



City Ordinances Archive

Note: To find a particular ordinance, click on the Bookmarks tab on the left side of this screen

ORDINANCE NO. 07-1001

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to enter into a Professional Services Contract with Stewart Beall MacNichols & Harmell Inc., P.S. for public defense services and with Stirbis & Sadler, L.L.P. for jail public defense services, and amending the 2007 Annual City Budget for Indigent Defense Services.

WHEREAS, the SeaTac City Council has reviewed Agenda Bill 2753 submitted by the SeaTac Municipal Court, requesting authorization to enter into a Professional Services Contract with Stewart Beall MacNichols & Harmell Inc., P.S. for public defense services, and with Stirbis & Sadler, L.L.P. for jail public defense services; and

WHEREAS, the estimated cost to provide these services in 2007 will exceed the \$59,600 amount appropriated in the 2007 Budget by approximately \$50,000; and

WHEREAS, amendment to the City's 2007 Annual City Budget is necessary to provide additional appropriation authority for the Municipal Court budget in the General Fund in the amount of \$50,000; and

WHEREAS, the City Council deems that it is appropriate to authorize the City Manager to enter into a contract with Stewart Beall MacNichols & Harmell, Inc. P.S. for public defense services and with Stirbis & Sadler L.L.P. for jail public defense services;

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 a Professional Services Contract with Stewart Beall MacNichols & Harmell, Inc., P.S. for public defense services, and with Stirbis & Sadler, L.L.P. for jail public defense services, in substantially similar to form as attached hereto as Exhibit "A" and Exhibit "B."

Section 2. The 2007 Annual City Budget shall be amended to increase expenditures in the General Fund by \$50,000.

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 January, 2007, and signed in authentication thereof on this 9th day of January, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

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

[Public Defense Services 2007 Budget Amendment]

ORDINANCE NO. 07-1002

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Section 15.12.040 to the SeaTac Municipal Code related to zoning.

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

Section 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.-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*(1,3,5)		P*(2,3,5)	P*(3,5)	P*(2,3,5)	P*(2,3,5)
050	Day Care II			C(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*	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)	P/C(4)	P/C*(4)	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(9)		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)		

* 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 school facilities 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 only at the Tyee High School campus, subject to the following criteria:

The clinic is limited to a maximum of 1,500 square feet.

Only students attending Tyee High School or Chinook Middle School may use the clinic.

The clinic may be operated during weekdays, between the hours of 7:00 a.m. and 5:00 p.m., and during evening and weekend hours for school-sponsored special events.

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 13th day of February, 2007, and signed in authentication thereof on this 13th day of February, 2007.

CITY OF SEATAC

Ralph Shape, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date _____]

ORDINANCE NO. 07-1003

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2007 Annual City Budget to include 2006 Budget Carryovers.

WHEREAS, certain expenditures were included in the 2006 Annual City Budget which were not initiated or completed during the 2006 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 2007;

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

Section 1. The 2007 Annual City Budget shall be amended to increase the total General Fund expenditures by \$212,401.

Section 2. The 2007 Annual City Budget shall be amended to increase the total Arterial Street Fund expenditures by \$35,250.

Section 3. The 2007 Annual City Budget shall be amended to increase the total Transit Planning Fund expenditures by \$104,206.

Section 4. The 2007 Annual City Budget shall be amended to increase the total Hotel/Motel Tax Fund expenditures by \$115,000.

Section 5. The 2007 Annual City Budget shall be amended to increase the total Facility Repair and Replacement Fund expenditures by \$24,132.

Section 6. The 2007 Annual City Budget shall be amended to increase the total Municipal CIP Fund expenditures by \$584,878.

Section 7. The 2007 Annual City Budget shall be amended to increase the total Municipal Facilities CIP Fund expenditures by \$6,951,313.

Section 8. The 2007 Annual City Budget shall be amended to increase the total Transportation CIP Fund expenditures by \$1,025,000.

Section 9. The 2007 Annual City Budget shall be amended to increase the total SWM Construction Fund expenditures by \$258,600.

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

ADOPTED this 27th day of February, 2007, and signed in authentication thereof on this 27th day of February, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

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

[2007 Budget Amendment for 2006 carryovers]

ORDINANCE NO. 07-1004

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 15.31A.010 and 15.31A.032 of the SeaTac Municipal Code related to wireless communications facilities.

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 City Council finds that it is appropriate that the City’s Zoning Code related to Wireless Communications Facilities (WCF’s) are amended to remove the preference of siting WCF’s on City owned property; 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 15.31A.010 of the SeaTac Municipal Code is hereby amended to read as follows:

15.31A.010 Purpose

The purpose of this chapter is to establish local guidelines, standards and procedures for the siting and construction of wireless communications facilities (WCFs), and to address the issues of appearance and safety associated with WCFs. It is intended to provide

adequate siting opportunities at appropriate locations within the City to support existing WCF technologies, to encourage new technologies to benefit SeaTac residents, businesses, and institutions, and to permit WCF providers to remain competitive. This chapter has been developed in conjunction with a Wireless Telecommunications Master Plan that forecasts future needs for wireless facilities in SeaTac and analyzes appropriate locations for their placement.

A wide range of locations and options that minimize the safety hazards and visual impacts sometimes associated with WCFs are provided. The siting of facilities is encouraged on buildings and structures, and in certain rights-of-way as locations for wireless communications infrastructure to establish a precedence of quality concealment products that will minimize the aesthetic impact of related infrastructure. The siting of concealed facilities on existing structures, collocation of WCFs, and visual mitigation measures are encouraged in this chapter in order to preserve neighborhood aesthetics and reduce visual clutter in the community.

The development standards in this chapter establish siting criteria and address setbacks, landscaping, dimensions, and other site-specific design requirements. Siting criteria for WCFs are necessary to encourage the siting of those facilities in locations most appropriate based on land use compatibility, neighborhood characteristics, and aesthetic considerations.

Section 2. Section 15.31A.032 of the SeaTac Municipal Code is hereby amended to read as follows:

15.31A.032 Siting Hierarchy

A. Siting of a WCF shall be in accordance with the following siting alternatives hierarchy, with the exception of mitigation of an existing nonconcealed WCF, which shall be in accordance with subsection (C) of this section:

1. A Concealed Attached WCF.
2. In Certain Rights-of-Way.
 - a. Concealed collocation on an existing concealed freestanding WCF;
 - b. Concealed freestanding WCF.
3. Collocation or Freestanding.
 - a. Concealed collocation on an existing concealed freestanding WCF;
 - b. Concealed freestanding WCF;

c. Flush-mounted collocation on an existing nonconcealed WCF.

B. The order of ranking preference, from highest to lowest, shall be subsections (A)(1), (A)(2)(a), (A)(2)(b), (A)(3)(a), (A)(3)(b), and (A)(3)(c) of this section, except for mitigation of an existing nonconcealed WCF which is described in subsection (C) of this section. Where a lower ranking alternative is proposed, the applicant must file relevant information as indicated in SMC 15.31A.050(A)(3)(f) and (g) including, but not limited to, an affidavit by a radio frequency engineer demonstrating that despite diligent efforts to adhere to the established hierarchy within the geographic search area, higher ranking options are not technically feasible or justified given the location of the proposed wireless communications facility.

Where a freestanding WCF is permitted, then the order of ranking preference for the freestanding WCF shall be (A)(2)(a), (A)(2)(b), (A)(3)(a), (A)(3)(b), and (A)(3)(c). Where a lower ranking alternative is proposed, the applicant must file relevant information as indicated in SMC 15.31A.050(A)(3)(f) and subsection (C)(2) of this section, and demonstrate higher ranked options are not technically feasible, or justified given the location of the proposed wireless communications facility, and the existing land uses of the subject and surrounding properties within three hundred (300) feet of the subject property.

C. An exception to the hierarchy shall occur in those cases where mitigation of an existing nonconcealed WCF would occur. Mitigation (replacement of an existing nonconcealed facility with a concealed facility in full compliance with the current code) is encouraged by the City to reduce the visual impact of existing nonconcealed facilities and is subject to the following benefits:

1. Expedited permit review;
2. Waiver of all planning, building and electrical permit fees except for independent review fees, if applicable;
3. Height bonus per SMC 15.31A.035.

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

ADOPTED this 27th day of February, 2007, and signed in authentication thereof
on this 27th day of February, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date _____]

[WCF Amendment]

ORDINANCE NO. 07-1005

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to enter into an Interlocal Agreement with Burien, Des Moines and Normandy Park for a joint Emergency Preparedness Coordinator, and amending the City's 2007 Annual Budget for SeaTac's share of the cost.

WHEREAS, the SeaTac City Council has reviewed Agenda Bill 2763 submitted by the SeaTac Fire Department, requesting authorization to enter into an Interlocal Agreement with Burien, Des Moines and Normandy Park for a joint Emergency Preparedness Coordinator; and

WHEREAS, SeaTac's share of the estimated cost to provide this service in 2007 is approximately \$30,000; and

WHEREAS, amendment to the City's 2007 Annual City Budget is necessary to provide additional appropriation authority for the Fire Department budget in the General Fund in the amount of \$30,000;

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 Burien, Des Moines and Normandy Park for a joint Emergency Preparedness Coordinator.

Section 2. The 2007 Annual City Budget shall be amended to increase expenditures in the General Fund by \$30,000.

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

ADOPTED this 27th day of February, 2007, and signed in authentication thereof on this 27th day of February, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: _03/10/07_____]

[Emergency Preparedness Coordinator ILA and 2007 Budget Amendment]

ORDINANCE NO. 07-1006

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Chapter 15.25 of the SeaTac Municipal Code related to Development Standards—AVO and AVC Airport Zones.

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 City Council finds that provisions of Chapter 15.25 of the SeaTac Municipal Code and the 2005 Interlocal Agreement with the Port of Seattle should be consistent; 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. Chapter 15.25 Development Standards – AVO and AVC Airport Zones of the SeaTac Municipal Code is hereby amended to read as follows:

15.25.010 Purpose

The purpose of this chapter is to coordinate the City’s zoning with the Port of Seattle’s ~~Master Plan for the Seattle Tacoma International Airport~~ current Master Plan and Comprehensive Development Plan anticipated to be adopted by the Port of Seattle’s Commission in 2007; to implement the 2005 Interlocal Agreement (2005 ILA) between the Port of Seattle and the City of SeaTac, dated ~~September 14, 1997~~ February 16, 2006; to establish a mutual and cooperative system for exercising their respective statutory authorities; and to standardize the uses and development standards for property along the perimeter of the airport. (~~Ord. 98-1001 § 5~~)

15.25.020 Authority and Application

- A. The provisions of this chapter shall apply to ~~all properties within the City of SeaTac owned or proposed to be owned by the Port of Seattle under the Airport Master Plan (updated August 1, 1996)~~ the uses and development standards for Port owned property within the City of SeaTac, and related to either aviation operations or aviation commercial uses, as specified in the 2005 ILA.
- ~~B. Port of Seattle development standards as referenced by the term “Port standards apply” are those contained in the Port of Seattle’s Regulations for Airport Construction (RAC), 1996 Edition. City of SeaTac development standards are those contained in the SeaTac Municipal Code as of April 30, 1997. (Ord. 98-1001 § 5)~~

15.25.030 Administration

- A. The City shall administer this chapter consistent with the terms of the 2005 ILA and other City ordinances. ~~For non-Port owned property covered by this chapter, the City shall have authority to hold public hearings and make recommendations and decisions on development proposals.~~
- ~~B. The Port of Seattle shall have the authority to hold public hearings and make recommendations and decisions on development proposals and appeals for proposed uses on Port owned property, subject to the provisions of the ILA. The City’s zone classification use chart implements the agreed land uses that are set forth in ILA Attachment A-2. (Ord. 98-1001 § 5)~~

15.25.040 Interpretation

- A. Where changes are proposed to or uncertainties exist as to the location of the zone boundaries or other provisions of this chapter, the procedures contained in the 2005 ILA regarding joint consultation and/or dispute resolution shall apply.
- B. For proposed developments that are not listed as “permitted” in the zone classification use chart of this chapter, the provisions of this title shall apply, except as otherwise stated in the 2005 ILA. ~~(Ord. 98-1001 § 5)~~

15.25.050 ~~Public Notice~~

- ~~A. Except as specified in Section 2.3.1.2 of the ILA, proposed uses that are specifically listed as “permitted” in the zone classification use chart of this chapter shall be subject to Port requirements for public notice otherwise contained in the SeaTac Municipal Code.~~
- ~~B. The Port shall provide a “project notice” to the City for each proposed action by the Port using the format set forth in the ILA, Attachment A-3 (including a full description of compliance with pre-approved development standards). Such notice shall be sent as early as possible, in any event no later than the Ports’ preparation of a SEPA checklist~~

~~for the project or the Port's determination the action is not covered by SEPA (e.g., categorical exemption). (Ord. 98-1001 § 5)~~

15.25.060 050 Rezoning

Except as specified in the Interlocal Agreement (2005 ILA), the proposed rezoning of property under this chapter shall be subject to the provisions of this title. (~~Ord. 98-1001 § 5~~)

~~15.25.070~~ Definitions

~~Borrow/Surface Mining Operations: The mining, extraction, or excavation of rock, stone, gravel, sand, earth, and other such minerals for removal and use off site, including transporting minerals to and from the mining site. (Ord. 01-1027 § 1; Ord. 98-1001 § 5)~~

15.25.080 060 Zones and Map Designations Established

In order to accomplish the purposes of the code, the following zone classifications and zoning map symbols are established:

Zone	Map Symbol
Aviation Operations	AVO
Aviation Commercial	AVC

- A. Aviation Operations (AVO). The purpose of this zoning designation is to provide for safe and efficient commercial aviation operations and support, together with security, access, the needs and convenience of the traveling public, and the handling of air cargo. Note: those properties in the aviation operations zone that were formerly designated “Business Park” as indicated on map Attachment A-6 of the 2005 ILA are subject to certain development standards as provided for in Attachment A-4 of the 2005 ILA.
- B. Aviation Commercial (AVC). The purpose of this zoning designation is to allow for development that provides support to operations of the airport, the traveling public, and air cargo, and for other development that provides economic benefit to the airport and the City of SeaTac while maintaining compatibility with airport operations and activities. Note: those properties in the aviation commercial zone that were formerly designated “Business Park” as indicated on map Attachment A-6 of the 2005 ILA are subject to certain development standards as provided for in Attachment A-4 of the 2005 ILA. (~~Ord. 98-1001 § 5~~)

15.25.090 070 Zone Classification Use Chart

If this chart does not specify that a proposed land use is permitted, then the proposed land use shall be considered a prohibited land use within the airport zones. This chart may be amended in accordance with the provisions of the 2005 ILA.

		Land Use	Zone Classification	
			AVO	AVC
		Permitted Principal Uses		
		Accessory Uses		
49A	<u>1</u>	Access, Parking, Transfer and Holding Areas, Intermodal Connections for Public Transit, High Capacity Transit, Buses, Taxis, Shuttles, and Other Forms of Transportation	P	P
	<u>2</u>	Aids for Airport and Aircraft Operations	<u>P</u>	<u>P</u>
21A	<u>3</u>	Air Cargo Aircraft Loading and Unloading	P	
22A	<u>4</u>	Air cargo Warehousing and Customer Service Facilities	P	P
43A	<u>5</u>	Aircraft Fueling Systems	P	
2A	<u>6</u>	Aircraft Ramp and parking Areas	P	
9A	<u>7</u>	Aircraft Run-up Areas	P	
5A	<u>8</u>	Airfield Control Towers and FAA Air Traffic Control facilities	P	
44A	<u>9</u>	Airfield Crash/Fire/Rescue (ARFF) Facilities, Including Staff Quarters and Offices	P	
41A	<u>10</u>	Airfield Infrastructure and Utilities Serving Uses Permitted in Zone	P	P
3A	<u>11</u>	Airfield Lighting	P	
44A	<u>12</u>	Airfield Security Facilities such as Fencing, Gates, and Guard Stations	P	P
43A	<u>13</u>	Airfield Service Roads and Access Improvements to those roads	P	P
40A	<u>14</u>	Airport Access Roadways and Public Transportation facilities	P	P
4A	<u>15</u>	Aviation Navigation, Communication and Landing Aids for Airport and Aircraft Operations Aids for Airport and Aircraft Operations	P	P
	<u>16</u>	Aviation, Communication and Landing	<u>P</u>	
36A*		Biomedical Product Facility		P(6)
42.1A		Borrow/Surface Mining Operations	P(8)	P(8)
7A	<u>17</u>	Communications Equipment, if Directly Related to the Operation of the Airport	P	P
31A		Conference Facilities		P
	<u>18</u>	Controlled Storage of Hazardous Wastes Generated by Permitted Uses and Temporarily Stored Prior to Disposal in Accordance with Federal and State Regulations	<u>P</u>	
8A	<u>19</u>	Designated Airfield Safety Areas, Clear Zones and Runway Protection Zones	P	P
4A	<u>20</u>	Employee Support Facilities such as Cafeterias, Locker Rooms, Rest Areas, Restrooms and Exercise Areas Directly Related to the Operation of the Airport	P	P
25A	<u>21</u>	Facilities for the Maintenance of Aircraft	P	
26A	<u>22</u>	Facilities for the maintenance of Airline Equipment	P	
27A	<u>23</u>	Facilities for the Maintenance of Airport and Airfield Facilities	P	P(3)(4)
23A	<u>24</u>	Flight Kitchens Directly Related to the Operation of the Airport	P	P(3)(4)
28A*		Heavy Equipment Maintenance	<u>P</u>	
29A		Heavy Equipment Parking and Storage	<u>P</u>	
47A*	<u>25</u>	Hotel Facilities, Convention and Conference Facilities	P(2)(1)	P(3)(4)

	Land Use	Zone Classification	
		AVO	AVC
12A 26	Infrastructure and <u>Utilities Serving Uses Permitted in Other Zones or Areas</u>	P	P
46A 27	Inter/Intra Terminal Transfer Facilities for People, Baggage, and Cargo	P	P
39A*	Manufacturing: Aerospace Equipment		P(6)
37A*	Manufacturing: Computer/Office Equipment		P(6)
38A*	Manufacturing: Electronic Assembly		P(6)
35A*	Manufacturing: Furniture/Fixtures		P(6)
6A 28	Meteorological Equipment		
40A*	Misc. Light Manufacturing		P(6)
47A	Office and Staff Facilities to Serve Permitted Uses	P	P
24A* 29	Offices and Work and Storage Areas for Airline and Aviation Support	P	P
15A	Other Aviation Activities or Facilities Whose Location is Fixed by Function by FAA Requirements	P	P
30	<u>Other Aviation Activities or facilities Whose Location within the AVO Zone is Fixed by FAA Requirements</u>	<u>P</u>	
31	<u>Other Aviation Activities or facilities Whose Location within the AVC Zone is Fixed by FAA Requirements Related to the Operation of the Airport</u>		<u>P</u>
32	<u>Other Uses Not Directly Related to the Operation of the Airport</u>		<u>P(5)</u>
30A 33	<u>Parking and Storage for Airline and Airfield Ground Service Equipment (GSE), Excluding the Parking and Storage of Heavy Equipment Provided that Parking and Storage for Heavy Equipment (e.g. Fuel Trucks, Runway, Snowplows) Shall Be Permitted only in the AVO Zone and is Directly Related to the Operation of the Airport</u>		P
45A 34	Parking and Storage for Airline and Airfield Ground Service Equipment (GSE)	P	
18A* 35	Parking for Public and Employees Directly Related to the Operation and Construction of the Airport	P	P
36	<u>Parking Facilities Immediately Adjacent and Providing Direct Physical Access to Passenger Terminal Facilities</u>	<u>P</u>	<u>P</u>
37	<u>Parking (Commercial) NOT Connected to the Airport</u>		<u>P</u>
16A 38	<u>Passenger Terminal Facilities, Including Passenger and Baggage Handling, Ticketing, Security Checkpoints, Waiting Area, Restrooms, Aircraft Loading Gates, Restaurants, Conference facilities, Newsstands, Gift Shops, and Other Commercial Activities Providing Goods and Services for the Traveling Public</u>	P(+)	
20A 39	<u>Passenger Vehicle Rental, Including Parking, Service and preparation, and Customer Facilities to be Owned and Operated by the Airport</u>	P	P
42A* 40	Public Parks, Trails, and Viewpoints	P(7)(3)	P(7)(3)
41	<u>Public Transportation Facilities Related to the Operation of the Airport</u>	<u>P</u>	<u>P</u>
42	<u>Public Transportation Facilities (To Be Owned and Operated by Another Agency)</u>	<u>P</u>	<u>P</u>
43	<u>Reasonable Accessory Office and Staff facilities Independent of Uses</u>		<u>P</u>

	Land Use	Zone Classification	
		AVO	AVC
	<u>Permitted in the Zone, if Such Uses are NOT Directly Related to the Operation of the Airport</u>		
44	<u>Reasonable Accessory Office and Staff Facilities Independent of Uses Permitted in the Zone, if Such are Directly Related to the Operation of the Airport</u>	<u>P</u>	<u>P</u>
33A	Retail Sales and Distribution Facilities		<u>P</u>
45	<u>Retail Sales Inside Air Operations Area (AOA)</u>	<u>P</u>	
46	<u>Retail Sales Outside AOA, Airport Controlled Safety Areas and Airport-Operated Facilities</u>		<u>P</u>
47	<u>Roadways and Public Transportation Facilities that provide Access to the Airport for its Customers, Commercial Vehicles and Ground Transportation Services</u>	<u>P</u>	<u>P</u>
4A 48	<u>Runways, Taxiways, and safety Areas</u>	<u>P</u>	
41A*	<u>Self Service Storage</u>		<u>P(6)</u>
49A*	Temporary On-Site Hazardous Waste Treatment and Storage Facility	<u>P</u>	
49	<u>Those Clean Light Industrial and manufacturing Facilities Permitted in the City's BP Zone as it Existed on the Date of the 1997 Interlocal Agreement</u>		<u>P(5)</u>
50	<u>Utilities Serving Uses Permitted in the Zone</u>	<u>P</u>	<u>P</u>
34A* 51	<u>Warehousing and Distribution Facilities, Excluding Truck Terminals, with Direct Airfield Access, or Delivery to Secure Area of the Airport</u>		<u>P(5)</u>
52	<u>Warehousing and Distribution Facilities, Excluding Truck terminals</u>		<u>P</u>
32A 53	<u>Wholesale Sales and Distribution Facilities</u>		<u>P</u>

* Designates a use that is not exclusive to the AVO and AVC zones.

(1) ~~Including accessory uses approved in the ILA.~~

(1)(2) Limited to hotel facilities immediately adjacent and providing direct physical access to passenger terminal facilities.

(3) ~~Hotel convention facilities are an allowed associated use.~~

(2)(4) ~~Excluding maintenance of heavy equipment (e.g., fuel tanks, runway snowplows).~~ Provided that maintenance of heavy equipment (e.g. Fuel trucks, runway snowplows) SHALL BE permitted only in the AVO zone and is directly related to the operation of the airport.

(5) ~~Excluding truck terminals.~~

(6) ~~Provided that the use conforms with the requirements of SMC 15.13.111(A).~~

(3)(7) The following special conditions shall apply to any AVO and AVC zone areas which are designated for public access parks, trails, or viewpoints:

- Public access or recreational uses shall be limited as necessary to assure compatibility with airport and aviation activities. If use of Port-owned property by the public for access and recreation is permitted, it shall be considered compatible with airport operations, including noise and other impacts, and shall not establish a recreation use or other public activity under the U.S. Department of Transportation 4(f) provisions.
- Public use and access shall be generally of low intensity. Density guidelines for numbers of people may be established by the Port and FAA, with input from the public and City of SeaTac.
- Public use and access shall be subject to the requirements and needs of airport and aviation activities, including security, as determined by the Port and/or the FAA.

(8) ~~Subject to best management practices (BMPs) and the protection of adjacent properties, on a case-by-case basis, as agreed upon in advance between the City and the Port of Seattle. In no case shall a public parking lot be allowed as a use in a former borrow or surface mining operation.~~

(4) Permitted use only if approved by the City Council, on a case-by-case basis

(5) Permitted on a case-by-case determination by the Port and City per the 2005 Interlocal Agreement

(Ord. 01-1027 § 2; Ord. 98-1001 § 5)

15.25.100 ~~080~~ AVO/AVC Zone Classification Standards

Development standards for setbacks, setback projections, lot coverage, height restrictions, parking, signage, illumination, transportation, and noise shall be covered under the 2005 ILA as specified in Attachment A-4 – “Development Standards for Port Projects Affecting the City of SeaTac.” ~~not addressed in this chapter shall conform to the Port of Seattle’s Regulations for Airport Construction (RAC). (Ord. 98-1001 § 5)~~

15.25.110 ~~Setback Standards~~

~~Port standards apply, with the following exception: for properties fronting International Boulevard, the Port shall be required to coordinate development to City setback standards; provided the standards are consistent with the Port’s safety and security requirements. (Ord. 98-1001 § 5)~~

15.25.120 ~~Lot Coverage~~

~~Port standards apply, with the following exception: for properties within the City’s current (1997) business park zone, the City’s requirements for twenty-five percent (25%) pervious surface shall apply. (Ord. 98-1001 § 5)~~

15.25.130 ~~Height Restrictions~~

~~Port standards apply. (Ord. 98-1001 § 5)~~

15.25.140 ~~Setback Projections~~

~~Port standards apply. (Ord. 98-1001 § 5)~~

15.25.150 ~~Parking and Circulation~~

- ~~A. For non-aviation development, such as the Bai Tong Restaurant or the SeaFirst Bank, City parking requirements shall apply.~~
- ~~B. For the Port’s existing parking garages and any new parking garages, the Port’s parking standards shall apply.~~
- ~~C. For aviation-related development that will not be using the Port’s remote employee parking lots, City parking requirements will be applied, except in case where:
 - ~~1. Work sites have multiple work shifts over a twenty-four (24) hour period.~~
 - ~~2. Where employees have reasonable access to alternative, non-SOV modes as shuttle vans, buses, taxis, HOVs, or walking.~~~~
- ~~D. When one or both of these conditions exist, the City and Port will meet and decide on parking standards on a case-by-case basis.~~

~~E. For aviation related development that will use the Port's remote airport employee parking lots, the Port's parking requirements will apply. (Ord. 98 1001 § 5)~~

~~15.25.160 Signage~~

~~Port standards apply. (Ord. 98 1001 § 5)~~

~~15.25.170 Illumination (Light/Glare)~~

~~Port standards apply. (Ord. 98 1001 § 5)~~

~~15.25.180 090 Landscape Standards~~

Landscape design standards for projects within the AVO and AVC shall comply with the Port's 2006 Seattle-Tacoma International Airport Landscape Design Standards (STIA) as described in the 2005 ILA, Attachment A-4, pages 9-14.

