008, to consider proposed amendments to the Comprehensive Plan, the Planning Commission recommended to the City Council adoption of proposed amendments to the Comprehensive Plan as shown in the Final Docket Staff Report; and

WHEREAS, after consideration of the recommendation of the Planning Commission, the Department of Planning and Community Development has recommended to the City Council adoption of the proposed amendments to the Comprehensive Plan as shown in the Final Docket Staff Report; and

WHEREAS, copies of these proposed amendments were filed with the Washington Department of Community, Trade, and Economic Development not less than sixty days prior to final action, pursuant to RCW 36.70A.106 and WAC 365-195-620; and

WHEREAS, all of the foregoing recitals are deemed by the City Council to be findings of fact; and

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

Section 1. The City of SeaTac Comprehensive Plan, adopted on December 20, 1994, and amended annually in subsequent years, is hereby amended as set forth in Exhibit A.

A copy of the amendments shall be maintained on file with the Office of the City Clerk for public inspection.

Section 2. The City Clerk is directed to transmit a complete and accurate copy of this Ordinance to the Washington Office of Community, Trade and Economic Development within ten days after final adoption, pursuant to RCW 36.70A.106 and WAC 365-195-620. The City Clerk is also directed to transmit a complete and accurate copy of this Ordinance to the Puget Sound Regional Council (PSRC), pursuant to RCW 36.70A.100 and RCW 36.70A.210. The Clerk is further directed to transmit a copy of this Ordinance, together with copies of other Ordinances amending development regulations adopted within the preceding twelve months, to the King County Assessor by the ensuing 31st day of July, pursuant to RCW 35A.63.260.

Section 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances shall not be affected.

Section 4. This Ordinance shall be in full force and effect on December 31, 2008.

ADOPTED this 25th day of November, 2008 and signed in authentication thereof this 25th day of November, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: 12/31/08]

Exhibit A

2008 Comprehensive Plan Amendments

ORDINANCE NO 08-1037

AN ORDINANCE of the City Council of the City of SeaTac, Washington relating to ad valorem property taxes, tentatively establishing the amount to be levied in 2009 by taxation on the assessed valuation of the property of the City pending certified assessed valuation from the King County Assessor.

WHEREAS, State law, RCW 35A.33.135, requires the City Council to consider the City's total anticipated financial requirements for the ensuing fiscal year, and to determine and fix, by ordinance, the amount to be levied by ad valorem taxes; and

WHEREAS, RCW 84.52.020 requires that, upon fixing of the amount to be so levied, the City Clerk shall certify the same to the Clerk of the King County Council; and

WHEREAS, RCW 84.55.120, as amended in 1997 by Referendum 47, requires a statement of any increased tax in terms of both dollar revenue and percentage change from the previous year; and

WHEREAS, the King County Assessor, as ex officio assessor for the City pursuant to RCW 35A.84.020, has not to date certified the assessed valuation of all taxable property situated within the boundaries of the City;

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

SECTION 1. Levy Rate.

The regular ad valorem levy for collection during the fiscal year of 2009 cannot be set until certified assessed valuations are received by the City.

SECTION 2. Tentative Amount to be Collected by Ad Valorem Taxation.

The amount of revenue to be collected by the City in the fiscal year 2009 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$15,865,166. This levy amount is determined by the King County Assessor as the maximum statutory property tax levy for 2009. This levy amount will be revised upon receipt of certified assessed valuations from the King County Assessor.

SECTION 3. Effective Date.

This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 25th day of November, 2008, and signed in authentication thereof on this 25th day of November, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 12-07-08]

[2009 Ad Valorem Property Tax Levy]

ORDINANCE NO. 08-1038

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2008 Annual City Budget for miscellaneous items.

WHEREAS, the SeaTac City Council has reviewed agenda bill #3023 submitted by the Finance and Systems Department which details certain expenditures exceeding fiscal year 2008 appropriation authority in the City's Building Management Fund (Fund 108); and

WHEREAS, the budget of the Building Management Fund needs to be increased to comply with State laws prohibiting any funds having expenditures in excess of the fiscal year appropriation authority; and

WHEREAS, amendment to the City's 2008 Annual City Budget is necessary to provide additional appropriation authority to fund certain expenditures;

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

Section 1. The 2008 Annual City Budget shall be amended to increase the total Building Management Fund expenditures by \$5,000.

Section 2. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 9th day of December, 2008, and signed in authentication thereof on this 9th day of December, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante-Bartolo, City Attorney

[Effective Date: December 20, 2008]

ORDINANCE NO 08-1039

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to ad valorem property taxes, repealing City of SeaTac Ordinance #08-1037, setting the levy rate for the year 2009, setting the amount to be levied in 2009 by taxation on the assessed valuation of the property of the City, and stating the dollar amount of the increase and the percentage increase over the prior year's property tax levy.

WHEREAS, State law, RCW 35A.33.135, requires the City Council to consider the City's total anticipated financial requirements for the ensuing fiscal year, and to determine and fix, by ordinance, the amount to be levied by ad valorem taxes; and

WHEREAS, RCW 84.52.020 requires that, upon fixing of the amount to be so levied, the City Clerk shall certify the same to the Clerk of the King County Council; and

WHEREAS, RCW 84.55.120, as amended in 1997 by Referendum 47, requires a statement of any increased tax in terms of both dollar revenue and percentage change from the previous year; and

WHEREAS, the SeaTac City Council adopted Ordinance #08-1037 on November 25, 2008, tentatively establishing the 2009 property tax levy since assessed valuations had not yet been certified by the King County Assessor; and

WHEREAS, the King County Assessor, as ex officio assessor for the City pursuant to RCW 35A.84.020, has now certified the assessed valuation of all taxable property situated within the boundaries of the City at \$4,886,455,259; and

WHEREAS, the SeaTac City Council, after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of SeaTac requires a regular levy in the amount of \$11,430,659, which includes an increase in property tax revenue from the previous year, and amounts resulting from the addition of new construction and improvements to

property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the City and in its best interest;

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

SECTION 1. Ordinance #08-1037 is Repealed.

City of SeaTac Ordinance #08-1037, tentatively establishing the 2009 property tax levy, is hereby repealed.

SECTION 2. Levy Rate Fixed.

The regular ad valorem levy rate for collection during the fiscal year of 2009 is hereby set at \$2.34 per thousand dollars of assessed value of all taxable property situated within the boundaries of the City.

SECTION 3. Estimated Amount to be Collected by Ad Valorem Taxation.

The amount of revenue to be collected by the City in the fiscal year 2009 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$11,430,659.

SECTION 4. Increase in Property Tax Revenue From the Previous Year.

The levy amount includes (1) an increase in property tax revenue from the previous year of One Hundred One Thousand Four Hundred and Sixty-Eight Dollars (\$101,468), or point ninety percent (0.90%), (2) new construction and improvements to property, (3) any increase in the value of state-assessed property, and (4) amounts authorized by law as a result of any annexations that have occurred, as well as applicable refunds already made.

SECTION 5. Effective Date.

This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 9th day of December , 2008, and signed in authentication

thereof on this 9th day of December, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante-Bartolo, City Attorney

[Effective Date: December 20, 2008]

[2009 Ad Valorem Property Tax Levy]

ORDINANCE NO. 08-1040

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2009 Annual City Budget for miscellaneous items.

WHEREAS, the SeaTac City Council has reviewed agenda bill #3026 submitted by the Finance and Systems Department which details certain revenue and expenditures not included in the adopted 2009 Budget; and

WHEREAS, amendment to the City's 2009 Annual City Budget is necessary to provide the additional estimated revenue and additional appropriation authority to fund certain expenditures in the Hotel/Motel Tax Fund #107 and the Municipal CIP Fund #301 not provided for in the adopted 2009 Budget;

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

Section 1. The 2009 Annual City Budget shall be amended to increase expenditures by \$5,000 in the Hotel/Motel Tax Fund.

Section 2. The 2009 Annual City Budget shall be amended to increase estimated revenue by \$91,033 and expenditures by \$48,800 in the Municipal CIP Fund.

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 9th day of December, 2008, and signed in authentication thereof on this 9th day of December, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante-Bartolo, City Attorney

[Effective Date: December 20, 2008]

ORDINANCE NO. 08-1041

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Chapter 15.39, Sections 15.10.056, 15.10.410, 15.10.641, 15.11.075, 15.12.020, 15.12.030, 15.12.040, 15.12.060, 15.35.110, 15.35.120, 15.35.130, 15.35.150, 15.38.110, 15.38.120, 15.38.150, 15.14.030, adding new Sections to Chapter 15.10, and repealing Sections 15.10.230 and 15.39.430 of the SeaTac Municipal Code regarding zoning and development regulations.

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City’s Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations; and

WHEREAS, the Planning Commission held a public hearing for the purpose of soliciting public comment in regard to these Zoning Code changes on November 10, 2008; and

WHEREAS, the Planning Commission has recommended the deletions and additions for adoption by the Council;

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

Section 1. Chapter 15.39 of the SeaTac Municipal Code is hereby amended to read as follows:

- 15.39.010 Authority and Application
- 15.39.020 Departures
- 15.39.030 Purpose

15.39.100 Dimensional Standards
15.39.110 Standards Chart

15.39.200 Site Design
15.39.210 Site Configuration
15.39.220 Building Orientation
15.39.230 Pedestrian Access and Circulation
15.39.240 Vehicular Access and Circulation
15.39.250 Service and Utility Areas

15.39.300 Building Design
15.39.310 Pedestrian Entries
15.39.320 Character and Massing
15.39.330 Building Colors and Materials
15.39.340 Ground Level Living Space
15.39.350 Building Security

15.39.400 Open Space
15.39.410 Minimum Open Space Required
15.39.420 Location and Layout of Open Space

15.39.500 Landscaping and Screening
15.39.510 Landscaping
15.39.520 Fences/Walls

15.39.600 On-Site Parking
15.39.610 Required On-Site Parking
15.39.620 Location and Design of Surface Parking

15.39.700 Maintenance

15.39.010 Authority and Application

- A. The provisions of this chapter shall apply to all townhouse and duplex developments throughout the City. ***These standards shall supersede existing regulations elsewhere in SMC Title 15 when in conflict with this chapter.***
- B. The provisions of this chapter shall apply to all development meeting one (1) or more of the following thresholds:
 1. All new construction requiring building permits; and/or
 2. Major Redevelopment. Additions or alterations to a building , excluding interior-only improvements, which total twenty-five percent (25%) or more of the gross square footage (GSF) of the existing building(s) or site. Only the portions of the building or site being altered or added to shall be required to integrate townhouse and duplex design standards into the design of the alteration or addition.

15.39.020 Departures

- A. In order to provide flexibility and creativity of project designs, departures from these design standards may be permitted, subject to the approval of the Director of Planning and Community Development, providing:
1. The strict interpretation or application of these Design Standards would be inconsistent with related provisions of the Zoning Code or would be contrary to the overall goals and objectives of the Comprehensive Plan; or
 2. The departure creates a project design that meets or exceeds the overall purpose and intent of the design standards.

15.39.030 Purpose

Townhouses and duplexes offer several advantages over single-family detached houses: lower costs for land development, conservation of the land by using less land for a given number of houses and preserving open space, lower long-term maintenance costs, energy efficiency, and increased security for both the house and the neighborhood.



Figure 15.39.030A Example of well designed townhouses.

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

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

with an air of pride, and landscaping that adds color, texture and comfort to a neighborhood.

- B. Neighborhood Compatibility. Good design also ensures neighborhood compatibility by appropriate scale and massing adjacent to existing housing. Landscaping and the careful placement of windows and balconies for privacy help to create a pleasant environment.
- C. Enhanced Security. Crime Prevention Through Environmental Design (CPTED) is a concept that employs site and building design as a crime prevention strategy intended to reduce the opportunity for criminal behavior, reduce the incidence and fear of crime, reduce calls for police service, and improve the quality of life. It includes four (4) principles:
 1. Natural surveillance. The arrangement of space and buildings that enables residents to observe their surroundings. Natural surveillance increases safety by allowing residents to see trespassers. Making a potential offender feel that they will be seen and reported discourages criminal behavior. See Figure 15.39.030A.

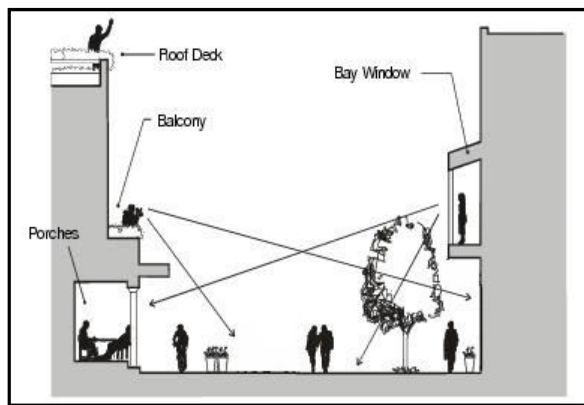


Figure 15.39.030A Windows and balconies overlooking a street contribute to an active and safe streetscape.

2. Natural access control. The placement of walkways, building entrances, fences, landscaping, and lighting to discourage access to crime targets and create the perception of risk to offenders. Natural access control enhances safety through design, which reduces or supplements the use of more costly access control such as security guards and mechanical devices.
3. Territorial reinforcement. Extending the sense of ownership from the private residence to the nearby areas outside the dwelling through physical improvements such as fencing, pavement, landscaping and lighting. Clearly defined territory deters entrance by those with criminal intent and makes their actions more visible and likely to be reported by those who recognize the territory as their own.
4. Maintenance. Ensuring that buildings and grounds are maintained for resident safety, neighborhood aesthetics, and to reflect building

management. Maintenance serves as an expression of ownership and allows for continued use of the space for its intended purpose. Maintenance prevents a reduction of visibility from landscaping and obstructed or inoperative lighting. A clean and well-maintained site tells offenders that residents care about their surroundings and criminal behavior will not be tolerated.

Townhouse and duplex developments subject to the design standards in this chapter are envisioned to create developments that are good places to live. These developments will respond better to existing communities and contribute positively to the emergent urban center of the City of SeaTac.

15.39.100 Dimensional Standards

Intent: Height, setback, and massing standards promote development that fits well architecturally near existing single-family houses, while allowing densities that promote transit use, shared open space amenities, and a pedestrian orientation in a vibrant urban environment.

Comment [DJH1]: Plan is to remove filing requirements from Code and put them in applications

15.39.110 Standards Chart

Density		
	Within City Center and Station Area	10 -24 units/acre
	Outside of City Center and Station Area	10 - 18 units/acre
Maximum Building Height		35'
Building Setbacks		
	Minimum Front Yard within the City Center and Station Area	0'
	Maximum Front Yard within the City Center and Station Area	10'
	Minimum Front Yard outside the City Center and Station Area	10'
	Maximum Front Yard outside the City Center and Station Area	20'
	Minimum Side Yard adjacent to property with a UL Comp Plan designation	10'
	Minimum Side Yard not adjacent to property with a UL Comp Plan designation	5' (0' with approved design)
	Minimum Rear Yard adjacent to property with a UL Comp Plan designation	10'
	Minimum Rear Yard not adjacent to property with a UL Comp Plan designation	5' (0' with approved design)
	Minimum Alley/Driveway Setback	5'
Maximum Building Lot Coverage - Development Site		55%
Minimum Area - Development Site		14,400 square feet
Maximum Building Group Length		8 units
Minimum Distance Between Building Groups		10'
Auto Court Width (measured building to building)		
	Minimum	30'
	Maximum	40'

15.39.200 Site Design

Purpose: Design townhouse and duplex sites to have both an external orientation to the streetscape, and an internal orientation to the residential environment with unifying open space and pedestrian pathways. Design emphasis should be given to the pedestrian, rather than the auto environment through placement of parking in a less prominent location (such as underground, or to the rear of the building, rather than in front). Site layout should observe principles of “natural surveillance,” “natural access control” and

“territorial reinforcement” by arranging circulation systems, parking areas, sidewalks, and open space to give the perception of being a residential and controlled space in which illegal activity will be observed and reported. Lighting and landscaping should allow for safety and visibility of public and semi-public areas.

15.39.210 Site Configuration

Intent: Locate townhouse and duplex structures to create a “street wall” which enhances the streetscape and the overall pedestrian experience.

- A. A minimum of three (3) connected dwellings shall be oriented to each street adjacent to the development. Duplexes shall only be permitted in the interior of a lot. See Figure 15.39.210A.

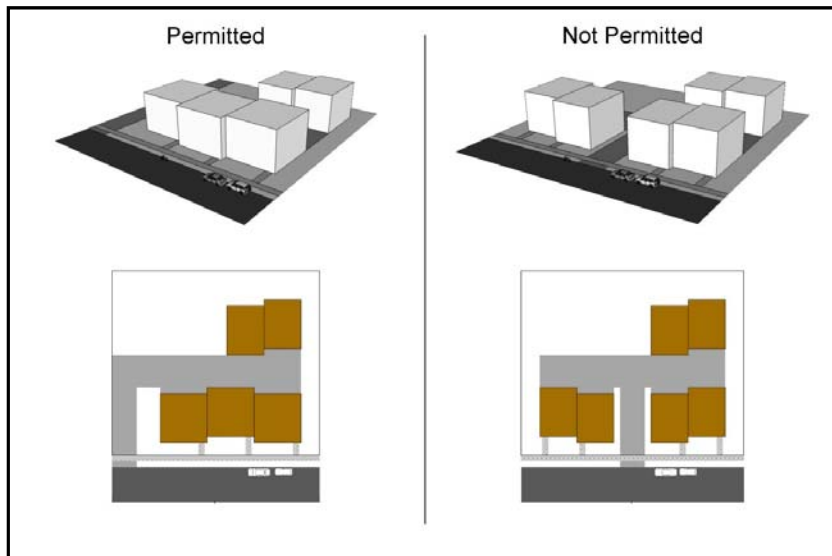


Figure 15.39.210A Isometric and plan views illustrating the required number of units fronting on a street.

- B. Developments shall use one of the following site configurations:
1. Alley-loaded. A development with a single row of dwellings that front on a street and are served by an alley in the rear. See Figure 15.39.210B.
 2. Auto court. A development with two rows of dwellings grouped around an auto court. One row fronts on the street, the other on the auto court. See Figure 15.39.210B.

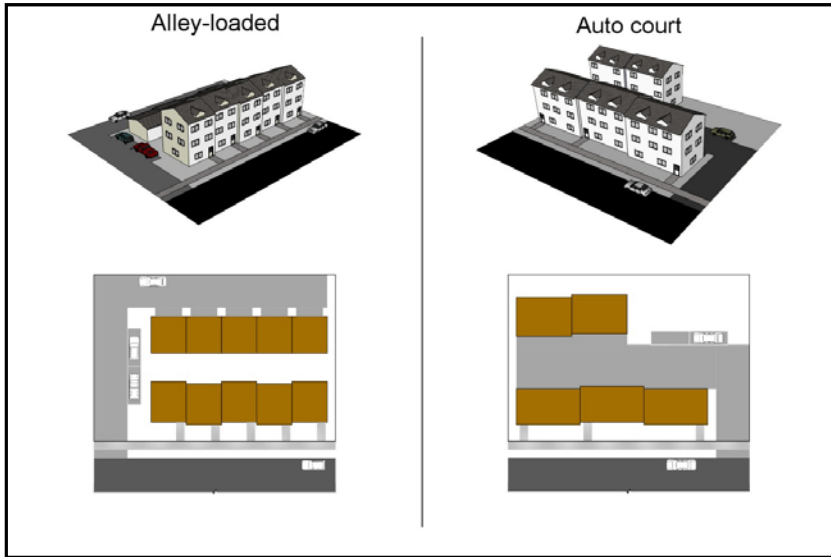


Figure 15.39.210B Isometric and plan views of alley-loaded and auto court configurations.

15.39.220 Building Orientation

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

- A. All units with street frontage shall be oriented to said street. Units without street frontage shall be oriented to an auto court or courtyard. See Figures 15.39.220A and 15.39.220B.



Figure 15.39.220A Example of units oriented to the street.



Figure 15.39.220B Example of units oriented to the auto court.