~~A. General Standards.~~

- ~~1. Perimeter Landscaping. Port standards apply.~~
- ~~2. Loading Bay Landscaping. Port standards apply.~~
- ~~3. Surface Parking Lot Landscaping. Port standards apply.~~
- ~~4. Service Area Landscaping. Port standards apply.~~
- ~~5. General Landscape Requirements.~~
 - ~~a. Deciduous trees shall have a diameter (caliper) of at least two (2) inches measured four (4) feet above the ground at the time of planting.~~
 - ~~b. Evergreen (broadleaf or conifer) trees shall be at least eight (8) feet in height measured from treetop to the ground at the time of planting.~~
 - ~~c. Shrubs shall be at least twenty-four (24) inches high or wide at the time of planting and shall be a minimum two (2) gallon rootball size.~~
 - ~~d. Groundcovers shall be planted and spaced to result in total coverage of the landscape strip within one (1) year. Groundcovers shall be planted at a maximum of twenty-four (24) inches on center or as approved by the city.~~
 - ~~e. If fences, hedges or other architectural designs are used along street frontage, they shall be placed inward of the landscape strip. Opening shall be provided to accommodate pedestrian circulation requirements.~~
 - ~~f. Berms shall not exceed a slope of three (3) horizontal feet to one (1) vertical foot (3:1).~~

~~A. Landscape Standards for Aviation Operations—Business Park and Aviation Commercial—Business Park.~~

- ~~1. Perimeter Landscaping.~~
 - ~~a. Perimeter landscaping shall be located along the property lines of a lot and shall include:
 - ~~i. A minimum twenty (20) foot wide landscape strip adjacent to public rights of way consisting of the following:
 - ~~(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) Groundcover.
 - ii. A minimum twenty (20) foot wide landscape strip adjacent to residential zoned properties consisting of the following:
 - (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.
2. ~~Loading Bay Landscaping. Loading bays shall be fully screened from residential properties or adjacent rights of way using one or a combination of the following methods unless there is conflicting guidance from the FAA or airport security:~~
- a. ~~Orient the building design and layout to screen to loading bays from adjacent residential properties and rights of way;~~
 - b. ~~Provide twenty (20) feet of Type I landscaping as specified in SMC 15.14.030 between subject property and adjacent residential properties and rights of way. Incorporate into the landscape buffer either a minimum six (6) foot high decorative fence or landscape berm, as approved by the Port of Seattle.~~
3. ~~Surface Parking Lot Landscaping.~~
- a. ~~Surface parking lot landscaping shall provide shade and visual relief, and maintain clear site lines within parking areas. Interior landscaping within surface parking lots shall be a minimum of ten percent (10%) of the interior parking lot including parking spaces and drive aisles.~~
 - b. ~~Parking area landscaping shall consist of:~~
 - i. ~~Canopy type trees or broadleaf evergreen trees, evergreen shrubs and a mix of evergreen and deciduous groundcovers planted in wells, raised planters or parking strips;~~
 - ii. ~~Shrubs that do not exceed a height of four (4) feet at maturity;~~
 - iii. ~~Planting contained in:~~
 - (A) ~~Planting wells or parking strips having an area of at least seventy five (75) square feet and with a narrowest inside dimension of at least five (5) feet in width; or~~
 - (B) ~~Planters with a maximum dimension of five (5) feet in length and width;~~
 - iv. ~~Planting wells or strips which each contain at least one (1) tree;~~
 - v. ~~Groundcover;~~
 - vi. ~~Street frontage landscaping can be located in front of or behind the sidewalk.~~
 - c. ~~In lieu of the above plantings located within the paved parking areas, landscaping may consist of a landscaped buffer which functions as a visual separator between the parking area and non-airport property. Plant materials within the alternative landscape buffer shall be of the same type, size, number and area as needed to comply with subsections (B)(3)(b)(i) through (vi) of this section.~~

4. ~~Service Area Landscaping.~~

a. ~~Service area landscaping provides screening of outdoor storage and dumpster areas, and provides visual relief while maintaining clear sight lines of the airport operation area (AOA) security fence.~~

b. ~~Service area landscaping shall consist of:~~

- ~~i. A “see through” buffer which functions as a partial visual separator to soften the appearance of loading and service areas. “See through” buffering is intended for use between public streets and airport-related service areas located adjacent to the AOA security fence;~~
- ~~ii. A mix of canopy type deciduous trees, evergreen trees, broadleaf evergreen trees and shrubs spaced to create a continuous canopy within ten (10) years;~~
- ~~iii. At least seventy percent (70%) deciduous trees;~~
- ~~iv. Trees spaced no more than twenty five (25) feet on center;~~
- ~~v. Shrubs that do not exceed a height of three (3) feet at maturity;~~
- ~~vi. Berms shall not exceed a slope of three (3) horizontal to one (1) vertical foot (3:1);~~
- ~~vii. Landscaping located a minimum of five (5) feet away from the AOA security fence;~~
- ~~viii. Grass ground covering.~~

c. ~~Exceptions to Service Area Landscaping:~~

- ~~i. Airport-related uses located within the AOA or where landscaping is restricted by either federal regulations or the airport security plan; and~~
- ~~ii. Surface parking areas located within or directly adjacent to the AOA.~~

5. ~~General Landscape Requirements.~~

- ~~a. Deciduous trees shall have a diameter (caliper) of at least two (2) inches measured four (4) feet above the ground at the time of planting.~~
- ~~b. Evergreen (broadleaf or conifer) trees shall be at least eight (8) feet in height measured from treetop to the ground at the time of planting.~~
- ~~c. Shrubs shall be at least twenty four (24) inches high or wide at the time of planting and shall be a minimum two (2) gallon rootball size.~~
- ~~d. Groundcovers shall be planted and spaced to result in total coverage of the landscape strip within one (1) year. Groundcovers shall be planted at a maximum of twenty four (24) inches on center or as approved by the city.~~
- ~~e. If fences, hedges or other architectural designs are used along street frontage, they shall be placed inward of the landscape strip. Opening shall be provided to accommodate pedestrian circulation requirements.~~
- ~~f. Berms shall not exceed a slope of three (3) horizontal feet to one (1) vertical foot (3:1). (Ord. 98-1001 § 5)~~

15.25.190 100 Design Guidelines

~~Port of Seattle design guidelines apply to all development within the AVO and AVC zones, except that City of SeaTac design standards as listed under SMC 15.13.111(G) shall also apply to all properties formerly designated as “Business Park” as provided for in Attachment A 4 of the ILA. (Ord. 98-1001 § 5)~~

All development within the AVO and AVC zones are subject to the design standards as specified in the 2005 ILA under “Design Standards”, Attachment A-4, pages 4-8, and Seattle-Tacoma International Airport Landscape Standards found in the 2005 ILA, Attachment A-4, “Landscaping”, pages 10-15, except that City of SeaTac design standards as listed under SMC 15.13.111(G) shall also apply to all properties formerly designated as “Business Park” as provided for in Attachment A-4 of the 2005 ILA.

If either the Port or the City believe the standards in Attachment A-4 of the 2005 ILA are not satisfied, then “joint consultation” shall take place under Section 2.2.2, subject to more specific requirements for the Port master Plan and Comprehensive Development Plan (CDP) Projects on Port property in Section 2.2.1.6.

15.25.200 110 ~~Environmentally Sensitive Area Standards~~ Critical Areas

The City’s critical area regulations and standards (SMC 15.30) shall apply to Port projects. However, the City’s critical area provisions shall not apply to the third runway or other portions of the Port master Plan projects as follows: (a) wetland mitigation being done in Auburn, Washington; (b) Miller Creek stream location as shown in the Port’s Section 404 Corps Permit Application; and (c) for the Port Master plan projects not eligible for joint consultation as shown in the 2005 ILA, Attachment A-1, the Port shall implement the mitigation measures set forth in the Master Plan Final EIS and Final Supplemental EIS (as set forth in the 2005 ILA, Attachment A-5), and the City’s critical area regulations (including flood plains, seismic hazards, erosion and vegetation) shall not apply so long as those mitigation measures are implemented. The City’s standards and regulations shall be flexibly applied or modified on a case-by-case basis to recognize federal regulations, circulars or similar provisions affecting airports or the special circumstances presented by the operation of an airport. If the Port and City disagree on the critical area standards, then Dispute resolution under Section 13 of the 2005 ILA shall apply.

- ~~A. The City’s sensitive areas regulations and standards, as they existed on September 4, 1997, shall apply to Port of Seattle land uses except as noted below. The City’s standards and regulations shall be applied or modified in recognition of federal regulations or provisions affecting airports.~~
- ~~B. The following are exempt from the City’s sensitive area provisions; provided, that they conform to the mitigation measures set forth in the Port Master Plan Final EIS and Final Supplemental EIS:~~
- ~~1. The third runway;~~
 - ~~2. Miller Creek stream relocation as shown in the Port’s Section 404 Corps Permit Application (ILA Exhibit C, Section 15.2);~~
 - ~~3. Port Master Plan projects without an asterisk (*) in Attachment A-1 of the ILA. (Ord. 98-1001 § 5)~~

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 10th day of April, 2007, and signed in authentication thereof on this 10th day of April, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo , City Attorney

[Effective Date 4/21/07]

G:\group\PLANNING\AL TORRICO JR\Code Changes 2006\AVO-AVC Council ORD 3-14-07.doc

ORDINANCE NO. 07-1007

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Chapter 2.75 of the SeaTac Municipal Code related to Emergency Management.

WHEREAS, the Washington Emergency Management Act, Chapter 38.52 RCW, requires each political subdivision of the state to establish a local organization for emergency management, together with a plan and program for emergency management, and to obtain certification of consistency with state comprehensive emergency management plan; and

WHEREAS, RCW 35A.38.010 further provides authority to all code cities to participate in the creation of local organizations for emergency services, provide for mutual aid, and exercise all of the powers and privileges and perform all of the functions and duties set forth in the said Washington Emergency Management Act; and

WHEREAS, each local organization for emergency management is required to have a director appointed pursuant to state law; and

WHEREAS, the City deems it expedient to comply with the law and to establish an organization to ensure preparation for, and meaningful response in the event of, a large scale emergency or disaster;

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

Section 1. Chapter 2.75 of the SeaTac Municipal Code is hereby amended to read as follows:

Chapter 2.75

EMERGENCY MANAGEMENT

Sections:

- 2.75.010 Purpose.**
- 2.75.020 Emergency management policy.**
- 2.75.030 Definitions.**
- 2.75.040 Emergency management organization.**
- 2.75.050 Emergency operations plan.**
- 2.75.060 Emergency or disaster powers of the Mayor or Successor.**
- 2.75.070 Emergency and disaster powers of the Emergency Management Director.**
- 2.75.080 Functions and duties of departments and employees.**
- 2.75.090 Private liability.**
- 2.75.100 Penalty.**
- 2.75.110 Compensation Board.**
- 2.75.120 Severability.**

2.75.010 Purpose.

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

2.75.020 Emergency management policy.

It is the policy of the City to make effective preparation and use of staffing, resources, and facilities for dealing with any emergency or disaster that may occur. Emergencies and disasters, by their very nature, may disrupt or destroy existing systems and the capability of the City to respond to protect life, public health and property. Therefore, citizens are advised to be prepared to be without public services or utilities for up to a minimum of 72 hours should an emergency or disaster occur.

2.75.030 Definitions.

A. "Emergency management" shall mean the preparation for the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to mitigate, prepare for, respond to, and recover from emergencies and disasters, and to aid victims suffering from injury or damage resulting from disasters caused by all hazards, whether natural or manmade, and to provide support for search and rescue operations for persons and property in distress.

B. "Emergency or disaster" as used in this chapter shall mean an event or set of circumstances which: (1) demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken area within the City overtaken by such occurrences, or (2) reaches such a dimension or degree of destructiveness as to warrant the Mayor proclaiming the existence of a disaster or the Governor declaring a state of emergency in accordance with appropriate local ordinances and State statute.

C. "Emergency Management Director" shall mean the person appointed by the City Council.

D. "Deputy Emergency Management Director" shall mean the person appointed by the Emergency Management Director to perform the duties of the Emergency Management Director in his or her absence.

2.75.040 Emergency management organization.

A. There is hereby created, in accordance with Chapter 38.52 RCW, an emergency management organization. The purpose of the local organization is to perform local emergency management functions. The organization shall represent only the City of SeaTac and operate only within the City.

B. The Emergency Management Director shall be the person appointed by the City Council and have direct responsibility for the organization, administration and operation of the emergency management program for the City.

C. The Emergency Management Director shall be the Fire Chief who has been appointed by the City Council. The Emergency Management Director shall develop and maintain the emergency operations plan and program in cooperation with the Emergency Preparedness Committee and shall have such other duties as may be added by amendment to this chapter.

D. The Deputy Emergency Management Director shall be the Police Chief who has been appointed by the Emergency Management Director. The Deputy Emergency Management Director shall exercise the powers and perform the duties of the Emergency Management Director during his/her absence or disability. In the absence of the Deputy Emergency Management Director, the position shall be filled by the Public Works Director.

E. An Emergency Preparedness Committee is hereby created and chaired by the Emergency Management Director to provide direction and staff support for the development and maintenance of the emergency operations plan. The Committee members may staff the Emergency Coordinations Center during emergencies and disasters and perform any other necessary functions during an emergency or disaster. The Committee shall consist of, but not limited to, such key personnel as are designated by the Emergency Management Director, and such personnel from outside professional and volunteer organizations having key roles in emergency preparedness, planning and response activities as determined by the Emergency Management Director. The Emergency Preparedness Committee shall consist of the following members: Emergency Management Director, Mayor, Public Safety and Justice Committee Chair, Transportation and Public Works Committee Chair, City Manager, Assistant City Manager, Human Services Coordinator, Public Works Director, Finance Director, City Clerk, Parks Director, Police Chief, Planning Director and Human Resources Director.

F. A Policy Group is hereby created to provide direction and policy making decisions to the Emergency Coordinations Center during and after a disaster has occurred in the City of SeaTac. The Policy Group will consist of the Mayor, Deputy Mayor and Councilmembers, City Manager,

and City Attorney. The City Clerk or alternate is designated as the official recordation person for the group.

2.75.050 Emergency operations plan.

The emergency operations plan, prepared by the Emergency Preparedness Committee under the direction of the Emergency Management Director, is the official emergency operations plan of the City of SeaTac. The Emergency Management Director shall file a copy of said plan in the office of the City Clerk, and distribute copies of said plan to appropriate City departments.

2.75.060 Emergency or disaster powers of the Mayor or Successor.

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

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

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

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

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

E. In order to assure continuity of government and succession authority and lines of communications, it is necessary to define the succession lines for the Mayor if he/she is not available or incapacitated during an emergency or disaster. In the event the Mayor is incapacitated or absent during an emergency or disaster, the Deputy Mayor shall assume the responsibilities of the Mayor. In the event the Deputy Mayor is incapacitated or absent during a disaster, then the Chair of the Public Safety and Justice Committee shall assume the responsibilities of the Mayor. This does not preclude the powers of the Emergency Management Director to proclaim an emergency or disaster in the event it is immediately needed in order to save lives and property in the City of SeaTac.

2.75.070 Emergency and disaster powers of the Emergency Management Director.

The Emergency Management Director is hereby empowered:

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

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

C. To direct coordination and cooperation between neighboring jurisdictions, divisions, services and staff of the departments and services of the City in carrying out the provisions of the

emergency management plan, and to resolve questions of authority and responsibility that may arise between them;

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

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

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

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

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

2.75.080 Functions and duties of departments and employees.

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

2.75.090 Private liability.

No individual, firm, association, corporation or other party owning, maintaining or controlling any building or premises, who voluntarily and without compensation grants to the City a license or privilege or otherwise permits said City to inspect, designate and use the whole or any part or parts of such building or premises for the purpose of sheltering persons during an actual, impending, mock or practice emergency or disaster, or their successors in interest, or the agents or employees of any of them, shall be subject to liability for injuries sustained by any person while in or upon said building or premises as a result of any act or omission in connection with the upkeep or maintenance thereof, except a willful act of negligence, when such a person has entered or gone into or upon said building or premises for the purpose of seeking refuge therein during an emergency or disaster or an attack by enemies of the United States or during a disaster drill, exercise or test ordered by a lawful authority.

2.75.100 Penalty.

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

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

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

2.75.110 Compensation Board.

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

2.75.120 Severability.

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

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

ADOPTED this 10th day of April, 2007, and signed in authentication thereof on this 10th day of April, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 4/21/07]

[SMC 2.75 Emergency Management Director]

ORDINANCE NO. 07-1008

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2007 Annual City Budget for miscellaneous items.

WHEREAS, the SeaTac City Council has reviewed agenda bill #2790 submitted by the Finance Department which details certain expenditures not provided for in the 2007 Budget or the subsequent budget amendment for 2006 carryovers in the General Fund (Fund 001) and the Municipal Capital Improvements Fund (Fund 301); and

WHEREAS, amendment to the City's 2007 Annual City Budget is necessary to provide additional appropriation authority to fund certain expenditures identified in agenda bill #2790;

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

Section 1. The 2007 Annual City Budget shall be amended to increase the total General Fund expenditures by \$17,000.

Section 2. The 2007 Annual City Budget shall be amended to increase the total Municipal Capital Improvements Fund expenditures by \$412,010.

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

ADOPTED this 24th day of April, 2007, and signed in authentication thereof on this 24th day of April, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 05/05/07]

ORDINANCE NO. 07-1009

AN ORDINANCE of the City Council of the City of SeaTac, Washington vacating an unimproved portion of South 179th Street lying westerly of the westerly margin of 38th Avenue South as platted by Rancho Vista Division No. 2 in Volume 55 pages 62 & 63 records of King County.

WHEREAS, Boyd Dolloff and Wayne Sorenson (“Petitioners”) have requested vacation of a portion of South 179th Street right-of-way depicted in the legal description attached as Exhibits “A”, and “B”; and

WHEREAS, SMC 11.05.090 adopts the street vacation procedures of RCW 35.79; 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. 07-005 fixing the public hearing for April 24, 2007, to be followed by Council action; and

WHEREAS, no apparent municipal use of the said right-of-way exists, and the adjacent owners have 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 a portion of South 179th Street as described on Exhibits “A”, and “C” and depicted in the drawings on Exhibits “B” and “D” 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 to Boyd Dolloff. The portion of South 179th Street as legally described on Exhibit “A” and depicted in the drawing on Exhibit “B” to this Ordinance, within the City of SeaTac, is hereby vacated to Boyd Dolloff, subject to Sections 3 and 4 of this Ordinance.

Section 2. Vacation of Rights-of-Way to Wayne Sorenson. The portion of South 179th Street as legally described on Exhibit “C” and depicted in the drawing on Exhibit “D” to this Ordinance, within the City of SeaTac, is hereby vacated to Wayne Sorenson, subject to Sections 3 and 4 of this Ordinance.

Section 3. Reservation of Easements. Notwithstanding Sections 1 and 2 of this Ordinance, utility easements located within the said portions of the rights-of-way of South 179th Street are reserved until released by the Grantees thereof.

Section 4. Compensation Required. Boyd Dolloff and Wayne Sorenson, which are the sole landowners of property abutting the aforesaid right-of-way, shall compensate the City of SeaTac in an amount equal to the full appraised value of the total area so vacated, less one-half the value of the areas encumbered by utility easements, pursuant to law, together with a processing fee in the sum of \$250.00 for all areas vacated. The compensation to be paid to the City for right-of-way being vacated under Section 1 of this Ordinance is \$8,505.00. The compensation to be paid to the City for right-of-way being vacated under Section 2 of this Ordinance is \$117.00. Therefore, the total sum of compensation for all vacated property **\$8,622.00**, plus the processing fee and the cost of recording the easements described in Section 3 of this Ordinance.

Section 5. Codification. This Ordinance shall not be codified in the SeaTac Municipal Code.

Section 6. 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, together with the easements described in Section 3 of this Ordinance.

Section 7. No Partial Vacation. It is the intent vacate the entire portion of the right-of-way described and depicted in Exhibits “A”, “B”, “C”, and “D” of this Ordinance, and thus any partial vacation of the areas described in the Exhibits to this Ordinance is not authorized.

Section 8. Effective Date. This Ordinance shall be in full force and effect upon 1) the City’s receipt of the easements described in Section 3 of this Ordinance and 2) the City’s receipt of all compensation, processing fees, and recording fees required by Section 4 of this Ordinance. In no event shall this Ordinance be effective sooner than thirty (30) days after passage.

ADOPTED this 24th day of April, 2007, and signed in authentication thereof on this 24th day of April, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: _____]

S. 179th Street Vacation

ORDINANCE NO. 07-1010

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2007 Annual City Budget for the 2007 through 2009 Collective Bargaining Agreement between the City of SeaTac and the International Association of Fire Fighters Local 2919.

WHEREAS, the SeaTac City Council has reviewed agenda bill #2799 submitted by the Finance Department which indicates the budget impact for 2007 of the proposed cost of living adjustment and additional financial agreements in the proposed bargaining agreement is approximately \$323,000; and

WHEREAS, the estimated 2007 cost of the proposed agreement is approximately \$76,000 more than the amount appropriated in the 2007 Budget; and

WHEREAS, amendment to the City's 2007 Annual City Budget is necessary to provide additional appropriation authority in the General Fund to cover the estimated \$76,000 additional 2007 cost of the 2007-2009 collective bargaining agreement between the City of SeaTac and the International Association of Fire Fighters (IAFF), Local 2919;

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

Section 1. The 2007 Annual City Budget shall be amended to increase the total General Fund expenditures by \$76,000.

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

ADOPTED this 8th day of May, 2007, and signed in authentication thereof on this 8th day of May, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 5/19/07]
[IAFF Collective Bargaining Agreement 2007 Budget Amendment]

ORDINANCE NO. 07-1011

An ORDINANCE of the City Council of the City of SeaTac, Washington, readopting Section 15.38 to the SeaTac Municipal Code, regarding interim development standards to properties located within the South 154th Street Station Area, and entering findings of fact supporting the readoption of interim standards.

WHEREAS, the Comprehensive Plan supports implementing interim development standards to encourage commercial land uses that serve the needs of the City's residents, businesses, and visitors (Goal 1.3); and

WHEREAS, adopting interim standards allows time for City staff and the Planning Commission to complete a unified planning process and to formulate permanent development standards that reflect input from the public and the affected business community; and

WHEREAS, RCW 36.70A.390 allows adoption of an interim zoning ordinance for a period of up to six (6) months; and

WHEREAS, the current interim development standards for the S. 154th St. Station Area expire on June 30, 2007; and

WHEREAS, the City Council held public hearings on May 23, 2006 and June 27, 2006 as required by RCW 35A.63.220 and RCW 36.70A.390 to adopt the Interim Standards; and

WHEREAS, the City Council held a public hearing on December 12, 2006 as required by RCW 35A.63.220 and RCW 36.70A.390; and

WHEREAS, the City Council held a public hearing on May 22, 2007 as required by RCW 35A.63.220 and RCW 36.70A.390; and

WHEREAS, the City of SeaTac is a diverse suburban South King County community with over 25,000 citizens and a large, short-term transient population moving through the

SeaTac International Airport and the hotels located within the City; and

WHEREAS, a portion of the City involves airport, airport commercial, commercial business, and industrial land uses, with the remainder of the City being primarily residential in nature; and

WHEREAS, a transit oriented development concept in the South 154th Street Station Area would create significant economic development which would benefit the City and its residents, and help provide for creation of a mix of possible transportation infrastructures (both vehicular and pedestrian), housing, retail facilities, and public and private service facilities; and

WHEREAS, Sound Transit is currently constructing a light rail station at the intersection of South 154th Street and International Boulevard in the City of Tukwila; and

WHEREAS, the South 154th Street Station Area is located in very close proximity to the South 154th Street and International Boulevard Sound Transit Light Rail Station; and

WHEREAS, on February 28, 2006, under RCW 35A.63.220, the City Council adopted a moratorium relating to planning, zoning, and development regulations; and

WHEREAS, on April 11, 2006, the City Council adopted findings of fact to support the moratorium pursuant to RCW 35A.63.220; and

WHEREAS, on December 12, 2006 the City adopted a Station Area Action Plan for as the South 154th Street Station Area; and

WHEREAS, the City is currently developing final design standards for the area designated as South 154th Street Station Area; and

WHEREAS, the City Council finds that transit oriented development at the South 154th Street Station Area is greatly in the public interest; and

WHEREAS, it is in the best interest of the City and its residents that interim standards

be readopted at this time; and

WHEREAS, it is necessary to continue studying the South 154th Street Station Area so that appropriate final development regulations can be established; and

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

SECTION 1. For a period of six (6) months from the effective date of this Ordinance, Section 15.38 of the SeaTac Municipal Code is hereby readopted as follows:

15.38.010 Purpose

A. The following special standards are intended to implement the City’s vision for the S. 154th St. Station Area, by promoting integrated development and pedestrian-oriented design, a diversity of uses within close proximity, open space, and a focal point for community identity.

B. Each standard includes examples and illustrations of ways in which the intent of the standard could be achieved. The graphic illustrations are meant to be examples, and not the only acceptable means to accomplishing the intent of the illustrated standards. Applicants and project designers are encouraged to consider designs, styles and techniques not pictured in the examples that fulfill the intent of the design standard. (Ord. 99-1050 § 8)

15.38.020 Authority and Applications

A. The provisions of this chapter shall apply to the S. 154th St. Station Area (see Figure 15.38.020). Within the S. 154th St. Station Area, Chapter 15.38 SMC shall supersede existing regulations in SMC 15.13.110 and 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 or site, excluding interior-only improvements, which total fifty percent (50%) 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 S. 154th St. Station Area special standards into the design of the alteration or addition. Project applicants proposing additions or alterations to a building or site conforming to the above criteria for major

redevelopment shall arrange a pre-design meeting with planning staff prior to meeting with the Development Review Committee in order to establish those design standards applicable to the proposed addition or alteration.

C. In order to provide flexibility and creativity of project designs, departures from these special standards may be permitted (except to SMC 15.38.810), subject to the approval of the Director of Planning and Community Development:

1. If the strict interpretation or application of these special standards would be inconsistent with related provisions of the Zoning Code or would be contrary to the overall purpose or intent of City goals and objectives for the S. 154th St. Station Area or Comprehensive Plan; or
2. If it can be shown that the overall project design and feasibility can be improved.

D. In order to provide flexibility, to permit creativity of design, style, and technique, and to provide for phased development and interim uses, Development Agreements may be entered into by and between the City and property owners or developers, pursuant to RCW 36.70B.170 through 36.70B.200, unless otherwise prohibited in this chapter; provided, that the terms of any such development agreement shall be consistent with the purpose and intent of this chapter. Special conditions or exemptions established for a particular site or project through a development agreement shall include criteria or date for the termination of any such agreement.

E. Single-family homes are exempt from the provisions of this chapter. In addition, the following zoning designations and related land uses are exempt from the provisions of this chapter:

1. Urban low (UL);
2. Aviation operations (AVO) and aviation commercial (AVC).

F. Development and application of these standards, where applicable, shall be consistent with the interlocal agreement (ILA) between the City of SeaTac and the Port of Seattle.

G. Standards for high capacity transit facilities, as identified in Chapter 15.36 SMC, shall apply to all applicable development within the S. 154th St. Station Area area.



Figure 15.38.020

15.38.030 Development Plan – Filing Requirements

Development applications must be submitted in sufficient detail to allow review of the project in accordance with the special standards of this chapter, SEPA requirements, and other applicable provisions of this code.

In addition to existing application requirements, the following information, at a minimum, must be included as elements in every S. 154th St. Station Area development application:

A. Site Plan. A site plan, at a scale no smaller than one (1) inch to twenty (20) feet, must show the following:

1. The location, size and finished grade of all proposed and existing on-site structures, as well as the existing topography and the grade of all public or private streets adjacent to the site;
2. A circulation plan which depicts access to the site and the vehicular, pedestrian and bicycle traffic flow on-site, as well as links with developments on adjoining parcels. Site access and circulation shall be approved by both the Director of Public Works and the Director of Planning and Community Development;

3. The location, arrangement, and total square footage of on-site useable open space areas, as specified in SMC 15.38.410 through 15.38.430;
4. Links to open spaces and landscaped areas on adjacent parcels;
5. The lot lines and footprints of all structures on all parcels within two hundred (200) feet of the boundaries of the project parcel;
6. Provide details on how all mechanical and utility rooftop equipment will be screened; and.

B. Building Elevations. For SEPA review, preliminary elevations will be accepted. A complete set of elevation drawings for proposed buildings on the project site showing trim details, dimensions and exterior materials including roofing, siding, windows and trim will be necessary for design review.

15.38.100 Use Charts

The following use charts indicate the land uses permitted (P), permitted as a Conditional Use (C), or not permitted (blank cell) in each Zone.

15.38.110 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	O/CM	O/C/MU	T	
	RESIDENTIAL USES										
001	Single-Family										
002	Duplex	P	P	P	C	P					
003	Townhouses	P	P	P	C	P	P	P	P		
004	Multi-Family	P	P(10)	P(10)	C	P(9)	P(9)	P(9)			
005	Senior Citizen Multi	P	P	P	C	P	P	P			
006	Manufactured/Modular Home (13)										
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(9)			
008b	Transitional Housing		C(12)	C(12)		P(12)	C(12)				
010	Rest/Convalescent Center/ Nursing Home	P	P	P	P		P				
011	Mobile Home Park										
013	College Dormitory				C	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)							

- (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 15.38.620, and arranged on-site as described in SMC 15.38.610.

- (10) Ground floor retail/commercial or service uses, as described in SMC 15.38.620, 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.

15.38.120 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-UCR	NB	CB-C	O/CM	O/C/MU	T	
	RECREATIONAL/CULTURAL USES										
022	Community Center	P	C	P	P	P	P		P	P	C
023	Golf Course	P									
024	Theater	P(2)				P	P		P		
025	Drive-In Theater										
026	Stadium/Arena										
027	Amusement Park										
028	Library		P	C	P	P	P		P	P	C
029	Museum		C	C	P	P	P		P		
030	Conference/Convention Center					P	P		P		
031	Cemetery	C	C	C		C	C				
032	Private/Public Stable	P									
033	Park	P	P	P	P	P	P		P	P	P
034	Church		C	P	P	P	P		P	P	C
035	Church Accessory		C(2)	C(2)	P(2)	P	P		P	P	C(2)
036	Recreational Center	P		P	P	P	P		P	P	
036.5	Health Club			C(2)	P	P	P		P	P	
037	Arcade (Games/Food)	P		P(2)	P(2)	P	P		P(2)	P(2)	

(1) Site must be adjacent to an improved arterial.