15.39.230 Pedestrian Access and Circulation

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

- A. All developments shall feature a fully integrated pedestrian circulation system that connects buildings, open space, and parking areas with the adjacent street sidewalk system.
- B. Pedestrian circulation shall consist of sidewalks or designated pathways, raised or otherwise separated from parking and vehicular circulation. An exception to this is an auto court, which is designed for shared pedestrian and auto use.
- C. Sidewalks and pedestrian ways shall be a minimum of five (5) feet in width, clear of any vehicle overhangs.
- D. Clear pedestrian paths separate from parking areas shall connect main entries of townhouse units facing the street directly to sidewalks.
- E. Pedestrian paths shall be visible from buildings or parking areas, and shall be designed to avoid creating “dead ends” or isolated areas.
- F. Design standards for sidewalks can be found in Title 11 of the SeaTac Municipal Code.
- G. Pedestrian paths shall be illuminated pursuant to Chapter 17.40 SMC, Walkway, Bikeway and Park Lighting.

Comment [DJH2]: Should this be in the Zoning Code?

Comment [k3]: Moved to Ped entries.

Comment [DJH4]: Wrong section? > Pedestrian Access?

15.39.240 Vehicular Access, Circulation and Auto Courts

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

- A. Vehicular access to individual townhouses and duplexes shall be via a rear alley or auto court separate from the street.
- B. The creation of dead end streets shall be permitted only where there is no feasible connection with an adjacent street.

- C. Developments with private streets, alleys, and auto courts shall be required to allow for additional access by adjacent properties when the Director determines that adjacent properties may be developed in the future and that it would be in the public interest to provide a joint access easement. A covenant shall be placed on the subject property(ies) allowing use of the access easement.
- D. Design standards for streets and alleys can be found in Title 11 of the SeaTac Municipal Code.
- E. Auto Courts.
 - 1. Length, Maximum: One hundred fifty (150) feet.
 - a. The length is measured from the midpoint of the entrance drive as illustrated in Figure 15.39.240A.



Figure 15.39.240A Illustration of how the length of an auto court is measured.

- b. The length of an auto court shall also be subject to Fire Department regulations.
 - 2. Traffic Calming.
 - a. Auto courts shall have at least one of the traffic calming elements listed below to reduce the speed of vehicles.
 - i. Trees;
 - ii. Landscape islands: Minimum depth and width of five (5) feet with Type V landscaping;
 - iii. Raised planters: Minimum height of three (3) feet and depth and width of two (2) feet;
 - iv. Decorative bollards: Minimum height of three (3) feet; or
 - v. Another element that the director determines accomplishes the intent.

- b. Traffic calming elements shall be located on both side of the auto court and spaced no more than twenty-five (25) feet apart (on center for trees and bollards, edge-to-edge for landscaping islands and planters) in either direction. See Figure 15.39.240B for an illustration.

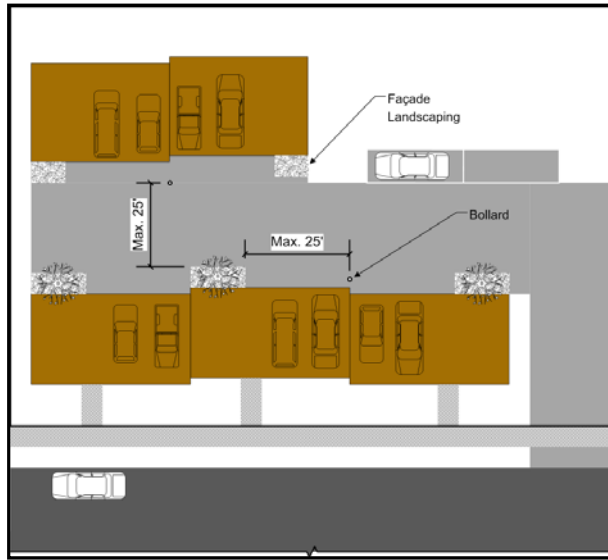


Figure 15.39.240B Location of traffic calming elements in an auto court.

- 3. Materials. Auto courts shall be constructed with decorative concrete, paving blocks, bricks, or other ornamental pavers to clearly indicate that the entire surface is intended for pedestrians as well as vehicles.



Figure 15.39.240C Example of auto court constructed with scored and dyed concrete.

15.39.250 Service and Utility Areas

Intent: To site and screen service and utility areas to minimize their prominence.

- A. All exterior maintenance equipment, including HVAC equipment, electrical equipment, storage tanks, satellite dishes, and garbage dumpsters, shall be screened from off-site and on-site common area view in an architecturally integrated manner.
- B. Utility infrastructure shall be located in areas that are not highly visible from the public.

Comment [k5]: Need to see Tukwila, all ext maint equip shall be screened see 15.14 lang re: screening

Comment [DJH6]: Should we add something like, "utilities shall be located in alleys when they exist"?

15.39.300 Building Design

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

15.39.310 Pedestrian Entries

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

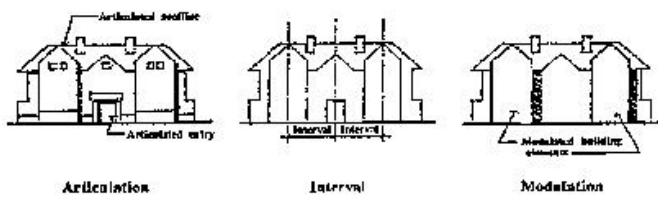
- A. Each townhouse unit shall feature a main entry which includes architectural features that provide weather protection and visual interest to the structure.
- B. The main entry to units adjacent to the street shall face the street and provide direct access to the street sidewalk system.
- C. For units without street frontage, main entries shall connect to the street sidewalk system through auto courts or clear pedestrian paths.
- D. Buildings shall utilize half flight-up front entries off the street, giving privacy as well as a view of the street and sidewalk. An entry raised two and one-half (2.5) feet above the grade shall be considered sufficient to meet this requirement. In units where the grade is a minimum of two and one-half (2.5) feet above the adjacent parking, sidewalk or other common areas, the half flight-up entry requirement shall be deemed to have been met.



Figure 15.39.310A Clearly defined main entry with weather protection and various architectural design elements

15.39.320 Character and Massing

Intent: To reduce the apparent size of buildings and create visual interest,



building facades and roofs shall include architectural elements that vary the appearance of a large building mass, break up long blank walls, express the individuality of each dwelling, and enhance the character of the neighborhood.

- A. Architectural elements and variations shall not be restricted to a single façade. All sides of a building shall display a similar level of quality and architectural interest.
- B. Building facades.

1. Townhouses and duplexes shall employ one of the following methods of vertical modulation:
 - a. Setback variation between dwelling units.
 - i. No more than two (2) adjacent dwelling units shall have the same setback.
 - ii. The setback between units shall be at least one (1) foot.
 - b. Vertical modulation within each dwelling unit. The modulation shall be a minimum of one (1) foot in depth and four (4) feet in width and the sum of these dimensions shall be no less than eight (8) feet.

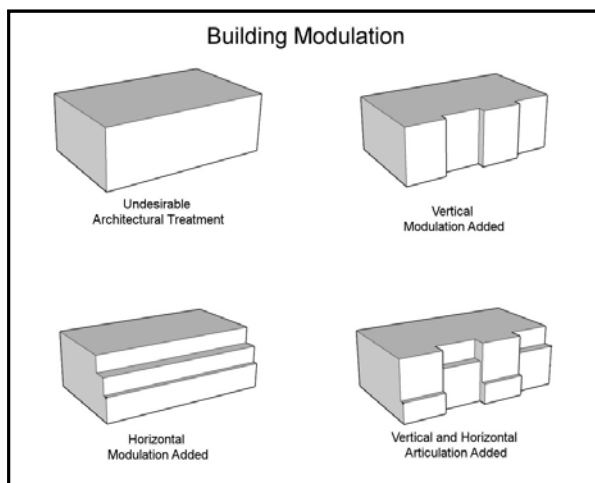


Figure 15.39.320A Examples of vertical and horizontal modulation.

2. Facades for each dwelling unit shall incorporate at least two of the following architectural elements:
 - a.. Horizontal modulation (upper level step-backs). The modulation shall have a minimum depth of two (2) feet.
 - b. Bay, bow, or garden windows.
 - c. Building ornamentation such as a frieze.
 - d. Another architectural element that the director determines accomplishes the intent.
3. Each dwelling shall have at least one balcony, porch, patio, stoop, or deck facing a street, auto court, courtyard, or other common open space. The balcony, porch, patio, stoop, or deck shall be oriented to common areas using the following hierarchy:
 - a. Street.
 - b. Auto court.
 - c. Courtyard or other common open space.
4. Windows.

- a. Windows shall provide relief, detail and variation on the facade through the use of significant trim and architectural styling that lends human scale to the facade.
- b. Windows shall be required on facades facing streets or common areas (alleys, auto courts, open space, etc.) to allow for natural surveillance.
- c. At least twenty (20) percent of the area of each floor on façades that face a street or common area shall be windows or pedestrian doors.
 - i. Windows used to meet this standard must allow views from the building to the street and vice versa. Windows composed of glass blocks, garage doors and doors accessing uninhabited spaces, such as utility and service areas, do not count toward meeting this requirement.
 - ii. The façade area for each floor is measured vertically floor-to-floor and horizontally edge-to-edge of the unit as illustrated in Figure 15.39.320B.

Comment [DJH7]: Should this be here, under Windows, Character and Massing, or Security?

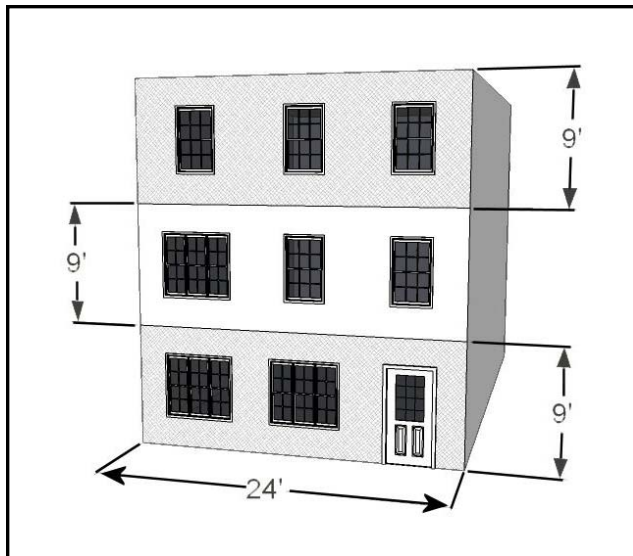


Figure 15.39.320B Illustration of the window requirement. Each floor has a façade area of 216 square feet and requires 43.2 square feet of windows. The first floor has 66 square feet of windows, meeting the minimum requirement. The second floor has 46.5 square feet of windows, meeting the requirement. The third floor has 36 square feet of windows and DOES NOT meet the requirement.

- d. Windows shall be vertically oriented with a height one and one half (1-1/2) to two (2) times the width. See Figure 15.39.320C;

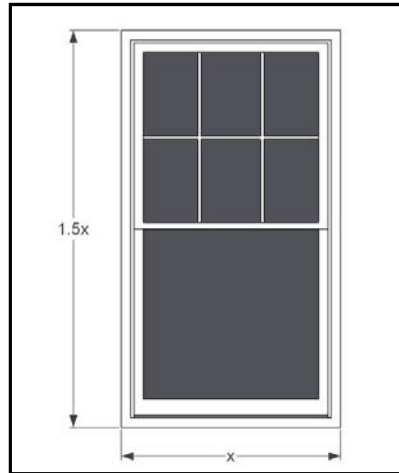


Figure 15.39.320C Minimum vertical orientation for windows.

- e. At least two of the following requirements for windows shall be met:
- i. Window shall be accented with a drip cap, sill, and trim. The drip cap shall be a minimum of three (3) inches in height and one (1) inch in depth; sills shall be a minimum of three (3) inches in depth. Trim shall be a minimum of two (2) inches in width and one (1) inch in depth. See Figure 15.39.320D for details;

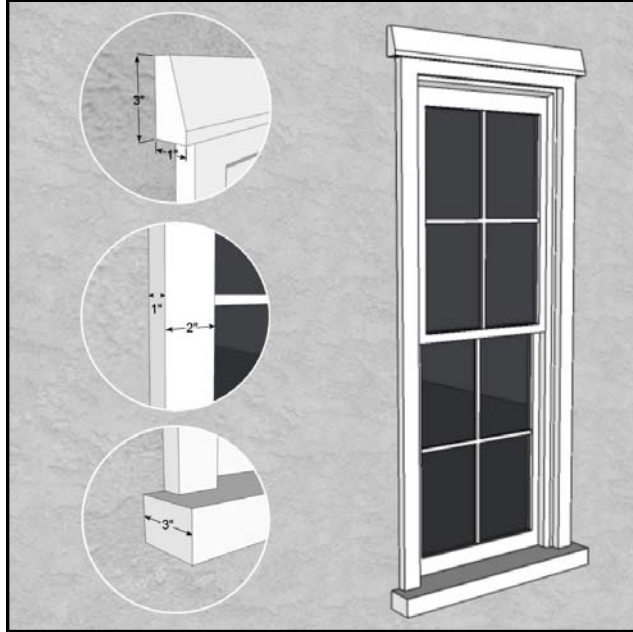
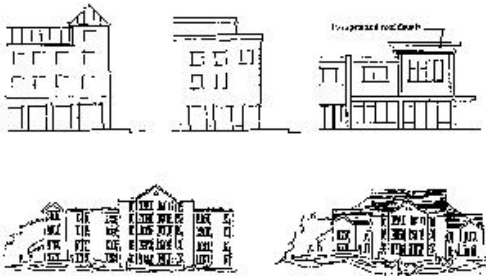


Figure 15.39.320D Drip cap, sill, and trim details.

- ii. Windows shall be accented through use of multiple panes;
- iii. Windows shall be accented through the use of contrasting trim color and other detailing.



- 5. “Blank walls” (building facade sections without windows or doors) greater than twenty (20) feet in length shall not be allowed along facades facing streets or common areas.
- D. Roofs.
 - 1. The following roof forms shall be used in townhouse and duplex developments:
 - a. Hip

- b. Gable
- c. Shed
- d. Mansard

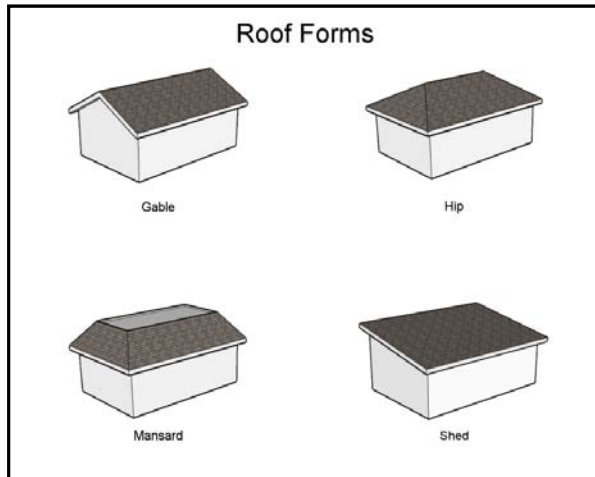


Figure 15.39.320E Examples of permitted roof forms.

- 2. Townhouse and duplex roofs shall incorporate at least one of the architectural elements in Group 1 and at least two of the architectural elements in Group 2:
 - a. Group 1
 - i. Vertical or horizontal changes in rooflines; and/or
 - ii. Varied roof forms.



Figure 15.39.320F Example of vertical and horizontal changes in rooflines and variations in roof forms.

- b. Group 2
 - i. Dormers;



Figure 15.39.320G Example of dormers.

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



Figure 15.39.320H Example of deep roof overhangs and brackets.

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



Figure 15.39.320I Example of rafter tails.



Figure 15.39.320J Example of corbels (which are generally thicker than brackets).

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



Figure 15.39.320K Examples of cornice, soffit and fascia details.

- 4. Building rooftops shall be designed to effectively screen mechanical equipment from street-level view through at least one (1) of the following methods:
 - a. A concealing roof line;

- b. A terraced facade;
- c. A screening wall or grillwork directly surrounding the equipment; or
- d. Sufficient setback from the facade edge to be concealed from ground-level view.

15.39.330 Building Colors and Materials

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

- A. The following requirements shall apply to the selection of color and materials in townhouse and duplex developments:
 - 1. Colors and materials shall be varied and contrasting to differentiate dwelling units and provide variety and individuality;
 - 2. Architectural elements, such as trim, shall have contrasting colors;
- B. Quality, durable materials shall be used in building design. Materials that have a track record of installation difficulties or lack of durability shall be subject to provision of warranty information from manufacturers and installers. Building materials with a history of problems with installation and rapid decay may be disallowed.

Comment [DJH8]: Add something about unique colors for each dwelling unit?

15.39.340 Ground Level Living Space

Intent: Provide ground level living space to contribute to natural surveillance of the area.

- A. Dwelling units shall have a minimum ground level living space of at least one hundred and fifty (150) square feet with a minimum width of ten (10) feet (see Figure 15.39.340A).
- B. The ground level living space shall be oriented to common areas using the following hierarchy:
 - 1. Street.
 - 2. Auto court.
 - 3. Courtyard or other common open space.
- C. The following uses do not count as living space:
 - 1. Garages.
 - 2. Utility/laundry rooms.
 - 3. Bathrooms.
 - 4. Workshops.

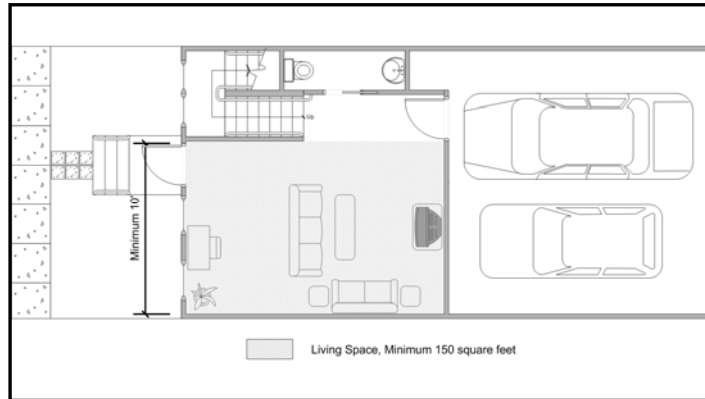


Figure 15.39.340A Example of ground level living space.

15.39.350 Building Security

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

- A. Ground floor bedroom windows of residential units shall be separated from the sidewalk and public areas in one (1) of the following manners:
 1. The ground floor raised above ground level a minimum of four (4) feet;
 2. Pedestrian paths at least five (5) feet away (horizontal separation) from ground floor bedroom windows, with landscaping in between (refer to SMC 17.56 for CPTED landscaping regulations).
- B. Windows, balconies, decks, and similar features shall be provided on facades facing streets, alleys, auto courts, and open space to allow for natural surveillance.
- C. Dumpsters and recycling containers shall be conveniently located for residents, and be screened in a manner that allows sufficient visibility to prevent hiding places for unwanted persons.
- D. The following items are minimum security requirements for door and window treatment for residential units:
 1. For all exterior doors:
 - a. Solid-core wood doors, metal doors, or fiberglass doors;
 - b. Through-door viewers with a minimum one hundred eighty (180) degree viewing range;
 - c. Single-cylinder deadbolts extending a minimum of one (1) inch into the frame;
 - d. Security strikeplates a minimum of three and one-half (3-1/2) inches in height mounted with screws a minimum of three (3) inches in length;
 - e. Double locks on sliding doors;
 2. Double locks on ground floor and sliding windows.

These items shall be inspected and approved by the City of SeaTac Crime Prevention Officer prior to issuance of a certificate of occupancy. The City of SeaTac Crime Prevention Officer may approve alternate designs that provide a similar or greater degree of security.

15.39.400 Open Space and Private Amenity Space

Purpose: To provide for adequate recreation and open space areas for the residents of townhouse and duplex units, to separate such areas from automobile-oriented space, and to enhance the environmental quality of residential districts.

15.39.410 Minimum Open Space and Private Amenity Space Required

Intent: Provide opportunities for both active recreation and outdoor areas for passive enjoyment of natural areas.

- A. A minimum of three hundred (300) square feet of ground related open space is required per unit and shall be provided as private open space for each unit or combined for common open space.
- B. Each dwelling unit shall have a minimum of one hundred (100) square feet of private amenity space.

15.39.420 Location and Layout of Open Space and Private Amenity Space

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

- A. The location, layout, and proposed type of open space shall be subject to approval by the Director of Planning and Community Development, and shall conform to the following:
 - 1. Private and Common Ground Related Open Space
 - a. The following shall not count toward required open space:
 - i. Areas with slopes greater than four percent (4%) that do not have an enhanced accessibility system of ramps, stairs, terraces, trails or other site improvements.
 - ii. Required landscaping (such as façade and perimeter).
 - iii. Sensitive area buffers without common access links such as pedestrian trails.
 - iv. Driveways, parking areas, and other vehicular uses.
 - 2. Private Ground Related Open Space
 - a. Minimum Width: Ten (10) feet.
 - b. The open space shall be located in the rear of the unit.

Comment [DJH9]: Do we need to specify that this open space shall be ground related in this instance?

- c. The open space shall be contiguous.



Figure 15.39.420A Example of private ground related open space.

3. Common Ground Related Open Space

- a. Minimum Width: Twenty (20) feet.
- b. Open space areas shall be centrally located near a majority of units, accessible and usable to residents, and visible from surrounding dwelling units.
- c. In developments greater than fifty (50) units, open space area shall be divided into several, smaller, usable areas located so as to be convenient and accessible to each building.
- d. When the total required open space area is less than three thousand (3,000) square feet, the open space shall be one (1) continuous outdoor site.
- e. If the total required area for open space is more than three thousand (3,000) square feet, the space may be divided into several usable indoor or outdoor sites, provided at least one (1) outdoor area is at least two thousand (2,000) square feet, and all others at least five hundred (500) square feet.
- f. A Type III landscaping buffer with a minimum width of five (5) feet shall separate the open space from streets, parking areas, and driveways.



Figure 15.39.420B Example of common ground related open space.

4. Private Amenity Space

- a. A private deck, porch, balcony, patio, or roof garden may be counted toward the requirement, provided it has a minimum depth of six (6) feet and width of ten (10) feet.
- b. A yard can be counted toward the requirement, provided it has a minimum depth of ten (10) feet and width of ten (10) feet and is not used to meet the ground related open space requirement.

Comment [DJH10]: Is this too much?

15.39.500 Landscaping and Screening

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

15.39.510 Landscaping

Intent: Provide landscaping to enhance the aesthetic character of the development and the neighborhood, and reduce impacts on drainage systems and natural habitats.

- A. The following standards shall apply to townhouse and duplex landscaping: SMC 15.14.010 through 15.14.040, 15.14.090, 15.14.110, 15.14.140 through 15.14.240.
- B. Areas of development sites that are not occupied by buildings or infrastructure shall be landscaped with ground cover.
- C. Front Yard Landscaping.
 1. Dwelling units shall incorporate at least one of the following landscaping methods for front yards:
 - a. Five (5) feet of Type V, located either behind the sidewalk or adjacent to the building facade;

- b. One (1) tree for every two (2) dwelling units spaced no more than twenty-five (25) feet on center; or
 - c. A three (3) foot tall picket fence surrounding the front yard for each dwelling unit.
 - 2. The front yard landscaping may be reduced or waived by the Director of Planning and Community Development for developments with reduced front yard setbacks within the City Center or Station Areas.
- D. Development Site Side/Rear Yard Landscaping.
 - 1. Development sites shall incorporate at least one of the following landscaping methods for side/rear yards:
 - a. Five (5) feet of Type III;
 - b. A six (6) foot tall fence; or
 - c. None with zero-lot-line design approved by the Director of Planning and Community Development.
- E. Driveway and Alley Landscaping
 - 1. Driveways and alleys adjacent to dwelling units shall have at least five (5) feet of Type V.
- F. Auto Court Landscaping.
 - 1. Auto courts shall include both of the following landscaping methods:
 - a. Three (3) feet of Type V adjacent to buildings with main entries onto the auto court.
 - b. One (1) tree for every two (2) dwelling units. The trees shall be evenly distributed throughout the auto court.

15.39.520 Fences and Walls

Intent: Provide fences and walls that create privacy and enclosure while contributing a positive visual impact to the development for residents and the public.

- A. Maximum Height.
 - 1. Front Yard: The maximum height of a fence or wall shall be three (3) feet.
 - 2. Rear and Side Yard: The maximum height of a fence or wall along rear or side yards shall be six (6) feet.
- NOTE:** For the purpose of fences, the front yard shall be determined by the location of the dwelling unit's main entry.
- B. Materials. Fences and walls shall be constructed of wood, wrought iron, brick, stone, or other high quality material. Chain-link fencing is prohibited.

Comment [DJH11]: Are we concerned about fence heights on corner properties?

15.39.600 On-Site Parking

Purpose: These standards are intended to provide adequate parking and aesthetic considerations for townhouse and duplex developments.

15.39.610 Required On-Site Parking

Intent: Ensure an adequate amount of parking is provided for new development.

- A. Outside of City Center and Station Areas
 - 1. Minimum Resident Parking: Two (2) spaces per unit
 - 2. Minimum Visitor Parking: One-quarter (0.25) space per unit

- B. Within Station Area or City Center
 - 1. Resident Parking
 - a. Minimum: One (1) space per unit
 - b. Maximum: Two (2) spaces per unit
 - 2. Minimum Visitor Parking: One-quarter (0.25) space per unit

15.39.620 Location and Design of Parking

Intent: Minimize parking as a visual element of a site and enhance the pedestrian environment.

- A. Location
 - 1. Resident parking spaces shall be provided in the rear of each unit accessed via an alley, auto court, or drive separate from the street. The spaces shall be in the unit’s garage, carport, and/or driveway.
 - 2. Parking shall not be permitted in front or side yards.
 - 3. Visitor parking shall be provided in surface parking areas located a maximum of one hundred fifty (150) feet from the units.
- B. Design
 - 1. The following standards shall apply to townhouse and duplex vehicle parking areas: SMC 15.14.090, 15.15.100, and 15.15.110.

15.39.700 Maintenance

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

- A. Provision shall be made for perpetual maintenance of all common open space and facilities, including easements, yards, sewer lines, storm drains, driveways, buildings, parking lots, and similar features, through the establishment of a home owners association or other similar entity.

Section 2. Section 15.10.056 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.056 Alley

A service drive providing a secondary means of access to abutting property and not intended for general traffic circulation. ~~A public thoroughfare or way which generally affords only a secondary means of access to properties.~~

Section 3. Section 15.10.410 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.410 Multi-Family Building Residential Dwelling Unit

A building containing two (2) or more dwelling units that does not meet the definition of a duplex or townhouse. ~~Higher density residential use of property, consisting of~~

~~apartment buildings, townhouse complexes, or any other combination of residential units consisting of three (3) or more dwelling units per lot.~~

Section 4. Section 15.10.641 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.641 Townhouse

~~A building containing at least three (3) dwelling units in a row in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls. Multi-dwelling unit residential structures of two (2) or three (3) stories, not counting a basement, where the dwelling units share common walls and have separate entrances. Townhouses may be owner-occupied, rental properties or under condominium ownerships.~~

Section 5. Section 15.11.075 of the SeaTac Municipal Code is hereby amended to read as follows:

15.11.075 Townhouse Zone (T)

The purpose of this zone is to create a medium density residential environment ~~for the City Center~~ that functions as a buffer between adjacent single-family areas and more intensely developed higher density residential or commercial/mixed use areas ~~in the City Center~~. This is accomplished by applying design standards that result in a building type that has some single-family characteristics while allowing medium residential densities that will support transit ridership, and allowing some commercial uses in the mixed use context.

Section 6. Section 15.12.020 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.020 Residential Uses

ZONES: UH – Urban High Density O/CM – Office/Commercial Medium
 P – Park NB – Neighborhood Business BP – Business Park
 MHP – Mobile Home Park CB – Community Business O/C/MU – Office/Commercial/Mixed Use
 UL – Urban Low Density ABC – Aviation Business Center T – Townhouse
 UM – Urban Medium Density I – Industrial/Manufacturing
 P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES												
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T
RESIDENTIAL USES														
001	Single Detached Dwelling Unit			P(1,7,9)	P(1,7,9,13)	P*(13)								

001.1	Single Attached Dwelling Unit						P*	P*				
002	Duplex			P	P*							P
003	Townhouses			P	P*						P*	P*
004	Multi-Family			P	P*(10)	C	P*(8)	C*(8)	P*(8)		P*(12)	
005	Senior Citizen Multi		C	P	P*	C	P*	P*	P*		P*	
006	Manufactured/Modular Home	P(9)	P(9)	P(9)								
006.1	Mobile Home (nonHUD)	P(9)										
007	Bed and Breakfast/ Guesthouse		P(2)	P(2)	P*(2)	P(2)			C*		P*(2)	
008	Community Residential Facility I		P(3)	P(3)	P*(3)	P(3)	P*(3)	P*(3)			P*(3)	
008a	Community Residential Facility II				P*	C	P*	P*	P*		P (12)	
008b	Transitional Housing				C*(14)		P*(14)	P*(14)	C*(14)			
008c	Halfway House						C*(11)	C*(11)	C*(11)			
009	Overnight Shelter						C*(11)	C*(11)	C*(11)			
010	Convalescent Center/ Nursing Home				P*	P	P*	P*	P*			
011	Mobile Home Park	P	C(4)	C(4)	C*(4)							
013	College Dormitory					C	P*	P*	P*	P*	P*(6)	
ACCESSORY USES												
018	Home Occupation	P	P	P(6)	P*(6)						P*(6)	P*(6)
019	Shed/Garage		P(5)	P(5)	P*(5)							P

Notes:

See Chapters 15.13 and 15.35 SMC for additional development standards.

(1) Accessory dwelling units permitted. See Chapter 15.37 SMC for standards.

(2) Standards for Bed and Breakfast:

- a. Number of guests limited to six (6), with no more than three (3) bedrooms;
- b. Parking area for three (3) nonresident vehicles, and screened;
- c. Proof of King County Health Department approval;
- d. Breakfast is only meal served for paying guest.

(3) Standards for Community Residential Facilities I:

- a. No more than five (5) nonsupport people, unless as modified pursuant to requirement (3)(e)**;
- b. No more than two (2) support people**;

- c. Any parking spaces in excess of two shall be screened and not visible from public streets;
 - d. In UL zone, house shall be a single-family structure compatible with the surrounding area; in UM zone, house shall maintain residential character;
 - e. Reasonable accommodation shall be made for persons with disabilities as required by State and Federal law. See SMC 15.12.018 for accommodation procedure.
- ** (a) and (b) do not apply to State-licensed adult family homes and foster family homes.
- (4) A park outside established or proposed mobile home park zone is permitted after approval through the CUP process.
 - (5) Limited to one thousand (1,000) gsf and a twenty (20) foot height limit (highest point) except as allowed under SMC 15.13.105(B).
 - (6) See Chapter 15.17 SMC for standards and limitations.
 - (7) Efficiency unit permitted within primary dwelling, not exceeding twenty-five percent (25%) of gross square feet of dwelling.
 - (8) Ground floor uses must be retail, service, or commercial uses as described in SMC 15.13.107.
 - (9) See Chapter 15.26 SMC for additional development standards.
 - (10) For new development and redevelopment residential projects that are located in the UH-UCR zone, at least fifty percent (50%) of the building's ground floor shall be a retail, service, or commercial use as described in SMC 15.13.107.
 - (11) As part of the CUP process a threshold determination will be made as to whether an essential public facility (EPF) siting process is needed. See SMC 15.22.035. These requirements shall not be construed to limit the appropriate use of schools and other facilities for emergency shelters in disaster situations.
 - (12) Permitted only as part of a mixed use development, as described in SMC 15.35.620, and arranged on-site as described in SMC 15.35.610.
 - (13) Small lot single-family development allowed subject to design standards in SMC 15.19.760.
 - (14) Must have adequate on-site and program management, and satisfactory written policies and procedures, including those describing tenant selection, assistance, denial or termination, and housing safety standards. Screening must not allow as residents persons who have been classified as Class III sexual offenders.

Section 7. Section 15.12.030 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.030 Recreational/Cultural Uses

ZONES: UH – Urban High Density O/CM – Office/Commercial Medium
 P – Park NB – Neighborhood Business BP – Business Park
 MHP – Mobile Home Park CB – Community Business O/C/MU –
 Office/Commercial/Mixed Use

UL – Urban Low Density ABC – Aviation Business Center T – Townhouse
 UM – Urban Medium Density I – Industrial/Manufacturing
 P – Permitted Use; C – Conditional Use Permit; SDO – Special District Overlay
 Rules

US E #	LAND USE	ZONES												
		P	MH P	UL	UM	UH	N B	CB	AB C	I	O/C M	BP	O/C/M U	T
RECREATIONAL/CULTURAL USES														
022	Community Center	P			C	C*	P	P*	P*(2)		P*		P*	
023	Golf Course	P		C				C*				P*		
024	Theater	P(2)					P	P*	P*(2)	P	P*	C*		
025	Drive-In Theater							P*						
026	Stadium/Arena	C						C*		C	C*	P*		
027	Amusement Park	C(1)						C*			C*	C*		
028	Library			P	P	C*	P	P*	P*		P*	C*	P*	C*
029	Museum				C	C*	P	P*	P*		P*	C*		
030	Conference/Convention Center						P	P*	P*	P	P*	C*(2)		
031	Cemetery	C			C	C*	C	P*	P*					
032	Private/Public Stable	P		SDO										
033	Park	P	P	P	P	P*	P	P*	P*	P	P*	P*	P*	P*
034	Religious Use Facility	C/P(5,6)		C/P(5,6)	C/P(5,6)	P*	P	P*	P*		P*	P*(2)	P*	C*
035	Religious Use Facility, Accessory	C/P(5,6)		C(2,3)	C(2,3)	C*(3)	P(3)	P*(3)	P*(3)		P*(3)		P*	C*(2)
036	Recreational Center	P		P(4)	P*(4)	P*(4)	C	P*	P*(2)	P	P*	P*(1)	P*	
036.5	Health Club					C*(2)	P	P*	P*	P(2)	P*	P*	P*	
037	Arcade (Games/Food)	P				P*(2)	P	P*(2)	P*(2)		P*(2)	P*(2)	P*(2)	
038	Sports Club			C/P(5,6)			C	P	P	P				

039	Nonprofit Organization	C/P (5, 6)		C/P (5, 6)	C/P (5, 6)	P	P	P	P		P		P	
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Notes:

* See Chapters 15.13 and 15.35 SMC for additional development standards.

- (1) Site must be adjacent to an improved arterial.
- (2) Accessory to primary use not to exceed twenty percent (20%) of total building square footage.
- (3) May include an overnight shelter, not to exceed twenty percent (20%) of total building square footage, providing an operating plan is approved ensuring there are no significant traffic or noise impacts to neighbors, and that health and safety standards are met.
- (4) The hours to conduct outdoor activities may be limited dependent on their location relative to adjacent residential properties. Such activities may be limited due to potential noise impacts, activities between the hours of 10:00 p.m. to 8:00 a.m., or lighting that cannot be screened that would cast glare on adjacent residences.
- (5) Allowed as a minor CUP subject to criteria under SMC 15.22.030(E).
- (6) Allowed as a permitted use subject to the criteria in SMC 15.12.100.

Section 8. Section 15.12.040, of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.040 General, Educational, Health Services Uses

ZONES: UH – Urban High Density O/CM – Office/Commercial Medium
 P – Park NB – Neighborhood Business BP – Business Park
 MHP – Mobile Home Park CB – Community Business O/C/MU – Office/Commercial/Mixed Use
 UL – Urban Low Density ABC – Aviation Business Center T – Townhouse
 UM – Urban Medium Density I – Industrial/Manufacturing
 P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES												
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T
GENERAL USES														
041	Wireless Communications Facility (**)	C/P (6)	C/P (6)	C/P (6)	C/P (6)	C/P* (6)	P/C (6)	P/C* (6)	P/C* (6)	P/C (6)	P/C* (6)	P/C* (6)	P/C* (6)	C/P* (6)
042	Communications Facility (**)			Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-P*	Mr.-P Mjr.-P*	Mr.-P Mjr.-P*	Mr.-P Mjr.-P*	Mr.-P Mjr.-P*	Mr.-P Mjr.-P*	Mr.-P Mjr.-P*

						-C*				-P			C*	C*
043	Dry Cleaner					P*(1,2)	P	P*	P*(1)		P*(2)	P*(2)	P*(2)	P*(2)
046	Funeral Home/ Crematory	C					P	P*	P*(1)	P	P*(2)			
047	Veterinary Clinic						P	P*	P*(1)	P	P*(2)		C*	
048	Kennel						P	P*		P				
049	Day Care I		P(3,5)	P(3,5)	P(3,5)	P*(3,5)	P(3,5)		P*(1,3,5)		P*(2,3,5)	P*(3,5)	P*(2,3,5)	P*(2,3,5)
050	Day Care II		C(3)	C(3,9)	P(3)	P*(3)	P(3)	P*(3)	P*(3)		P*(2,3)		P*(2,3)	P*(2,3)
051	General Repair						P	P*	P*(1)	P	P*(2)			
EDUCATIONAL USES														
055	Elementary – Jr. High			C	C	C*			C*					
056	High School			C	C	C*	P	C*	C*					
057	Vocational School						C	P*	C*	C	P*(2)	C*	P*(2)	
058	Specialized Instruction School			P/C(4,9,10)	P/C(4,9,10)	P/C*(4,9,10)	P	P*	P*	P	P*(2)	C*	P*(2)	
059	College/University			C	C	C*		P*	P*		P*	C*	P*(2)	
HEALTH SERVICES USES														
062	Office/Outpatient Clinic					P*	P	P*	P*	P	P*	P*	P*	
064	Hospital						P	P*	P*		C*	P*		
065	Medical/Dental Lab					C*	P	P*	P*	P	P*	P*	P*	P*(2)
066	Miscellaneous Health						P	P*	P*		C*	C*	C*	
067	Opiate Substitution Treatment Facility							C(8)	C(8)	C(8)		C(8)		

Notes:

* See Chapters 15.13 and 15.32 SMC for additional development standards.

(**) See Chapter 15.31A SMC for additional development standards.

(1) Accessory to primary use not to exceed twenty percent (20%) of primary square footage.

(2) Permitted as a part of a mixed use development.

- (3) Day Care I: DSHS license required.
Day Care II: DSHS license required/SEPA review required.
- (4) Limited to three (3) students per day except as allowed within a school facility or religious youth facility subject to a conditional use permit.
- (5) Except as provided pursuant to SMC 15.10.166 for family day care.
- (6) See the use charts in SMC 15.31A.031(B) and (C) for specifics.
- (7) Repealed by Ord. 04-1030.
- (8) Subject to the CUP-EPF siting process (SMC 15.22.035).
- (9) Allowed as a minor CUP subject to criteria under SMC 15.22.030(E).
- (10) Allowed as a permitted use subject to the criteria in SMC 15.12.100.

Section 9. Section 15.12.060 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.060 Retail/Commercial Uses

ZONES:

P – Park MHP – Mobile Home Park UL – Urban Low Density
 UM – Urban Medium Density UH – Urban High Density
 NB – Neighborhood Business CB – Community Business
 ABC – Aviation Business Center I – Industrial/Manufacturing
 O/CM – Office/Commercial Medium BP – Business Park
 O/C/MU – Office/Commercial/Mixed Use T – Townhouse

P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES												
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T
RETAIL/COMMERCIAL USES														
101	Hotel/Motel and Associated Uses					C*	P	P*	P*		P*	C*	C*	
102	Forest Products						P(3)	P*(3)		C(1)	P*(6)			
103	Hardware/Garden Material						P	P*			P*(6)		P*(9)	
104	Department/Variety Store						P	P*	P*(2)		P*(6)		P*(9)	
105	Food Store					P*(8)	P	P*	P*(2)		P*(6)		P*(9)	
106	Agricultural Crop Sales (Farm Only)			P(12)			P	P*	P	P				

106.1	Produce Stand						P	P*	P*	P	C	C		
107	Auto/Boat Dealer							P*		P	C*(6)			
108	Auto Supply Store						P	P*		P	C*(6)		C*(9)	
109	Gasoline/Service Station						P	P*		P				
109.1	Mobile Refueling Operation	P(10)	P(10)	P(10)	P(10)	P(10)	P(10)	P(11)	P(11)	P(11)	P(10)	P(11)	P(10)	P(10)
109.2	Auto Repair						C	P		P				
109.3	Automotive Service Center						P	P	P(13)	P				
110	Apparel/Accessory Store							P*	P*(2)		P*		P(9)	
111	Furniture Store							P*			P*		P(9)	
112	Fast Food/Restaurant					C*(2,4)	P(4)	P*	P*	P	P*(6)	P*(2)	P*(4,9)	
112.1	Retail Food Shop					P*(8)	P	P*	P*		P*	P*(2)	P*(9)	
112.2	Tavern						P(8)	P*			P*		C*	
113	Drug Store						P	P*	P*		P*(6)	P*(2)	P*(9)	
114	Liquor Store							P*			P*		C*	
115	Antique/Secondhand Store						P	P*			P*(6)		P*(9)	
116	Sporting Goods and Related Stores							P*	P*(2)		P*(6)		P*(9)	
117	Media Material					P*(7)	P	P*	P*(2)		P*		P*(9)	
118	Jewelry Store						P	P*	P*(2)		P*(6)		P*(9)	
119	Hobby/Toy Store						P	P*	P*(2)		P*(6)		P*(9)	
120	Photographic and Electronic Store						P	P*	P*(2)		P*(6)		P*(9)	
121	Fabric Store							P*	P*(2)		P*(6)		P*(9)	
122	Florist Shop					P*(7)	P	P*	P*(2)		P*(6)		P*(9)	
123	Pet Store							P*	P*(2)		P*(6)		P*(9)	
124	Wholesale/Bulk Store							C*	C*	P	C*(6)		P*(9)	
125	Beauty Salon					C*(8)	P	P*	P*		C*(6)		P*(9)	

125.1	Laundromat				P*(7)	P	P*	P*		P*		P*(9)		
125.2	Espresso Stand					P*(2)	P	P*	P*	P	P*	P*	P*(9)	
125.3	Comm. Marine Supply						C	P*		P		P*		
126	Other Retail Uses						C	P*	C*		P*		C	
127	Adult Entertainment							C*(5)	C*(5)	C(5)				

Notes:

* See Chapters 15.13 and 15.35 SMC for additional development standards.