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

15.38.130 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	O/CM	O/C/MU	T	
	GENERAL USES										
041	Wireless Telecommunications Facility	C/P(6)	C/P(6)	C/P(6)	C/P(6)	P	P	P	P	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	P	P	Mr.-P Mjr.-C	
043	Dry Cleaner (8)			P(1,2)	P(2)	P	P	P(2)	P(2)	P(2)	
044	Auto Repair					C					
045	Auto Service					P	P				
046	Funeral Home/Crematory	C				P	P(1)	P(2)			
047	Veterinary Clinic				P(2)	P	P	P(2)	C		
048	Kennel					P	P(1)				
049	Day Care I		P(3,5)	P(3,5)	P(3,5)	P(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(2,3)	P(2,3)	P(2,3)	
051	General Repair					P	P(1)	P(2)			
	EDUCATIONAL USES										
055	Elementary – Jr. High		C	C	C						
056	High School		C	C	C	P	C				
057	Vocational School					C	P	P(2)	P(2)		
058	Specialized Instruction School		P(4)	P(4)	P	P	P	P(2)	P(2)		
059	College/University		C	C	C		P	P	P(2)		
	HEALTH SERVICES USES										
062	Office/Outpatient Clinic			P	P	P	P	P	P		
064	Hospital					P	P	C			
065	Medical/Dental Lab			C	C	P	P	P	P	P(2)	
066	Miscellaneous Health				C	P	P	C	C		
067	Opiate Substitution Treatment Facility						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) WTFs are permitted uses if located on water towers, school buildings higher than thirty (30) feet, or utility poles; WTFs are conditional uses in all other cases.
- (7) Subject to the CUP-EPF siting process (SMC 15.22.038).
- (8) No drive-through facilities allowed. See SMC 15.38.170(B)

15.38.140 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	O/CM	O/C/MU	T
	GOVERNMENT/OFFICE USES									
071	Social Service Office			C	P	P	P	P	P	
072	Public Agency Office	P		P	P	P	P	P	P	
073	Public Agency Yard	C(2)					C	C	C	
074	Public Agency Archives	C(3)				C	P	P	P	
075	Court						P	P	P	
076	Police Facility	P	P	P	P	P	P	P	P	
077	Fire Facility	P	P	P	P	P	P	P	P	
079	Helipad/Airport and Facilities									
080	Utility Use		C	C	C	C	C	C	C	
081	Utility Substation			C	C	C	C	C	C	
082	Financial Institution				P(4)	P	P	P	P	
083	City Hall				P(4)	P	P			
083.5	Secure Community Transition Facility						C(5)	C(5)		
	BUSINESS SERVICES USES									
086	Construction/Trade						C	C		
087	Truck Terminal									
088	Airport Support Facility									
089	Warehouse/Storage					C		C(1)		
090	Professional Office			P(4)	P(4)	P	P	P	P	
091	Heavy Equipment Rental									
092	Misc. Equipment Rental Facility					C	C	P(1)		
093	Auto Rental/Sales						P(1)	C(1)		
095	Motor Freight Repair									
096	Heavy Equipment Repair									
097	R and D/Testing					C	C	C		
098	Commercial/Industrial Accessory Uses					P	C	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 15.38.610.

(5) Secure community transition facilities are subject to the CUP-EPF siting process (SMC 15.22.038).

15.38.150 Retail/Commercial Uses – Alternative 1 (Prohibits Drive-through facilities)

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	O/CM	O/C/MU	T
	RETAIL/COMMERCIAL USES									
101	Hotel/Motel and Associated Uses					P	P	P	C	
102	Forest Products					P(3)	P(3)	P(3)		
103	Hardware/Garden Material					P	P	P(6)	P(6)	P(6)
104	Department/Variety Store					P	P	P(6)	P(6)	
105	Food Store (4)			P(8)	P(6)	P	P	P(6)	P(6)	P(6)
106	Agricultural Crop Sales (Farm Only)					P	P			
107	Auto/Boat Dealer									
108	Auto Supply Store					P	P(6)	C(6)	C(6)	
109	Gasoline/Service Station					C	P			
110	Apparel/Accessory Store			P(7)	P(6)		P	P(6)	P(6)	
111	Furniture Store				P(6)		P	P(6)	P(6)	
112	Restaurant (4)			C(2)	P(6)		P	P(6)	P(6)	P(6)
112.1	Retail Food Shop (4)			P(8)	P(6)	P	P	P(6)	P(6)	
112.2	Tavern				P(6)	P(8)	P	P(6)	C	P(6)
113	Drug Store (4)			P(7)	P(6)	P	P	P(6)	P(6)	P(6)
114	Liquor Store (4)						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(6)	P(6)	P(6)
117	Media Material			P(7)	P(6)	P	P	P(6)	P(6)	
118	Jewelry Store			P(7)	P(6)	P	P	P(6)	P(6)	P(6)
119	Hobby/Toy Store			P(7)	P(6)	P	P	P(6)	P(6)	P(6)
120	Photographic and Electronic Store				P(6)	P	P	P(6)	P(6)	P(6)
121	Fabric Store			P(7)	P(6)		P	P(6)	P(6)	P(6)
122	Florist Shop (4)			P(7)	P(6)	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(6)	P(6)	
125	Beauty Salon			P(8)	P(6)	P	P	C(6)	P(6)	P(6)
125.1	Laundromat			P(7)	P	P	P	P	P(6)	
125.3	Comm. Marine Supply					C	P			
126	Other Retail Uses (4)			P(7)	P(6)	C	P	P	C	P(6)
127	Adult Entertainment						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 drive-through facilities allowed. See SMC 15.38.180
- (5) See SMC 15.29.010.
- (6) Permitted as part of a mixed use development, as described in SMC 15.38.610.
- (7) Small, resident-oriented uses only, as part of a residential mixed use project.
- (8) Small, resident-oriented uses only.

15.38.150 Retail/Commercial Uses – Alternative 2 (Allows some drive-through facilities, subject to conditions)

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		O/CM	O/C/MU	T
	RETAIL/COMMERCIAL USES										
101	Hotel/Motel and Associated Uses					P	P		P	C	
102	Forest Products					P(3)	P(3)		P(3)		
103	Hardware/Garden Material					P	P		P(6)	P(6)	P(6)
104	Department/Variety Store					P	P		P(6)	P(6)	
105	Food Store			P(8)	P(6)	P	P		P(6)	P(6)	P(6)
106	Agricultural Crop Sales (Farm Only)					P	P				
107	Auto/Boat Dealer										
108	Auto Supply Store					P	P(6)		C(6)	C(6)	
109	Gasoline/Service Station					C	P				
110	Apparel/Accessory Store			P(7)	P(6)		P		P(6)	P(6)	
111	Furniture Store				P(6)		P		P(6)	P(6)	
112	Restaurant (4)			C(2)	P(6)		P		P(6)	P(6)	P(6)
112.1	Retail Food Shop			P(8)	P(6)	P	P		P(6)	P(6)	
112.2	Tavern				P(6)	P(8)	P		P(6)	C	P(6)
113	Drug Store			P(7)	P(6)	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(6)	P(6)	P(6)
117	Media Material			P(7)	P(6)	P	P		P(6)	P(6)	
118	Jewelry Store			P(7)	P(6)	P	P		P(6)	P(6)	P(6)
119	Hobby/Toy Store			P(7)	P(6)	P	P		P(6)	P(6)	P(6)
120	Photographic and Electronic Store				P(6)	P	P		P(6)	P(6)	P(6)
121	Fabric Store			P(7)	P(6)		P		P(6)	P(6)	P(6)
122	Florist Shop			P(7)	P(6)	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(6)	P(6)	
125	Beauty Salon			P(8)	P(6)	P	P		C(6)	P(6)	P(6)
125.1	Laundromat			P(7)	P	P	P		P	P(6)	
125.2	Espresso Stand (9)			P	P	P	P	P	P	P(6)	P
125.3	Comm. Marine Supply					C	P				
126	Other Retail Uses			P(7)	P(6)	C	P		P	C	P(6)
127	Adult Entertainment						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) Drive-through facilities allowed subject to conditions. See SMC 15.38.180
- (5) See SMC 15.29.010.
- (6) Permitted as part of a mixed use development, as described in SMC 15.38.610.
- (7) Small, resident-oriented uses only, as part of a residential mixed use project.
- (8) Small, resident-oriented uses only.
- (9) Walk-up only.

15.38.160 Manufacturing 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	O/CM	O/C/MU	T
	MANUFACTURING USES									
130	Food Processing									
131	Winery/Microbrewery						P(1)	P(1)	C(1)	
132	Textile Mill									
133	Apparel/Textile Products									
134	Wood Products									
135	Furniture/Fixtures									
136	Paper Products									
137	Printing/Publishing						C			
138	Chemical/Petroleum									
138.5	Biomedical Product Facility									
139	Rubber/Plastic/Leather/Mineral Products									
140	Primary Metal Industry									
141	Fabricated Metal Products									
142	Commercial/Industrial Machinery									
143	Computer/Office Equipment									
144	Electronic Assembly									
145	Aerospace Equipment									
146	Misc. Light Manufacturing									
147	Tire Retreading									
148	Recycling Products									
149	Towing Operation									
150	Auto Wrecking									
151	Self-Service Storage									
152	On-Site Hazardous Waste Treatment and Storage Facilities									

(1) Winery/Microbrewery with retail section.

15.38.170 Public/Private Parking

Public/Private parking facilities, which provide parking spaces for a fee, either associated with some other use or not, shall be prohibited in the S. 154th St. Station Area.

15.38.180 Drive-through Facilities

Drive through facilities shall be allowed subject to the following:

1. A drive-through facility shall be part of a restaurant as defined in SMC 15.10.550, and with a minimum building size of 1,500 square feet;
2. The drive-through window shall not be located between the building and the street;
3. The drive-through window shall be located such that vehicular traffic using the drive-through does not impede pedestrian circulation; and
4. The building shall meet all other applicable design standards.

15.38.200 Circulation

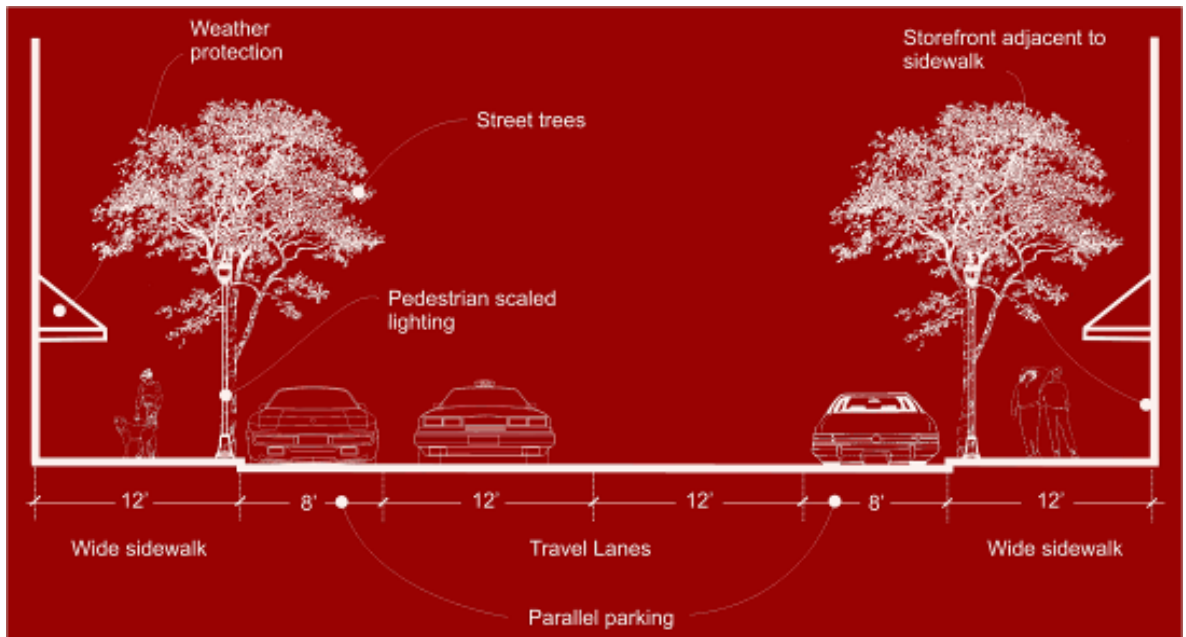
Purpose: Sufficient vehicular circulation should be provided through the establishment of an adequate network of collectors and minor arterials. Pedestrian corridors should be inviting in their overall design, such as through the provision of street furniture and landscaping, and should feel secure by providing adequate safety measures, such as lighting.

15.38.210 Vehicular Circulation Requirements

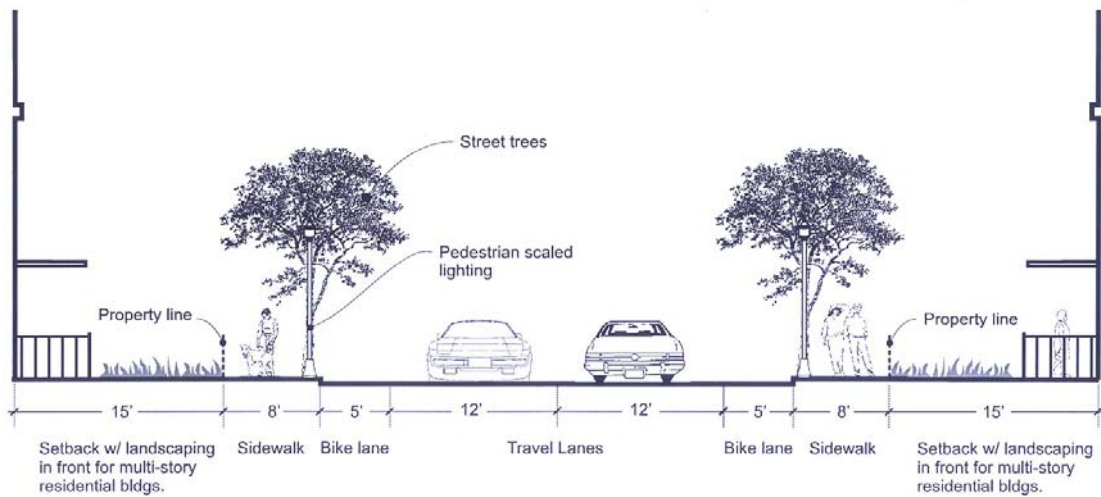
A. All new or reconstructed S. 154th St. Station Area streets, whether public or private, shall be constructed within a minimum forty (40), fifty (50), or sixty-four (64) foot wide corridor (including streetfront pedestrian zones), as described below (The illustrations below describe the primary street sections: Street sections may differ at intersections to provide channelization for left and/or right turns).. Pedestrian and vehicular circulation within the S. 154th St. Station Area is intended to provide for public access, safe traffic flow, and connections to established vehicular and pedestrian routes, and is not intended to be applied prescriptively. Vehicular circulation shall be as approved by both the Director of Planning and Community Development and the Director of Public Works.

[Note: The street sections shown below will be described and contained in the documentation kept and maintained by the City's Public Works Department. This section of the Interim Standards will refer to that documentation. The street sections are shown here for illustrative purposes.]

1. S. 152nd St. within the Station Area shall be a minimum of sixty-four (64) feet in width per the diagram below.

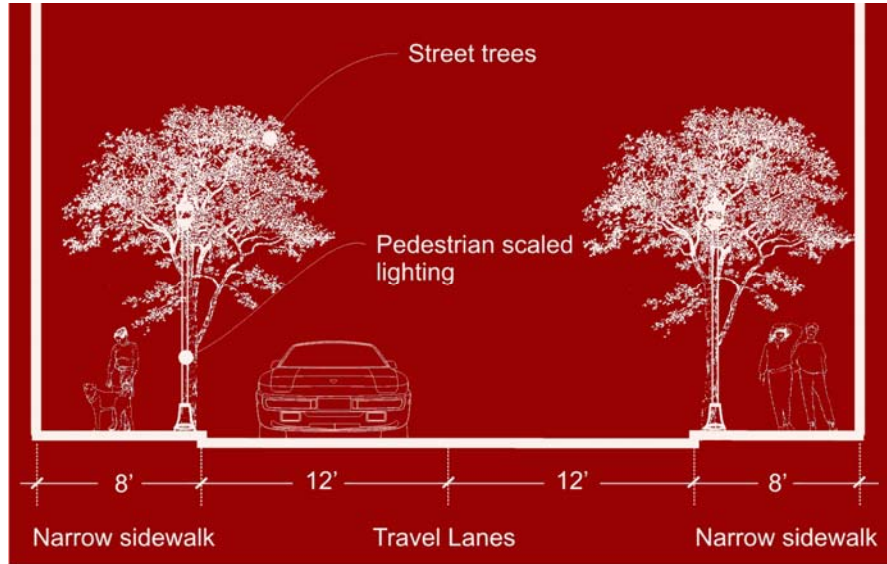


2. S. 154th St. west of 32nd Ave. S. within the Station Area shall be a 2-lane minor arterial with bike lanes per the diagram below.



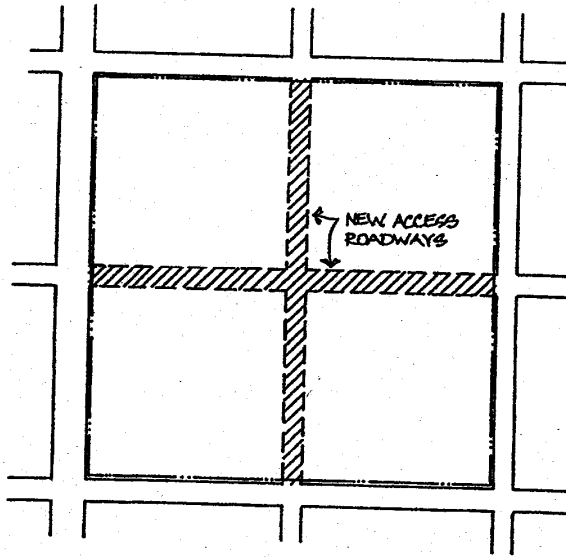
50 ft. Section

3. S. 154th St., between 32nd Ave. S. and International Boulevard; and International Boulevard, between S. 154th St. and S. 152nd St., shall be constructed consistent with the plans approved by the City of SeaTac and Sound Transit. (See Exhibit A)
4. All other streets within the Station Area shall be a minimum of forty (40) feet in width per the diagram below.



40 Foot Section

- B. All streets shall be designed to create blocks which are no greater than four hundred (400) feet on a side. In cases where topographic or other environmental constraints preclude the creation of a four hundred (400) feet by four hundred (400) feet block size, the four hundred (400) foot maximum block length shall apply to only two (2) sides of a block, and the maximum block length may be waived by the Director of Planning and Community Development.

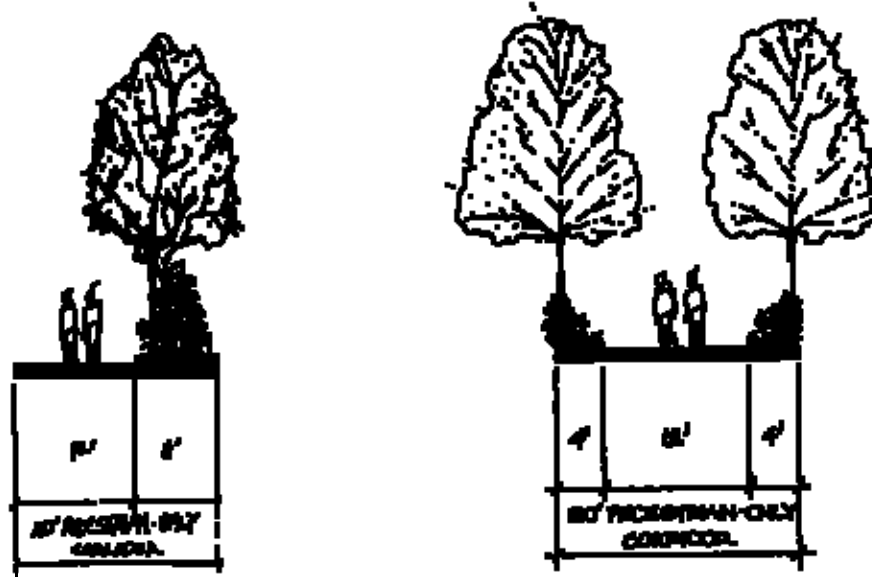


- C. An owner or developer shall coordinate with owners of adjacent parcels and consolidate, wherever possible, vehicular circulation routes to interconnect public and/or private streets in conformance with the adopted S. 154th St. Station Area Plan. Where appropriate, circulation corridors shall extend to the boundary line of the site parcel in order to provide for future development of adjacent parcels and connections with existing public and/or private streets.
- D. Dead-end streets shall be permitted only where there is no feasible connection with an adjacent public and/or private street.
- E. Half-streets shall not be allowed, except as an interim circulation route as approved by both the Director of Planning and Community Development and the Director of Public Works, in which the other half of the public or private street shall be developed on an adjacent parcel.

15.38.220 Pedestrian Circulation Requirements

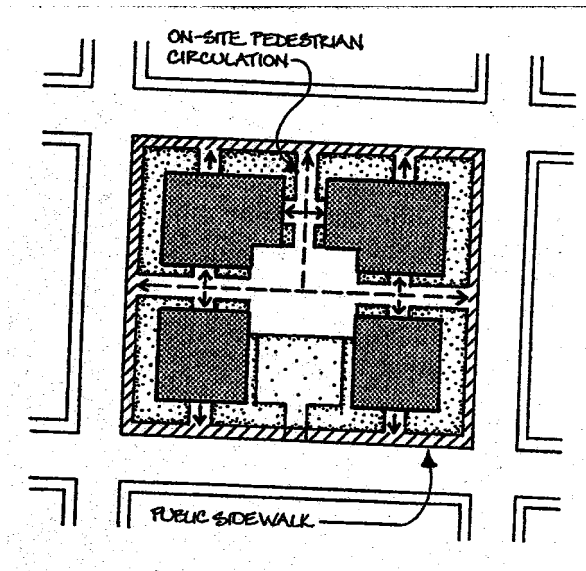
- A. All site plans proposing multiple buildings designed for residential occupancy or business access shall connect building entrances to one another and to pedestrian ways on adjacent public and/or private streets via a minimum four (4) foot wide walkway system separated from vehicular traffic. Public sidewalks may be considered part of the walkway system if they provide convenient movement between structures. Fences, landscaping and other site improvements shall be located so as not to impede safe and convenient pedestrian circulation.

- B. On-site pedestrian ways shall be designed to connect to off-site pedestrian way systems on adjoining properties and public and/or private streets. On-site extensions of pedestrian circulation systems shall align with existing pedestrian off-site links.
- C. Pedestrian-only corridors separate from the vehicular street system shall be a minimum of twenty (20) feet wide with a minimum twelve (12) foot pathway of an approved surfacing material.



- D. Buildings or structures approved by the Director of Planning and Community Development to be built across a designated pedestrian-only corridor shall provide public pedestrian access through said structures at least between the hours of 6:00 a.m. and 8:00 p.m. daily.
- E. Public easements for pedestrian circulation shall be open to the public twenty-four (24) hours a day, except as specified in subsection (D) of this section. Private easements for pedestrian circulation should remain open to the maximum extent possible.
- F. Primary pedestrian circulation and access shall be at grade. Elevated pedestrian walkways, if approved by the Director of Planning and Community Development, may be permitted for the following purposes:
 1. To provide an extension to or direct connection with an elevated walkway/moving sidewalk;
 2. To overcome obstacles of terrain;

3. To connect immediately adjacent components of a single development; or
 4. To connect with elevated transit stations.
- G. To promote public transit use, paved sidewalks or walkways shall be provided between building entrances and the nearest transit stop located within or adjacent to the subject property. Wherever possible, buildings shall be sited adjacent to or connected with transit stop facilities. Lighting shall be provided along pedestrian walkway connections and adjacent to transit stop facilities.

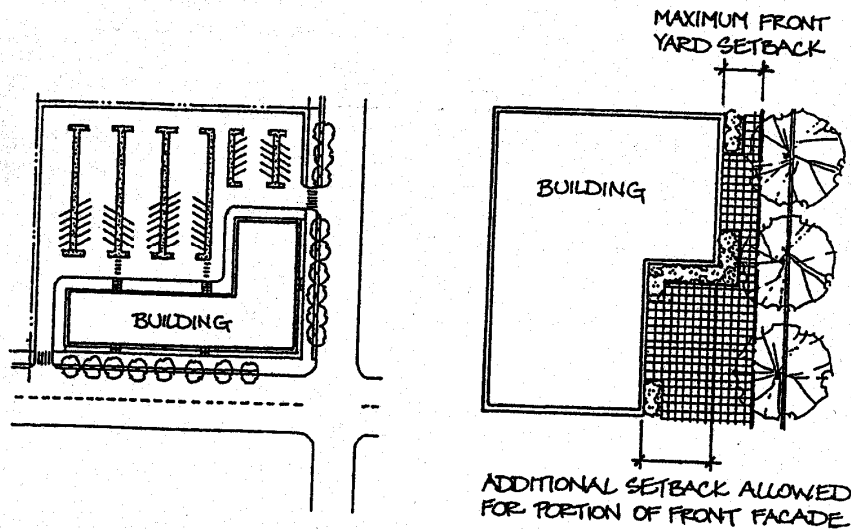


15.38.300 Site Planning and Building Orientation

Purpose: Design structures to have both an external orientation, to the streetscape, and an internal orientation, to the pedestrian 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), the requirement of pedestrian-level retail space; treatment of blank walls and facades and incorporation of prominent architectural features. Site layout should emphasize coordination of open spaces and pedestrian access with adjacent development or public places and compatibility with adjacent development with regard to scale, proximity and landscaping. Lighting and landscaping should allow for safety and visibility of public and semi-public areas.

15.38.310 Building Placement/Setbacks

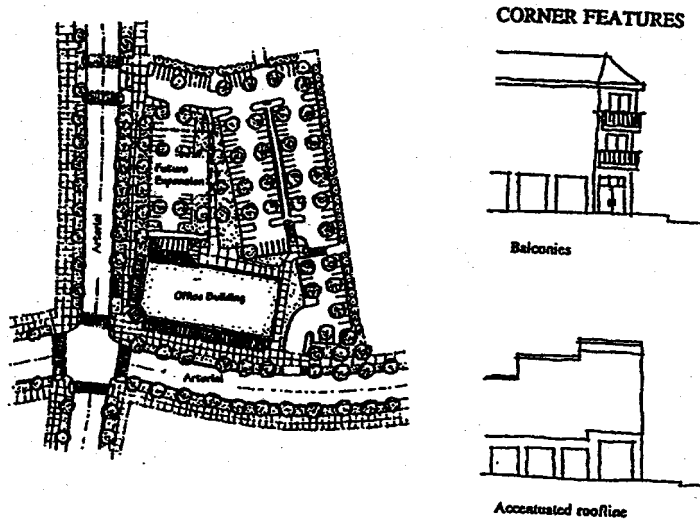
- A. For properties within the S. 154th St. Station Area (see Figure 15.38.020), the maximum front yard setbacks shall be as follows, except as provided under SMC 15.38.915, Parking Structure Placement and/or Setbacks:
 - 1. Twenty (20) feet adjacent to International Boulevard, for at least fifty percent (50%) of the building's front facade;
 - 2. Ten (10) feet adjacent to all other public and/or private streets, , 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 15.38.420.



15.38.320 Development Abutting Two (2) or More Street Frontages

- A. If a building lot abuts two (2) or more public or private streets, the maximum front yard setback shall apply to the two (2) public and/or private streets with the highest roadway classification as defined by the SeaTac Comprehensive Plan. If three (3) or more public and/or private streets have the same roadway classification, then the property owner shall select the two (2) public and/or private streets to which the maximum front yard setback shall be applied.
- B. Buildings on corner lots shall orient front facades to both the corner and adjacent public and/or private street fronts. The primary building entry shall be located on a front facade (i.e, facing a public street). Pedestrian entries near or on the corner are encouraged. Front facades shall conform to the Ground Floor Transparency requirements of 15.38.510.
 - 1. Development at the intersection of either S. 154th St. or S. 152nd St. and International Boulevard 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.

- C. 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.



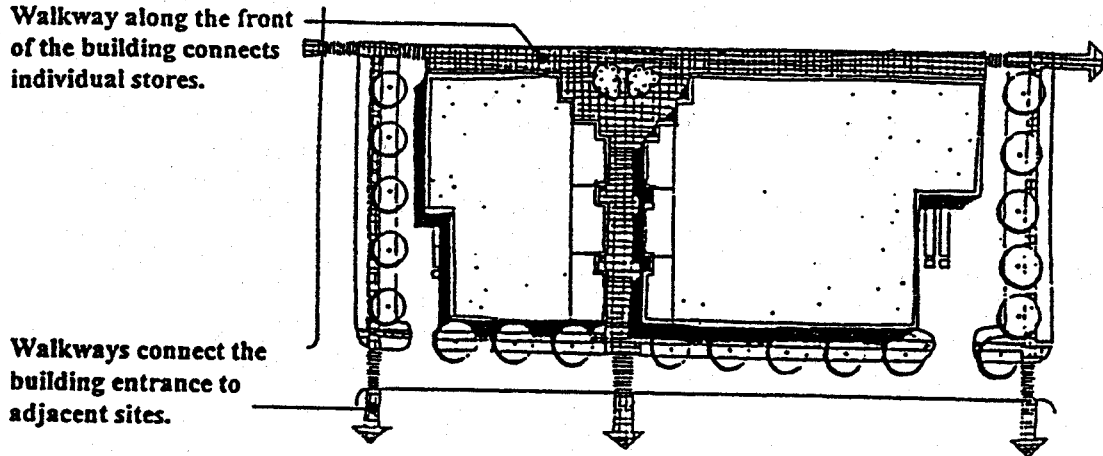
15.38.330 Relation to Adjacent Development

Proposed developments shall coordinate with current site planning and development efforts on adjoining parcels to take advantage of opportunities to mutually improve development design.

- A. Adjacent developments shall link open spaces and landscaping whenever possible.
- B. Proposed developments shall provide publicly accessible pedestrian connections to adjacent residential neighborhoods wherever possible, via a through-block walkway or links to sidewalks. Provide stairs or ramps where necessary when topographic barriers, such as steep slopes, inhibit direct access to surrounding development or destination points, such as transit stops.
- C. Where multi-family residential development is located adjacent to retail, commercial, employment, or institutional uses, side and/or rear yard landscape buffers shall be intersected by approved pedestrian

circulation routes in order to facilitate convenient walking connections to adjacent uses or services.