- (1) Forest product related businesses shall provide the following:
 - a. Minimum of ten (10) acres;
 - b. Access to major arterial; and
 - c. Minimum thirty (30) foot buffers around the perimeter of property (Type II landscaping).
- (2) Accessory to primary use not to exceed twenty percent (20%) of primary use.
- (3) Temporary forest product sales related to holidays. Merchandise limited to Christmas trees, wreaths, herbs and associated decorations.
- (4) No fast food restaurants or drive-through facilities allowed.
- (5) See SMC 15.29.010.
- (6) Permitted as part of a mixed use development.
- (7) Small, resident-oriented uses only, as part of a residential mixed use project.
- (8) Small, resident-oriented uses only.
- (9) Permitted as part of a mixed use development, as described in SMC 15.35.610.
- (10) Permitted only to refuel heavy equipment at a construction site, subject to the criteria under SMC 15.13.103.
- (11) Subject to the criteria under SMC 15.13.102.
- (12) No permanent retail sales structures permitted. Retail sales allowed on a seasonal basis for no more than 90 days in a calendar year. Wholesale sales permitted year round only for products produced/grown on site.
- (13) Accessory to primary use not to exceed twenty percent (20%) of primary square footage.

Section 10. Section 15.14.030 of the SeaTac Municipal Code is hereby amended to read as follows:

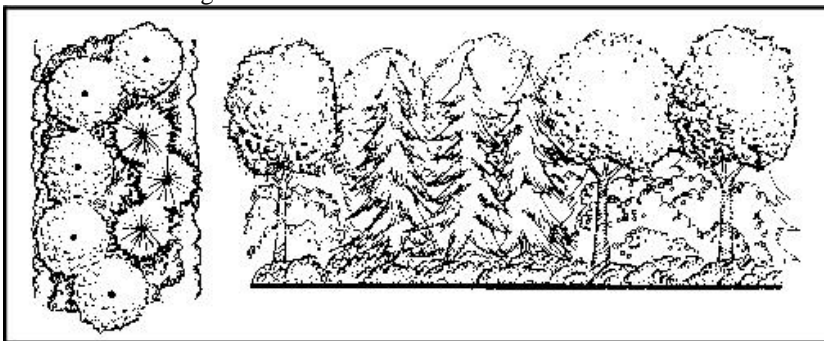
15.14.030 Types and Description of Landscaping

The four (4) types of landscaping are described and applied as follows:

A. Type I Landscaping.

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

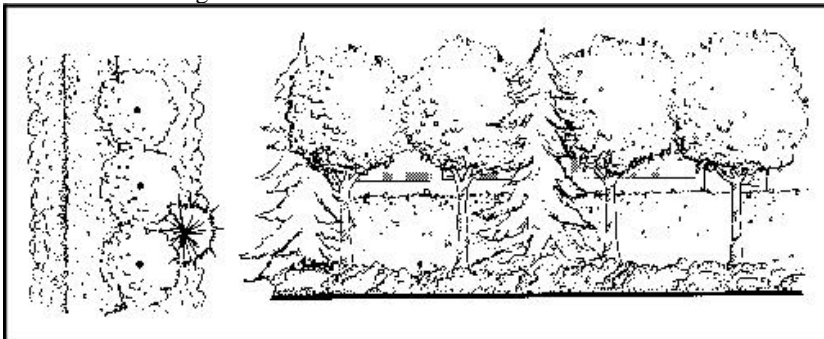
Figure 15.14.030a. TYPE I LANDSCAPING



B. Type II Landscaping.

1. Type II landscaping is a “filtered screen” which functions as a visual separator. Filtered screening is intended for use between uses with some degree of incompatibility.
2. Type II landscaping shall consist of:
 - a. A mix of evergreen and deciduous trees and shrubs spaced to create a filtered screen within three (3) years;
 - b. At least fifty percent (50%) deciduous trees and at least thirty percent (30%) evergreen trees;
 - c. Evergreen trees spaced no more than fifteen (15) feet on center;
 - d. Deciduous trees spaced no more than twenty (20) feet on center;
 - e. Evergreen shrubs spaced no more than five (5) feet apart and that achieve a height of six (6) feet within three (3) years;
 - f. Groundcover; and
 - g. Street frontage landscaping shall be located behind the sidewalk.

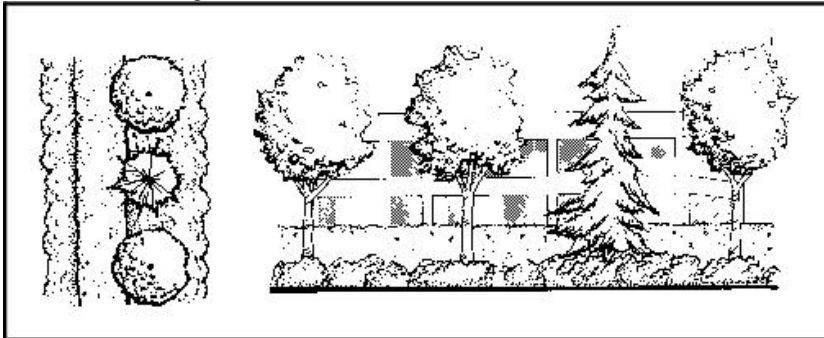
Figure 15.14.030b. TYPE II LANDSCAPING



- C. Type III Landscaping.
 1. Type III landscaping is a “see-through buffer” which functions as a partial visual separator to soften the appearance of streets, parking areas and building elevations. See-through buffering is intended for use between streets and a land use, or between similar, compatible uses.
 2. Type III landscaping shall consist of:

- a. A mix of evergreen and deciduous trees spaced to create a continuous canopy within ten (10) years;
- b. At least seventy percent (70%) deciduous trees;
- c. Trees spaced no more than twenty-five (25) feet on center;
- d. Evergreen shrubs spaced no more than four (4) feet apart that do not exceed a height of four (4) feet at maturity;
- e. Groundcover; and
- f. Street frontage landscaping can be located in front or behind the sidewalk.

Figure 15.14.030c. TYPE III LANDSCAPING

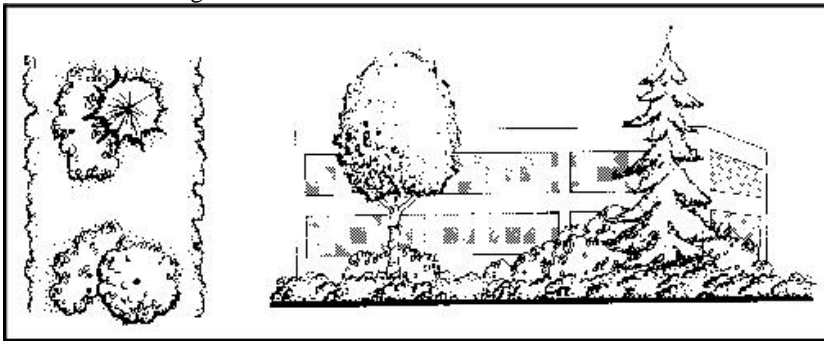


D. Type IV Landscaping.

- 1. Type IV landscaping is “parking area landscaping” which provides shade and visual relief, and maintains clear sight lines within parking areas.
- 2. Type IV landscaping shall consist of:
 - a. Canopy-type deciduous trees or broadleaf evergreen trees, evergreen shrubs and a mix of evergreen and deciduous groundcovers planted in wells or strips;
 - b. Shrubs that do not exceed a height of three (3) feet in maturity;
 - c. Plantings contained in planting wells or strips having an area of at least one hundred (100) square feet and with narrowest dimensions of at least five (5) feet in width;

- d. Planting wells or strips which each contain at least one (1) tree;
- e. Groundcover; and
- f. Street frontage landscaping can be located in front of or behind the sidewalk.

Figure 15.14.030d. TYPE IV LANDSCAPING



E. Type V Landscaping.

- 1. Type V is small-scale building façade landscaping which provides visual interest and a buffer between buildings and sidewalks or common areas.
- 2. Type V landscaping shall consist of:
 - a. Shrubs spaced no more than five (5) feet apart; and
 - b. Groundcover.

Section 11. Section 15.35.110 of the SeaTac Municipal Code are hereby amended to read as follows:

15.35.110 Residential Uses

ZONES:

P – Park ABC – Aviation Business Center
 UM – Urban Medium Density I – Industrial/Manufacturing
 UH – Urban High Density O/CM – Office/Commercial Medium
 UH-UCR – Urban High-Urban Center Residential O/C/MU –
 Office/Commercial/Mixed Use

NB – Neighborhood Business T – Townhouse
 CB-C – Urban Center
 P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES										
		P	UM	UH	UH-UCR	NB	CB-C	ABC	I	O/CM	O/C/MU	T
RESIDENTIAL USES												
001	Single-Family		P(1,7,8,11)	P(11)								P(11)
001.1	Single Attached Dwelling Unit			P	P		P	P				
002	Duplex	P	P(13)	P	C	P	P			P		P(14)
003	Townhouses	P	P(13)	P	C	P	P		P	P		P
004	Multi-Family	P	P(10)	P(10)	C	P(9)	C(9)		P(9)	P(9)		
005	Senior Citizen Multi	P	P	P	C	P	P		P	P		
006	Manufactured/Modular Home		P(8)									
006.1	Mobile Home (non-HUD)											
007	Bed and Breakfast/Guesthouse		P(2)	P(2)	P(2)	P(2)			P(2)	P(2)		
008	Community Residential Facility I		P(3)	P(3)	P(3)	P(3)	P(3)	P(3)	P(3)	P(3)		P(3)
008a	Community Residential Facility II			P	P	C	P	P		P	P(9)	
008b	Transitional Housing			C(12)	C(12)		P(12)	P(12)		C(12)		
010	Rest/Convalescent Center/ Nursing Home	P	P	P	P				P			
011	Mobile Home Park		C(4)	C(4)	C(4)				P			
013	College Dormitory					C	P	P		P	P(6)	P
ACCESSORY USES												
018	Home Occupation		P(6)	P(6)	P(6)		P(6)	P(6)		P(6)	P(6)	P(6)
019	Shed/Garage		P(5)	P(5)	P(5)							P

- (1) Accessory dwelling units permitted. See Chapter 15.37 SMC for standards.
- (2) Standards for Bed and Breakfast:
 - a. Number of guests limited to six (6), with no more than three (3) bedrooms;
 - b. Parking area for three (3) nonresident vehicles, and screened;
 - c. Proof of King County Health Department approval;

- d. Breakfast is only meal served for paying guest.
- (3) Standards for Community Residential Facilities I:
 - a. No more than five (5) nonsupport people, unless as modified pursuant to requirement (3)(e)**;
 - b. No more than two (2) support people**;
 - c. Any parking space in excess of two (2) shall be screened and not visible from public streets;
 - d. In UL zone, house shall be a single-family structure compatible with the surrounding area; in UM zone, house shall maintain residential character;
 - e. Reasonable accommodation shall be made for persons with disabilities as required by state and federal law. See SMC 15.12.018 for accommodation procedure.
- ** (a) and (b) do not apply to state-licensed adult family homes and foster family homes.
- (4) A park outside established or proposed mobile home park zone is permitted after approval through the CUP process.
- (5) Limited to one thousand (1,000) gsf and a twenty (20) foot height limit (highest point).
- (6) See Chapter 15.17 SMC for standards and limitations.
- (7) Efficiency unit permitted within primary dwelling, not exceeding twenty-five percent (25%) of gross square feet of dwelling.
- (8) See Chapter 15.26 SMC for additional development standards.
- (9) Permitted only as part of a mixed use development, as described in SMC 15.35.620, and arranged on-site as described in SMC 15.35.610.
- (10) Ground floor retail/commercial or service uses, as described in SMC 15.35.620, are allowed, but not required in the UH and UH-UCR zones.
- (11) Small lot single-family development allowed subject to design standards specified in SMC 15.19.760.
- (12) Must have adequate on-site and program management, and satisfactory written policies and procedures, including those describing tenant selection, assistance, denial or termination, and housing safety standards. Screening must not allow as residents persons who have been classified as Class III sexual offenders.
- (13) Townhouse and duplex development allowed only in UH-1800 zone.
- (14) Duplexes allowed in Townhouse Zone only as part of townhouse development. See Chapter 15.39 for standards.

Section 12. Section 15.35.120 of the SeaTac Municipal Code is hereby amended to read as follows:

15.35.120 Recreational/Cultural Uses

ZONES:

P – Park ABC – Aviation Business Center UM – Urban Medium Density

I – Industrial/Manufacturing UH – Urban High Density O/CM – Office/Commercial Medium UH-UCR – Urban High-Urban Center Residential O/C/MU – Office/Commercial/Mixed Use NB – Neighborhood Business T – Townhouse CB-C – Urban Center
P – Permitted Use; C – Conditional Use Permit

US E #	LAND USE	ZONES										
		P	U M	UH	UH- UC R	N B	CB -C	AB C	I	O/C M	O/C/M U	T
RECREATIONAL/CULTURAL USES												
022	Community Center	P	C	P	P	P	P	P		P	P	€
023	Golf Course	P										
024	Theater	P(2)				P	P	P		P		
025	Drive-In Theater											
026	Stadium/Arena	C					C		C	C		
027	Amusement Park	C(1)					C			C		
028	Library		P	C	P	P	P	P		P	P	C
029	Museum		C	C	P	P	P	P		P		
030	Conference/Convention Center					P	P	P	P	P		
031	Cemetery	C	C	C		C	C	P				
032	Private/Public Stable	P										
033	Park	P	P	P	P	P	P	P	P	P	P	P
034	Religious Use Facility	C/P (3, 4)	C/P (3, 4)	P	P	P	P	P		P	P	€
035	Religious Use Facility, Accessory	C/P (3, 4)	C(2)	C(2)	P(2)	P	P	P		P	P	C(2)
036	Recreational Center	P		P	P	P	P	P	P	P	P	
036.5	Health Club			C(2)	P	P	P	P	P(2)	P	P	
037	Arcade (Games/Food)	P		P(2)	P(2)	P	P	P(2)		P(2)	P(2)	
038	Nonprofit Organization	C/P (3, 4)	C/P (3, 4)	P	P	P	P	P		P	P	

- (1) Site must be adjacent to an improved arterial.
- (2) Accessory to primary use not to exceed twenty percent (20%) of primary square footage.

(3) Allowed as a minor CUP subject to criteria under SMC 15.22.030(E).

(4) Allowed as a permitted use subject to the criteria in SMC 15.12.100.

Section 13. Section 15.35.130 of the SeaTac Municipal Code is hereby amended to read as follows:

15.35.130 General, Educational, Health Services Uses

ZONES:

P – Park ABC – Aviation Business Center UM – Urban Medium Density
 I – Industrial/Manufacturing UH – Urban High Density O/CM – Office/Commercial Medium
 UH-UCR – Urban High-Urban Center Residential O/C/MU – Office/Commercial/Mixed Use
 NB – Neighborhood Business T – Townhouse CB-C – Urban Center
 P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES										
		P	UM	UH	UH-UCR	NB	CB-C	ABC	I	O/CM	O/C/MU	T
GENERAL USES												
041	Wireless Communications Facility	C/P(6)	C/P(6)	C/P(6)	C/P(6)	C/P(6)	C/P(6)	C/P(6)	C/P(6)	C/P(6)	C/P(6)	C/P(6)
042	Communications Facility		Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-P	Mr.-P Mjr.-P	Mr.-P Mjr.-C	Mr.-P Mjr.-C
043	Dry Cleaner			P(1,2)	P(2)	P	P	P(1)		P(2)	P(2)	P(2)
044	Auto Repair					C	P		P			
045	Auto Service					P	P	P(1)	P			
046	Funeral Home/Crematory	C				P	P(1)	P(1)	P	P(2)		
047	Veterinary Clinic				P(2)	P	P	P(1)	P	P(2)	C	
048	Kennel					P	P(1)		P			

049	Day Care I		P(3,5)	P(3,5)	P(3,5)	P(3,5)		P(1,3,5)		P(2,3,5)	P(2,3,5)	P(2,3,5)
050	Day Care II		P(3)	P(3)	P(3)	P(3)	P(3)	P(3)		P(2,3)	P(2,3)	P(2,3)
051	General Repair					P	P(1)	P(1)	P	P(2)		
EDUCATIONAL USES												
055	Elementary – Jr. High		C	C	C			C				
056	High School		C	C	C	P	C	C				
057	Vocational School					C	P	C	C	P(2)	P(2)	
058	Specialized Instruction School		P(4)	P(4)	P	P	P	P	P	P(2)	P(2)	
059	College/University		C	C	C		P	P		P	P(2)	
HEALTH SERVICES USES												
062	Office/Outpatient Clinic			P	P	P	P	P	P	P	P	
064	Hospital					P	P	P		C		
065	Medical/Dental Lab			C	C	P	P	P	P	P	P	P(2)
066	Miscellaneous Health				C	P	P	P		C	C	
067	Opiate Substitution Treatment Facility						C(7)	C(7)	C(7)			

- (1) Accessory to a primary use not to exceed twenty percent (20%) of primary square footage.
- (2) Permitted as a part of a mixed use development.
- (3) Day Care I: DSHS license required.
Day Care II: DSHS license required/SEPA review required.
- (4) Limited to three (3) students per day.
- (5) Except as provided pursuant to SMC 15.10.166 for family day care (Ord. No. 94-1030, Effective 8/11/94).
- (6) See the use charts in SMC 15.31A.031(B) and (C) for specifics.
- (7) Subject to the CUP-EPF siting process (SMC 15.22.035).