- D. Buildings or structures that terminate view corridors shall include architectural features that increase the visibility and landmark status of the subject building facade, such as a clearly defined building modulation, pedestrian entry feature, and/or roof line that accentuates the building as a focal point.



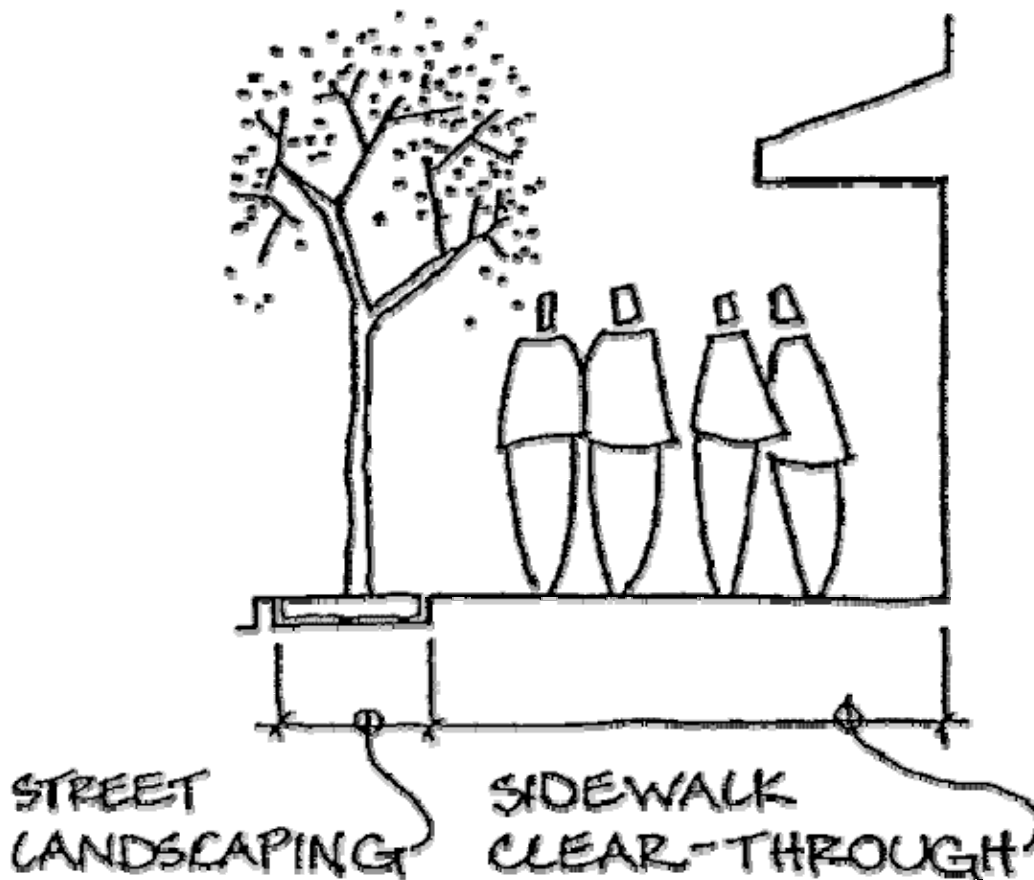
15.38.335 The Layout and Width of Streetfront Pedestrian Zone

Within the S. 154th St. Station Area, all new sidewalks and street improvements shall include a streetfront pedestrian zone, consisting of street landscaping and a sidewalk clear-through zone.

- A. Street Landscaping. A minimum four (4) foot wide street landscaping zone adjacent to the street curb shall be required on streets where the 12 ft. sidewalks are used, and a minimum two (2) foot wide street landscaping zone adjacent to the street curb shall be required on streets where the 8 ft. sidewalks are used. , The street landscaping zone shall consist of a combination of trees, landscaping, light poles, and street furniture in a manner to be approved by the Director of Planning and Community Development.
1. The street landscaping zone will include either tree wells and grates for street trees; or shrubs, ground cover and/or lawn in addition to street trees.
 2. Street trees shall be deciduous shade trees capable of at least twenty-five (25) feet in height. Street trees shall be planted within the street landscaping zone along public and/or private streets and be spaced no more than thirty (30) feet apart as described in SMC 15.14.130, except where variations in tree spacing, as

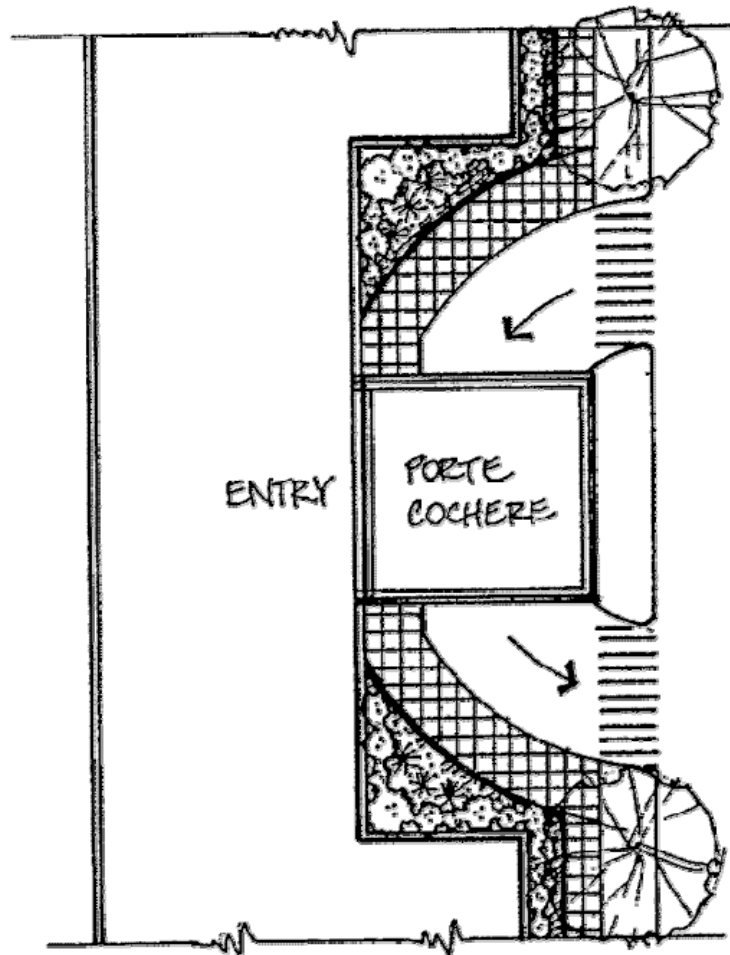
approved by the Director of Planning and Community Development, may be considered to enhance plaza areas, emphasize building focal points or avoid visually blocking retail storefront entrances.

- B. Sidewalk Clear-Through Zone. A pedestrian sidewalk clear-through zone shall be created along the public and/or private street frontage consisting of a minimum eight (8) foot wide paving area on streets using the 12 ft. sidewalk, and consisting of a minimum six (6) foot wide paving area on other streets in the station area. The pedestrian sidewalk clear-through zone shall be free of physical obstructions to pedestrian movement.
- C. Fences over four (4) feet in height or other features that form continuous visual barriers or block views to the windows of a ground level retail/commercial or service use are prohibited within the front yard setback zone.
- D. Monument signs shall be located according to an approved site plan and in a manner that does not obstruct pedestrian movement.



15.38.340 Driveway Entrances

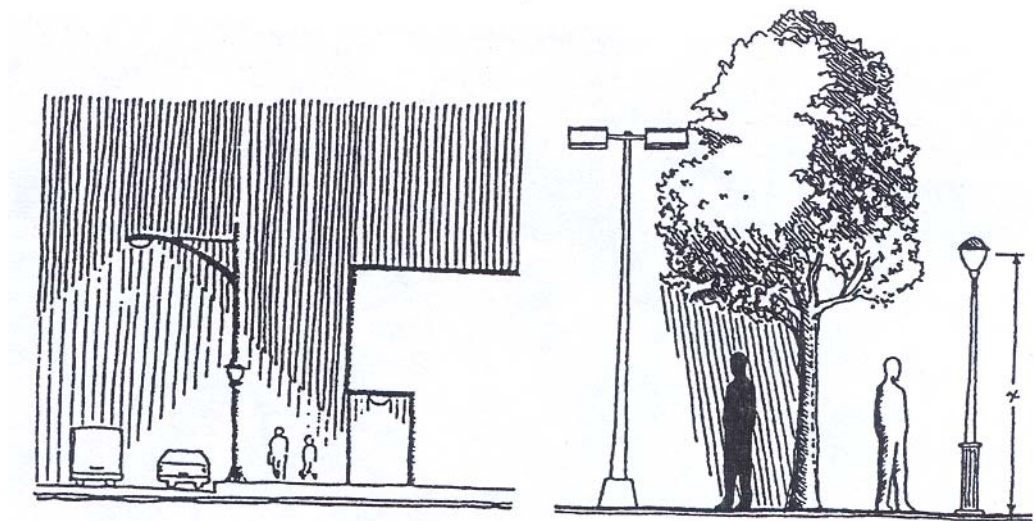
- A. Driveways serving front yard porte cochere building entries shall be approved by the Director of Planning and Community Development and include only the short-term parking that can be accommodated along one (1) double-loaded drive aisle.
- B. Pedestrian entry routes interrupted by driveways shall be distinguished from the driveway surface by decorative paving to the building entrance.



15.38.345 Exterior Lighting

- 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 shall be sited and directed to minimize glare around residences.
- B. Exterior lighting shall be used to identify and distinguish the pedestrian walkway network from car or transit circulation. Along pedestrian circulation corridors, lighting standards shall be placed between pedestrian ways and public and/or private streets, driveways or parking areas. The level of lighting shall conform with the requirements of Chapter 17.40 SMC, Walkway, Bikeway and Park Lighting.
- C. Light standard designs shall be approved by the Director of Planning and Community Development, and be in conformance with a

consistent lighting standard design throughout the S. 154th St. Station Area area.



15.38.350 Projects on or Near the Edge of a UL or UM Residential Zone

Careful siting and design treatment is necessary to achieve a compatible transition between two (2) zones of differing height, bulk and scale requirements. In order to mitigate potential impacts of CB-C and UH zone development on neighboring residential districts, the following standards shall apply:

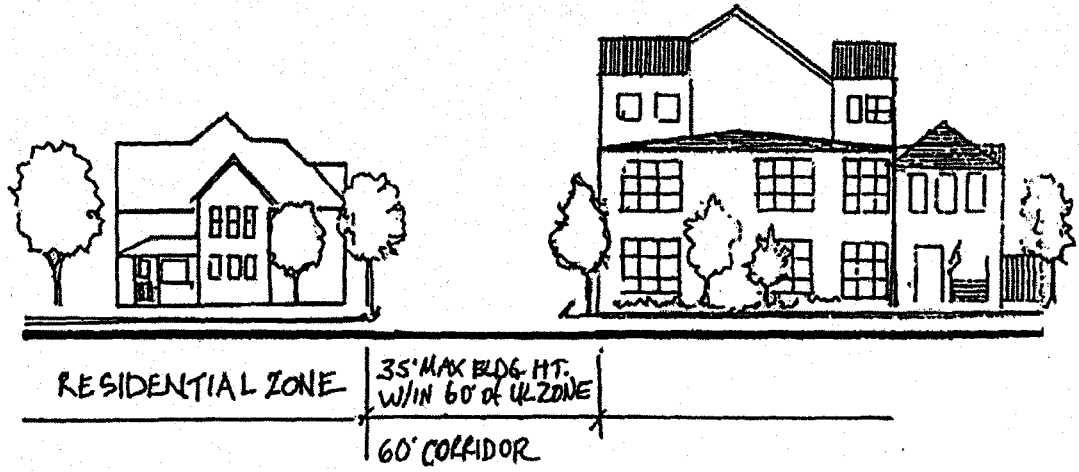
A. Properties abutting a UL zone shall incorporate the following:

1. A maximum building height of thirty-five (35) feet, relative to the base elevation of the adjacent UL zoned parcel(s) where that base elevation is higher than the base elevation of the proposed project, shall apply to all portions of a structure within sixty (60) feet of a UL zone, including access roadway widths; provided, that the overall height of any structure shall not exceed the maximum structure height specified in SMC 15.13.010; and
2. 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. Side/rear yard landscaping shall occupy all or part of the required building setback, as specified by land use in SMC 15.14.060.

B. Properties abutting a UM zone shall maintain a minimum side and/or rear yard building setback of twenty (20) feet, if the side or rear yard property boundaries are adjacent to a UM zone. Side/rear yard

landscaping shall occupy all or part of the required building setback, as specified by land use in SMC 15.14.060.

- C. Parking shall not be permitted within the side and/or rear yard building setback adjacent to a UL zone.



15.38.400 Open Space and Amenities

Purpose: Break up dense development patterns with passive or active open spaces such as plazas, parks, trails and other means and link them wherever possible. Open spaces should be useable, have good access and take advantage of local amenities.

15.38.410 Minimum Open Space Area Required

- A. A minimum of ten percent (10%) of net site area, excluding portions of a parcel classified as wetland; storm water facility, provided that such storm water facilities are at grade and not covered; or open water, shall be set aside as usable outdoor open space accessible to the public.
 - 1. Required landscaping and sensitive area buffers without common access links, such as pedestrian trails, shall not be included toward meeting the minimum open space area requirement.
 - 2. Driveways, parking, or other auto uses shall not be included in any usable outdoor open space area.
 - 3. Areas of a parcel with slopes greater than eight percent (8%) shall not qualify as usable outdoor open space, unless the area has been developed with an enhanced accessibility system of stairs, ramps, terraces, trails, seating areas, or other site improvements as approved by the Director of Planning and Community Development.
 - 5. Wetland/stream buffer and setback areas shall also be excluded for the purpose of calculating the open space requirement.

- B. Usable open space shall include one (1) or more of the following:
 - 1. Active outdoor recreation areas;
 - 2. Multi-purpose green spaces;
 - 3. Pedestrian-only corridors separate from the public or private roadway system and dedicated to passive recreation, including access links in sensitive area buffers.

The square footage (length times width) of pedestrian-only corridor shall be counted as usable open space; and/or

4. Publicly accessible plazas, courtyards, pocket parks and decorative paving areas constructed contiguous with a new or existing sidewalks located either within the front yard setback or elsewhere on-site. Developments proposing on-site plazas and pocket parks as publicly accessible project amenities shall link the open space elements with adjacent sidewalks, pedestrian paths, and/or bikeways. Publicly accessible courtyard designs shall conform to the following standards:
 - a. The courtyard dimension is a measurement of the usable open space between two (2) buildings or to a property line, and shall have a width equal to the height of the building, up to a maximum of seventy-five (75) feet, but in no cases less than twenty (20) feet.
 - b. If the enclosing walls of a courtyard terrace upward and back with succeeding stories, the courtyard dimension shall be measured from the lowest enclosing floor or projection.
- C. The front yard open space requirement as per SMC 15.38.420 may be counted toward the minimum open space area requirement.
1. Developments have the option of contributing to a S. 154th St. Station Area open space fund in lieu of setting aside additional on-site open space area greater than the minimum required in both the front yard, as per SMC 15.38.420,. The City shall use the funds contributed to the S. 154th St. Station Area open space fund within six (6) years on an approved open space/park project or return said funds to contributors. Revenue from the S. 154th St. Station Area open space fund may be applied only to open space/park projects within the defined S. 154th St. Station Area area.
 2. To receive exemption for an amount of on-site open space totaling less than the required open space area, a contribution to the S. 154th St. Station Area open space fund shall be made in an amount that equals the monetary value of that portion of site area which is less than the required open space.

- D. Usable open space areas on-site shall be organized and designed in a manner that allows for maximum integration with open space on adjacent parcels, as specified in SMC 15.38.330.

15.38.420 Front Yard Open Space

The following front yard open space regulation shall supersede the street frontage landscape requirement as specified in SMC 15.14.020(C) and 15.14.060. The building facade landscaping requirement shall continue to apply to uses in the S. 154th St. Station Area, except under pedestrian weather protection structures, as specified in SMC 15.38.570.

- A. Front yard open space area equal to the square footage of a five (5) foot strip along the length of the street-facing front facade(s) shall be developed and arranged in a manner that is accessible to the public at all times, directly connected to a sidewalk or pedestrian pathway, and bordered on at least one (1) side by, or readily accessible from, approved structure(s) on-site. Front yard open space shall be placed in one (1) or more of the following ways, as approved by the Director of Planning and Community Development:
 - 1. Plaza, Courtyard, or Pocket Park. Publicly accessible open space of a minimum two hundred (200) square feet that is adjacent to a pedestrian building entrance and consisting of at least fifty percent (50%) decorative paving. The remaining percentage of required open space area may be installed as plantings within or immediately adjacent to the plaza, courtyard, or pocket park. One (1) tree shall be required for every two hundred (200) square feet of decorative paving area. Decorative paving areas shall be constructed of such materials as stamped, broom finish, or scored concrete; brick or modular pavers;
 - 2. Multi-Purpose Green Space. A combination of grass, pedestrian ways, and seating areas of a minimum two hundred (200) square feet. One (1) tree shall be required for every two hundred (200) square feet of green space area; and/or
 - 3. Decorative Paving Contiguous with Sidewalk. A minimum five (5) foot wide decorative paving area constructed contiguous with a new or existing sidewalk along the length of the front yard building facade, coupled with a direct

connection between the building entrance and sidewalk.

B. Outdoor Seating. Publicly accessible plazas, courtyards, and pocket parks shall include at least one (1) linear foot of seating per each forty (40) square feet of plaza, courtyard, or pocket park space on-site. Outdoor seating shall be in the form of:

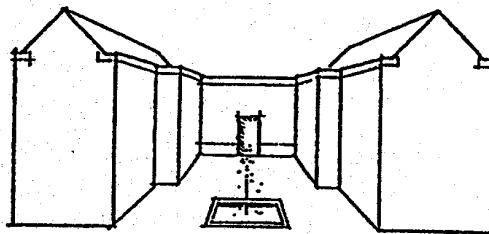
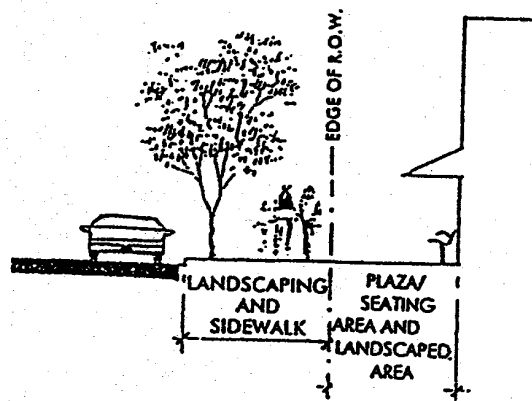
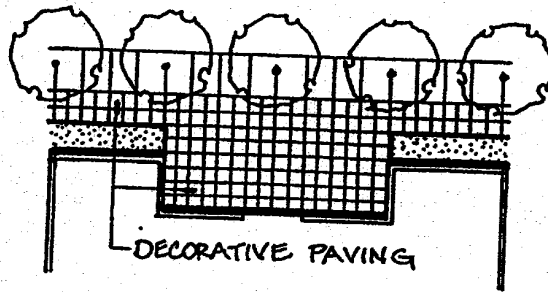
1. Freestanding outdoor benches of a minimum sixteen (16) inches wide; or
2. Seating incorporated into low walls, raised planters or building foundations at least twelve (12) inches wide and eighteen (18) inches high.

C. Focal Point For Plazas, Courtyards and Pocket Parks. In addition to seating, publicly accessible plazas, courtyards, and pocket parks should incorporate one (1) or more of the following open space amenities in order to encourage pedestrian use and activity:

1. Public art, such as a water feature or sculpture;
2. Transit stops;
3. Performance/stage areas; or
4. Other public amenities, as approved by the Director of Planning and Community Development.

D. Accessory Site Furnishings. Accessory site furnishings shall be located so as not to obstruct pedestrian access along sidewalks and to businesses.

1. Waste receptacles, movable planters and other accessory site furnishings shall be of a design which is compatible with the design of the plaza, courtyard, or pocket park, through the use of similar detailing or materials.



Organized around an outdoor space.

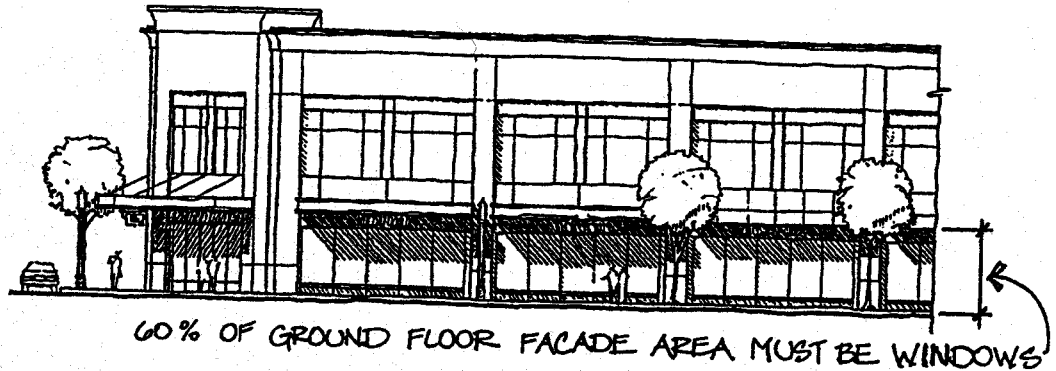
15.38.500 Building Design

Purpose: Buildings should be designed to promote an architecturally appealing environment. Design emphasis should be given to the pedestrian through the provision of inviting building entries, street-level amenities and other structural and facade elements to encourage pedestrian interaction.

15.38.510 Ground Floor Transparency Requirements

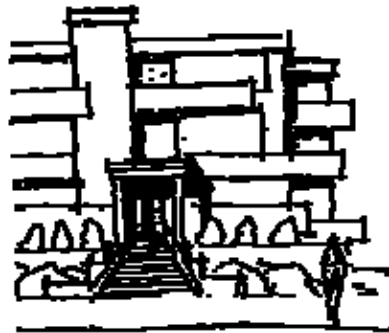
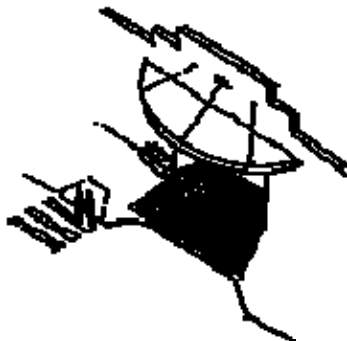
Windows shall be provided on the street level rather than blank walls to encourage a visual link between the business and passing pedestrians.

- A. Transparency requirements shall apply to buildings with a ground floor retail/commercial or service use, as defined in SMC 15.38.620 and in the S. 154th St. Station Area Use Charts (SMC 15.38.100 through 15.38.160), including portions of buildings where ground floor uses are convertible to a retail/commercial or service use. Transparency requirements shall not apply to portions of a building with ground floor housing.
 - 1. Windows shall cover at least sixty percent (60%) of the public street facing ground floor building wall area. At the first floor building level, darkly tinted, mirrored or reflective glass shall not be used. Lightly tinted windows are allowed for nonretail ground floor uses.
 - 2. Transparency requirements shall apply to that area of the ground floor building wall fronting the street up to the finished ceiling height of the first floor building space.
 - 3. Windows shall begin twelve (12) to thirty (30) inches above the finished grade of the first floor building space.



15.38.520 Pedestrian Building Entries

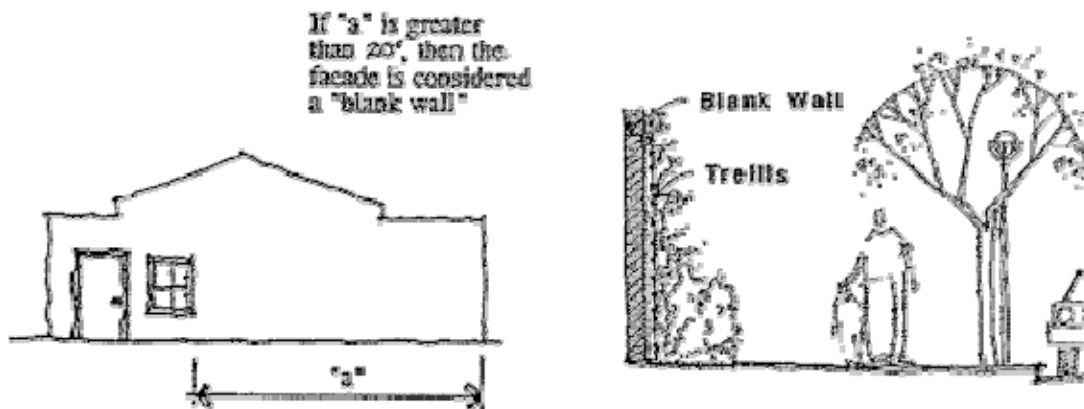
- A. Primary building entries shall be designed to be clearly visible or recognizable from an adjacent public or private street through the incorporation of two (2) or more of the following features:
1. Canopies, awnings, or other entry coverings that provide pedestrian shelter and interest;
 2. Distinctive architectural elements such as a variation in the building footprint, roof form, or amount of transparent glazing;
 3. Pedestrian-scaled ornamental lighting no greater than sixteen (16) feet in height;
 4. Landscaping designed as entry focal point.
- B. All ground level building entries shall be located no more than three (3) feet above or below the grade of the sidewalk. In the case of an allowable grade difference between a building entry and adjoining sidewalk, provide stairs and/or ramps to accommodate pedestrian access.



15.38.530 Treatment of Blank Walls

The definition of a “blank wall” is any wall or portion of a wall that is located within forty (40) feet of a street or pedestrian-only corridor and is without a ground level window, door or facade opening along any street-facing facade section of twenty (20) feet in length or more.

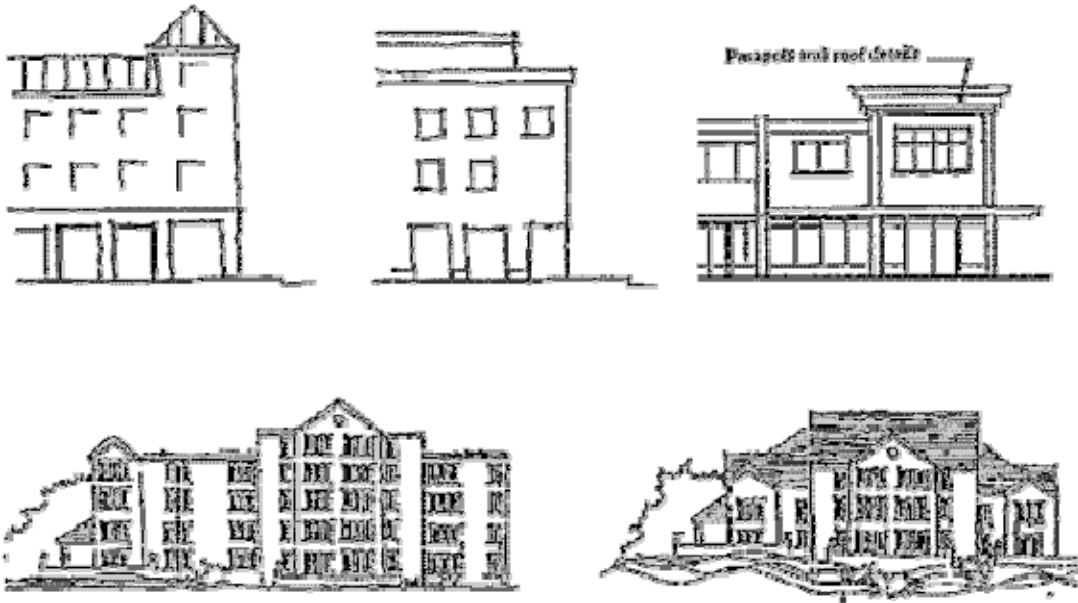
- A. Where blank wall sections are unavoidable due to the requirements of a particular land use or structural needs, they shall not exceed a length of fifty (50) feet, or twenty percent (20%) of the length of the street-facing facade, whichever is less.
- B. Blank wall sections of allowed lengths shall receive one (1) or more of the following special design treatments up to at least the finished ceiling height of the first floor building space in order to increase pedestrian comfort and interest:
 - 1. Install vertical trellis in front of the wall with climbing vines or other plant materials over at least thirty percent (30%) of the blank wall surface;
 - 2. Provide a decorative masonry pattern, or other architectural feature as approved by the Director of Planning and Community Development, over at least thirty percent (30%) of the blank wall surface; and/or
 - 3. Employ small setbacks, projections, indentations, or intervals of material change to break up the wall's surface.