Section 14. Section 15.35.150 of the SeaTac Municipal Code is hereby amended to read as follows:

15.35.150 Retail/Commercial Uses

ZONES:

- P – Park ABC – Aviation Business Center
- UM – Urban Medium Density I – Industrial/Manufacturing
- UH – Urban High Density O/CM – Office/Commercial Medium
- UH-UCR – Urban High-Urban Center Residential O/C/MU – Office/Commercial/Mixed Use
- NB – Neighborhood Business T – Townhouse
- CB-C – Urban Center
- P – Permitted Use; C – Conditional Use Permit

US E #	LAND USE	ZONES										
		P	U M	UH	UH- UC R	NB	CB- C	ABC	I	O/C M	O/C/M U	T
RETAIL/COMMERCIAL USES												
101	Hotel/Motel and Associated Uses					P	P	P		P	C	
102	Forest Products					P(3)	P(3)	P(3)	C(1)	P(3)		
103	Hardware/Garden Material					P	P			P(6)	P(6)	P(6)
104	Department/Variety Store					P	P	P		P(6)	P(6)	
105	Food Store			P(8)	P(6)	P	P	P		P(6)	P(6)	P(6)
106	Agricultural Crop Sales (Farm Only)					P	P					
107	Auto/Boat Dealer						P(2)		P	C(2)		
108	Auto Supply Store					P	P(6)		P	C(6)	C(6)	
109	Gasoline/Service Station					C	P		P			
109.1	Mobile Refueling Operation	P(9)	P(9)	P(9)	P(9)	P(9)	P(10)	P(10)	P(10)	P(10)	P(9)	P(9)
110	Apparel/Accessory Store			P(7)	P(6)		P	P(2)		P(6)	P(6)	
111	Furniture Store				P(6)		P			P(6)	P(6)	
112	Fast Food/Restaurant			C(2,4)	P(4,6)		P	P	P	P(4,6)	P(4,6)	P(4,6)
112.	Retail Food Shop			P(8)	P(6)	P	P	P		P(6)	P(6)	

1												
112.2	Tavern			P(6)	P(8)	P	P		P(6)	C	P(6)	
113	Drug Store		P(7)	P(6)	P	P	P		P(6)	P(6)	P(6)	
114	Liquor Store					P			P	C		
115	Antique/Secondhand Store			P(6)	P	P			P(6)	P(6)	P(6)	
116	Sporting Goods and Related Stores			P(6)	P	P	P		P(6)	P(6)	P(6)	
117	Media Material		P(7)	P(6)	P	P	P		P(6)	P(6)		
118	Jewelry Store		P(7)	P(6)	P	P	P		P(6)	P(6)	P(6)	
119	Hobby/Toy Store		P(7)	P(6)	P	P	P		P(6)	P(6)	P(6)	
120	Photographic and Electronic Store			P(6)	P	P	P		P(6)	P(6)	P(6)	
121	Fabric Store		P(7)	P(6)		P	P		P(6)	P(6)	P(6)	
122	Florist Shop		P(7)	P(6)	P	P	P		P(6)	P(6)	P(6)	
123	Pet Store			P(6)		P			P(6)	P(6)	P(6)	
124	Wholesale/Bulk Store					C	C	P	C(6)	P(6)		
125	Beauty Salon		P(8)	P(6)	P	P	P		C(6)	P(6)	P(6)	
125.1	Laundromat		P(7)	P	P	P			P	P(6)		
125.2	Espresso Stand		P(2)	P	P	P	P	P	P	P(6)	P	
125.3	Comm. Marine Supply				C	P		P				
126	Other Retail Uses		P(7)	P(6)	C	P	C		P	C	P(6)	
127	Adult Entertainment					C(5)	C(5)	C(5)				

- (1) Forest product related businesses shall provide the following:
 - a. Minimum of ten (10) acres;
 - b. Access to major arterial; and
 - c. Minimum thirty (30) foot buffers around the perimeter of property (Type II landscaping).
- (2) Accessory to primary use not to exceed twenty percent (20%) of primary use.
- (3) Temporary forest product sales related to holidays. Merchandise limited to Christmas trees, wreaths, herbs and associated decorations.
- (4) No fast food restaurants with drive-through facilities allowed.
- (5) See SMC 15.29.010.

- (6) Permitted as part of a mixed use development, as described in SMC 15.35.610.
- (7) Small, resident-oriented uses only, as part of a residential mixed use project.
- (8) Small, resident-oriented uses only.
- (9) Permitted only to refuel heavy equipment at a construction site, subject to the criteria under SMC 15.13.103.
- (10) Subject to the criteria under SMC 15.13.102.

Section 15. Section 15.38.110 of the SeaTac Municipal Code is hereby amended to read as follows:

15.38.110 Residential Uses

ZONES:

- UL – Urban Low Density
- UM – Urban Medium Density
- UH – Urban High Density
- UH-UCR – Urban High-Urban Center Residential
- CB-C – Urban Center
- T – Townhouse

P – Permitted Use; C – Conditional Use Permit; Blank Cell Means Use Prohibited

USE #	LAND USE	ZONES					
		UL(8)	UM	UH	UH-UCR	CB-C	T
RESIDENTIAL USES							
001	Single-Family						
002	Duplex		P				P(9)
003	Townhouses		P				P
004	Multi-Family		P(6)	P(6)	P	P	
005	Senior Citizen Multi		P	P	P	P	
006	Manufactured/Modular Home						
006.1	Mobile Home (non-HUD)						
007	Bed and Breakfast/Guesthouse		P(1)	P(1)	P(1)		
008	Community Residential Facility I	P	P(2)	P(2)	P(2)	P(2, 5)	
008a	Community Residential Facility II			P	P	P(5)	
008b	Transitional Housing			C(7)	C(7)	P(5, 7)	
010	Rest/Convalescent Center/Nursing Home		P	P	P		
011	Mobile Home Park						
013	College Dormitory					P	
ACCESSORY USES							
018	Home Occupation		P(4)	P(4)	P(4)	P(4)	P(4)

019	Shed/Garage		P(3)	P(3)	P(3)		P
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- (1) Standards for Bed and Breakfast:
 - a. Number of guests limited to six (6), with no more than three (3) bedrooms;
 - b. Parking area for three (3) nonresident vehicles, and screened;
 - c. Proof of King County Health Department approval;
 - d. Breakfast is only meal served for paying guest.
- (2) Standards for Community Residential Facilities I:
 - a. No more than five (5) nonsupport people, unless as modified pursuant to requirement (2)(e)**;
 - b. No more than two (2) support people**;
 - c. Any parking space in excess of two (2) shall be screened and not visible from public streets;
 - d. In UM zone, house shall maintain residential character;
 - e. Reasonable accommodation shall be made for persons with disabilities as required by state and federal law. See SMC 15.12.018 for accommodation procedure.

** (a) and (b) do not apply to state-licensed adult family homes and foster family homes.
- (3) Limited to one thousand (1,000) gsf and a twenty (20) foot height limit (highest point).
- (4) See Chapter 15.17 SMC for standards and limitations.
- (5) Permitted only as part of a mixed use development, as described in SMC 15.38.620, and arranged on site as described in SMC 15.38.610.
- (6) Ground floor pedestrian-oriented uses, as described in SMC 15.38.107, are allowed, but not required in the UM zones and in the UH-1,800 and UH-900 zones.
- (7) Must have adequate on-site and program management, and satisfactory written policies and procedures, including those describing tenant selection, assistance, denial or termination, and housing safety standards. Screening must not allow as residents persons who have been classified as Class III sexual offenders.
- (8) Existing single-family homes are exempt from the provisions of this chapter.
- (9) Duplexes allowed in Townhouse Zone only as part of townhouse development. See Chapter 15.39 for standards.

Section 16. Section 15.38.120 of the SeaTac Municipal Code is hereby amended to read as follows:

15.38.120 Recreational/Cultural Uses

ZONES:

- UL – Urban Low Density
- CB-C – Urban Center

UM – Urban Medium Density

T – Townhouse

UH – Urban High Density

P – Park

UH-UCR – Urban High-Urban Center Residential

P – Permitted Use; C – Conditional Use Permit; Blank Cell Means Use Prohibited

USE #	LAND USE	ZONES						
		P	UL	UM	UH	UH-UCR (2)	CB-C (2)	T
RECREATIONAL/CULTURAL USES								
022	Community Center	P		C	P	P	P	
023	Golf Course	P						
024	Theater	P(1)				P	P	
025	Drive-In Theater							
026	Stadium/Arena							
027	Amusement Park							
028	Library			P	C	P	P	C
029	Museum			C	C	P	P	
030	Conference/Convention Center					P	P	
031	Cemetery							
032	Private/Public Stable	P						
033	Park	P		P	P	P	P	P
034	Religious Use Facility	C/P (3, 4)		C/P (3, 4)	P	P	P	
035	Religious Use Facility, Accessory	C/P (3, 4)		C/P (1, 3, 4)	C(1)	P(1)	P	
036	Recreational Center	P			P	P	P	
036.5	Health Club				C(1)	P	P	
037	Arcade (Games/Food)	P			P(1)	P(1)	P	
038	Nonprofit Organization	C/P (3, 4)		C/P (3, 4)	P	P	P	

(1) Accessory to primary use not to exceed twenty percent (20%) of primary square footage.

(2) For new development and redevelopment projects that are located in the CB-C and UH-UCR zones, except for the areas south of S. 154th St., at least sixty percent (60%) of the length of the exterior ground floor facing the street(s) shall be a pedestrian-oriented retail, office, or public use as described in SMC 15.38.107.

(3) Allowed as a minor CUP subject to criteria under SMC 15.22.030(E).

(4) Allowed as a permitted use subject to the criteria in SMC 15.12.100.

Section 17. Section 15.38.150 of the SeaTac Municipal Code is hereby amended to read as follows:

15.38.150 Retail/Commercial Uses

ZONES:

- UL – Urban Low Density
- UM – Urban Medium Density
- UH – Urban High Density
- UH-UCR – Urban High-Urban Center Residential
- CB-C – Urban Center
- T – Townhouse

P – Permitted Use; C – Conditional Use Permit; Blank Cell Means Use Prohibited

USE #	LAND USE	ZONES					
		UL	UM	UH	UH-UCR	CB-C	T
RETAIL/COMMERCIAL USES							
101	Hotel/Motel and Associated Uses			C(8)	P(4)	P	
102	Forest Products					P(2)	
103	Hardware/Garden Material					P	
104	Department/Variety Store					P	
105	Food Store			P(6)	P(4)	P	
106	Agricultural Crop Sales (Farm Only)					P	
107	Auto/Boat Dealer						
108	Auto Supply Store					P(4)	
109	Gasoline/Service Station						
109.1	Mobile Refueling Operation		P(9)	P(9)	P(9)	P(10)	P(9)
110	Apparel/Accessory Store			P(5)	P(4)	P	
111	Furniture Store				P(4)	P	
112	Restaurant			C(1)	P(4)	P	
112.1	Retail Food Shop			P(6)	P(4)	P	
112.2	Tavern				P(4)	P	
113	Drug Store			P(5)	P(4)	P	
114	Liquor Store					P	
115	Antique/Secondhand Store				P(4)	P	
116	Sporting Goods and Related Stores				P(4)	P	
117	Media Material			P(5)	P(4)	P	
118	Jewelry Store			P(5)	P(4)	P	
119	Hobby/Toy Store			P(5)	P(4)	P	
120	Photographic and Electronic Store				P(4)	P	
121	Fabric Store			P(5)	P(4)	P	

122	Florist Shop			P(5)	P(4)	P	
123	Pet Store				P(4)	P	
124	Wholesale/Bulk Store					C	
125	Beauty Salon			P(6)	P(4)	P	
125.1	Laundromat		P(6)	P(5)	P	P	
125.2	Espresso Stand (7)			P	P	P	
125.3	Comm. Marine Supply					P	
126	Other Retail Uses			P(5)	P(4)	P	
127	Adult Entertainment					C(3)	

- (1) Accessory to primary use not to exceed twenty percent (20%) of primary use.
- (2) Temporary forest product sales related to holidays. Merchandise limited to Christmas trees, wreaths, herbs and associated decorations.
- (3) See SMC 15.29.010.
- (4) Permitted as part of a mixed use development, as described in SMC 15.38.610.
- (5) Small, resident-oriented uses only, as part of a residential mixed use project.
- (6) Small, resident-oriented uses only.
- (7) Walk-up only.
- (8) Conditional use with greater than or equal to fifty percent (50%) residential use.
- (9) Permitted only to refuel heavy equipment at a construction site, subject to the criteria under SMC 15.13.103.
- (10) Permitted only to refuel heavy equipment at a construction site, subject to the criteria under SMC 15.13.102.

Section 18. Section 15.10.066 is hereby added to the SeaTac Municipal Code to read as follows:

15.10.066 Auto Court

An access drive that is bounded on two or more sides by the walls of buildings, providing primary and/or secondary means of access to abutting property but not intended for general traffic circulation.

Section 19. Section 15.10.157 is hereby added to the SeaTac Municipal Code to read as follows:

15.10.157 Courtyard

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

Section 20. Section 15.10.191 is hereby added to the SeaTac Municipal Code to read as follows:

15.10.191 Duplex, Side-By-Side

A building containing two (2) dwelling units totally separated from each other by an unpierced wall extending from basement to roof.

Section 21. Section 15.10.192 is hereby added to the SeaTac Municipal Code to read as follows:

15.10.192 Duplex, Up-Down

A building containing two (2) dwelling units totally separated from each other by an unpierced ceiling and floor extending from exterior wall to exterior wall.

Section 22. Section 15.10.230 is hereby repealed from the SeaTac Municipal Code.

15.10.230 Dwelling Unit, Townhouse/Duplex

~~A building containing a single dwelling unit that occupies space from the ground to the roof and attached to one (1) or more other townhouse dwellings by common walls which may be located on side lot lines.~~

Section 23. Section 15.39.430 is hereby repealed from the SeaTac Municipal Code.

Section 24. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 25. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 26. The Ordinance shall be effective five days after passage and publication as required by law.

ADOPTED this 9th day of December, 2008, and signed in authentication thereof on this 9th day of December, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date December 20, 2008]

[Townhouse and Duplex Standards Update]

ORDINANCE NO. 08-1042

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Chapter 15.19, Sections 15.10.380, 15.10.390, 15.13.030 and 15.35.320, adding a new Section 15.13.025, and repealing Sections 15.13.035, 15.19.080 and 15.19.820, of the SeaTac Municipal Code regarding zoning and development regulations.

WHEREAS, the Growth Management Act requires regular review and update of development regulations which implement the City's Comprehensive Plan; and

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City; and

WHEREAS, in reviewing the Zoning Code, certain development regulations have been identified as requiring definition, clarity, amendment or addition; and

WHEREAS, the Planning Commission has reviewed the aforesaid changes to development regulations; and

WHEREAS, the Planning Commission held a public hearing for the purpose of soliciting public comment in regard to these Zoning Code changes on November 10, 2008; and

WHEREAS, the Planning Commission has recommended the deletions and additions for adoption by the Council;

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

Section 1. Chapter 15.19 of the SeaTac Municipal Code is hereby amended to read as follows:

15.19.010 Repealed

15.19.060 Authority and Application

15.19.070 Purpose

15.19.100 Site Design and Building Orientation

15.19.110 Building Orientation with Respect to Streetscape

15.19.120 Site Layout

15.19.130 Pedestrian Circulation

15.19.140 Location of Parking

15.19.150 Driveway Entrances

15.19.160 Exterior Lighting 15.19.170 Landscaping

15.19.180 Density Calculation

15.19.200 Building Design

15.19.210 Pedestrian Building Entries

15.19.220 Character and Massing

15.19.230 Neighborhood Compatibility/Relation to Adjacent Development

15.19.240 Privacy

15.19.250 Building Security

15.19.260 Building Materials

15.19.300 Vehicular Access and Circulation

15.19.310 Vehicular Access

15.19.320 Traffic Calming

15.19.330 Buffering Adjacent to Expanded Streets

15.19.400 Design of Surface and Structured Parking

15.19.410 General Considerations

15.19.420 Design of Surface Parking Lots

15.19.430 Design of Structured Parking

15.19.500 Recreation and Open Space

15.19.510 Minimum Area Required

15.19.520 Play Space for Children

15.19.530 Location and Layout of Recreation and Open Space

15.19.540 Courtyards and Plazas

15.19.550 Maintenance

15.19.560 Cash Contribution in Lieu of On-Site Recreational Facilities

15.19.600 Incentives

15.19.610 Application of Incentives

15.19.620 Senior Housing

15.19.630 Mixture of Unit Sizes
15.19.640 Condominium/Owner-Occupied Housing
15.19.650 Underground Parking
15.19.660 Outdoor Recreation/Open Space
15.19.670 Architectural Design

15.19.700 Repealed

15.19.710 Repealed

15.19.750 Small Lot Single-Family

15.19.760 Small Lot Single-Family Standards

15.19.770 Departures from the Small Lot Single-Family Standards

**15.19.800 Multi-Family Properties in the City Center and the S. 154th
Street Station Area**

15.19.810 Applicability

15.19.830 Open Space

15.19.900 Concept Illustrations

15.19.010 Purpose

Repealed by Ords. 00-1002 and 01-1031.

15.19.060 Authority and Application

- A. The provisions of this chapter shall apply to all multi-family development of three (3) units or more throughout the City. These standards shall supersede existing regulations elsewhere in SMC Title 15 when in conflict with this chapter.
- B. The provisions of this chapter shall apply to all development meeting one (1) or more of the following thresholds:
 - 1. All new construction requiring building permits; and/or
 - 2. Major Redevelopment.
 - a) Additions or alterations to a building, excluding interior-only improvements, which total fifty percent (50%) or more of the gross square footage (GSF) of the existing building(s) , except for the S. 154th Street Station Area.
 - b) Major Redevelopment in the S. 154th Street Station Area. Additions or alterations to a building, excluding interior-only improvements, which total twenty-five percent (25%) or more of the gross square footage (GSF) of the existing building(s).
 - c) Only the portions of the building being altered or added to shall be required to integrate multi-family design standards into the design of the alteration or addition.
- C. In order to provide flexibility and creativity of project designs, departures from these design standards may be permitted, subject to the approval of the Director of Planning and Community Development, providing:
 - 1. The strict interpretation or application of these Design Standards would be inconsistent with related provisions of the Zoning Code or would be contrary to the overall goals and objectives of the Comprehensive Plan; or
 - 2. The departure creates a project design that better meets the overall purpose and intent of the design standards.

15.19.070 Purpose

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

- A. **Quality Design.** A quality development is one that is functional and pleasant for its residents as well as the public. Such a development starts with an investment in quality materials that will not rapidly decay, and design that ensures ample privacy as well as amenities for residents. Well-designed environments will provide places for residents to meet and visit, open spaces located to take advantage of sunny exposures, and safe places for children to play. A high quality development will also contribute to an attractive streetscape by providing buildings with architectural detailing, entries that present themselves with an air of pride, and landscaping that adds color, texture and comfort to a neighborhood.
- B. **Neighborhood Compatibility.** Good design also ensures neighborhood compatibility by appropriate scale and massing adjacent to existing housing. Landscaping and the careful placement of windows and balconies for privacy help to create a pleasant environment.
- C. **Enhanced Security.** Crime Prevention Through Environmental Design (CPTED) is a concept that employs site and building design as a crime prevention strategy intended to reduce the opportunity for criminal behavior, reduce the incidence and fear of crime, reduce calls for police service, and improve the quality of life. It includes four (4) principles:
 1. **Natural surveillance.** The arrangement of space and buildings that enables residents to observe their surroundings. Natural surveillance increases safety by allowing residents to see trespassers. Making a potential offender feel that they will be seen and reported discourages criminal behavior.

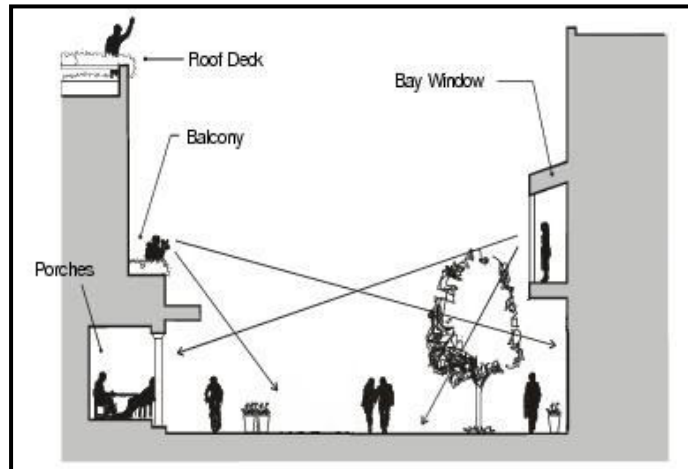


Figure 15.19.070 Windows and balconies overlooking a street contribute to an active and safe streetscape.

2. Natural access control. The placement of walkways, building entrances, fences, landscaping, and lighting to discourage access to crime targets and create the perception of risk to offenders. Natural access control enhances safety through design, which reduces or supplements the use of more costly access control such as security guards and mechanical devices.
3. Territorial reinforcement. Extending the sense of ownership from the private residence to the nearby areas outside the dwelling through physical improvements such as fencing, pavement, landscaping and lighting. Clearly defined territory deters entrance by those with criminal intent and makes their actions more visible and likely to be reported by those who recognize the territory as their own.
4. Maintenance. Ensuring that buildings and grounds are maintained for resident safety, neighborhood aesthetics, and to reflect building management. Maintenance serves as an expression of ownership and allows for continued use of the space for its intended purpose. Maintenance prevents a reduction of visibility from landscaping and obstructed or inoperative lighting. A clean and well-maintained site tells offenders that residents care about their surroundings and criminal behavior will not be tolerated.

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

15.19.100 Site Design and Building Orientation

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

15.19.110 Building Orientation with Respect to Streetscape

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

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

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

- a. The building shall be oriented to a street, with a prominent entrance and clear connection to the sidewalk. The primary entrance of the building shall be located on the facade facing the street with the highest roadway classification as delineated by the SeaTac Comprehensive Plan. In cases where the building is adjacent to private streets only, the location of the primary entrance shall be determined by the Director of Planning and Community Development, taking into consideration pedestrian and vehicle connectivity and the surrounding pattern of development;
- b. When physical site limitations such as topography; existing trees or other natural features prevent the main entrance from being located on the street-facing facade, the building may be oriented to a courtyard with a prominent pedestrian entrance and clear connection to the public sidewalk;

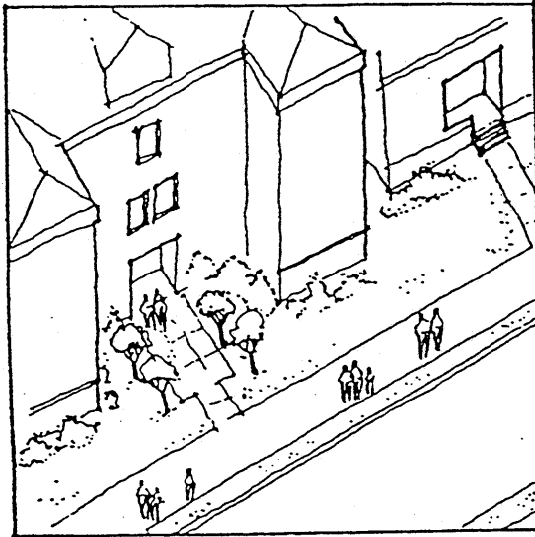


Figure 15.19.110 This building is located facing the street with a prominent entrance and pedestrian path to the sidewalk.

2. In complexes with several buildings, those buildings shall be oriented in one (1) of the following manners:
 - a. Buildings shall be oriented to the streetscape with prominent entries and walkways connecting directly to the public sidewalk; or
 - b. Buildings shall be oriented to an interior courtyard, or to a cohesive system of open space and pedestrian pathways with a prominent pedestrian entry to the site and walkway connecting directly to the public sidewalk.

15.19.120 Site Layout

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

- A. Arrange the site in a cohesive and planned manner through one (1) or more of the following methods:
 1. Divide large multi-building developments into several smaller usable areas, each with individually designed open space, children's play areas, internal circulation, and parking;
 2. Configure several buildings around a courtyard;

3. In a development with one (1) building, configure the building around a courtyard or create several smaller areas of open space each near a separate entry;
 4. Provide a secured site with controlled auto and pedestrian access via gates with a security system.
- B. Limit the number of persons accessing buildings by a common entryway.
1. The number of dwellings using a common, unsecured building entrance shall be limited to not more than four (4);
 2. The number of units using the same access point shall be limited to not more than twelve (12) units in secured buildings, unless a prominent entryway and lobby are provided;
 3. Provide a secured building with a prominent entryway and lobby in buildings of four (4) or more stories. A secured building is one where access is controlled by key or card key on all building entrances.

The above provisions shall be reviewed and approved by the Planning Director as satisfying the requirement of the territorial reinforcement objective. More than one (1) of the above methods maybe required if necessary to achieve the objective.

15.19.130 Pedestrian Circulation

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

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

15.19.140 Location of Parking

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

- A. No parking shall be located between a building and the front property line, other than a driveway for passenger loading and off-loading only in conformance with SMC 15.19.150. Surface parking shall be located behind a building or to the side of a building.
- B. Parking located next to a building and within forty (40) feet of the front property line shall not occupy more than the width of two (2) lengthwise parking stalls and one (1) travel lane, or sixty-two (62) feet, whichever is less.
- C. On corner lots, no parking shall be located between the building and either of the two (2) front property lines. If a parcel abuts more than two (2) public or private streets, no parking shall be located between the building and the front property line abutting the two (2) public and/or private streets with the highest classification.
- D. Parking shall either be secured or visible from surrounding units.
- E. Large parking areas in multiple building developments shall be broken up into small lots related to the group of buildings served.
- F. Parking may be located in the rear setback area when access is from an alley abutting the rear lot line. On corner lots, such parking may not extend into the portion of the setback area required as a front yard adjacent to the street.
- G. Parking which is located below grade may be located within a required front or side setback area if situated completely below the level of the abutting sidewalk, and the required landscaping can be provided on top of the below-grade parking structure.
- H. Tandem parking for parking spaces serving the same dwelling unit may be used if the parking is located within the rear setback area and gains access from an abutting alley, or when one (1) of the parking spaces is located within a private garage, and the other is located in the driveway providing access to the parking space within the private garage. Except for developments in which tandem spaces are located within the rear setback area and gain access from

an abutting alley, not more than fifty percent (50%) of parking spaces within a multi-family development may be placed within a tandem configuration.

15.19.150 Driveway Entrances

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

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

15.19.160 Exterior Lighting

Intent: Lighting design should consider the appropriate placement and quantity of light to provide for security and aesthetic appreciation while avoiding glare and excessive brightness. Lighting contributes to a residential community by extending the hours of outdoor use. Common industry standards for lighting design as outlined by the industry group IESNA (Illuminating Engineering Society of North America) shall provide guidance for appropriate lighting quantity and design. Additionally, lighting levels of adjacent uses should be considered to avoid competing light levels. Maximum light levels should be considered adjacent to single-family residential areas. Lighting directed to accent landscaping or architectural features is appropriate, especially at entries.

- A. Lighting standards shall be no greater than sixteen (16) feet in height, and used to illuminate surfaces intended for pedestrians or vehicles, as well as building entries. Light fixtures illuminating surfaces intended for pedestrians shall include pedestrian-scale elements a maximum of twelve (12) feet in height.
- B. Exterior lighting shall be used to identify and distinguish the pedestrian walkway network from automobile circulation. Along pedestrian circulation corridors, lighting standards shall be placed between pedestrian ways and public and/or private streets, driveways or parking areas.
- C. Effective lighting for pedestrian areas and pathways shall be directed toward the ground.
- D. Light fixtures shall be sited and directed to minimize glare around residences.
- E. Lighting shall be sited to provide visibility in common areas and building entrances, including mail kiosks, stair wells, parking garages, laundry rooms, exercise rooms, and outdoor common areas of the site.

15.19.170 Landscaping

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

- A. Landscape buffering adjacent to noncompatible uses shall be provided as specified in SMC 15.14.060.
- B. Landscaping shall be used to soften the form of the building by screening blank walls and fences, terracing retaining walls, and use of foundation planting. Building facade landscaping shall be provided, as required by SMC 15.14.060.
- C. Create physical separation and transition from public and semi-public to semi-private and private areas on-site through the use of entryways, gates and landscaping.

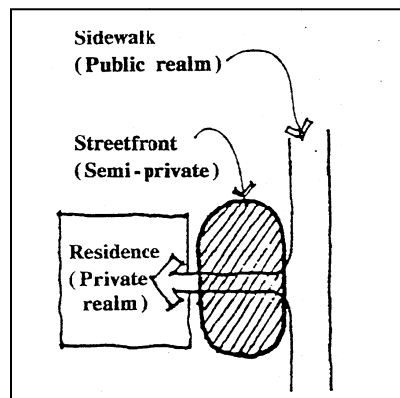


Figure 15.19.170A Defining and separating public from semi-public and private space contributes to both privacy and security.

Definition and separation of public from private areas

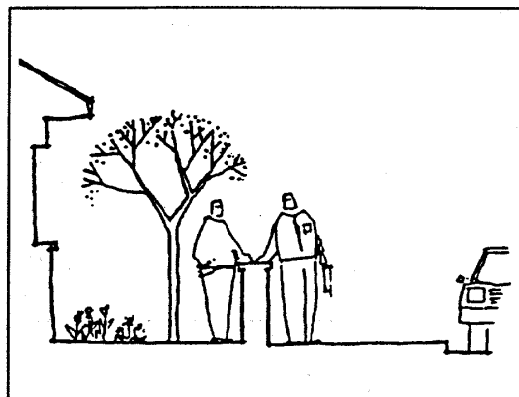


Figure 15.19.170B A small half-wall or fence maintains visibility while creating transition between public and private space.

- D. Distinctive plantings shall be provided to define entries, seating areas, and provide accents in areas created by building modulation.
- E. At least one (1) plaza/focal area with distinctive plantings, a minimum of two hundred (200) square feet shall be provided for each twelve (12) units.
 - 1. Plaza/focal areas shall include a minimum of one (1) tree for each two hundred (200) square feet of required area. The plaza/focal area shall consist of at least fifty percent (50%) decorative paving, and include one (1) lineal foot of seating per each forty (40) square feet of required plaza area.
 - 2. Such areas may count toward the required front yard landscaping requirement; provided, that the width of the required front yard landscaping may be reduced by a maximum of twenty-five percent (25%). (For instance in multi-family developments, the required twenty (20) feet of Type III street frontage landscaping may be reduced to no less than fifteen (15) feet of landscaping along the street frontage.)
- F. Landscaping shall be designed and maintained to allow sight lines through the property except where this code requires Type I landscaping. Shrubs should be chosen and trimmed down to a maximum of three (3) feet in height; trees should be trimmed up to provide visual clearance below six (6) feet in height.
- G. Fences more than seventy percent (70%) solid are not allowed in a front yard adjacent to the street unless the front yard is a private yard located on an arterial street. Chain link fences shall not be placed in a front yard and shall only be used elsewhere if coated or finished to prevent rust.
- H. New plant materials shall be positioned in a manner that is compatible with native plants.
- I. Locate stormwater facilities as elements of designed landscaping and so as not to impede pedestrian circulation.

15.19.180 Density Calculation

Intent: Ensure appropriate densities on properties with sensitive areas.

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

$$\text{Net Site Area/Minimum Lot Size} = \text{Maximum \# of Allowed Units}$$

- B. For the purposes of this section, the net site area is the total site area minus any areas that are classified as one (1) of the following sensitive areas:
1. Class I, II or III wetlands;
 2. Class I, II or III streams;
 3. Slopes greater than forty percent (40%).
- C. Buffers for the above sensitive areas shall be considered part of the net site area but shall not be built on. Development on a site with wetlands, streams, or steep slopes shall meet all Federal, State and local laws and regulations. Units shall be clustered on the developable portion of the site.

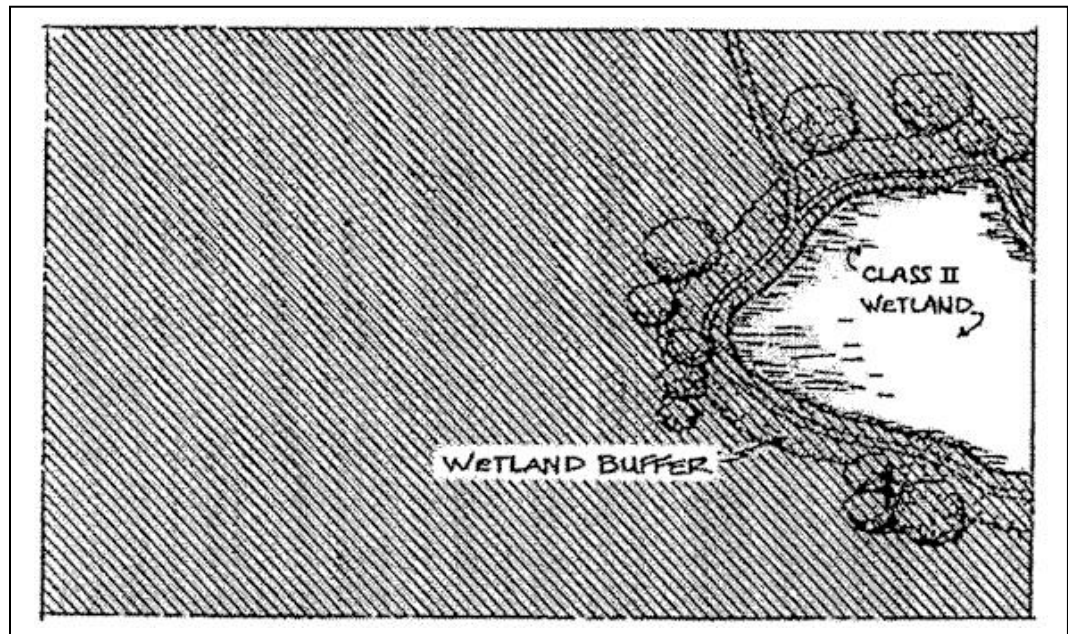


Figure 15.19.180 Net Site Area. The net site area (crosshatched in this illustration) excludes sensitive areas, such as wetlands, but includes sensitive area buffers.

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

$$\text{Net Site Area} = \text{Total Site Area} - \text{Sensitive Areas}$$

$$\text{Net Site Area} = 10 \text{ Acres} - 2 \text{ Acres} = 8 \text{ Acres}$$

$$\text{Net Site Area/Minimum Lot Size} = \text{Maximum \# of Allowed Units}$$

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

This calculation is the maximum number of allowable units for the site. The actual number of units shall be determined by site design and must meet all required development standards of the zoning and building codes.

15.19.200 Building Design

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

15.19.210 Pedestrian Building Entries

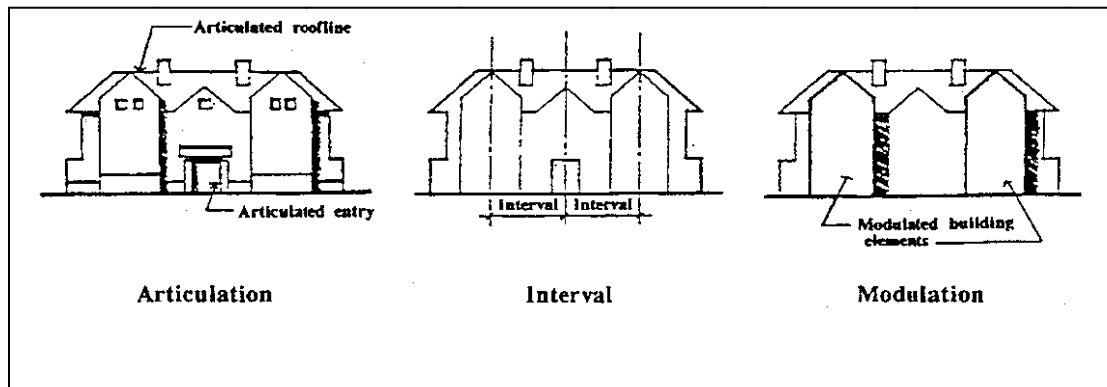
Intent: Provide pedestrian entries that are prominent and highly visible from other buildings and public areas and consider safe alignments of sidewalks and paths. Elevating units a short distance above the grade contributes to privacy and security.

- A. Entries from a street shall be clearly marked with weather protection, canopies, architectural elements, ornamental lighting, or landscaping.
- B. Entries from parking lots shall be subordinate to those related to the street.
- C. Clear pedestrian paths separate from parking areas shall connect building entrances to sidewalks. Pedestrian paths shall be illuminated pursuant to Chapter 17.40 SMC, Walkway, Bikeway and Park Lighting.
- D. Multi-family buildings shall utilize half flight-up front entries off the street, giving privacy as well as a view of the street and sidewalk. An entry raised two and one-half (2.5) feet above the grade shall be considered sufficient to meet this requirement. In units where the grade is a minimum of two and one-half (2.5) feet above the adjacent parking, sidewalk or other common areas, the half flight-up entry requirement shall be deemed to have been met.
- E. The Director of Planning and Community Development may waive this requirement if half flight-up entries are not feasible or desirable in a given design, such as in senior housing, or where disabled access is required.

15.19.220 Character and Massing

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

Figure 15.19.220 Architectural terms used to describe building massing concepts.



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

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

Modulation is a measured and proportioned inflexion or setback in a building's face. Together, articulation, modulation and their interval create a sense of scale important to residential buildings.

- A. Building facades shall be articulated with architectural elements that break up long blank walls, add visual interest, and enhance the character of the neighborhood. Vertical articulation shall occur at intervals of no more than forty (40) feet.

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

1. Providing a balcony, bay window, porch, patio, deck, or clearly defined entry for each interval.
2. Providing, a lighting fixture, trellis, prominent ornamental tree or other landscape feature within each interval.

3. Providing architectural features such as setbacks, indentations, overhangs, projections, cornices, bays, canopies, or awnings. Building modulations shall be a minimum of two (2) feet in depth and two (2) feet in width. The sum of the modulation depth and modulation width shall be no less than eight (8) feet.
 4. Use of material variations such as contrasting colors, brick or metal banding, or textural changes.
 5. Artwork or building ornamentation.
- B. A variety of modulations and articulations shall be employed. No more than four (4) consecutive uniform modulations shall be used. Buildings greater than one hundred sixty (160) feet in length shall provide a prominent central feature among the modulations.
- C. Windows shall provide relief, detail and variation on the facade through the use of significant trim and architectural styling that lends human scale to the facade.

A minimum of two (2) of the following requirements for windows shall be met:

1. Window shall be accented with a drip cap, sill, and trim. The drip cap shall be a minimum of three (3) inches in height and one (1) inch in depth; sills shall be a minimum of three (3) inches in width. Trim shall be a minimum of two (2) inches in width and one (1) inch in depth;
 2. Windows shall be accented through use of multiple panes;
 3. Windows shall be vertically oriented with a height one and one-half (1-1/2) to two (2) times the width;
 4. Windows shall be accented through the use of contrasting trim color and other detailing.
- D. Front facades incorporating a variation in building setback shall include within the setback such architectural elements as covered or recessed building entries, plazas or courtyards, or seating and planting areas.

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

1. **Dormers:** A projection from a sloping roof that contains a window.
2. **Roof Line with Architectural Focal Point:** A prominent rooftop feature such as a peak, tower, gable, dome, barrel vault or roof line trellis structure.
3. **Roof Line Variation:** The roof line articulated through a variation or step in roof height or detail, such as:
 - a. **Projecting Cornice:** Roof line articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.
 - b. **Articulated Parapet:** Roof line parapets shall incorporate angled, curved or stepped detail elements.
4. **Pitched Roof or Full Mansard:** A roof with angled edges, with or without a defined ridgeline and extended eaves.
5. **Terraced Roof:** A roof line incorporating setbacks for balconies, roof gardens, or patios.



F. Blank Walls.

1. “Blank walls” (building facade sections without windows or doors) greater than twenty (20) feet in length that are visible from any right-of-way, private road, open space, sidewalk or through-block pathway shall be screened or treated as described in 15.19.220 (F) (2).
2. Sections of “blank walls” shall be avoided, but if necessary due to privacy or other design considerations, shall be treated in one (1) of the following manners:
 - a. Install vertical trellis in front of the wall with climbing vines or other plant materials over at least seventy percent (70%) of the blank wall surface that is at the ground level, and over at least thirty (30) percent of the remainder of the blank wall surface;
 - b. Provide a decorative masonry pattern, or other architectural feature as approved by the Director of Planning and Community Development, over at least seventy percent (70%) of the blank wall surface that is at the ground level, and over at least thirty percent (30%) of the remainder of the blank wall surface; and/or
 - c. Employ small setbacks, projections, indentations, or intervals of material change to break up the wall’s surface.

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

- G. Building rooftops shall be designed to effectively screen mechanical equipment from street-level view through one (1) or more of the following methods:
1. A concealing roof line;
 2. A terraced facade;
 3. A screening wall or grillwork directly surrounding the equipment; or
 4. Sufficient setback from the facade edge to be concealed from ground-level view.

15.19.230 Neighborhood Compatibility/Relation to Adjacent Development

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

- A. Properties abutting a UL zone, where the UL zone has a Comprehensive Plan designation of residential low, shall incorporate the following:
 1. A maximum building height of thirty-five (35) feet shall apply to portions of a structure within sixty (60) feet of a UL zone with a residential low Comprehensive Plan designation. The thirty-five (35) foot height shall be measured from the base elevation of the UL-zoned property to the midpoint of any sloped roof; provided, that if the multi-family grade elevation is higher than the single-family property, in no case shall the height of the multi-family building be limited to less than thirty-five (35) feet as measured per SMC 15.13.020(C). The base elevation of the UL-zoned property shall be determined by the average of the elevation along the common property line with the subject property opposite the proposed multi-family building(s) at right angles from the property line. The allowed height shall increase at no more than one (1) foot vertical for each foot horizontal until the maximum allowed height in the zone is reached (see Figure 15.19.230A).
 2. A minimum roof pitch of six (6) feet of height for each twelve (12) linear feet of roof shall be required for all portions of multi-family buildings within sixty (60) feet of a UL zone with a residential low Comprehensive Plan designation, and for all multi-family buildings fronting on a street directly across from a UL zone with a residential low Comprehensive Plan designation.