15.38.540 Roof Lines

In order to provide a visual terminus to the tops of S. 154th St. Station Area buildings and soften rectilinear forms, roof designs must conform to one (1) of the following options:

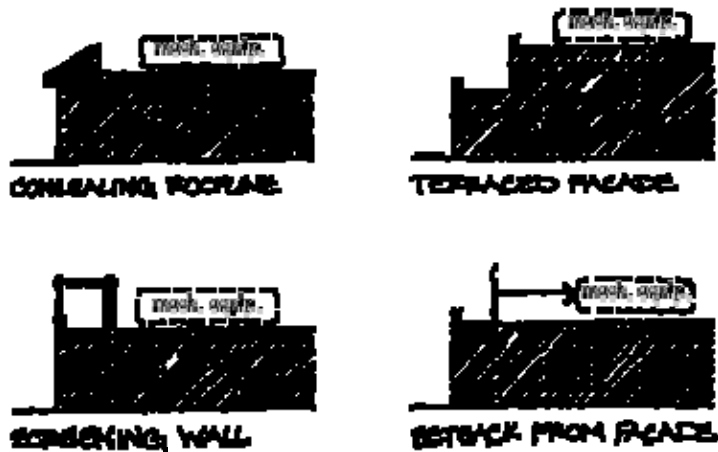
- A. Roof Line with Architectural Focal Point. A roof line focal point refers to a prominent rooftop feature such as a peak, tower, gable, dome, barrel vault or roof line trellis structure.
- B. Roof Line Variation. The roof line articulated through a variation or step in roof height or detail, such as:
 - 1. 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.
 - 2. Articulated Parapet: Roof line parapets shall incorporate angled, curved or stepped detail elements.
- C. Pitched Roof or Full Mansard: A roof with angled edges, with or without a defined ridge line and extended eaves.
- D. Terraced Roof: A roof line incorporating setbacks for balconies, roof gardens, or patios.



15.38.550 Rooftop Equipment

Building rooftops shall be designed to effectively screen mechanical equipment from street-level view through one (1) or more of the following methods:

- A. A concealing roof line;
- B. A terraced facade;
- C. A screening wall or grillwork directly surrounding the equipment;
- D. Sufficient setback from the facade edge to be concealed from ground level view.

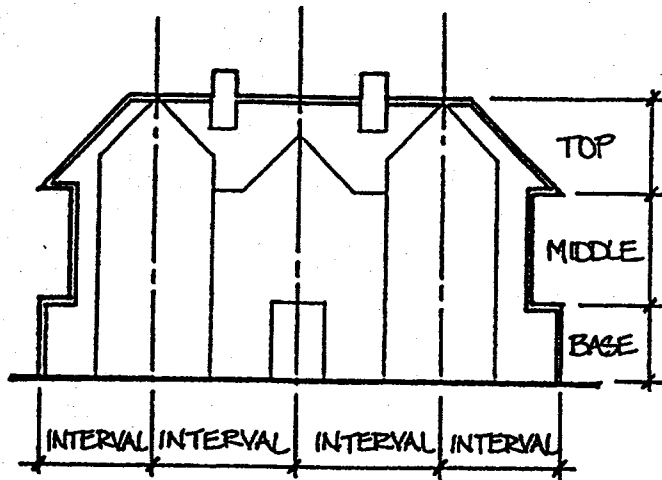


15.38.560 Character and Massing

Building facades one hundred (100) feet or greater in length shall incorporate vertical and/or horizontal variations in setback, material or fenestration design along the length of the applicable facade, in at least two (2) of the following ways listed below (see SMC 15.38.920 for character and massing requirements specific to parking structures):

- A. Vertical Facade Changes: Incorporate intervals of architectural variation at least every eighty (80) feet over the length of the applicable facade, such as:
 1. Varying the arrangement, proportioning and/or design of windows and doors;
 2. Incorporating changes in architectural materials; and/or
 3. Projecting forward or recessing back portions or elements of the applicable facade.
 - a. 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, storefront or bay windows, seating and/or planting areas.
- B. Horizontal Facade Changes. Designed to differentiate the ground floor from upper floors, such as:

1. Stepping back the upper floors from the ground floor building facade;
2. Changing materials between the building base and upper floors;
3. Including a continuous cornice line or pedestrian weather protection element between the ground floor and upper floors.



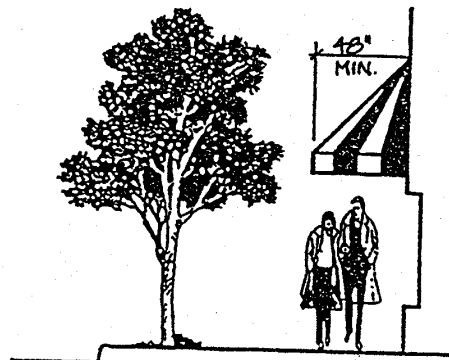
15.38.570 Pedestrian Weather Protection Along Building Facades

Building facades with ground floor retail/commercial or service uses shall be designed to provide for pedestrian weather protection through the use of awnings, canopies, colonnades, marquees, or building overhangs. Pedestrian weather protection structures shall extend along at least the length of the street-facing facade with the ground floor retail/commercial or service use.

- A. Pedestrian weather protection structures shall extend a minimum of four (4) feet out from the building facade. The maximum horizontal projection from the surface of the building shall be eight (8) feet or seventy-five percent (75%) of the distance to the curb face, whichever is less. Pedestrian weather protection structures shall be architecturally integrated with the ground level design of the building to which it is attached.
- B. The minimum height of pedestrian weather protection structures shall be eight (8) feet and six (6) inches above the

sidewalk surface. Maintain a horizontal consistency by aligning the bottom edge of weather protection structures with those on adjacent buildings. Where the grade is sloping, maintain the average height above grade of adjacent weather protection structures.

- C. Building facade landscaping shall not be required under pedestrian weather protection structures along public or private street frontages. Any facade landscaping provided under pedestrian weather protection structures shall be of such width that a minimum four (4) feet of unobstructed walking area remains under the building awning, canopy, overhang, or other weather protection structure.
- D. Building facade landscaping in front of a ground floor retail use shall be designed and maintained to avoid obscuring visibility of street-facing windows or limiting access to building entrances, and shall consist of:
 - 1. Evergreen shrubs spaced no more than four (4) feet apart that do not exceed a height of four (4) feet at maturity;
 - 2. Ground cover; and
 - 3. Seasonal displays of flowering annual bedding plants.



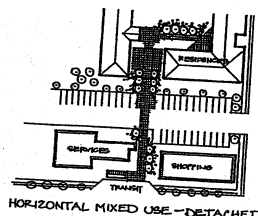
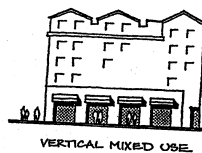
15.38.600 Mixed Use Development Standards

Purpose: Incorporate a mixture of different types of uses in one (1) structure or in close proximity to encourage pedestrian circulation, maximize site development potential and create an active environment. Design ground floors to accommodate commercial uses that benefit from a high degree of pedestrian activity while upper floors should be devoted to residential uses. The following regulations shall supersede the mixed use standard in SMC 15.13.107, and shall apply to S. 154th St. Station Area developments proposing land uses specified as being part of a mixed use development in the SMC 15.38.110 through 15.38.160, S. 154th St. Station Area use charts.

15.38.610 Definition of Mixed Use

Mixed use refers to the combining of retail/commercial and/or service uses with residential or office use in the same building or on the same site in one (1) of the following ways:

- A. Vertical Mixed Use: A single structure with the above floors used for residential or office use and a portion of the ground floor for retail/commercial or service uses.
- B. Horizontal Mixed Use – Attached: A single structure which provides retail/commercial or service use in the portion fronting the public or private street with attached residential or office uses behind.
- C. Horizontal Mixed Use – Detached: Two (2) or more structures on one (1) site which provide retail/commercial or service uses in the structure(s) fronting the public or private street, and residential or office uses in separate structure(s) behind or to the side.



15.38.620 Ground Floor Uses in Mixed Use and/or High Capacity Transit Facility Projects

(For ground floor use requirements relative to parking structures, see SMC 15.38.945.)

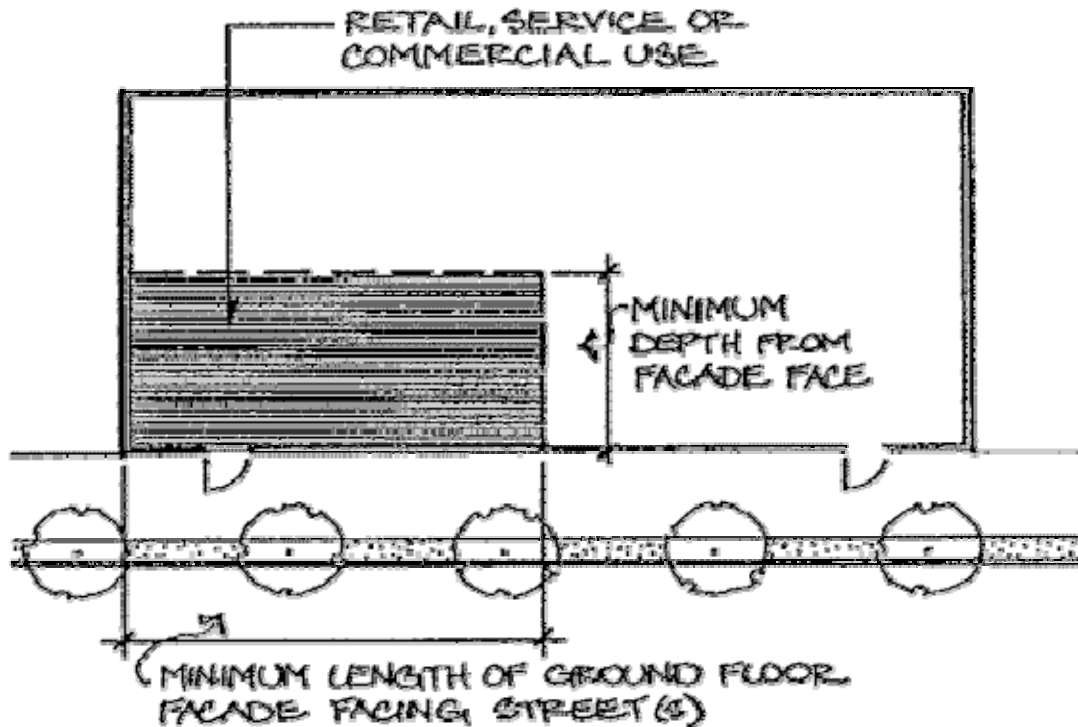
The following shall apply to vertically mixed use buildings, as well as structures in horizontal mixed use projects sited within the maximum front yard setback: (see SMC 15.38.610 for definitions of mixed use types.)

- A. A minimum of fifty percent (50%) of the length of the exterior ground floor facing the street(s), excluding vehicle entrances, exits, and alleys, shall be designed to be occupied by a retail/commercial or service use. The leasable ground floor area shall extend in depth a minimum of thirty (30) feet from the exterior building facade; provided, that the minimum required may be averaged, with no depth less than fifteen (15) feet.

A partial list of permitted retail/commercial or service uses are specified below (for a detailed listing of permitted uses, refer to the S. 154th St. Station Area use charts):

- 1. Retail/Commercial. Retail/commercial uses such as retail food shops, groceries, drug stores, florists, apparel and specialty shops, hotels/motels, restaurants, and other retail/commercial uses that are not specifically auto-oriented in scale or nature.
 - 2. Services. General offices, such as professional, financial, insurance and real estate services; or personal services, such as beauty salons, dry cleaners, shoe repair shops, banks, health and social services, libraries and health clubs.
- B. The minimum clear interior ceiling height standard for the retail/commercial or service use portion of mixed use buildings shall be a minimum ten (10) feet for all street level building space.
 - C. Pedestrian-level commercial uses in vertical mixed use projects shall be distinguished architecturally from attached residential units and shall utilize separate entrances where feasible.

- D. Ground floor businesses shall provide business identity signs that fit with the architectural character of the site and shall conform to all other applicable sign requirements identified in the SeaTac Municipal Code.



15.38.700 Multi-Family Development Standards

Purpose: Design multiple-family units that are of high quality, good architectural design, are compatible with adjacent development, especially single-family neighborhoods, and that provide linked open space. Townhouse units should be well-designed and architecturally appealing.

- A. Multi-family development within the S. 154th St. Station Area shall meet the requirements of Chapter 15.19 SMC. Additionally, the following sections of the S. 154th St. Station Area standards shall apply to projects as stated below:
1. The following standards shall apply to all multi-family projects in the S. 154th St. Station Area: SMC 15.38.200 through 15.38.220; 15.38.300 through 15.38.335; 15.38.800 through 15.38.850.

2. The following standards shall apply only to ground floor commercial in mixed use residential projects: SMC 15.38.510 and 15.38.520; 15.38.570; 15.38.600 through 15.38.620.

15.38.800

Parking Standards

Purpose: Minimize parking as a dominant land use. Parking should be screened through its placement behind structures and via landscaping.

15.38.805 Maximum Parking Standards

The following maximum parking standards shall be in addition to the minimum parking standards established under Chapter 15.15 SMC. In cases where the minimum parking standards established under Chapter 15.15 SMC are greater than the maximum spaces allowed in this section, then the parking standard of SMC 15.38.810 shall supersede and also serve as the minimum number of parking spaces required. (Ord. 99-1050 § 8)

15.38.810 Maximum Parking Requirements

LAND USE	MAXIMUM SPACES ALLOWED*
Residential Uses	
Single Attached Dwelling/Duplex/Townhouse	2 per dwelling unit
Multi-Family Housing	1 per bedroom, up to 2 per dwelling unit maximum**
Senior Housing	1 per unit**
Boarding House/Bed and Breakfast	1 per bedroom, plus 2 for residents
Transitional Housing	1 per 2 bedrooms**
Convalescent/Community Residential Facility	1 per bed**
Rest/Convalescent Center/Nursing Home (24 hr. care)	1 per 3 beds***
College Dormitory	1 per bedroom unit
Residential Congregate Care	0.35 per bedroom
Recreational/Cultural Uses	
Conference/Convention Center	5 per 1,000 SF of building area
Library/Museum/Cultural Facility	4 per 1,000 SF of building area
Community Center/Recreation Center	4 per 1,000 SF of building area
Sports/Fitness/Health Club	4 per 1,000 SF of building area
Theater	0.75 per fixed seat, plus 1 per employee
General, Educational and Health Services Uses	
General Service Uses	4 per 1,000 SF of building area
Educational Uses	1 per employee, plus 1 per 2 students
Health Services Uses	4 per 1,000 SF of building area
Government/Office, Business Uses	
Business Service/Office Uses	3* per 1,000 SF of building area
Retail/Commercial Uses	
Hotel/Motel and Associated Uses	1 per bedroom, plus the following for associated uses:
with restaurant/lounge/bar	4 per 1,000 SF of building area
with banquet/meeting room	5 per 1,000 SF of gross building area
Retail Uses	4 per 1,000 SF of leasable space
Manufacturing Uses	1 per employee, plus 2 per 1,000 SF of building area

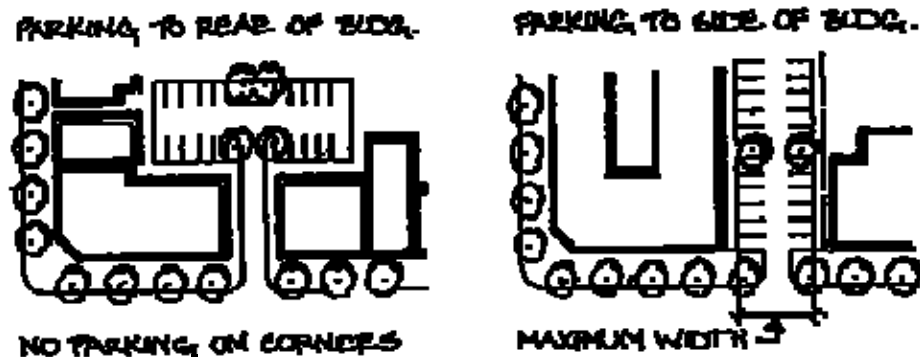
* Where calculations result in fractions of parking spaces, the maximum number of parking stalls shall be determined by rounding up to the next whole number.

** Unless modified by a parking plan demonstrating an increased need to serve residents.

15.38.820 Surface Parking

A. Location of Surface Parking Lots.

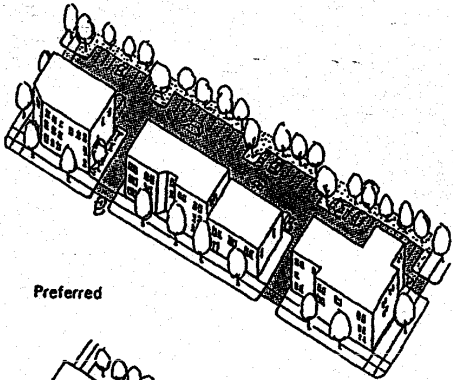
1. No parking shall be located between the building and the front property line, other than a driveway for passenger loading and off-loading only in conformance with SMC 15.38.340 and approved by the Director of Planning and Community Development. Surface parking shall be located behind a building or to the side of a building.
2. 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.
3. 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.



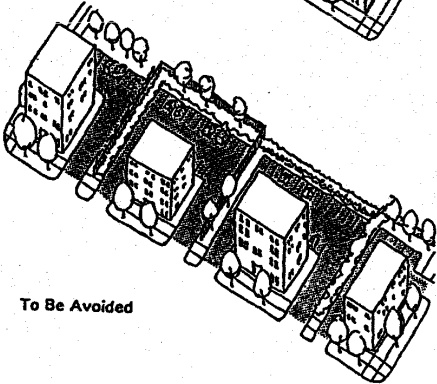
15.38.830 Encouraging the Joint Use of Driveways and Parking Areas

- A. The joint use of driveways and parking areas shall be encouraged to reduce overall parking needs. A convenient pedestrian connection must exist between the building facilities and/or properties to qualify as a joint use parking facility. As an incentive, the City will consider an overall reduction in the parking ratio of up to fifty percent (50%) of the minimum required for primary nighttime uses such as theaters, bowling alleys, and restaurants when coordinated with a parking supply serving primarily daytime uses such as banks, offices, and retail stores.

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



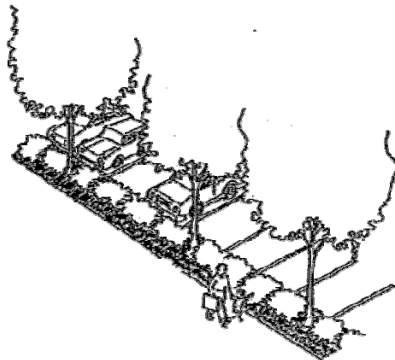
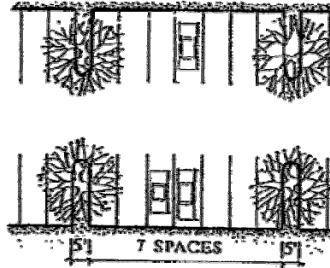
Preferred



To Be Avoided

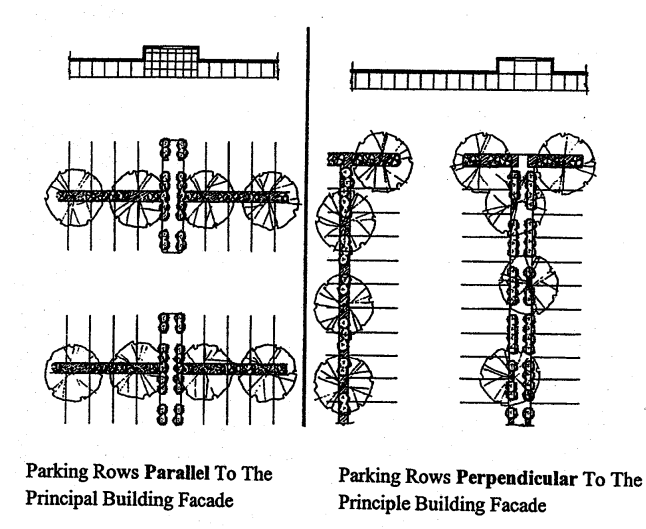
15.38.840 Surface Parking Lot Landscaping and Treatment of Perimeter

- A. At least ten percent (10%) of the interior surface parking area shall have landscaping when the total number exceeds twenty (20) parking stalls, including a minimum of one (1) tree for every seven (7) parking stalls to be distributed between rows and/or stalls throughout the parking lot.
- B. Surface parking shall be visually screened from public and/or private streets by means of building placement and/or landscaping. The perimeter of a parking lot shall be planted with five (5) feet of Type III landscaping, or if site layout requires, a maximum four (4) foot high fence and sufficient landscaping to filter views. Any abutting landscaped areas can be credited toward meeting this standard.
- C. The required width dimension for interior parking area planting beds shall be a measurement of the usable soil area between pavement curb edges. Except as noted in this subsection, trees and required landscaping shall be placed in planting beds at least five (5) feet wide between parking rows and/or stalls within the interior of the parking lot.



15.38.850 Pedestrian Circulation Through Parking Lots

- A. Surface parking lots containing one hundred (100) parking spaces or more shall provide pedestrian walkways through the parking field. Pedestrian walkways shall be raised, and shall be a minimum of eight (8) feet wide, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to nonstreetfront building entrances or existing pedestrian ways.
 - 1. For parking rows perpendicular to the principal building facade, pedestrian ways shall be located between two (2) rows of parking spaces at a minimum of one (1) pedestrian way every two hundred (200) feet.
 - 2. For parking rows parallel to the principle building facade, pedestrian ways shall be incorporated adjacent to a series of aligned landscape islands at a minimum of one (1) walkway every twenty-one (21) parking spaces.
- B. Clearly distinguish the pedestrian way network from car or transit circulation. This is particularly important in areas where these various travel modes intersect, such as at driveway entrances and in parking lots.
 - 1. 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.



15.38.900

Parking Structures

Purpose: Design parking structures to blend in with adjacent development. Emphasize design features that minimize the obtrusiveness of the parking use and encourage architectural compatibility with adjacent development. (Ord. 99-1050 § 8)

15.38.905 General

Parking structures shall comply with the following minimum requirements:

- A. Only one (1) parking structure shall be allowed per development site. (Also see SMC 15.10.175.03.)
- C. Parking structures providing off-street parking for retail/commercial, service, or residential use(s) shall clearly reserve and designate all required off-street parking spaces for those use(s)
- E. Design features for parking structures shall comply with the requirements of SMC 15.38.100 and 15.38.900 through 15.38.945. (Ord. 05-1002 § 5)

15.38.910 Parking Structure Design

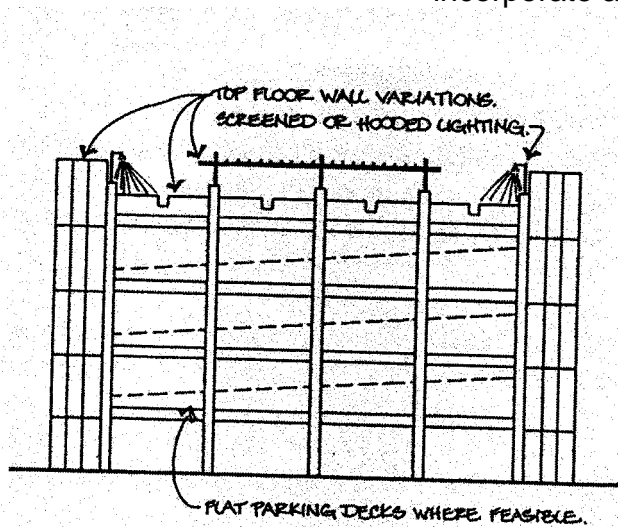
The following parking structure design standards shall be in addition to or, in some cases, supersede applicable design standards in other sections in this chapter.

- A. Parking structure facades shall have the appearance of an office building or hotel use.



Proposed design features shall be approved by the Director of Planning and Community Development.

- B. Parking decks should be flat where feasible. At a minimum, a majority of both the ground floor and top parking decks shall be required to be flat, as opposed to continuously ramping.
- C. External elevator towers and stair wells shall be open to public view, or enclosed with transparent glazing.
- D. Lighting on and/or within multi-level parking structures shall be screened, hooded or otherwise limited in illumination area so as to minimize excessive "light throw" to off-site areas.
- E. Parking structure top floor wall designs must conform to one (1) or more of the following options:
 - 1. Top Floor Wall with Architectural Focal Point. A top floor wall focal point refers to a prominent wall edge feature such as a glazed elevator and/or stair tower, or top floor line trellis structure.
 - 2. Top Floor Wall Line Variation.
 - a. Projecting Cornice: Top floor wall 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: Top floor wall line parapets shall incorporate angled, curved or stepped detail elements.



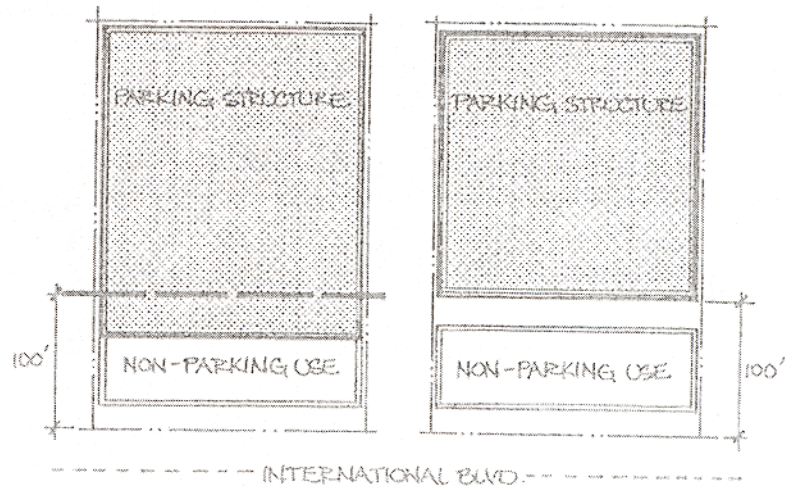
15.38.915 Parking Structure Placement and/or Setbacks

A. Parking Structures on Properties Adjacent to public streets: Except as otherwise specified below, the provisions of this subsection shall supersede the setback standards specified in SMC 15.38.310. No parking structures shall be located within one hundred (100) feet of the International Boulevard ROW, except as specified below:

1. Parking structures located behind or adjacent to additional nonparking buildings facing public streets may be located in a manner that meets developer needs, within the setback requirements (SMC 15.38.310) and other applicable building codes, except that portions of parking garages exceeding the height of fronting buildings shall meet the one hundred (100) foot requirement specified above.
2. Parking structures may be integrated into buildings built within the maximum setback (SMC 15.38.310); provided, that a retail/commercial, service, office, or residential use, or a combination of these uses, comprises the building's face for its full height on International Boulevard.
3. The entire space within the one hundred (100) foot setback area may be developed as a public plaza to a level of design accepted by the Director of Planning and Community Development.

For corner lots on public streets, the parking structure must be faced with other uses as specified in subsection (A)(2) of this section on all sides adjacent to public and/or private streets for a distance of one hundred (100) feet from International Boulevard.

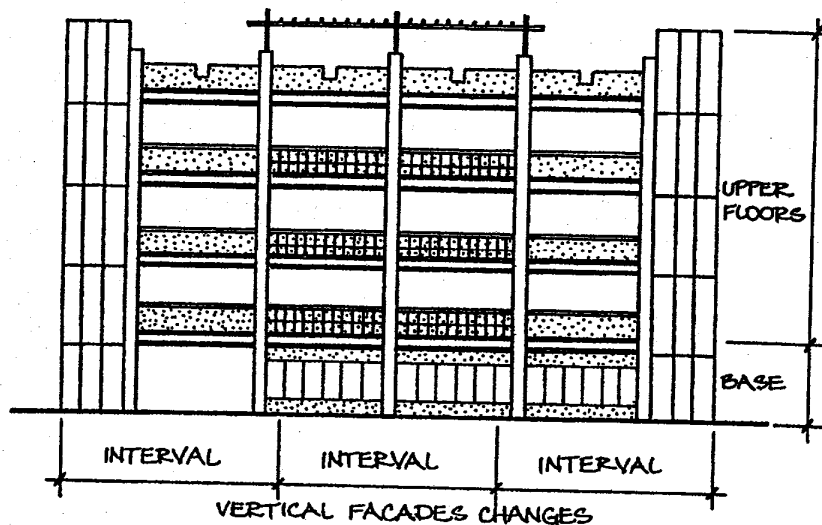
B. Parking Structures on Properties Adjacent to All Other S. 154th St. Station Area Public and/or Private Streets. Parking structures shall be located within the maximum front yard setback, as specified in SMC 15.38.310, or built to the side or rear of the subject property when located behind or to the side of additional buildings on-site.



15.38.920 Parking Structure Character and Massing

Parking structure elevations over one hundred fifty (150) feet in length shall incorporate vertical and/or horizontal variation in setback, material or fenestration design along the length of the applicable facade, in at least one (1) or more of the following ways:

- A. Vertical Facade Changes. Incorporate intervals of architectural variation at least every eighty (80) feet over the length of the applicable facade, such as:
 1. Varying the arrangement, proportioning and/or design of garage floor openings;
 2. Incorporating changes in architectural materials;
 3. Projecting forward or recessing back portions or elements of the parking structure facade;
- B. Horizontal Facade Changes. Designed to differentiate the ground floor from upper floors, such as:
 1. Stepping back the upper floors from the ground floor parking structure facade;
 2. Changing materials between the parking structure base and upper floors; and/or
 3. Including a continuous cornice line or pedestrian weather protection element between the ground floor and upper floors.



15.38.930 Minimizing Views Into the Parking Structure Interior

Facades of parking structures facing a public street or pedestrian way as defined by SMC 15.38.220 shall be designed without continuous horizontal parking floor openings.

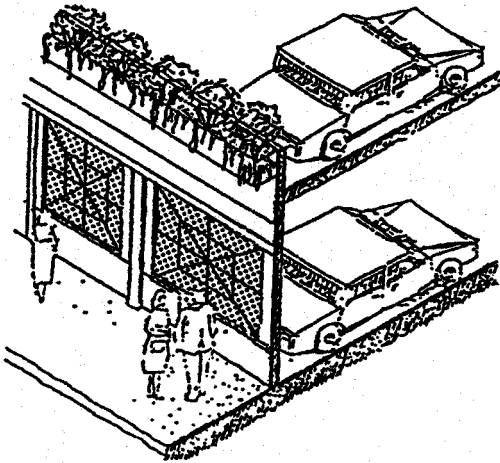
A. For portions of parking structures without a ground floor retail/commercial use, the following building facade landscaping is required:

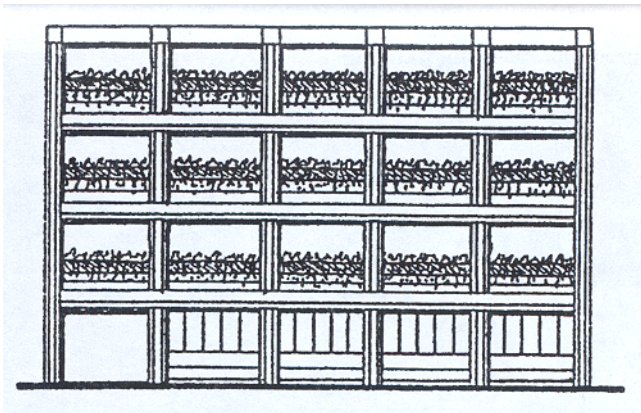
1. Five (5) foot wide facade landscape strip consisting of:
 - a. A mix of evergreen shrub groupings spaced no more than four (4) feet apart that do not exceed a height of six (6) feet at maturity;
 - b. Ground cover; and
 - c. Seasonal displays of flowering annual bedding plants.

B. Any portion of a parking structure ground floor with exposed parking areas adjacent to a public or private street shall minimize views into the parking structure interior through one (1) or more of the following methods which are in addition to the above facade landscaping strip:

1. Decorative trellis work and/or screening as architectural elements on the parking structure facade, without compromising the open parking structure requirements of the Building Code; and/or

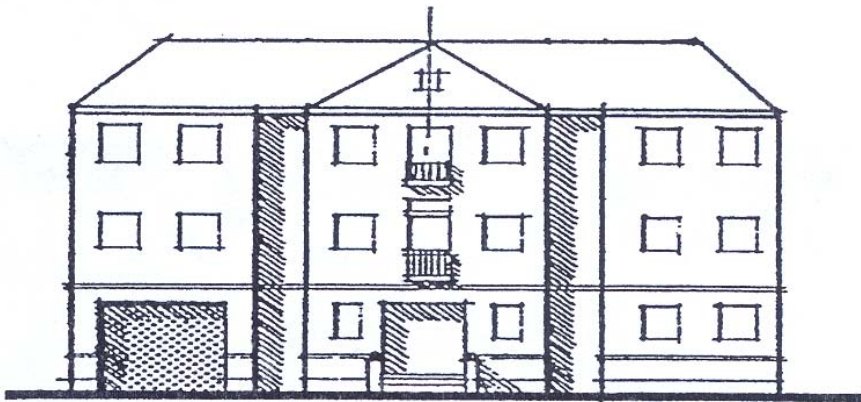
2. Glass window display cases incorporated into ground floor walls built between two (2) structural pillars. Glass window display cases shall be at least two (2) feet deep, begin twelve (12) to thirty (30) inches above the finished grade of the sidewalk, and cover at least sixty percent (60%) of the area between two (2) pillars.
- C. Upon conversion of portions of a parking structure ground floor to a retail/commercial use, the Director of Planning and Community Development may approve the removal of initially installed ground floor screening material in order to allow maximum visibility and access to the converted portions of the parking structure ground floor.
- D. In addition to the above, minimize views into the upper floors of parking structures through one (1) or more of the following methods:
1. The use of planters integrated into the upper floors of parking structure facade design;
 2. Decorative trellis work and/or screening as architectural elements on the parking structure upper floor facades; and/or
 3. Upper parking floors designed as a pattern of window-like openings on the parking structure facade.

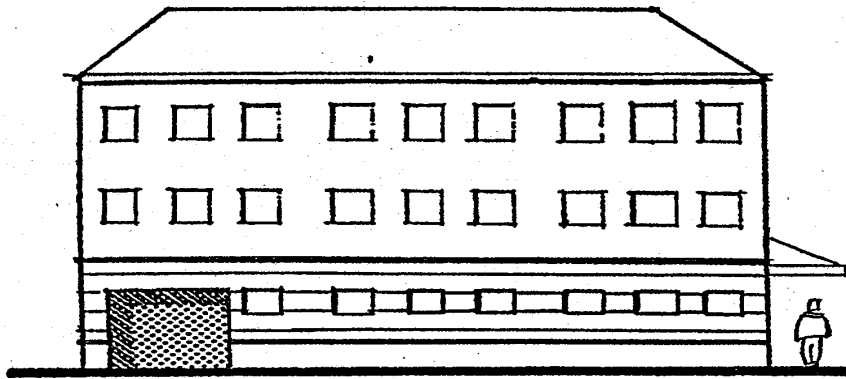




15.38.940 Parking Floors Located Under or Within Buildings

- A. Parking located under or within buildings shall subordinate the garage entrance to the pedestrian entrance in terms of prominence on the street, location and design emphasis.
- B. Parking at grade under a building shall be completely enclosed within the building or wholly screened through any combination of walls, decorative grilles, or trellis work with landscaping.

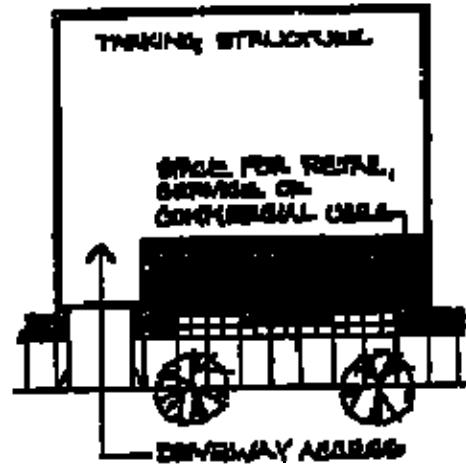




15.38.945 Ground Floor Uses in Parking Structures

- A. Parking structures shall be designed so that a minimum of fifty percent (50%) of the length of the exterior ground floor facade(s) with existing or projected adjacent foot traffic, excluding vehicle entrances and exits, provides ground floor area either built out as, or convertible to, retail/commercial or service uses. The applicable ground floor area shall extend in depth a minimum of twenty (20) feet from the exterior parking structure facade; provided, that the minimum required may be averaged, with no depth less than fifteen (15) feet.
 - 1. The minimum clear interior ceiling height standard for the retail/commercial or service use portion of parking structures shall be ten (10) feet for all street level building space.
 - 2. Parking structure ground floors shall include fire suppressing sprinkler systems at the time of construction.
- B. At the time of construction, a minimum of four hundred (400) square feet of leasable retail/commercial or service space shall be constructed and made available for occupancy. The remainder of the area necessary to fulfill the minimum retail/commercial or service use requirement specified in subsection (A) of this section, but not included at the time of construction, shall employ window display cases, as specified in SMC 15.38.930(B)(2) to meet the transparency requirements of SMC 15.38.510.
- C. Parking structures with ground floor retail/commercial or service uses will be granted an additional parking allowance as follows:

1. The number of parking spaces displaced by the portion of the parking structure ground floor designed for retail/commercial or service uses may be added to the maximum number of allowed parking spaces established for on-site land uses.



15.38.947 Parking Structure Lighting

Lighting of parking structures shall be provided pursuant to Chapter 17.28 SMC, Parking Structures.

SECTION 2. Findings of Fact. The City Council hereby finds and adopts the following findings of fact in support of the interim development regulations readopted in Section 1 of this Ordinance:

- (a) Sound Transit is currently constructing a light rail transit station at the intersection of South 154th St. and International Boulevard in the City of Tukwila, known as the Tukwila International Boulevard Station.
- (b) The Tukwila International Boulevard Station is located adjacent to a commercial area in the City of SeaTac, and is within ¼ mile of the area that has been identified by the City of SeaTac as the South 154th Street Station Area.
- (c) The South 154th Street Station Area is located within the City of SeaTac Urban Center.

- (d) The SeaTac Comprehensive Plan encourages most of the City's commercial and residential growth to occur within the Urban Center's boundaries (Policy 1.1B).
- (e) The SeaTac Comprehensive Plan supports the provision of a network of connected local streets in Station Areas (the Comprehensive Plan uses the term "High Capacity Transit districts") to facilitate pedestrian circulation and transit accessibility (Policy 1.1F).
- (f) It is a widely accepted principle that the area within ¼ mile of a light rail transit station is considered to be a "Transit Oriented Development" district, where proximity to a light rail transit station generates new development and redevelopment of nearby properties that provide economic benefits to these areas and to the City, and include pedestrian orientation, and human scale amenities.
- (g) The City of SeaTac is in the process of developing a future land use plan ("Station Area Plan") for the South 154th Street Station Area, which is expected to be completed and ready for Council Action in December, 2006.
- (h) The South 154th Street Station Area Plan will include development regulations to encourage Transit Oriented Development.
- (i) The SeaTac Municipal Code development regulations currently applicable to commercial and multi-family residential development in the South 154th Street Station Area do not encourage Transit Oriented Development.
- (j) Final development regulations are being prepared for the South 154th Street Station Area that are designed to encourage and result in Transit Oriented Development.
- (k) The current interim development regulations, as passed by Ordinance 06-1019, expire on January 22, 2007.
- (l) The adoption of interim development regulations for the South 154th Street Station Area will ensure that potential development proposals for properties in the South 154th Street Station Area will be consistent with a transit oriented development concept for the South 154th Street Station Area.

- (m) The readoption of interim development regulations is appropriate because it benefits the public health, safety and welfare of the City and its Citizens.

SECTION 3. The City Clerk is directed to transmit a complete and accurate copy of this Ordinance, as adopted, to the Washington Office of Community 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 4. Effective Date. This Ordinance shall take effect and be in full force June 15, 2007.

ADOPTED this 22nd day of May, 2007, and signed in authentication thereof on this 22nd day of May, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 6/15/07]

G:\group\ALL\Station Area Planning\2001 & 2005 - Station Area Planning\Developmnt Regulations\Interim Standards\City Council\Ordinance Extending Interim Standards 5-22-07.doc

ORDINANCE NO. 07-1012

AN ORDINANCE of the City Council of the City of SeaTac, Washington related to Buildings and Construction, amending Chapter 13.110 and Sections 13.160.010, 13.150.010, 13.170.010, 13.210.010, 13.220.010, and 13.230.010 of the SeaTac Municipal Code.

WHEREAS, the City has, pursuant to its municipal authority, adopted certain Codes as amended by the State of Washington, as the Building and Construction Codes of the City; and

WHEREAS, those Codes are generally adopted and amended by the State of Washington every three years pursuant to the provisions of RCW 19.27, and municipalities are required to adopt those changes by July 1, 2007; and

WHEREAS, certain Codes were recently amended by the State, and thus it is appropriate for the City to update its Municipal Code accordingly; and

WHEREAS, the City's Building Department and Fire Department have reviewed the recent amendments to the City's Building and Construction Codes and the proposed amendments by the State; and

WHEREAS, the City Council desires to continue to regulate Buildings and Construction, which will provide necessary safety and construction standards; and

WHEREAS, this Ordinance is designated as a public emergency Ordinance necessary for the protection of public health, public safety, public property or the public peace;

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

Section 1. Chapter 13.110 of the SeaTac Municipal Code is hereby amended to read as follows:

13.110.010 Building Code.

The International Building Code, International Residential Code, International Performance Code and the International Existing Building Code, as adopted and amended by this chapter, shall collectively be referred to as the Building Code.

13.110.020 International Building Code.

The 2006 Edition of the International Building Code, as published by the International Code Council, as amended by the Washington State Building Code Council and published in Chapter 51-50 WAC, as now or hereafter amended, is hereby adopted by reference with the following additions and exceptions:

A. The following is added to Section 504, Height Modifications:

504.2.1 Five story type VA buildings allowed.

Type VA buildings with B, M, R-1 and R-2 occupancies may be increased to five stories in height in accordance with all of the following:

1. The building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1; and
2. The building is equipped with a complete, approved fire alarm and detection system; and
3. The fire sprinkler alarm system is provided with annunciation for each floor; and
4. The building does not exceed 60 feet in height; and
5. The vertical exit enclosures shall be smokeproof enclosures in accordance with Section 909.20; and
6. Special inspection is provided for the lateral support portion of the structural system; and
7. The building must comply with all other applicable provisions of Title 13 of the SeaTac Municipal Code.

13.110.030 International Residential Code.

The 2006 Edition of the International Residential Code, as published by the International Code Council, as amended by the Washington State Building Code Council and published in Chapter 51-51 WAC, as now or hereafter amended, is hereby adopted.

A. Table R301.2, Climate and Geographic Design Criteria, is hereby amended to read as follows:

Ground/Roof Snow Load 25 psf

Wind Speed 85 mph

Seismic Design Category D2

Subject to Damage From:

Weathering Moderate

Frost Line Depth 18 inches

Termite Slight to Moderate

Decay Slight to Moderate

Winter Design Temperature 15

Ice Shield Underlayment Req. No

Air Freezing Index 50

Mean Annual Temperature 51.4

B. Section R105.2 (7) is hereby amended to read as follows:

7. Prefabricated swimming pools provided they meet one of the following conditions:

- a. The pool is less than 24 inches deep.

- b. The pool walls are entirely above ground and the capacity does not exceed 5,000 gallons.

. C. A new Section R405.1.1 is hereby added to read as follows:

R405.1.1 Drainage. Provisions shall be made for the control and drainage of water around and under buildings.

Adequate provisions shall be made to insure that under floor spaces remain free of running or standing water by the installation of drains. Additional drains are required in foundations to relieve water from under floor spaces where it is determined by the Building Official that such drainage is required. Drain pipes shall be of sufficient size to adequately convey water to an approved location, but shall be a minimum size of 4 inches. Provisions shall be made to prevent the drainage system from becoming blocked.

13.110.040 International Performance Code.

The 2006 Edition of the International Performance Code, published by the International Code Council, as now or hereafter amended, is hereby adopted.

13.110.050 International Existing Building Code.

The 2006 Edition of the International Existing Building Code, published by the International Code Council, as now or hereafter amended, is hereby adopted.

13.110.060 Copies on file.

At least one (1) copy of the adopted editions of the International Building Code, International Residential Code, International Performance Code and the International Existing Building Code shall be on file in the office of the City Clerk.

Section 2. Section 13.150.010 of the SeaTac Municipal Code is hereby amended to read as follows:

13.150.010 International Fire Code.

The 2006 Edition of the International Fire Code, as published by the International Code Council, as amended by the Washington State Building Code Council, and as published in Chapter 51-54 of the Washington Administrative Code, as now or hereafter amended, is adopted by reference with the following additions and exceptions:

A. Appendixes A, B, C, E, F and G are adopted. Appendix D is not adopted.

B. Section 109.3 Violation penalties is hereby amended to read as follows:

109.3 Violation Penalties.

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand (1,000) dollars or by imprisonment of not more than 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

C. Section 111.4 Failure to comply is hereby amended to read as follows:

111.4 Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed, by the City, to perform or remove a violation or unsafe condition, shall be liable to a fine of not less than one hundred (\$100.00) dollars or more than double the amount of the permit fee.

D. Section 503 Fire Apparatus Access Roads is adopted.

E. The following is added to Section 903 Automatic sprinkler systems:

903.2.20 Additional Requirements.

In addition to the requirements set forth in this Code, all structures that have a gross floor area of six thousand (6,000) square feet or more shall have an approved automatic fire sprinkler system installed throughout. For purposes of determining gross floor area, the installation of fire walls shall not be considered as creating separate buildings.

903.2.20.1 Exceptions—Remodeling existing structures.

It is provided that existing structures and structures undergoing remodeling or improvement are exempt from the provisions of section, provided:

1. There is no increase in floor area, or
2. The area to be improved does not exceed 50% of the total floor area including mezzanines, or
3. There is no change of occupancy or use, and
4. A fire alarm and detection system meeting all applicable requirements for the occupancy is installed.

903.2.20.2 Exceptions—Other.

The following new and existing structures are exempt from the provisions of this section:

1. Group R-3 Occupancies.
2. Detached one and two family dwellings regulated by the Residential Code.
3. Portions of structures used as open parking garages, as defined in Section 406.3.2 of the International Building Code, when there are no other occupancies above the garage and any structures adjacent to the garage are separated by an assumed property line and protected as required by the International Building Code.

F. The following is added to Section 907 Fire Alarms and Detection Systems:

907.2.30 Additional Requirements.

All structures that have a gross floor area of three thousand (3,000) square feet or more shall be required to have an approved automatic fire alarm and detection system throughout. For purposes of determining gross floor area, the installation of fire walls shall not be considered as creating separate buildings

907.2.30.1 Exceptions:

1. Group R-3 occupancies.
2. Detached one and two family dwellings regulated by the Residential Code.
3. Group U occupancies.
4. Occupancies protected throughout by an approved monitored automatic fire sprinkler system may, in the judgment of the Fire Chief, allow for deletion of heat detectors from the system.

The provisions of this subsection shall apply to all buildings whose assessed valuation, according to county records, has increased by more than fifty percent (50%) within a five

(5) year period due to the added value of additions, alterations and repairs. When the first permit application is submitted to add, to alter or to repair an existing building, the assessed valuation of the building at the time of the complete application is submitted shall be considered the base figure for assessed valuation for the following five (5) year period. The increased assessed valuation shall be determined by comparing that base figure with the cumulative total permit fees valuations for the addition, alteration and repair projects undertaken during the five (5) year period.

Any additions to an existing structure shall be considered new construction and shall be subject to the provisions of this subsection.

Section 3. Section 13.160.010 of the SeaTac Municipal Code is hereby amended to read as follows:

13.160.010 International Mechanical Code.

The 2006 Edition of the International Mechanical Code, as published by the International Code Council, as amended by the Washington State Building Code Council and as published in Chapter 51-52 WAC, as now or hereafter amended, is adopted.

Section 4. Section 13.170.010 of the SeaTac Municipal Code is hereby amended to read as follows:

13.170.010 Uniform Plumbing Code and Uniform Plumbing Code Standards.

A. The 2006 Edition of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, as amended by the Washington State Building Code Council and as published in Chapter 51-56 WAC, as now or hereafter amended, is adopted.

B. The 2006 Edition of the Uniform Plumbing Code Standards, as published by the International Association of Plumbing and Mechanical Officials, as amended by the Washington State Building Code Council and as published in Chapter 51-57 WAC, as now or hereafter amended, is adopted.

Section 5. Section 13.210.010 of the SeaTac Municipal Code is hereby amended to read as follows:

13.210.010 International Property Maintenance Code

The 2006 Edition of the International Property Maintenance Code, as published by the International Code Council, is adopted with the following exceptions:

A. References to the Board of Appeals in Section 111 shall be deemed to refer to the Hearing Examiner system of Chapter 1.20 SMC.

B. Subsection 301.3, Vacant buildings and land, is repealed in its entirety and replaced by the following:

301.3 Vacant Buildings. All vacant buildings and premises thereof must comply with this Code. Vacant buildings shall be maintained in a clean, safe, secure and sanitary condition provided herein so as not to cause a blighting problem or otherwise adversely affect the public health, safety or quality of life.

301.3.1 Appearance. All vacant buildings must appear to be occupied, or appear able to be occupied with little or no repairs.

301.3.2 Security. All vacant buildings must be secured against outside entry at all times. Security shall be by the normal building amenities such as windows and doors having adequate strength to resist intrusion. All doors and windows must remain locked. There shall be at least one operable door into every building and into each housing unit. Exterior walls and roofs must remain intact without holes.

301.3.2.1 Architectural (Cosmetic) Structural panels. Architectural structural panels may be used to secure windows, doors and other openings provided they are cut to fit the opening and match the characteristics of the building. Architectural panels may be of exterior grade finished plywood or Medium Density Overlaid plywood (MDO) that is painted to match the building exterior or covered with a reflective material such as plexi-glass.

Exception. Untreated plywood or similar structural panels may be used to secure windows, doors and other openings for a maximum period of 30 days.

301.3.2.2 Security fences. Temporary construction fencing shall not be used as a method to secure a building from entry.

Exception. Temporary construction fencing may be used for a maximum period of 30 days.

301.3.3 Weather protection. The exterior roofing and siding shall be maintained as required in Section 304.

301.3.4 Fire Safety.

301.3.4.1 Fire protection systems. All fire suppression and alarms systems shall be maintained in a working condition and inspected as required by the Fire Department.

301.3.4.2 Flammable liquids. No vacant building or premises or portion thereof shall be used for the storage of flammable liquids or other materials that constitute a safety or fire hazard.

301.3.4.3 Combustible materials. All debris, combustible materials, litter and garbage shall be removed from vacant buildings, their accessory buildings and adjoining yard areas. The building and premises shall be maintained free from such items.

301.3.4.3 Fire inspections. Periodic fire department inspections may be required at intervals set forth by the fire chief or his designee.

301.3.5 Plumbing fixtures. Plumbing fixtures connected to an approved water system, an approved sewage system, or an approved natural gas utility system shall be installed in accordance with applicable codes and be maintained in sound condition and good repair or removed and the service terminated in the manner prescribed by applicable codes.

301.3.5.1 Freeze protection. The building's water systems shall be protected from freezing.

301.3.6 Electrical. Electrical service lines, wiring, outlets or fixtures not installed or maintained in accordance with applicable codes shall be repaired, removed or the electrical services terminated to the building in accordance with applicable codes.

301.3.7 Heating. Heating facilities or heating equipment in vacant buildings shall be removed, rendered inoperable, or maintained in accordance with applicable codes.

301.3.8 Interior floors. If a hole in a floor presents a hazard, the hole shall be covered and secured with three-quarter (3/4) inch plywood, or a material of equivalent strength, cut to overlap the hole on all sides by at least six (6) inches.

301.3.9 Termination of utilities. The code official may, by written notice to the owner and to the appropriate water, electricity or gas utility, request that water, electricity, or gas service to a vacant building be terminated or disconnected.

301.3.9.1 Restoration of Service. If water, electricity or gas service has been terminated or disconnected pursuant to Section 313.9, no one except the utility may take any action to restore the service, including an owner or other private party requesting restoration of service until written notification is given by the code official that service may be restored.

301.3.10 Notice to person responsible. Whenever the code official has reason to believe that a building is vacant, the code official may inspect the building and premises. If the code official determines that a vacant building violates any provision of this section, the code official shall notify in writing, the owner of the building, or real property upon which the building is located, or other person responsible, of the violations and required corrections and shall be given a time frame to comply.

301.3.10.1 Alternate requirements. The requirements and time frames of this section may be modified under an approved Plan of Action. Within 30 days of notification that a building or real property upon which the building is located, is in violation of this Section, an owner may submit a written Plan of Action for the code official to review and approve if found acceptable. A Plan of Action may allow:

- 1) Extended use of non-architectural panels
- 2) Extended use of temporary security fencing

3) Extended time before the demolition of a building is required

4) For substandard conditions to exist for a specific period of time, provided the building is secured in an approved manner. When considering a Plan of Action, the building official shall take into consideration the magnitude of the violation and the impact to the neighborhood.

301.3.11 Enforcement. Violations of this section shall be enforced according to the provisions and procedures of Chapter 1.15 of the SeaTac Municipal Code and subject to the monetary penalties contained therein.

301.3.11.1 Abatement. A building or structure accessory thereto that remains vacant and open to entry after the required compliance date is found and declared to be a public nuisance. The code official is hereby authorized to summarily abate the violation by closing the building to unauthorized entry. The costs of abatement shall be collected from the owner in the manner provided by law.

301.3.11.2 Unsafe buildings and equipment. Any vacant building or equipment therein, declared unsafe is subject to the provisions of Section 108 and the demolition provisions of Section 110.

Section 6. Section 13.220.010 of the SeaTac Municipal Code is hereby amended to read as follows:

13.220.010 Washington State Energy Code.

The Washington State Energy Code, 2006 Edition, as amended by the Washington State Building Code Council and as published in Chapter 51-11 WAC, as now or hereafter amended, is adopted.

Section 7. Section 13.230.010 of the SeaTac Municipal Code is hereby amended to read as follows:

13.230.010 Washington State Ventilation and Indoor Air Quality Code.

The Washington State Ventilation and Indoor Air Quality Code, 2006 Edition, as amended by the Washington State Building Code Council and as published in Chapter 51-13 WAC, as now or hereafter amended, is adopted.

Section 8. 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 9. This Ordinance is necessary for the immediate protection of public health, public safety, public property, or public peace, and therefore shall be effective July 1, 2007.

ADOPTED this 26th day of June, 2007, and signed in authentication thereof on this 26th day of June, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: July 1, 2007]

[2007 Building Code Amendments]

ORDINANCE NO. 07-1013

AN ORDINANCE of the City Council of the City of SeaTac, Washington adopting a new Section 9.05.100 of the SeaTac Municipal Code related to the use of compression brakes.

WHEREAS, the City Council may regulate matters of health and safety through the exercise of the City's general police powers; and

WHEREAS, the City Council finds that the use within the City limits of unmuffled compression brakes disturbs and disrupts the public peace and quiet and enjoyment of property;

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

Section 1. A new Section 9.05.100 is hereby added to the SeaTac Municipal Code to read as follows:

Section 9.05.100 Compression Brake Use

A. For each occurrence, it is a traffic infraction, with a monetary penalty of one hundred seventy five dollars (\$175.00), including statutory assessments, for any person to use unmuffled motor vehicle brakes which are in any way activated or operated by the compression of the engine of any such motor vehicle or any unit or part thereof.

B. This Section does not apply to any emergency vehicle or in any situation that such motor vehicle brakes were applied in an emergency and were necessary for the protection of persons and/or property.

Section 2. 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 3. This Ordinance shall be in full force and effect January 1, 2008.

ADOPTED this 26th day of June, 2007, and signed in authentication thereof on this 26th day of June, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 01/01/08]

[Compression Brakes Code]

ORDINANCE NO. 07-1014

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Ordinance number 06-1026 relating to increasing the monthly contribution to the City's VEBA medical, dental and vision expense plan, in lieu of certain health insurance coverage, for Council members.

WHEREAS, by Resolution No. 96-001, the City Council authorized the City Manager to implement a Voluntary Employee Beneficiary Association (VEBA) medical, dental and vision expense plan as an optional benefit; and

WHEREAS, the VEBA Plan offered is currently administrated by REHN & Associates, Inc., formally entitled the "Voluntary Employees' Beneficiary Association for Public Service Employers in the Northwest", but also referred to as the "HRA VEBA", and

WHEREAS, this benefit was made available to all Council members in lieu of the AWC Plan B medical insurance coverage and dental and vision coverage; and

WHEREAS, the plan diverts all or a portion of the insurance premium which the City would otherwise pay for applicable health insurance to the VEBA Health Reimbursement Arrangement Plan on behalf of each Councilmember; and

WHEREAS, based solely upon representations of VEBA Service Group, LLC the City contribution to the VEBA Plan is payroll deductible on a tax-free basis and money in each account can be used by Council members to pay out-of-pocket medical, dental, and vision expenses which qualify pursuant to Internal Revenue Service Publication 502; and

WHEREAS, all Council members currently participate in the HRA VEBA; and

WHEREAS, the City contribution on behalf of each participant is currently a flat monthly sum of \$693.00, which was equivalent to the premium for AWC Plan B medical coverage for an employee and spouse in 2006 and, for Council members only, an additional monthly sum of \$174.00, which was then equivalent to the full family premium for dental and vision coverage; and

WHEREAS, the Council deems it appropriate to increase the City contribution on behalf of each participant to the flat monthly sum of \$732.00, which is equivalent to the 2007 premium for AWC Plan B (management employees) medical coverage for an employee and spouse, and for Council members only, to contribute an additional monthly sum of \$178.00, which is equivalent to the 2007 full family premium for dental and vision coverage; and

WHEREAS, the Washington State Legislature passed Senate Bill 5525 during the last legislative session which removes the City's VEBA contribution for Council members from the definition of compensation and therefore no longer requires that the effective date for VEBA contribution increases be effective only upon election or re-election to a Council position; and

WHEREAS, it is now necessary to amend Ordinance number 06-1026 to accurately reflect the amount of the VEBA contributions.

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

Section 1. The City shall contribute the sum of \$910.00 per month to the HRA VEBA Plan on behalf of each Councilmember in lieu of medical, dental, and vision insurance coverage effective August 1, 2007.

Section 2. On an annual basis and during the annual budget process, a review of any changes in the premiums paid by the City for employee medical, dental, and vision insurance coverage shall be conducted for the purpose of adjusting the VEBA Trust contributions by a similar amount to ensure parity.

Section 3. This Ordinance shall not be codified in the SeaTac Municipal Code.

Section 4. This Ordinance shall be in full force and effect on August 1, 2007.