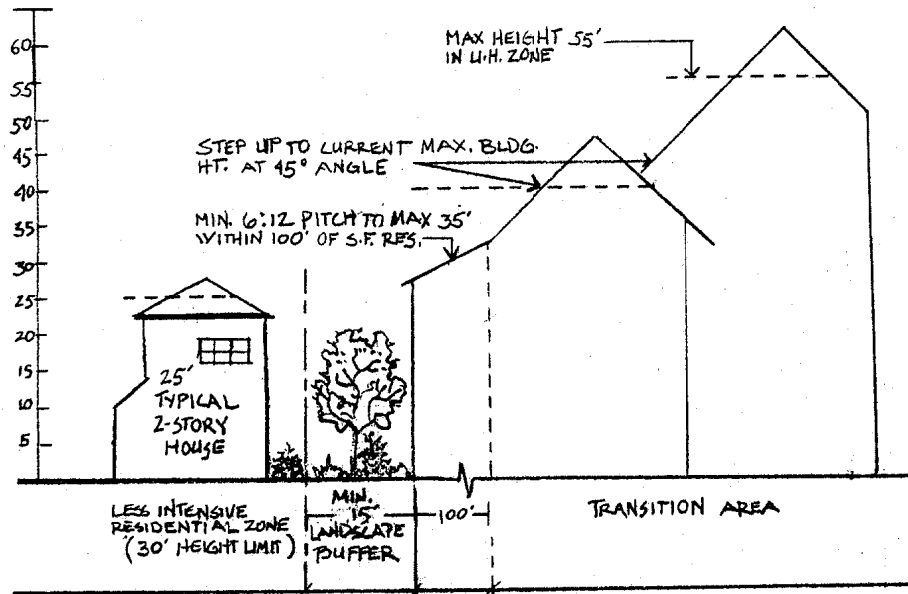


Figure 15.19.230A Building height adjacent to a UL zone with a residential low Comprehensive Plan designation is limited to thirty-five (35) feet for the first sixty (60) feet, then may increase at a forty-five (45) degree angle. Height is measured per SMC 15.13.020(C).

- 3 A minimum side and/or rear yard building setback of twenty (20) feet shall apply if the side or rear property boundaries are adjacent to a UL zone with a residential low Comprehensive Plan designation. Side/rear yard landscaping shall occupy all or part of the required building setback, as specified by land use in SMC 15.14.060.
4. Scale and massing of adjacent residential development shall be considered in the design of new multi-family development. An effective architectural fit within the neighborhood shall be achieved through similarity of design with the adjacent development in one (1) or more of the following ways:
 - a) Similar building proportions, including setbacks on upper levels;
 - b) . Similar building articulation;
 - c) Similar roof lines, pitches, and shapes;
 - d) Similar relationship to the street for entryways and setbacks; and/or
 - e) Similar architectural details or features such as bay windows, dormers, porches, finish materials, recessed entries, and other elements.

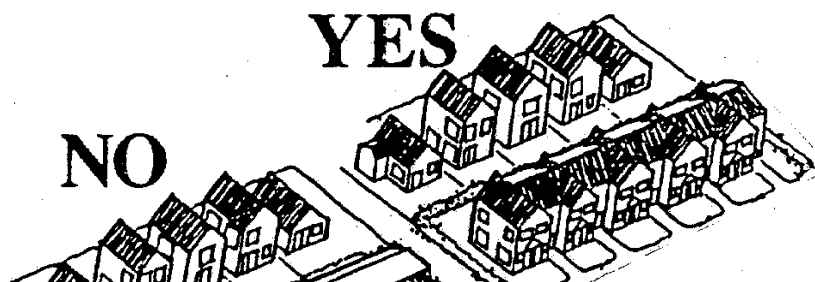


Figure 15.19.230A(4) The building on the right shows how a multi-family structure can be designed to complement an existing neighborhood through the use of similar building modulation and setbacks. The building on the right covers roughly the same lot area as the structure on the left, while appearing as if it “fits” in its surroundings.

- B. Multi-family and mixed use projects abutting a Townhouse (T) zone, or properties with a Townhouse zone Comprehensive Plan designation, shall incorporate the following:
1. Height Requirements within Forty-Five Feet of Townhouse Zone Property. A maximum building height of thirty-five (35) feet shall apply to portions of a structure within forty-five (45) feet of the side and/or rear property line of an adjacent property with a Townhouse zone or Townhouse Comprehensive Plan designation.
 2. Height Allowances within Forty-Five Degree Plane of Townhouse Zone Property. In order to preserve opportunities for light, view and privacy of adjacent townhouses, the height of a building may increase above thirty-five (35) feet as long as it does not project into a forty-five (45) degree angular plane gradient measured from the side and/or rear property line of the adjacent Townhouse Zone property.
 3. Height Allowances Beyond Sixty-Five (65) Feet of Townhouse Zone Property. Building height after sixty-five (65) feet can increase to the maximum allowed by the zone within which the building is located after the requirements in 15.19.230 (B)(2) are met.

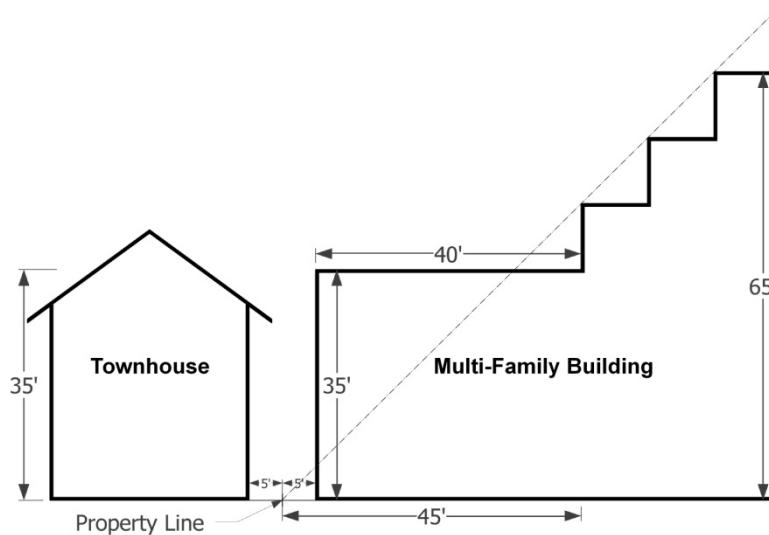


Figure 15.19.230B Diagram showing example of height requirements and allowances for multi-family and mixed use projects abutting Townhouse Zone or townhouse properties.

15.19.240 Privacy

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

- A. Building design shall incorporate the following elements:

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

15.19.250 Building Security

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

- A. Ground floor bedroom windows of residential units shall be separated from the sidewalk and public areas in one (1) of the following manners:
 1. The ground floor shall be raised above ground level a minimum of four (4) feet and pedestrian paths shall be at least five (5) feet away (horizontal separation) from ground floor bedroom windows;
 2. Pedestrian paths shall be at least five (5) feet away (horizontal separation) from ground floor bedroom windows, and windows shall be screened with decorative metal grating providing a fifty percent (50%) to seventy percent (70%) screen and landscaping providing filtered screening. Dense landscaping, such as hedges, shall not be used in front of windows.
- B. Exterior access corridors shall not be located directly adjacent to dwelling windows on upper floors.
- C. Windows on street-front facades shall be provided to allow views of the street.
- D. Common areas shall be designed for visibility and security.
 1. Windows and lighting shall be sited to provide visibility of common areas, including mail kiosks, stair wells, parking garages, laundry rooms, exercise rooms, and other common areas of the site.
 2. Doors between common areas shall have through-door viewers with a minimum one hundred eighty (180) degree viewing range, or windowpanes.
 3. Common areas shall have more than one (1) exit.
- E. Dumpsters and recycling containers shall be conveniently located for residents, and be screened in a manner that allows sufficient visibility to prevent hiding places for unwanted persons.

- F. The following items are minimum security requirements for door and window treatment for residential units:
1. For all exterior doors and doors leading from individual units into common areas:
 - a. Solid-core wood doors or metal doors;
 - b. Through-door viewers with a minimum one hundred eighty (180) degree viewing range;
 - c. Single-cylinder deadbolts extending a minimum of one (1) inch into the frame;
 - d. Security strikeplates a minimum of three and one-half (3-1/2) inches in height mounted with screws a minimum of three (3) inches in length;
 - e. Double locks on sliding doors;
 2. Double locks on ground floor and sliding windows.

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

15.19.260 Building Materials

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

- A. Quality, durable materials that add visual interest shall be used in building design.
1. Color and materials shall be varied in projects as follows:
 - a. In multi-building projects, colors or materials shall be varied from structure to structure to differentiate between buildings, and provide variety and individuality;
 - b. Colors and materials shall be used to visually reduce the size of buildings that are larger than others in the neighborhood, through:
 - i. Contrasting trim detailing;

- ii. Contrasting shades or colors to distinguish the ground from upper floors, or one (1) section of building from another;
 - c. Bright or intense colors should be reserved for accent or trim.
2. A color and materials board shall be submitted and approved prior to permit approval.
- B. Materials that have a track record of installation difficulties or lack of durability shall be subject to provision of warranty information from manufacturers and installers, and provision of a maintenance bond or letter of credit for a period of three (3) years. Building materials with a history of problems with installation and rapid decay may be disallowed.

15.19.300 Vehicular Access and Circulation

Purpose: Vehicular access and circulation should emphasize the safety of pedestrians, enhance the streetscape in the neighborhood and minimize the traffic impact of new developments on existing neighborhoods.

15.19.310 Vehicular Access

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

- A. Access to multi-family developments shall be from a major or minor arterial wherever possible.
- B. Automobile access shall be consolidated with no more than one (1) driveway per one hundred fifty (150) linear feet of street frontage.
- C. Dead end streets shall be permitted only where there is no feasible connection with an adjacent public and/or private street.
- D. Developments shall be oriented to transit stops whenever possible. Lighting shall be provided along pedestrian walkway connections and adjacent to transit stop facilities.
- E. In developments over one hundred (100) units, a bicycle circulation path separate from vehicular circulation and pedestrian paths shall connect buildings within the development. Benches, shade trees or other amenities shall be incorporated into the bicycle/circulation path as appropriate.

15.19.320 Traffic Calming

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

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

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

15.19.330 Buffering Adjacent to Expanded Streets

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

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

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

These off-site improvements shall be required of the developer in addition to other street frontage improvements required by the City.

15.19.400 Design of Surface and Structured Parking

Purpose: These standards are intended to provide for safety and aesthetic considerations in surface and under-building parking within multi-family developments.

15.19.410 General Considerations

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

- A. Parking located under or within buildings shall subordinate the garage entrance to the pedestrian entrance in terms of location and design.
- B. All covered parking shall either be secure parking with electronic entries, or open carport-type structures with roof material of transparent glazing to allow surveillance from above. Unsecured “tuck-under” style parking and carports constructed of solid materials that block visibility of parking areas shall not be allowed.

15.19.420 Design of Surface Parking Lots

Intent: Locate parking such that unsecured parking areas are visible from living units and safely illuminated. Landscaping should provide an aesthetically pleasing treatment, provide for summer shade and absorption of rainwater. Pedestrian pathways should allow for pedestrian safety from parking areas to residences where the two (2) areas are separated. Where multiple driveways are necessary, landscaping should be provided to separate and minimize the impact on the streetscape.

- A. One (1) landscape island a minimum of five (5) feet in width, exclusive of curbs, shall be required for each seven (7) parking spaces as specified in SMC 15.35.840.
- B. Lighting levels in surface parking lots shall conform to the standards in Chapter 17.24 SMC, Parking Lot Lighting.
- C. If carport structures are provided, they shall be designed with transparent glazing to allow views from units above.

- D. Where sidewalks or walkways cross vehicular driveways, provide a continuous raised crossing, or distinguish the crossing from the driveway surface by marking with a contrasting paving material.

15.19.430 Design of Structured Parking

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

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

- A. Lighting of Structured Parking. Lighting levels in structured parking shall conform with the requirements of Chapter 17.28 SMC, Parking Structures.

- B. Elevators and Stairs.

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

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

- D. Facades.

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

restricting access to the facility, the screening must be reasonably strong and durable to withstand vandalism and the elements.

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

2. For underground structures, the first level below grade shall be daylighted by either grading the site down or using air wells to allow natural light and ventilation into the structure. Such openings shall be barred to prevent access and landscaped in a manner that provides both screening and visibility through the landscaping. Openings shall be adjacent to well-traveled walks or frequently used areas of open space.
3. Stand-alone, multi-level aboveground parking structures shall be avoided in multi-family complexes.
 - a. Where allowed by a decision of the Director of Planning and Community Development due to special design or site conditions, multi-level above-ground parking structures shall comply with the top floor variation, character and massing, and minimizing views into the interior requirements of SMC 15.35.910(D), 15.35.920 and 15.35.930(A), (B), and (D). Such structures shall be required to comply with SMC 15.35.945, Ground Floor Uses in Parking Structures, when adjacent to a public street.
 - b. The facade of a stand-alone multi-level parking facility should provide filtered screening that allows visibility to streets and good visibility for patrolling police cars. Stairways on the building's exterior should be visible from the outside. If stairs are to be enclosed, glass or wire glass can be used.

E. Circulation and Access Control.

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

F. Active Security Measures.

- 1. A security management plan shall be submitted and approved prior to building permit issuance. Such plan shall be reviewed and updated every three (3) to five (5) years in cooperation with the City’s crime prevention specialist. The plan would include a security audit and proposed CPTED and active security measures.
- 2. Active security measures such as emergency phones and closed circuit television (CCTV) shall be provided in large developments if determined to be necessary by the Crime Prevention Officer. At a minimum, a conduit shall be provided for emergency communication and CCTV in stairs, elevator cabs, and elevator lobbies in structured parking for developments containing two hundred (200) or more units.

G. Maintenance. Residential parking structures shall be well-maintained, as trash and graffiti may leave the impression that the facility is not secure.

15.19.500 Recreation and Open Space

Purpose: To provide for adequate recreation and open space areas for the residents of multiple-family dwellings, to separate such areas from automobile-oriented space, and to enhance the environmental quality of multiple-family residential districts.

15.19.510 Minimum Area Required

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

- A. Each multi-family building or complex of five (5) or more units shall provide a minimum area of recreation and open space, as follows:
 - 1. For developments located outside the designated City Center and S. 154th Street Station Area:

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

- a. In all multi-family developments, at least fifty percent (50%) of the required recreation and open space must be usable outdoor multi-

purpose space accessible by all residents as described in subsection (B) of this section.

b. Up to fifty percent (50%) of the required recreation and open space may be composed of indoor recreational space or outdoor single-purpose recreational facilities as described in SMC 15.19.510(C).

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

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

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

1. Courtyards, plazas or multi-purpose green-spaces which serve to organize the placement of buildings, as described in SMC 15.19.540;
2. Upper level common decks, patios, terraces, or roof gardens;
3. The square footage length and width of publicly accessible pedestrian-only corridors dedicated to passive recreation and separate from the public street system, including access links in sensitive area buffers.

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

1. Tennis/sports courts;
2. Swimming pools;
3. Designated exercise areas;
4. Game rooms;
5. Lounge areas with food preparation facilities; or
6. Other similar facilities.

15.19.520 Play Space for Children

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

- A. At least fifty percent (50%) of the required outdoor recreation and open space area required for units of two (2) or more bedrooms shall be laid out in a manner that makes it suitable and safe as play space for children. The children's play space shall contain a minimum of one (1) set of children's play equipment as approved by the Director of Planning and Community Development. Sitting or recreation areas for adults shall be located in close proximity.
- B. At least fifty percent (50%) of any indoor facilities and outdoor single-purpose facilities required for units of two (2) or more bedrooms shall be appropriate for use by children of various ages. Exercise facilities in complexes containing two (2) or more bedroom units shall provide for adult exercise opportunities with the ability to watch children nearby.
- C. Play space for children shall be centrally located, visible from the dwellings, and away from hazardous areas like garbage dumpsters, drainage facilities, streets, other vehicular travel ways, woods, and parking areas.
- D. All units two (2) bedroom units or larger shall be oriented to provide visibility of children's play areas from a kitchen or main living room area. Alternatively, closed circuit TV monitoring of children's play areas shall be installed and access shall be provided by apartment management to tenants with children.

15.19.530 Location and Layout of Recreation and Open Space

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

- A. The location, layout, and proposed type of recreation space shall be subject to approval by the Director of Planning and Community Development, and shall conform to the following:
 - 1. Open space areas shall be centrally located near a majority of units, accessible and usable to residents, and visible from surrounding dwelling units.

2. In developments greater than one hundred (100) units, outdoor recreation and open space area shall be divided into several, smaller, usable areas located so as to be convenient and accessible to each building.
 3. When the total required open space area is less than three thousand (3,000) square feet, the outdoor recreation and open space shall be one (1) continuous site, with a minimum width of twenty (20) feet.
 4. If the total required area for multi-family recreation space is more than three thousand (3,000) square feet, the space may be divided into several usable indoor or outdoor sites, provided at least one (1) area is at least two thousand (2,000) square feet, and all others at least five hundred (500) square feet, with a minimum width of twenty (20) feet.
 5. No driveways, parking or other vehicular uses can be located in the outdoor recreation or open space area.
 6. Required front yard setback areas shall not count toward outdoor common recreation and open space.
 7. A Type III landscaping buffer consisting of fencing and plant screening with a minimum width of five (5) feet shall separate the recreation space from public streets, parking areas, and driveways.
 8. Decks, balconies and other similar appurtenances that do not have common access by all the complex residents shall not be counted towards the space requirements.
 9. The square footage in required side and rear yards may be used to meet the recreation and open space requirements, except for the square footage in side and rear yards occupied by required Type I and II buffer landscaping for noncompatible uses. Side and rear yards must be developed as usable recreation or open space as specified in this chapter to count toward the requirement.
 10. Other required landscaping (such as building facade landscaping and parking lot landscaping) and sensitive area buffers without common access links such as pedestrian trails shall not be included toward the required recreation and open space requirement.
 11. No required recreation or open space area shall have a slope greater than four percent (4%), unless the area has been developed with an enhanced accessibility system of ramps, stairs, terraces, trails, or other site improvements.
- B. The space, layout, and proposed type of screening shall be subject to approval by the Director of Planning and Community Development.

15.19.540 Courtyards and Plazas

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

Courtyards and plazas areas complying with the following requirements may count toward required outdoor open space areas:

- A. The courtyard/plaza dimension is a measurement of the usable open space between two (2) buildings or to a property line, with a minimum width of at least twenty (20) feet or equal to the height of the building, up to seventy-five (75) feet, as determined by the Director of Planning and Community Development.
- B. Publicly accessible courtyards, plazas or multi-purpose green spaces shall link the open space elements with adjacent sidewalks, pedestrian paths, and/or bikeways.
- C. Courtyard/plaza areas shall include a minimum of one (1) tree for each two hundred (200) square feet of required area. The plaza/focal area shall consist of at least fifty percent (50%) decorative paving, and include one (1) lineal foot of seating per each forty (40) square feet of required plaza area.

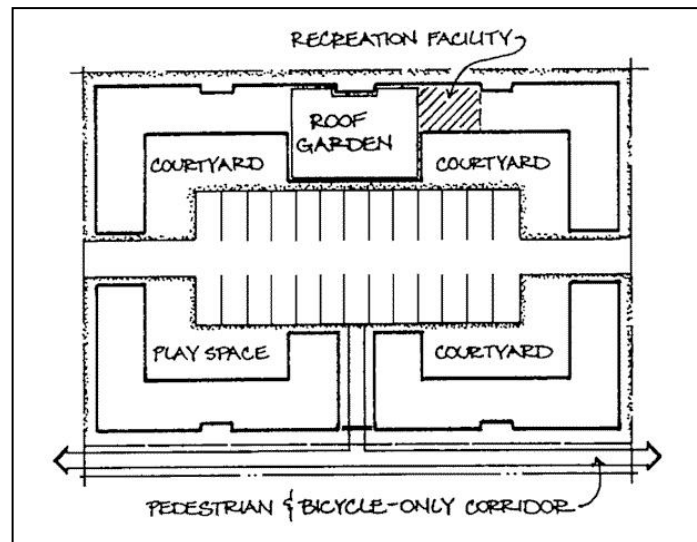


Figure 15.19.540 Sample arrangement of open space areas.