ADOPTED this 10th day of July, 2007, and signed in authentication thereof on this 10th day of July, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: 8-01-07]
[VEBA Contributions]

ORDINANCE NO. 07-1015

AN ORDINANCE of the City Council of the City of SeaTac, Washington related to Driveways and Single-Family Maximum Off Street Vehicle Parking Requirements, adding new Sections 15.10.187 and 15.10.106.05 of the SeaTac Municipal Code, and amending Section 15.15.180 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, 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. A new Section 15.10.187 is hereby added to the SeaTac Municipal Code to read as follows:

15.10.187 Driveway

An access which serves a lot, structure, or parking surface.

Section 2. A new Section 15.10.106.05 of the SeaTac Municipal Code is hereby added to read as follows:

15.10.106.05 Circular Driveway

A Driveway on a single lot that has two (2) access points to a public right-of-way.

Section 3. Section 15.15.180 of the SeaTac Municipal Code is hereby amended to read as follows:

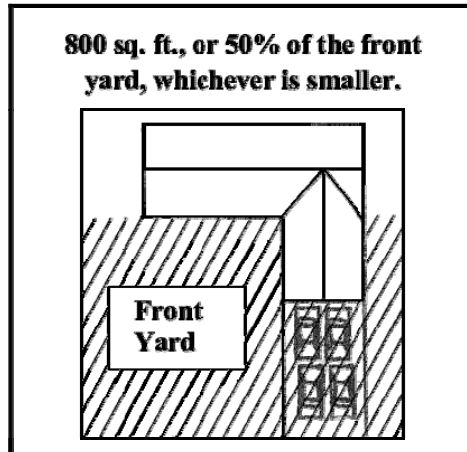
15.15.180 Single-Family Maximum Off-Street Vehicle Parking Requirements

Within the single-family zones (UL-5,000; UL-7,200; UL-9,600; and UL-15,000), the following maximum off-street parking standards shall apply. These standards shall be applicable to new and existing parking areas and are in addition to the off-street parking standards for a single-family residence specified under SMC 15.15.030.

- A. All motor vehicles, trailers, boats and RVs must be parked on one (1) of the approved surfaces listed in subsection (B) of this section.
- B. All required off-street parking spaces shall be constructed in conformance with SMC 15.15.030, 15.15.100, and 15.15.110. Additional off-street parking surfaces shall be constructed of one (1), or a combination of, the following materials:
 - 1. Concrete (four (4) inch Portland cement concrete over compact native soils); or
 - 2. Blacktop (two (2) inch asphalt concrete pavement over gravel section as described under subsection (B)(3) of this section); or
 - 3. Two (2) inches of 5/8 minus compacted rock provided mud or other fine material do not work their way to the surface of the rock. Alternate sized minus compacted rock may be used upon approval by the City;
 - 4. Any other configuration or materials, approved by the City, that maintains a durable uniform surface.
- C. Off-street parking surfaces outside of structures on-site may cover a maximum of one thousand two hundred (1,200) square feet or ten percent (10%) of the lot surface, whichever is greater.
- D. No more than fifty percent (50%) of the front yard or eight hundred (800) square feet, whichever is smaller, can be Driveway or off-street parking surface. For the purposes of this Section 15.15.180, the front yard shall be the area between the right-of-way and the portion of the house frontage that is farthest from the right-of-way. The width of the front yard shall extend to each side property line (See Figure 15.15.180a).

For circular Driveways the minimum width of the apex of the landscape area between the front property line and circular drive shall be a minimum of five (5) feet in width, perpendicular to the front property line. Any portion of the front yard not constructed as Driveway or parking surface shall be landscaped. (See Figure 15.15.180b).

Figure 15.15.180a.



Other unique front yard configurations may be allowed subject to City approval by the City Manager or his designee. The remainder of the front yard not used for parking shall be landscaped. For the purpose of this section, landscaping shall either be one (1), or a combination of, the following:

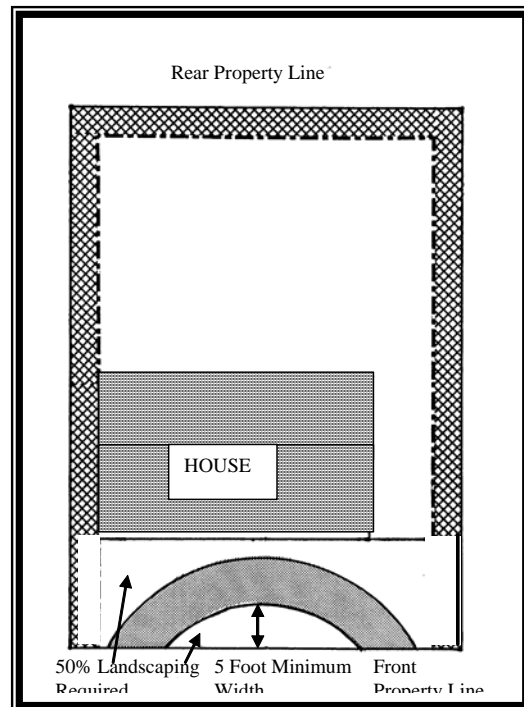
1. Grass or sod;
2. Trees;
3. Groundcover;
4. Shrubs.

E. Any new circular driveway connection to the public right-of-way shall meet the requirements of Chapter 11.10 SMC, Right-of-Way Use, and adopted Road Standards pursuant to 11.05 SMC.

EF. On properties facing on two (2) or more public rights-of-way, the total off-street parking surfaces for all front yards shall not be greater than eight hundred (800) square feet. All remaining areas of the front yards not constructed as Driveway or parking area shall be landscaped as provided in subsection (D) of this section.

FG. Off-street parking is allowed in the side yard setback and within five (5) feet of the rear yard property line. Screening of

Figure 15.15.140b



vehicles parked in the side yard setback, or within five (5) feet of the rear property line, shall be required if requested by the adjacent property owner(s). If screening is requested, the screening shall be a solid wood fence or made of an alternate material, as approved by the City. Fences shall conform with the maximum height requirements of SMC 15.13.080(F).

H. The driveway surface of an existing nonconforming circular Driveway composed of gravel may be upgraded to a higher quality surface (either asphalt or concrete in accordance with SMC 15.15.180 (B)), provided that the location and size of the circular Driveway does not change and any connections to the public right-of-way meet all adopted Right-Of-Way Use Codes pursuant to SMC 11.10.

I. The driveway surface of an existing nonconforming circular Driveway composed of sod or grass shall be upgraded to a higher quality surface (gravel, asphalt or concrete), provided that the location and size of the circular Driveway does not change and any connections to the public right-of-way meet all adopted Right-Of-Way Use Codes pursuant to SMC 11.10.

J. For purposes of this Section, a nonconforming circular driveway is “a circular Driveway in which the Driveway and parking surface exceed 800 square feet of surface area or more than fifty percent (50%) of the front yard, as described in 15.15.180 (D).”

K. For purposes of this Section 15.15.180, a Driveway is considered a parking surface or parking area if the Driveway is used for the parking of motor vehicles.

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 10th day of July, 2007, and signed in authentication thereof on this 10th day of July, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo , City Attorney

[Effective Date 07/21/07]

ORDINANCE NO. 07-1016

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 2.05.010 of the SeaTac Municipal Code relating to Public Official Bonds.

WHEREAS, RCW 42.24.180 provides that the City's auditing officer and the officer designated to sign the checks or warrants shall each be required to furnish an official bond for the faithful discharge of his or her duties in an amount determined by the legislative body but not less than fifty thousand dollars; and

WHEREAS, the Council also finds it is appropriate to increase the amount of the public official bond for the Accounting Supervisor; and

WHEREAS, RCW 35A.12.080 provides that the amount of the public official bonds shall be set by the City Council;

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

Section 1. Section 2.05.010 of the SeaTac Municipal Code is hereby amended to read as follows:

2.05.010 Bonds required.

The City Manager, the Finance Director, the City Clerk, the Accounting Supervisor, and the Court Administrator shall annually furnish an official bond conditioned on the honest and faithful performance of their official duties, the premiums on which shall be paid by the City. Bonds for the Finance Director and Accounting Supervisor shall be procured in the amount of fifty thousand dollars (\$50,000). Bonds for the City Manager, City Clerk, and Court Administrator shall be procured in the amount of twenty-five thousand dollars (\$25,000).

Section 2. 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 3. This Ordinance shall be in full force and effect five days after passage and publication as required by law.

ADOPTED this 24th day of July, 2007, and signed in authentication thereof on this 24th day of July, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: August 4, 2007]

[Public Official Bonds]

ORDINANCE NO. 07-1017

AN ORDINANCE of the City Council of the City of SeaTac, Washington, granting Puget Sound Energy, Inc., a Washington corporation, its successors and assigns, the non-exclusive franchise to set, erect, lay, construct, extend, support, attach, connect, maintain, repair, replace, enlarge, operate and use Facilities in, upon, over, under, along, across and through the Franchise Area to provide for the transmission, distribution and sale of natural gas and such other services as may be provided by such Facilities.

WHEREAS, Puget Sound Energy has applied for a nonexclusive franchise to operate and maintain a natural gas distribution system within the City of SeaTac and,

WHEREAS, the City Council finds that it is in the public interest to specify the rights and duties of Puget Sound Energy through a franchise; and

WHEREAS, RCW 35A.47.040 authorizes the City to grant nonexclusive franchises for the use of City rights-of-way, streets and other designated public properties, public ways, or other ways; and

WHEREAS, the City Council held a public hearing to consider authorization of a natural gas franchise for Puget Sound Energy;

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

Section 1. Definitions.

1.1 Where used in this franchise (the “Franchise”) the following terms shall mean:

1.1.1 “PSE” means Puget Sound Energy, Inc., a Washington corporation, and its successors and assigns.

1.1.2 “City” means the City of SeaTac, a code city of the State of Washington, and its successors and assigns.

1.1.3 “Franchise Area” means any, every and all of the roads, streets, avenues, alleys, and highways, of the City as now laid out, platted, dedicated or improved; and any, every and all roads, streets, avenues, alleys, and highways that may hereafter be laid out, platted, dedicated or improved within the present limits of the City and as such limits may be hereafter extended.

1.1.4 “Facilities” means, collectively, any and all natural gas distribution systems, including but not limited to, gas pipes, pipelines, mains, laterals, conduits, feeders, regulators, valves, meters, meter-reading devices, fixtures and communication systems; and any and all other equipment, appliances, attachments, appurtenances and other items necessary, convenient, or in any way appertaining to any and all of the foregoing, whether the same be located over or under ground.

1.1.5 “Public Improvement” means any capital improvement or repair within the Franchise Area that is undertaken by or on behalf of the City and is funded by the City (either directly with its own funds or with other public monies obtained by the City). For the avoidance of doubt, the term “Public Improvement” shall include any such capital improvement or repair undertaken by the City which requires the relocation of PSE’s Facilities within the Franchise Area, even if the capital improvement or repair entails, in part, related work performed for a third party public agency (i.e., state, county or municipality) under a valid interlocal agreement between the City and such third party public agency (except to the extent the relocation of PSE’s Facilities is caused by the work done for such third party public agency). The term “Public Improvement” shall not include, without limitation, any other improvements or repairs undertaken by or for the benefit of third party private entities as described in Section 9.3.

Section 2. Facilities Within Franchise Area.

2.1 The City does hereby grant to PSE the right, privilege, authority and franchise to set, erect, lay, construct, extend, support, attach, connect, maintain, repair, replace, enlarge, operate and use Facilities in, upon, over, under, along, across and through the Franchise Area to provide for the transmission, distribution and sale of natural gas and such other services as may be provided by such Facilities.

2.2 This Franchise shall not convey any right to PSE to install its Facilities on or to otherwise use City owned or City leased properties outside the Franchise Area provided however that this Franchise shall convey the right to PSE to maintain repair and operate Facilities installed pursuant to prior franchise agreements with the City regardless of whether said Facilities are outside the Franchise Area but such right shall be subject to the provisions of Sections 2.3 and 9. For purposes of the application of this Section 2 to Section 9 only, these Facilities shall be deemed to be within the Franchise Area.

2.3 Existing Facilities installed or maintained by PSE on public grounds and places within the City in accordance with prior franchise agreements (but which such

Facilities are not within the Franchise Area as defined in this Franchise) may continue to be maintained, repaired, and operated by PSE at the location such Facilities exist as of the effective date of this Franchise for the term of this Franchise; provided, however, that no such Facilities may be enlarged, improved, or expanded without the prior review and approval of the City pursuant to applicable Ordinances, Codes, Resolutions, standards and procedures.

Section 3. Right-of-Way Permits Required.

3.1 Whenever PSE shall engage in any work within the Franchise Area for the purpose of installation, construction, repair, maintenance or relocation of its Facilities within the Franchise Area, it shall apply to the City for a permit to do so as required by applicable City codes and ordinances and shall, except to the extent inconsistent with the terms and conditions of this Franchise, comply with all requirements and conditions of such permits. PSE shall file as-built plans and maps with the City showing the final location of such Facilities if required as a condition of any permits issued by the City. Emergency work (including, without limitation, work performed to correct an emergency situation under Section 5.1) may be commenced without first applying for and obtaining a permit as required by this Franchise. However, PSE shall apply for all such permits not later than the next succeeding day during which the City is open for business.

Section 4. Noninterference of Facilities.

4.1 PSE's Facilities shall be constructed, installed, maintained, and repaired within the Franchise Area so as not to unreasonably interfere with the free passage of vehicular, bicycle, and pedestrian traffic and in accordance with the laws of the State of Washington. PSE shall exercise its rights within the Franchise Area in accordance with applicable City codes and ordinances governing use and occupancy of the Franchise Area; provided, however, in the event of any conflict or inconsistency of such codes and ordinances with the terms and conditions of this Franchise, the terms and conditions of this Franchise shall govern and control; provided, further, nothing herein shall be deemed to waive, prejudice or otherwise limit any right of appeal afforded PSE by such City codes and ordinances.

4.2 PSE shall provide the City, upon the City's reasonable request, copies of available drawings in use by PSE showing the location of its Facilities at specific locations within the Franchise Area. As to any such drawings so provided, PSE does not warrant the accuracy thereof and, to the extent the location of Facilities are shown, such Facilities are shown in their approximate location. With respect to any excavations within the Franchise Area undertaken by or on behalf of PSE or the City, nothing herein is intended (nor shall be construed) to relieve either party of their respective obligations arising under applicable law with respect to determining the location of utility facilities.

Section 5. Emergency Work.

5.1 In the event of any emergency situation in which any of PSE's Facilities within the Franchise Area are in such a condition as to immediately endanger any property, or the life, health or safety of any individual, PSE shall immediately inform the City permitting authority of the location and condition such Facilities and shall immediately take all necessary actions to repair the Facilities and correct the dangerous situation.

Section 6. Recovery of Costs and Permit Fees.

6.1 As specifically provided by RCW 35.21.860, the City may not impose a franchise fee or any other fee or charge of whatever nature or description upon PSE as a result of this Franchise. However, as provided in RCW 35.21.860, the City may recover from PSE the actual administrative expenses incurred by the City that are directly related to: (i) receiving and approving a permit, license or this Franchise, (ii) inspecting plans and construction, or (iii) preparing a detailed statement pursuant to Chapter 43.21C RCW. With respect to its payment of such administrative expenses, the City shall submit to PSE statements/billings which specify the amounts due. PSE shall make payment to the City in reimbursement of such expenses within thirty (30) days of the receipt of such statements/billings. Failure by PSE to pay such amount within such thirty (30) day time period shall constitute a failure to comply with the Franchise for the purposes of Section 13. Additionally, the failure by PSE to timely pay said amounts shall be grounds for the City to preclude the processing of any applications and/or issuing permits until payment has been fully made. Furthermore, any late payment shall also accrue interest computed at the rate of twelve percent (12%) per annum from the thirtieth day.

Section 7. Restoration of Franchise Area.

7.1 After any installation, construction, relocation, maintenance, or repair of Facilities within the Franchise Area, or any excavation by PSE within the Franchise Area, PSE shall restore the surface of the Franchise Area as nearly as practicable, to at least the condition that the same was in immediately prior to any such work. All restoration work performed by PSE shall be subject to inspection by and approval of the City in accordance with the permit. All concrete encased monuments which have been disturbed or displaced by such work shall be restored pursuant to all federal, state and local standards and specifications. PSE agrees to promptly complete all restoration work and to promptly repair any damage caused by such work within the Franchise Area at its sole cost and expense.

7.2 At any time during the term of this Franchise, if a PSE Facility or trench within the Franchise Area causes a street to crack, settle, or otherwise fail, the City will notify PSE of the deficiency and PSE agrees to restore the deficiency and repair the damage within thirty (30) days of written notice by the City, unless the City determines that a

shorter time period is necessary to protect the property or the life, health, or safety of any individual.

7.3 For purposes of this Section, “street” shall mean all City owned improvements within a Franchise Area right-of-way, include, but is not limited to, the following: pavement, sidewalks, curbing, above and below-ground utility facilities, and traffic control devices.

7.4 In the event that PSE should fail in its restoration responsibilities set forth in Section 7.1 or 7.2 above, and such failure continues for a period of ten (10) days after PSE receives written notice from the City regarding such failure, the City may, but in no event is obligated to, perform or contract for such work and, thereafter, PSE shall, upon the City’s written request, reimburse the City for the reasonable costs incurred by the City in having such work performed.

Section 8. Dangerous Conditions.

8.1 In the event of any emergency in which PSE’s Facilities located in or under the Franchise Area break or are damaged, or if PSE’s Facilities within the Franchise Area are otherwise in a condition as to immediately endanger property or the life, health or safety of any individual, PSE shall, upon learning of such condition, take all reasonable actions to correct the condition. The City may direct PSE, at PSE’s sole expense, to take all necessary actions to correct the condition. The City may require that such action be completed within a prescribed time that is reasonable under the circumstances.

Section 9. Relocation of Facilities.

9.1 PSE agrees and covenants, in accordance with this Section 9, to relocate its Facilities within the Franchise Area when so required by the City to accommodate any Public Improvement, provided that PSE shall in all such cases have the privilege to temporarily bypass, in the authorized portion of the Franchise Area upon approval by the City, any section of their Facilities required to be temporarily disconnected or removed. PSE shall relocate the identified Facilities at its sole cost and expense. If the City requires such a subsequent relocation within five (5) years, the City shall bear the cost thereof, except in circumstances which the City could not reasonably have foreseen as of the date of such relocation. Should the City and PSE disagree as to whether the City or PSE will pay for a relocation of Facilities under this Section 9.1, PSE agrees to relocate the Facilities so as to accommodate, without delay, the Public Improvement, and any dispute regarding payment of relocation costs will be resolved pursuant to the Dispute Resolution provisions of Section 16 of this Franchise.

9.2 If the Public Improvement necessitates the relocation of PSE's then existing Facilities within the Franchise Area, the City shall:

- a) At least ninety (90) days prior to the commencement of construction on the Public Improvement, provide PSE with written notice requiring such relocation; and
- b) Provide PSE with copies of pertinent portions of the plans and specifications for such Public Improvement and a proposed location for PSE's Facilities so that PSE may relocate its Facilities in the Franchise Area in order to accommodate the Public Improvement.

After receipt of such notice and such plans and specification, PSE shall complete relocation of such Facilities within the Franchise Area at no charge or expense to the City so as to accommodate the mutually agreed upon schedule for the Public Improvement.

9.3 Whenever (i) any public or private development within the Franchise Area, other than a Public Improvement, requires the relocation of PSE's Facilities within the Franchise Area to accommodate such development; or (ii) the City requires the relocation of PSE's Facilities within the Franchise Area for the benefit of any person or entity other than the City, then in such event, PSE shall have the right as a condition of such relocation, to require such developer, person or entity to make payment to PSE, at a time and upon terms acceptable to PSE, for any and all costs and expenses incurred by PSE in the relocation of PSE's Facilities; provided that, for the avoidance of doubt, the foregoing is not intended to and will not be construed as requiring any action by a public agency that would be in violation of any applicable state law. In connection with any such relocation of PSE's Facilities pursuant to this Section 9.3 that is required by or benefits a public development undertaken by a third party public agency, PSE will endeavor to negotiate in good faith and work with such public agency with the objective of reaching agreement on the payment of relocation costs within a timeframe that avoids or minimizes delays in the public development. In any event, PSE agrees that the City will not be responsible for payment of any costs of a relocation governed by this Section 9.3.

9.4 Any condition or requirement imposed by the City upon any person or entity, other than PSE, that requires the relocation of PSE's Facilities shall be a required relocation for purposes of Section 9.3 above (including, without limitation, any condition or requirement imposed pursuant to any contract or in conjunction with approvals or permits for zoning, land use, construction or development).

9.5 Nothing in this Section 9 "Relocation of Facilities" shall require PSE to bear any cost or expense in connection with the location or relocation of any Facilities then existing pursuant to easement or such other rights not derived from this Franchise.

Section 10. Indemnification.

10.1 PSE shall indemnify, defend and hold harmless the City, its elected and appointed officials, officers, employees, agents, representatives, engineers, and consultants from any and all claims, costs, judgments, awards, or liability, including reasonable attorney fees, to any person arising from injury or death of any person or damage to property to the extent the same is caused by the negligent acts or omissions, or willful misconduct, of PSE, its agents, servants, officers, or employees in performing under this Franchise. This covenant of indemnification shall include, but not be limited by this reference to, claims against the City arising as a result of the negligent acts or omissions of PSE, its agents, servants, officers, or employees in barricading, instituting trench safety systems or providing other adequate warnings of any excavation, construction, or work in the Franchise Area or in any other public place in performance of work or services permitted under this Franchise.

10.2 Inspection or acceptance by the City of any work performed by PSE at the time of completion of construction shall not be grounds for avoidance of any of these covenants of indemnification. Said indemnification obligations shall extend to claims which are not reduced to a suit and any claims which may be compromised prior to the culmination of any litigation or the institution of any litigation.

10.3 In the event any claim or demand for which indemnification is provided under Section 10.1 is presented to, or suit or action is commenced against, the City based upon any such claim or demand, the City shall promptly notify PSE thereof, and PSE may elect, at its sole cost and expense, to settle and compromise such suit or action, or defend the same with attorneys of its choice. PSE will consider in good faith, and will not unreasonably refuse, the City's tender of the defense of any suit or claim for which indemnification is provided under Section 10.1. In the event that PSE refuses the tender of defense in any suit or any claim for which indemnification is provided under Section 10.1, said tender having been made pursuant to this indemnification clause, and said refusal is subsequently determined by a court having jurisdiction (or such other tribunal that the parties shall agree to decide the matter) to have been a wrongful refusal on the part of PSE, then PSE shall pay all of the City's costs for defense of the action, including all reasonable expert witness fees and reasonable attorneys' fees and the reasonable costs of the City, including reasonable attorneys' fees of recovering under this indemnification clause.

10.4 In the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of PSE and the City, its officers, employees and agents, PSE's liability hereunder shall be only to the extent of PSE's negligence. It is further specifically and expressly understood that, solely to the extent required to enforce the indemnification provided herein, PSE waives its immunity under RCW Title 51; provided, however, the foregoing waiver shall not in any

way preclude PSE from raising such immunity as a defense against any claim brought against PSE by any of its employees. This waiver has been mutually negotiated by the parties.

10.5 Notwithstanding any other provisions of this Franchise, PSE assumes the risk of damage to its Facilities located in the Franchise Area from activities conducted by the City, its officers, agents, employees, and contractors, except as set forth below. PSE releases and waives any and all claims against the City, its officers, agents, employees, or contractors for damage to or destruction of PSE's Facilities within the Franchise Area caused by or arising out of activities conducted by the City, its officers, agents, employees, and contractors, in the Franchise Area, except to the extent any such damage or destruction is caused by or arises from the negligence or any willful or malicious action on the part of the City, its officers, agents, employees, or contractors.

10.6 In the event it is determined that RCW 4.24.115 applies to this Franchise, PSE's indemnification obligations under Section 10.1 shall apply to the maximum extent permitted thereunder, to the full extent of PSE's negligence. Further, in any such action, the City shall have the right to participate, at its sole cost and expense, through its own attorney in any suit or action which arises pursuant to this Franchise when the City determines that such participation is in the City's best interest.

10.7 The provisions in this Section 10 shall survive the expiration or termination of this Franchise with respect to any claim, demand, suit or action for which indemnification is provided under Section 10.1 and which is based on an act or omission that occurred during the term of this Franchise.

Section 11. Insurance and Bond.

11.1 PSE shall maintain the following liability insurance coverages, insuring PSE and, as additional insureds, the City, and its elected and appointed officers, officials, agents, employees, representatives, engineers, consultants, and volunteers against claims for injuries to persons or damages to property which may arise from or in connection with the exercise of the rights, privileges, and authority granted to PSE:

11.1.1 General liability insurance with limits no less than (a) five million dollars (\$5,000,000) for bodily injury or death to each person; (b) five million dollars (\$5,000,000) for property damage resulting from any one accident; and (c) five million dollars (\$5,000,000) for all other types of liability.

11.1.2 Automobile liability for owned, non-owned and hired vehicles with a combined single limit of \$3,000,000 for bodily injury and property damage.

11.1.3 Worker's compensation as required by the Industrial Insurance laws of the State of Washington.

11.1.4 Comprehensive form premises-operations, explosions and collapse hazard, underground hazard and products completed hazard with limits of not less than three million dollars (\$3,000,000).

11.2 The liability insurance described herein shall be maintained by PSE throughout the term of this Franchise, and such other period of time during which PSE is operating its Facilities within the Franchise Area without a franchise, or is engaged in the removal of its Facilities from the Franchise Area. Payment of deductibles and self-insured retentions shall be the sole responsibility of PSE. Coverage under this policy shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. The City shall be named as an insured under PSE's Commercial General Liability insurance policy. PSE shall be the primary insured as respects the City, its officers, officials, employees, agents, consultants, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, consultants, agents, and volunteers shall be in excess of PSE's insurance or self-insurance and shall not contribute with it.

11.3 The liability insurance described herein, and any subsequent replacement policies, shall provide that insurance shall not be cancelled or materially changed so as to be out of compliance with these requirements without first providing thirty (30) days written notice to the City. If the insurance is cancelled or materially altered so as to be out of compliance with the requirements of this subsection within the term of this Franchise, PSE shall provide a replacement policy. PSE agrees to maintain continuous uninterrupted insurance coverage, in at least the amounts required for the duration of this Franchise and, in the case of the Commercial General Liability, for at least three (3) years after expiration of the term of this Franchise. Any lapse in the required insurance coverage shall be cause for termination of this Franchise.

11.4 In lieu of the insurance requirements set forth in this Section 11, PSE may self-insure against such risks in amounts as are consistent with good utility practice. Upon the City's request, PSE shall provide the City with a financial statement that provides evidence of PSE's capacity to respond to claims within any self-insured retention level.

11.5 Before undertaking any of the work authorized by this Franchise, PSE shall furnish a bond executed by PSE and a corporate surety authorized to do surety business in the State of Washington in a sum to be mutually agreed upon by the parties. The bond shall be conditioned so that PSE shall restore or replace any defective work or materials discovered in the restoration of the Franchise Area within a period of two (2) years from the inspection date of any such restoration. PSE may meet the obligations of this Section

with one or more bonds acceptable to the City. In lieu of a separate bond for routine individual projects involving work in the Franchise Area, PSE may satisfy the City's bond requirements under this Section by posting a single on-going performance bond. In the event that a bond issued pursuant to this Section is canceled by the surety, after proper notice and pursuant to the terms of said bond, PSE shall, prior to the expiration of said bond, procure a replacement bond which complies with the terms of this Section.

11.6 PSE's maintenance of insurance as required by this Franchise shall not be construed to limit the liability of PSE to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy to which the City is otherwise entitled at law or in equity.

Section 12. Reservation of Rights in Event of Vacation.

12.1 In the event the City vacates any portion of the Franchise Area during the term of this Franchise, the City shall, in its vacation procedure, notify PSE of proposed vacation and reserve and grant an easement to PSE for PSE's existing Facilities of an appropriate size as reasonably requested by PSE unless the City reasonably determines that to do so would be impracticable in light of the nature of the vacation, providing that PSE provides input to the City within twenty (20) days upon notification of such proposed vacation action.

12.2 The existence of this Franchise shall not preclude the City from acquiring by condemnation, in accordance with applicable law, all or any portions of PSE's Facilities within the Franchise Area.

Section 13. Default.

13.1 If PSE shall fail to comply with the provisions of this Franchise, the City may serve upon PSE a written order to so comply within sixty (60) days from the date such order is received by PSE. If PSE is not in compliance with this Franchise after expiration of said sixty (60) day period, the City may, by ordinance, declare an immediate forfeiture of this Franchise; provided, however, if any failure to comply with this Franchise by PSE cannot be corrected with due diligence within said sixty (60) day period (PSE's obligation to comply and to proceed with due diligence being subject to unavoidable delays and events beyond its control), then the time within which PSE may so comply shall be extended for such time as may be reasonably necessary and so long as PSE commences promptly and diligently to effect such compliance.

Section 14. Nonexclusive Franchise.

14.1 This Franchise is not, and shall not be deemed to be, an exclusive Franchise. This Franchise shall not in any manner prohibit the City from granting other and further franchises over, upon, and along the Franchise Area that do not interfere with

PSE's rights under this Franchise. This Franchise shall not prohibit or prevent the City from using the Franchise Area or affect the jurisdiction of the City over the same or any part thereof.

Section 15. Franchise Term.