15.19.550 Maintenance

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

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

15.19.560 Cash Contribution in Lieu of On-Site Recreational Facilities

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

- A. For multiple-family developments containing less than twenty (20) dwellings, the Director of Planning and Community Development may allow in-lieu payment to the City in an amount comparable to the cost of acquisition and installation of recreational facilities as would otherwise be required. Acceptance of such a voluntary contribution is discretionary on the part of the City, and shall be permitted only when the size of the development site and its projected population is too small to result in usable, high quality recreational facilities, and the improvement of City park facilities in the vicinity will be of greater benefit to the residents of the proposed dwellings. Such payments shall be placed in a fund to be used for capital improvements in existing neighborhood parks or for the development of new parks in the vicinity of the multiple-family dwelling development. The amount of such payment shall be determined by the Director of Planning and Community Development based on a recommendation of the Parks Department Director. The recommendation shall be based on either the actual cost or a reasonable prototype cost of providing park land with quality, durable recreational facilities as would otherwise be required to be provided on-site.
- B. Multiple-family dwelling developments containing twenty (20) or more dwelling units shall provide the on-site recreation facilities required by this chapter. Multiple-family dwelling developments which are built in phases of less than twenty (20) dwelling units shall provide on-site recreation facilities for each phase or shall provide the total amount of recreation facilities required for the complete development in the first phase of construction.

15.19.600 Incentives

15.19.610 Application of Incentives

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

The number of allowed units in a development may be increased for incorporation of the incentives in this section. The maximum density incentive that may be achieved through the application of multiple incentives is a thirty percent (30%) increase in the base number of permitted units. The maximum height incentive that may be achieved through the application of multiple incentives is a fifteen foot (15') increase in the maximum building height identified in Chapter 15.13.010 SMC. An incentive used to obtain additional height in this chapter may not be used to obtain additional density. Density incentives as specified in Chapter 15.24 SMC may be combined with these incentives, but the total of all incentives may not exceed a thirty percent (30%) increase in the base number of permitted units. The bonuses shall be on a building by building basis and are not transferable from one building to another.

15.19.620 Senior Housing

Intent: Encourage the provision of senior housing within the community to allow for a variety of housing options to aging persons as their family size and housing needs change. This incentive is not applicable to projects whose sole purpose is senior housing (i.e. adult family homes, assisted living facilities, nursing homes, etc.)

Density Bonus: A twenty percent (20%) increase in the allowed number of units shall be permitted when a minimum of thirty-five percent (35%) of the units within the project are reserved as ~~for~~ senior citizen assisted dwellings as defined by SMC 15.10.220.

Height Bonus: A ten foot (10') increase in the maximum allowed height shall be permitted when a minimum of thirty-five percent (35%) of the units within the project are reserved as senior citizen assisted dwellings as defined by SMC 15.10.220.

15.19.630 Mixture of Unit Sizes

Intent: Promote a mixture of unit sizes within a development, in order to encourage the presence of residents during the daytime. Larger units typically

house families, where an adult may be present during the daytime. Having a mixture of unit sizes can contribute to a more secure community.

Density Bonus: A ~~five~~ ten percent (5 10%) increase in the allowed number of units shall be permitted with a mixture of unit sizes in a development with at least thirty-five percent (35%) of the units being two (2) bedroom or larger ~~units~~.

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

15.19.640 Condominium/Owner-Occupied Housing

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

Density Bonus: A ~~ten~~ thirty percent (40 30%) increase in the allowed number of units shall be permitted for a condominium development, where the ~~covenants and bylaws~~ codes, conditions, and restrictions (CCR's) of the homeowners' association or other restrictive covenants are set up to maintain home ownership within the development and restrict the number of units that may be used as rental properties. CCR's shall be reviewed and approved by the Director of Planning and Community Development prior to recording to ensure this provision cannot be modified or eliminated.

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

15.19.650 Underground Parking

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

Density Bonus: A ~~fifteen~~ ten percent (45 10%) increase in the allowed number of units shall be permitted for developments where a minimum of seventy-five percent (75%) of the parking is placed underground.

Height Bonus: A five foot (5') increase in the allowed building height shall be permitted for developments where a minimum of twenty-five percent (25%) of the parking is placed underground.

15.19.660 Outdoor Recreation/Open Space

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

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

Height Bonus: A five foot (5') increase in the allowed building height shall be permitted when at least fifteen percent (15%) additional recreation and/or open space, over that is required, is provided within a multi-family development.

15.19.670 Architectural Design

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

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

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

The enhanced design elements shall consist of the following:

- A. Incorporate all methods of articulation identified in 15.19.220 A.
- B. Utilize all methods of window treatment identified in 15.19.220 C.
- C. Incorporate three (3) or more roof line variations identified in 15.19.220 E

15.19.700 Townhouse Zone

Repealed by Ord. 08-1024.

15.19.710 Townhouse Standards

Repealed by Ord. 08-1024.

15.19.750 Small Lot Single-Family

Purpose: To allow for small lot single-family development within the UM and UH zones, as an alternative to multi-family housing.

15.19.760 Small Lot Single-Family Standards

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

- A. The minimum lot size within the UM and UH zones for small lot single-family development shall be three thousand (3,000) square feet.
- B. The maximum height shall be thirty-five (35) feet for small lot single-family development.
- C. Small lot single-family development shall have minimum side setbacks of five (5) feet, minimum front setbacks of fifteen (15) feet and minimum rear setbacks of fifteen (15) feet for the main structure and five (5) feet for accessory structures. Small lot single-family located on a corner lot shall have minimum setbacks of fifteen (15) feet on one (1) street frontage, and ten (10) on the other frontage, with minimum five (5) foot setbacks on the other yards.
- D. Small lot single-family development shall follow the design standards for townhouses as outlined in SMC 15.39.320(E).
- E. Off-street parking shall be located in the rear of each home.
- F. Front facades shall face the streetscape and include one-half (1/2) flight-up entries and front porches a minimum of sixty (60) square feet in size.
- G. Small lot single-family development shall include private yards of at least two hundred (200) square feet.
- H. A small lot single-family development of five (5) or more units shall include common open space amenities of seventy-five (75) square feet per unit. Such amenities shall conform to SMC 15.19.510(B) and (C) and 15.19.520 through 15.19.560.

15.19.770 Departures from the Small Lot Single-Family Standards

Departures from the small lot single-family standards may be granted by the City Manager or his designee, subject to the following criteria:

- A. Physical site conditions, such as steep slopes, wetlands, or other critical areas on a development site, limit the ability to fully meet the small lot single-family standards.

- B. No more than one (1) departure is granted per development site.
- C. The small lot single-family development meets the intent of the small lot single-family standards and provides a development that is equal to or better in design, to a small lot single-family development that complies with all of the standards under SMC 15.19.760.

15.19.800

Multi-Family Properties in the City Center and S. 154th Street Station Area

Purpose: To define standards for multi-family properties in the City Center and S. 154th Street Station Area that allow for setback, density and open space standards appropriate to a more urban environment, while still providing for attractive open space amenities and neighborhood compatibility.

15.19.810 Applicability

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

- A. The following City Center Standards shall apply to all multi-family projects in the City Center: SMC 15.35.200 through 15.35.220, [15.35.300](#), 15.35.310, 15.35.330, 15.35.335; 15.35.430; 15.35.800 through 15.35.850.
- B. The following City Center Standards shall apply only to ground floor commercial in mixed use residential projects in the City Center: SMC 15.35.320, 15.35.400 through 15.35.420, 15.35.510, 15.35.520; 15.35.530, 15.35.570; 15.35.600 through 15.35.620.
- C. The following S. 154th Street Station Area Standards shall apply to all multi-family projects in the S. 154th Street Station Area: SMC [15.38.200](#) through [15.38.220](#), [15.38.300](#), 15.38.310, 15.38.330, 15.38.335; [15.38.800](#) through [15.38.850](#).
- D. The following S. 154th Street Station Area Standards shall apply only to ground floor commercial in mixed use residential projects in the S. 154th Street Station Area: SMC 15.38.320, 15.38.400 through 15.38.430, 15.38.470, [15.38.500](#) through, [15.38.550](#); [15.38.600](#) through [15.38.620](#).
- E. Parking for residences on a mixed-use site shall be clearly delineated and separate from parking for commercial uses.

F. These requirements shall be in addition to the multi-family standards contained in this chapter. 15.19.830 Open Space

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

- A. For developments located within the designated City Center and S. 154th Street Station Area, a minimum of sixty (60) square feet per unit of common outdoor space shall be required. Such open space shall be allocated according to the requirements of SMC 15.19.510(B), and 15.19.520 through 15.19.560.
- B. For residential mixed use development in the City Center and S. 154th Street Station Area, the commercial open space requirement in SMC 15.35.410 and SMC 15.38.500 through 15.38.550 shall be applied to that proportion of the site that is commercial, based on building square footage. Commercial open space requirements may be waived for ground floor retail, or service uses specified in SMC 15.35.620(A)(1) and (2), and SMC 15.38.107, at the discretion of the Director of Planning and Community Development, to encourage the inclusion of retail and service uses that will serve the multi-family development and immediate neighborhood. The commercial open space requirement shall not be waived for ground floor uses such as hotel/motel and other commercial uses that generate significant demand for open space.

Section 2. Section 15.10.380 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.380 Lot Lines

The property lines that establish the boundaries of buildable lots. For information on how lot lines are designated see SMC 15.13.025 Designation of Lot Lines.

Section 3. Section 15.10.390 of the SeaTac Municipal Code is hereby amended to read as follows:

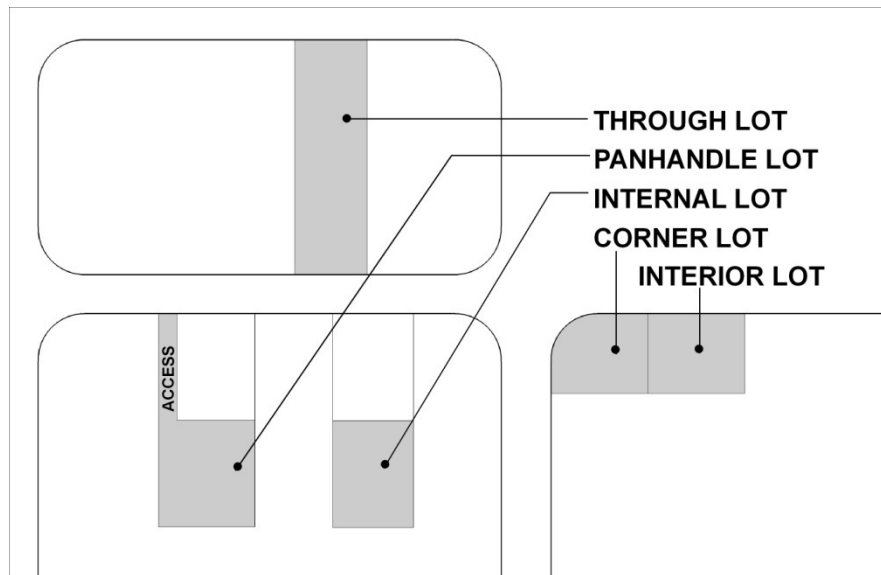
15.10.390 Lot Types

(See Figure 15.10.390a.)

- A. Corner. A lot situated at the intersection of two (2) or more streets.
- B. Interior Lot. A lot that abuts only one street.

- C. Through Lot. A lot other than a corner lot, which abuts two (2) streets.
- D. Panhandle Lot. A lot set back from the public street with long narrow portions, which are also called handles, for access. The handle or access of a panhandle lot is defined as “that portion of a panhandle lot that is a minimum of twelve (12) feet in width and maximum of thirty (30) feet width, and, a minimum length of fifteen (15) feet in length.”
- E. Internal Lot. A lot with no physical connection to a street that may or may not be served by an access easement.

Figure 15.10.390a. LOT TYPES



Section 4. Section 15.13.030 of the SeaTac Municipal Code is hereby amended to read as follows:

15.13.030 Yard Setbacks

- A. Front Yard. The front yard setback shall be measured from the front lot line as established in SMC 15.13.025 (A).
- C. Rear Yard. The rear yard setback shall be measured from the rear lot line as established in SMC 15.13.025(B).
- C. Side Yard. The side yard setback shall be measured from the side lot lines as established in SMC 15.13.025 (C).

Section 5. Section 15.35.320 of the SeaTac Municipal Code is hereby amended to read as follows:

15.35.320 Development Abutting Two (2) or More Street Frontages

- A. Buildings on corner lots shall orient front facades to both the corner and adjacent public and/or private street fronts. Pedestrian entries near or on the corner are encouraged.
 - 1. Development at the intersection of a principal arterial with either a principal or minor arterial shall include architectural focal points that increase the visibility and landmark status of corner buildings, such as one (1) or more of the following:
 - a. Transparent glazing incorporated into corner building design;
 - b. Tower elements and/or roof lines that accentuate the corner;
 - c. Balconies or building terraces at or near the corner.

- B. If the subject property abuts public and/or private streets classified as principal arterials by the SeaTac Comprehensive Plan along both its front and rear property lines, then the property owner shall either:
 - 1. Design a single building with facade entries oriented toward both the front and rear property lines; or
 - 2. Orient one (1) or more buildings toward the front property line along with a designated location for a current or future building or buildings oriented toward the rear property line.

Section 6. Section 15.13.025 is hereby added to the SeaTac Municipal Code.

15.13.025 Designation of Lot Lines

The property lines that establish the boundaries of buildable lots shall be designated as follows:

A. Front.

Lot Type	Single Family (Except for Small Lot Single Family, duplex, townhouse or lots created through long subdivision.)	Other (Includes Small Lot Single Family, duplex, townhouse, multi-family, lots created through long subdivision and other non-single family uses.)
Interior Lot	The boundary that abuts the public street. In cases where the boundary abuts a private street, the property owner	The boundary that abuts the public or private street.

	shall pick the front lot line.	
Corner Lot	<p>Those boundaries that abut a public street.</p> <p>If a lot abuts three (3) or more public streets, the lot shall have a front lot line only on the two (2) public streets with the highest roadway classifications.</p> <p>If a determination cannot be made as to which of the three (3) public streets have higher classifications, or, where there are multiple private streets, the property owner shall pick the two (2) front lot lines.</p>	<p>Those boundaries that abut a public or private street.</p> <p>If a lot abuts three (3) or more public or private streets, the lot shall have a front lot line only on the two (2) public or private streets with the highest roadway classifications.</p> <p>If a determination cannot be made as to which of the three (3) public streets have higher classifications, or, where there are multiple private streets, the front lot lines shall be determined by the Director of Planning and Community Development, taking into consideration pedestrian and vehicle connectivity and the surrounding pattern of development.</p>

Lot Type	Single Family (Except for Small Lot Single Family, duplex, townhouse or lots created through long subdivision.)	Other (Includes Small Lot Single Family, duplex, townhouse, multi-family, lots created through long subdivision and other non-single family uses.)
Through Lot	The boundary that abuts the public street with the highest street classification according to the City of SeaTac Comprehensive Plan. If the two (2) public streets have the same classification, then the property owner shall choose which is the front lot line.	Those boundaries that abut a public or private street.
Panhandle Lots	The handle or access portion of the lot shall not be used to determine lot lines. Lot lines shall be determined as if no handle was on the lot. The front lot line shall be determined by the property owner at the time of construction.	The front lot line shall be determined by the Director of Planning and Community Development, taking into consideration pedestrian and vehicle connectivity and the surrounding pattern of development.
Internal Lots	The front lot line shall be determined by the property owner at the time of construction.	The front lot line shall be determined by the Director of Planning and Community Development, taking into consideration pedestrian and vehicle connectivity and the surrounding pattern of development.

- B. Rear. The line opposite, most distant and most parallel with the front lot line. For irregularly shaped lots, a line ten (10) feet in length within the lot and farthest removed from the front line and at right angles to the line comprising the depth of the lot shall be used as the rear lot line.
- C. Side. All lot lines which do not qualify as a rear or front lot line.

Section 7. Section 15.13.035 of the SeaTac Municipal Code is hereby repealed.

Section 8. Section 15.19.080 of the SeaTac Municipal Code is hereby repealed.

Section 9. Section 15.19.820 of the SeaTac Municipal Code is hereby repealed.

Section 10. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 11. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 12. The Ordinance shall be effective five days after passage and publication as required by law.

ADOPTED this 9th day of December, 2008, and signed in authentication thereof on this 9th day of December, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date December 20, 2008]

[Multi-Family Standards Update]

ORDINANCE NO. 08-1043

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the Official Zoning Map for certain properties in the “Extended the S. 154th St. Station Area.”

WHEREAS, Sound Transit is building the Tukwila International Boulevard Station, a light rail transit station, at International Blvd. and S. 154th St., and

WHEREAS, it is widely accepted that the presence of light rail transit stations create demand for services and building/development types that support higher office, commercial, and residential densities, and increase pedestrian activity; and

WHEREAS, Transit Oriented Development principles seek to create compact, high density mixed use, pedestrian friendly communities centered around high quality high capacity transit systems; and

WHEREAS, the Puget Sound Regional Council (PSRC) has forecast significant growth for the region in which the City is located, over the coming several decades, based on trends of expanding business in the Puget Sound area. In accordance with the Growth Management Act, the City must take actions that will cause future growth to differ from past trends. The City has modified the PSRC forecasts based on City and County policies, including the designation of SeaTac as an Urban Center, and the existing regional plans for high capacity transit; and

WHEREAS, the City does not currently have the residential infrastructure to meet the needs of future populations beyond 2022 as forecasted by the Puget Sound Regional Council; and

WHEREAS, the City’s comprehensive plan designates an “Urban Center” with clearly defined boundaries, a mixture of land uses, a pedestrian emphasis, public open spaces and

recreational opportunities, and both daytime and nighttime activities, and densities sufficient to support high capacity transit; and

WHEREAS, the S. 154th St. Station Area is located within the City's designated Urban Center; and

WHEREAS, the City of SeaTac adopted the S. 154th St. Station Area Action Plan on December 12, 2006; and

WHEREAS, the S. 154th St. Station Area Action Plan designated certain areas within the Station Area for higher density uses; and

WHEREAS, on December 12, 2006 the City of SeaTac adopted Map Amendment #3, Map Amendment #4, and Map Amendment #5 of the 2006 City of SeaTac Comprehensive Plan Amendment Process, which designated certain areas for higher density uses consistent with the S. 154th St. Station Area Action Plan, and established Potential Zones for these designated areas; and

WHEREAS, on December 12, 2006 the City of SeaTac adopted Map Amendment #10 of the 2006 City of SeaTac Comprehensive Plan Amendment Process, which addressed the area between the western boundary of the S. 154th St. Station Area and the eastern boundary of the land commonly referred to as the Port of Seattle's "L-shaped" parcel, and between S. 152nd St. on the north and SR 518 on the south; and

WHEREAS, the "Extended S. 154th St. Station Area" includes the Station Area and the Map Amendment #10 area described above; and

WHEREAS, the proposed "Extended S. 154th St. Station Area" Rezones implement the Potential Zones established by the 2006 City of SeaTac Comprehensive Plan Map Amendments referenced above; and

WHEREAS, the requirements of the State Environmental Policy Act (SEPA) have been satisfied through issuance of a Determination of Nonsignificance on June 26, 2008; and

WHEREAS, the City provided public notice and held public meetings on January 30, 2008, February 27, 2008, and June 11, 2008 to solicit input from affected property owners and other interested parties about the proposed “Extended S. 154th St. Station Area” Rezones; and

WHEREAS, the SeaTac City Council held a Public Hearing to gather public comment regarding the proposed “Extended S. 154th St. Station Area” Rezones on July 8, 2008; and

WHEREAS, the SeaTac City Council adopted the Phase 1 rezones on October 14, 2008;

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

Section 1. The Official Zoning Map, as identified in Section 15.11.140 of the SeaTac Municipal Code, shall be amended for the Phase 2 rezone properties as specified in Exhibit A and Exhibit B.

Section 2. The City Clerk is directed to transmit a complete and accurate copy of this Ordinance, as adopted, to the Department of Community, Trade and Economic Development within ten days after final adoption, pursuant to RCW 36.70A.106 and WAC 365-195-620. The Clerk is also directed to transmit a copy of this Ordinance, together with copies of other Ordinances amending development regulations adopted within the preceding twelve months, to the King County Assessor by the ensuing 31st day of July, pursuant to RCW 35A.63.260.

Section 3. This Ordinance shall be in full force and effect 5 days after passage and publication, as required by law.

ADOPTED this 9th day of December, 2008, and signed in authentication thereof on this 9th day of December, 2008.

CITY OF SEATAC

Ralph Shape, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: December 20, 2008]

\\Webeoc\station area planning\2008 - Station Area Planning\S. 154th St. Station Area\S. 154th S.A.
Rezoning\Council\Phase 2 Rezone-AB & Ord\Rezone Ordinance 6 12-2-08.docx

Exhibit A

Phase 1 and Phase 2 Rezone Areas

Exhibit B

Rezone Areas Potential Zoning