15.1 This Franchise is and shall remain in full force and effect until December 31, 2022; provided, however, PSE shall have no rights under this Franchise nor shall PSE be bound by the terms and conditions of this Franchise unless PSE shall, within thirty (30) days after the passage date of the Ordinance, file with the City its written acceptance of the Ordinance. It is further provided that upon PSE's written request for an extension, the City may, at its discretion extend this Franchise for up to one ten (10) year extension pursuant to Section 19.2. It is provided, however, that the City will not consider the request to extend the Franchise unless PSE is in full compliance with the terms and conditions of the Franchise. In any such extension, if granted by the City, the terms and conditions of this Franchise shall remain in full force and effect, except as may be otherwise mutually agreed by the parties hereto.

Section 16. Dispute Resolution.

16.1 The parties recognize that cooperation and communication are essential to resolving issues quickly and efficiently. If any dispute arises in regard to the terms or conditions of this Franchise, then the parties shall meet and engage in good faith discussions with the objective of settling the dispute within ten (10) days after either party requests such a meeting. If the parties cannot resolve the dispute within such ten (10) day period, the parties will, upon the written request of either party, seek to resolve the dispute in accordance with the following dispute resolution process:

Level One – A representative from PSE and the City's Public Works Director shall meet to discuss and attempt to resolve the dispute in a timely manner. If these representatives cannot resolve the dispute within fourteen (14) calendar days after referral of the dispute to Level One, either party may by written notice to the other party refer the dispute to Level Two.

Level Two – In the event either party properly refers the dispute to Level Two, a different PSE representative and the City Manager shall meet to discuss and attempt to resolve the dispute in a timely manner. . If these representatives cannot resolve the dispute within fourteen (14) calendar days after referral of the dispute to Level Two, either party may by written notice to the other party refer the dispute to Level Three.

Level Three – In the event either party properly refers the dispute to Level Three, the parties shall refer the dispute to mediation using a mediator mutually agreeable to the parties. If these representatives cannot resolve the dispute within fourteen (14) calendar

days after referral of the dispute to Level Three, either party may by written notice to the other party refer the dispute to Level Four.

Level Four – In the event either party properly refers the dispute to Level Four or the dispute is not resolved at Level Three within fourteen (14) calendar days after referral of that dispute to Level Three, either party may seek resolution of the dispute through litigation or other judicial proceedings in the court specified in Section 19.4.

16.2 Notwithstanding Section 16.1 or any other provision of this Franchise to the contrary, with respect to any dispute arising under this Franchise, either party may commence litigation or other judicial proceedings within thirty (30) days prior to the date after which the commencement of litigation could be barred by any applicable statute of limitations or other law, rule, regulation, or order of similar import or in order to request injunctive or other equitable relief necessary to prevent irreparable harm. In such event, the Parties will (except as may be prohibited by judicial order) nevertheless continue to follow the procedures set forth in Section 16.1.

Section 17. Changes in Laws.

17.1 If, during the term of this Franchise, there becomes effective any change in federal or state law (including, but not limited to, a change in any tariff filed by PSE with the Washington Utilities & Transportation Commission) and such change:

17.1.1 specifically requires the City to enact a Code or Ordinance which conflicts or is inconsistent with any provision of this Franchise; or

17.1.2 results in a PSE tariff which conflicts or is inconsistent with any provision of this Franchise;

then, in such event, either party may, within ninety (90) days of the effective date of such change, notify the other party in writing that such party desires to commence negotiations to amend this Franchise. Such negotiations shall only encompass the specific term or condition affected by such change in federal or state law and neither party shall be obligated to reopen negotiations on any other term or condition of this Franchise. Within thirty (30) days from and after the other party's receipt of written notice to so commence such negotiations, the parties shall, at a mutually agreeable time and place, commence such negotiations. The parties shall thereafter conduct such negotiations at reasonable times, in a reasonable manner, in good faith and with due regard to all pertinent facts and circumstances; provided, however, that (a) in the event the parties are unable, through negotiation, to reach mutual agreement upon terms and conditions of such amendment, then either party may, by written notice to the other, demand that the parties seek to arrive at such agreement through mediation or, if no such demand has previously been submitted, terminate this Franchise upon not less than ninety (90) days prior written notice to the other party; and (b) pending such negotiations, mediation and/or

termination, and except as to any portion thereof which is in conflict or inconsistent with such change in federal or state law, the Franchise shall remain in full force and effect. For purposes of this Section, the term “mediation” shall mean mediation at the local offices of Judicial Arbitration and Mediation Services, Inc. (“JAMS”), or, if JAMS shall cease to exist or cease to have a local office, mediation at the local offices of a similar organization. The parties may agree on a jurist from the JAMS panel. If they are unable to agree, JAMS will provide a list of the three available panel members and each party may strike one. The remaining panel member will serve as the mediator.

17.2 PSE shall, in connection with any application for changes in its tariffs that would be in conflict or inconsistent with the provisions of this Franchise or would modify the rights or responsibilities of either party under this Franchise, notify the City in writing of the application promptly after it is filed with the Washington Utilities & Transportation Commission.

Section 18. Assignment.

18.1 PSE shall not assign or transfer its rights, benefits and privileges in and under this Franchise without the prior written consent of the City, which consent shall not be unreasonably withheld or delayed. Prior to any assignment, the intended assignee shall, within thirty (30) days of the proposed date of any assignment, file written notice of the intended assignment with the City together with its written acceptance of all terms and conditions of this Franchise. Notwithstanding the foregoing, PSE shall have the right, without such notice or such written acceptance, to mortgage its rights, benefits and privileges in and under this Franchise for the benefit of bondholders.

Section 19. Miscellaneous.

19.1 If any term, provision, condition or portion of this Franchise shall be held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Franchise which shall continue in full force and effect. The headings of sections and paragraphs of this Franchise are for convenience of reference only and are not intended to restrict, affect or be of any weight in the interpretation or construction of the provisions of such sections or paragraphs.

19.2 This Franchise may be amended only by written instrument, signed by both parties, which specifically states that it is an amendment to this Franchise and is approved and executed in accordance with the laws of the State of Washington. Without limiting the generality of the foregoing, this Franchise (including, without limitation, Section 5 above) shall govern and supersede and shall not be changed, modified, deleted, added to, supplemented or otherwise amended by any permit, approval, license, agreement or other document required by or obtained from the City in conjunction with the exercise (or failure to exercise) by PSE of any and all rights, benefits, privileges, obligations or duties

in and under this Franchise, unless such permit, approval, license, agreement or other document specifically:

19.2.1 references this Franchise; and

19.2.2 states that it supersedes this Franchise to the extent it contains terms and conditions that change, modify, delete, add to, supplement or otherwise amend the terms and conditions of this Franchise.

In the event of any conflict or inconsistency between the provisions of this Franchise and the provisions of any such permit, approval, license, agreement or other document, the provisions of this Franchise shall control.

19.3 This Franchise is subject to the provisions of any applicable tariff on file with the Washington Utilities and Transportation Commission or its successor. In the event of any conflict or inconsistency between the provisions of this Franchise and such tariff, the provisions of such tariff shall control.

19.4 This Franchise shall be governed by and construed in accordance with the laws of the State of Washington. The venue and jurisdiction over any dispute related to this Franchise shall be with the King County Superior Court, Regional Justice Center, Kent, Washington (or, if the Regional Justice Center is no longer in operation, such other local facility as is then operated by the King County Superior Court).

Section 20. Effective Date.

20.1 This Ordinance shall be effective on October 15, 2007, having been: (i) introduced to the City Council not less than five days before its passage; (ii) first submitted to the City Attorney on July 30, 2007; (iii) published at least five days prior to the above-referenced effective date and as otherwise required by law; and (iv) passed at a regular meeting of the legislative body of the City of SeaTac by a vote of a majority of the City Council. Not later than thirty (30) days after passage of this Ordinance, PSE must accept the Franchise herein by filing with the City Clerk an unconditional written acceptance thereof. Failure of PSE to so accept this Franchise within said period of time shall be deemed a rejection thereof by PSE, and the rights and privileges herein granted shall, after the expiration of the thirty day period, absolutely cease and determine, unless the time period is extended by ordinance duly passed for that purpose.

Section 21. Notice.

21.1 Any notice or information required or permitted to be given by or to the parties under this Franchise may be sent to the following addresses unless otherwise specified, in writing:

City Manager
City of SeaTac
4800 S. 188th St.
SeaTac, WA 98188

Puget Sound Energy, Inc.
Community Services, EST-11W
P.O. Box 97034
Bellevue, WA 98009-9734

ADOPTED this 11th day of September, 2007, and signed in authentication thereof on this 11th day of September, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

(Effective Date: 10/15/07)

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I, Kristina Gregg, the duly qualified City Clerk of the City of SeaTac, a Non-charter Code City, situated in the County of King, State of Washington, do hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 07-1017, an Ordinance of the City of SeaTac, entitled:

ORDINANCE NO. 07-1017

AN ORDINANCE of the City Council of the City of SeaTac, Washington, granting Puget Sound Energy, Inc., a Washington corporation, its successors and assigns, the non-exclusive franchise to set, erect, lay, construct, extend, support, attach, connect, maintain, repair, replace, enlarge, operate and use Facilities in, upon, over, under, along, across and through the Franchise Area to provide for the transmission, distribution and sale of natural gas and such other services as may be provided by such Facilities.

I further certify that said Ordinance No. 07-1017 was: (i) approved by a majority of the entire legislative body of the City of SeaTac, at a regular meeting thereof on the 11th day of September, 2007; and (ii) approved and signed by the Mayor of the City of SeaTac on the 11th day of September, 2007; and (iii) was published on the 17th day of September 2007; and (iv) was submitted to and reviewed by the City Attorney on August 31, 2007.

WITNESS my hand and official seal of the City of SeaTac, this 18th day of September, 2007.

Kristina Gregg, City Clerk
City of SeaTac, State of Washington

HONORABLE MAYOR AND CITY COUNCIL
CITY OF SEATAC, WASHINGTON

In the matter of the application :
of Puget Sound Energy, Inc., a : Franchise Ordinance No. 07-1017
Washington corporation, for a :
franchise to construct, operate :
and maintain facilities in, upon, :
over under, along, across and :
through the franchise area of the : ACCEPTANCE
City of SeaTac, :
Washington :

WHEREAS, the City Council of the City of SeaTac, Washington, has granted a franchise to Puget Sound Energy, Inc., a Washington corporation, its successors and assigns, by enacting Ordinance No. 07-1017, bearing the date of September 11, 2007; and

WHEREAS, a copy of said Ordinance granting said franchise was received by the Puget Sound Energy, Inc. on _____, 2007, from said City of SeaTac, King County, Washington.

NOW, THEREFORE, Puget Sound Energy, Inc., a Washington corporation, for itself, its successors and assigns, hereby accepts said Ordinance and all the terms and conditions thereof, and files this, its written acceptance, with the City of SeaTac, King County, Washington.

IN TESTIMONY WHEREOF said Puget Sound Energy, Inc. has caused this written Acceptance to be executed in its name by its undersigned _____ thereunto duly authorized on this ____ day of _____, 2007.

ATTEST: PUGET SOUND ENERGY, INC.

By: _____
Name: _____
Title: _____

Copy received by City of SeaTac
on _____, 2007

By: _____, City Clerk

ORDINANCE NO. 07-1018

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to sign Amendment No. 1 to the Port of Seattle and City of SeaTac 2005 Interlocal Agreement (ILA-2) entered into on February 16, 2006, and amending the City's 2007 Annual Budget for transfer of funds to the Port of Seattle for the SR518 project.

WHEREAS, the SeaTac City Council deems it is appropriate that the 2005 Interlocal Agreement between the City and the Port of Seattle (ILA-2) be amended to provide a process to amend the transportation project list, add SR 518 to the CIP projects list, and provide up to \$5,000,000 of funding through the use of parking tax revenue; and

WHEREAS, the City has collected sufficient parking tax revenues to transfer \$1,200,000 to the Port of Seattle as reimbursement for their portion of funding the SR518 project in 2007;

WHEREAS, amendment to the City's 2007 Annual City Budget is necessary to provide additional appropriation authority for the Arterial Street Fund in the amount of \$1,200,000 to pay the anticipated transfer of this amount to the Port of Seattle;

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

Section 1. The City Manager is authorized to sign Amendment No. 1 to the Port of Seattle and City of SeaTac 2005 Interlocal Agreement (ILA-2), in substantially similar form as attached hereto in Exhibit A.

Section 2. The 2007 Annual City Budget shall be amended to increase expenditures in the Arterial Street Fund (BARS Account No. 102.000.11.543.30.52.002) by \$1,200,000.

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

ADOPTED this 11th day of September, 2007, and signed in authentication thereof on this 11th day of September, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: 9/22/07]

[POS ILA Amendment and 2007 Budget Amendment]

ORDINANCE NO. 07-1019

AN ORDINANCE of the City Council of the City of SeaTac, Washington, related to the Development Regulations; amending SeaTac Municipal Code Sections 15.10.340, 15.10.410, 15.13.080(A), 15.37.020 and adding a new SeaTac Municipal Code Section 15.10.078.07.

WHEREAS, it is appropriate to amend the City's development regulations regarding the definition for home occupations and multi-family residential units, bay windows and projections in setbacks, and accessory dwelling units; 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 15.10.340 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.340 Home Occupation

Any nonresidential use that occurs in a dwelling or accessory structure when such use is clearly incidental and secondary to the use of the dwelling or accessory structure, does

not change the character of the dwelling, accessory structure, or neighborhood, and is carried on by a person permanently residing within the dwelling.

Section 2. Section 15.10.410 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.410 Multi-Family Residential Dwelling Unit

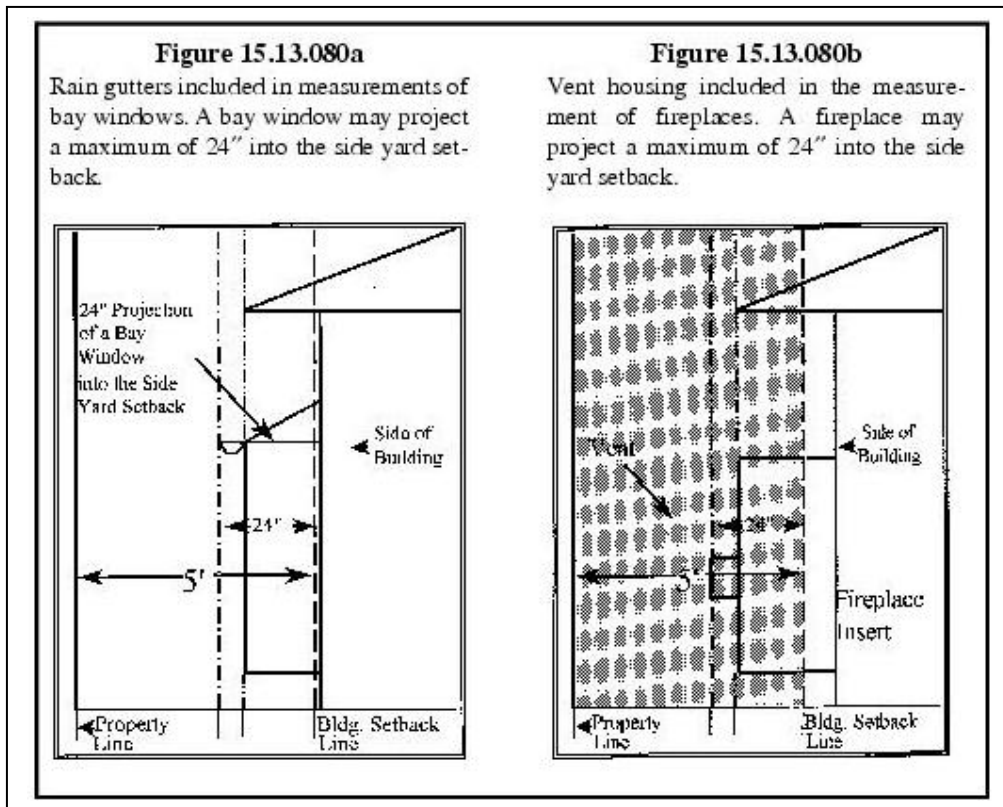
Higher density residential use of property, consisting of apartment buildings, townhouse complexes, or any other combination of residential units consisting of three (3) or more dwelling units per lot.

Section 3. Section 15.13.080(A) of the SeaTac Municipal Code is hereby amended to read as follows:

15.13.080 Setbacks – Projections Allowed

Projections may extend into the required setbacks as follows:

- A. Fireplace structures (including flues and exhaust projections), bay or garden windows, enclosed stair landings, and closets may project into any setback, provided such projections:
 - 1. Are limited to two (2) per façade;
 - 2. Are not wider than ten (10) feet;
 - 3. Project no more than twenty-four (24) inches, inclusive of rain gutters, into any yard setback (See Figures 15.13.080a and 15.13.080b); and
 - 4. Do not include doors of any kind.
 - 5. There shall be a minimum of ten (10) feet between bay windows on a façade.



Section 4. Section 15.37.020 of the SeaTac Municipal Code is hereby amended to read as follows:

15.37.020 Standards and Criteria

- A. Only one (1) ADU is allowed per residential lot as a subordinate use in conjunction with any new or existing legal, conforming or nonconforming, detached single-family structure.
- B. An owner of the property must occupy either the primary single-family dwelling or the accessory unit.
 - 1. In order to qualify as an owner occupant, the fee owner must physically reside on the property at least nine (9) months in any twelve (12) month period.
 - 2. If the owner must be absent from the property for a longer period due to good cause, such as job dislocation, sabbatical leave, education, or illness, evidence must be submitted to the Director of Planning and Community Development, and a waiver may be granted for up to three (3) months additional absence from the property.
- C. The owner(s) shall sign an affidavit verifying that one of the dwelling units is the legal residence of the property owner. An additional form of documentation such as a driver's license or voter registration records may be requested to verify property owner occupancy of one of the dwelling units. Falsely certifying owner occupancy or failure to comply with the terms of the

owner certification shall result in loss of ADU registration and certificate of occupancy, and a penalty of five hundred dollars (\$500.00) as prescribed by SMC 1.15.100.

- D. If a complaint that an owner has violated the owner occupancy requirement is filed and found to be valid, the owner shall:
1. Re-occupy the structure;
 2. Remove the accessory dwelling unit; or
 3. Submit evidence to the Director of Planning and Community Development as specified in subsection (B)(2) of this section for a waiver of this requirement for up to three (3) months.
- E. The accessory dwelling unit must meet all technical code standards including building, electrical, fire, mechanical, and plumbing code requirements of the City at the time of construction. ADUs are subject to all setbacks for primary structures and building coverage standards applicable to single-family residential uses.
- F. The size of the ADU must not be less than two hundred twenty (220) square feet of living space, not including bathrooms and closets. Accessory dwelling units shall not exceed eight hundred (800) square feet if they are: (1) detached from the primary single-family dwelling; (2) created through an addition; or (3) designed into a new structure at the time of construction. For ADUs created within an existing single-family residence the square footage limitation on an ADU shall be forty-five percent (45%) of the total square footage of the primary dwelling, as long as no addition is required and all other standards of this section are met.
- G. An ADU shall be designed to preserve or complement the architectural design, style, and appearance of the primary single-family home. Specifically, whether attached or detached, the roof pitch, siding materials, color, and window treatment of the ADU shall be the same as, similar to, or an improvement to the appearance of, the primary structure. Where attached garage space is converted to an accessory dwelling unit, the garage door shall be replaced with materials that complement the exterior of the house.
- H. If a separate entrance for the ADU is necessary, it shall be located on the side or rear of the structure. On a corner lot, no more than one entrance shall be visible from either street.
- I. Any exterior stairs shall be placed in the rear or side yard and must comply with setback standards set forth in SMC 15.13.080. Exterior stairs shall be subject to the same setback standards applied to uncovered porches and decks which exceed eighteen (18) inches above the finished grade.

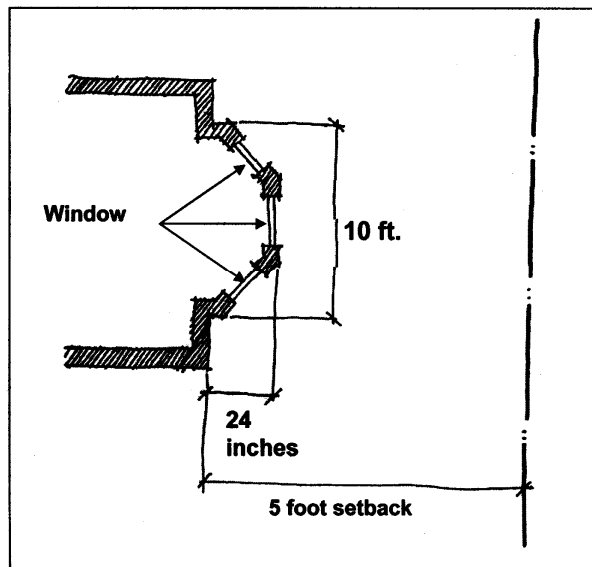
- J. A minimum of one (1) off-street parking space is required for an accessory dwelling unit, in addition to the number of spaces required for the existing single-family residence. A second parking space shall be required for units greater than six hundred (600) square feet in area. A waiver of the requirement for the parking space(s) may be granted by the Director of Planning and Community Development if topography of the site or existing structure location make its provision physically or economically infeasible and it is demonstrated that on-street parking is available. The location for the parking space(s) shall be determined through consultation with the Department of Planning and Community Development staff during plan review.
- K. If additional parking is necessary, new parking space(s) shall utilize existing curb cuts, when possible.
- L. The Building Division will assign an address to the ADU.
- M. Occupancy shall be limited to two (2) persons in an ADU of two hundred twenty (220) to four hundred (400) square feet (not including bathrooms and closets), three (3) persons in an ADU of four hundred one (401) to six hundred (600) square feet, and no more than four (4) persons in an ADU of six hundred one (601) square feet or larger.
- N. Home occupations may be allowed in either the primary residence or the accessory unit, subject to the applicable provisions of the SeaTac Municipal Code. Special home occupation permits (SHOPs) shall not be granted for accessory dwelling units.
- O. ADUs created within the single-family structure shall not be subdivided or otherwise segregated in ownership from the primary dwelling unit. Detached ADUs may be segregated in ownership from the primary dwelling unit if such segregation meets all minimum requirements for a separate legal lot under City of SeaTac zoning and subdivision standards.
- P. Accessory dwelling units combined with an accessory structure, as defined under SMC 15.10.017, shall not exceed the following dimensional standards.
 - 1. Height
 - a. Twenty (20) feet in height (to the highest point of the structure) if the ADU is one story.
 - b. Twenty (25) feet in height (to the highest point of the structure) if the ADU is two stories.
 - 2. Eight hundred (800) sq. ft. for the ADU.
 - 3. One Thousand (1,000) sq. ft. for the accessory structure.

Section 5. A new Section 15.10.078.07 of the SeaTac Municipal Code is hereby added to read as follows:

15.10.078.07 Bay Windows

The combination of three or more individual window units, attached to project from the building at various angles. The center section is normally fixed, with the end panels operable as single-hung windows, double-hung windows, casement windows or another type of operable window. A bay window may be rectangular, semi-polygonal or semi-circular (See Figure 15.10.078.07a), shall be a minimum of twenty-four (24) inches above grade, shall not include doors of any kind, and shall be limited to no more than one-story in height.

Figure 15.10.078.07a



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 25th day of September, 2007, and signed in authentication thereof on this 25th day of September, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date 10-06-07]

G:\GROUP\PLANNING\JACK\ORD\2007\HOME OCC-MF-BAY WINDOW-ADU RCM 9-25-07 ORD

ORDINANCE NO. 07-1020

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to sign a Contract for Cooperative Fire Services Study with Emergency Consulting, Inc., and amending the City's 2007 Annual Budget.

WHEREAS, the SeaTac City Council has reviewed Agenda Bill 2841 submitted by the City Manager's Office, requesting authorization for the City Manager to sign a Contract for Cooperative Fire Services Study with Emergency Consulting, Inc.; and

WHEREAS, the estimated cost to provide this service in 2007 is approximately \$60,000; and

WHEREAS, through an interlocal agreement with the City of Tukwila, Tukwila will pay 50% of the cost of the contract to SeaTac; and

WHEREAS, amendment to the City's 2007 Annual City Budget is necessary to provide additional appropriation authority in the General Fund in the amount of \$60,000;

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

Section 1. The City Manager is authorized to sign a Contract for a Cooperative Fire Services Study with Emergency Consulting, Inc.

Section 2. The 2007 Annual City Budget shall be amended to increase expenditures in the General Fund by \$60,000 and to increase revenues in the General Fund by \$30,000.

Section 3. 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 October, 2007, and signed in authentication thereof on this 10th day of October, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 10/20/07]

[Fire Services Study]

ORDINANCE NO. 07 - 1021

AN ORDINANCE of the City Council of the City of SeaTac, Washington relating to employment and employees, adopting a cost of living adjustment, and amending the Classification and Compensation Plan for non-represented employees.

WHEREAS, Chapter 2.65 of the SeaTac Municipal Code provides for a Classification and Compensation Plan for City employees, and for annual review and re-adoption thereof; and

WHEREAS, review and adoption of the Plan is intended to ensure that City salaries are competitive with those offered by other public and private employers and to avoid loss of purchasing power resulting from inflation or increased costs of living; and

WHEREAS, the City Council has, since 1993, expressed and followed its intent to provide cost of living increases for non-represented employees of the City by tying the same to the cost of living adjustment granted annually to the employees of the City represented by the Washington State Council of County and City Employees (WSCCCE), American Federation of State, County and Municipal Employees (AFSCME), Local 3830; and

WHEREAS, a current collective bargaining agreement provides a cost of living adjustment for the year 2008 to the said represented employees; and

WHEREAS, in order to address the need for a reasonable and fair compensation to non-represented City employees, and in accordance with long established policy, it is appropriate that the same cost of living adjustment be granted to non-represented employees of the City, and that modification of the Classification and Compensation Plan be made accordingly;

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

Section 1. The salary ranges within the Classification and Compensation Plan for the various positions of the non-represented employees of the City shall be increased by the amount of 3.135 percent over current levels as a cost of living adjustment equal to 95% of the CPI-W for Seattle-Tacoma-Bremerton (June to June index), to be effective as of January 1, 2008.

Section 2. The provisions of the Classification and Compensation Plan, as previously amended, shall remain in full force and effect except as inconsistent herewith.

Section 3. Effective for medical premiums paid beginning January 2008, non-represented employees shall pay a portion of the medical insurance premium for the Association of Washington Cities (AWC) Medical Plan B according to the following table. The City shall pay the balance of the premium.

Coverage	January 1, 2008
	Medical Premium (mo.)
Employee Only	\$41
Employee & Spouse	\$91
E, S + 1 Dependent	\$115
E, S + 2 or > Dependents	\$135
Employee and 1 Dependent	\$64
Employee and 2 Dependents	\$84

For employees who choose the Group Health medical plan, the City shall pay up to the dollar amount paid for employees and their dependents on the AWC Medical Plan B.

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

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

ADOPTED this 6th day of November, 2007, and signed in authentication thereof on this 6th day of November, 2007.

CITY OF SEATAC

Ralph Shape, Deputy Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante-Bartolo, City Attorney

[Effective Date: 11/17/07]

ORDINANCE NO. 07-1022

AN ORDINANCE of the City Council of the City of SeaTac, Washington relating to employee benefits and increasing the monthly contribution to the City's VEBA medical, dental and vision expense plan, in lieu of certain health insurance coverage, for Council members and eligible participating employees.

WHEREAS, by Resolution No. 96-001, the City Council authorized the City Manager to implement a Voluntary Employee Beneficiary Association (VEBA) medical, dental and vision expense plan as an optional benefit; and

WHEREAS, the VEBA Plan offered is currently administrated by REHN & Associates, Inc., formally entitled the "Voluntary Employees' Beneficiary Association for Public Service Employers in the Northwest", but also referred to as the "HRA VEBA", and

WHEREAS, this benefit was made available to all Council members in lieu of the AWC Plan B medical insurance coverage and dental and vision coverage; and

WHEREAS, the benefit was also made available to all employees able to terminate City-provided medical insurance (but not dental and vision coverage) by reason of such employees maintaining a policy of medical insurance in addition to that provided by the City; and

WHEREAS, the plan diverts all or a portion of the insurance premium which the City would otherwise pay for applicable health insurance to the VEBA Health Reimbursement Arrangement Plan on behalf of each Councilmember and participating employee; and

WHEREAS, based solely upon representations of VEBA Service Group, LLC the City contribution to the VEBA Plan is payroll deductible on a tax-free basis and money in each account can be used by Council members and participating employees to pay out-of-pocket

medical, dental, and vision expenses which qualify pursuant to Internal Revenue Service Publication 502; and

WHEREAS, all Council members currently participate in the HRA VEBA; and

WHEREAS, the City contribution on behalf of each participant is currently a flat monthly sum of \$732.30, which is equivalent to the premium for AWC Plan B medical coverage for an employee and spouse in 2007 and, for Council members only, an additional monthly sum of \$177.27, which is equivalent to the 2007 full family premium for dental and vision coverage; and

WHEREAS, the Council deems it appropriate to increase the City contribution on behalf of each participant to the flat monthly sum of \$846.50, which is equivalent to the 2008 premium for AWC Plan B (management employees) medical coverage for an employee and spouse, and for Council members only, to contribute an additional monthly sum of \$177.27, which is equivalent to the 2008 full family premium for dental and vision coverage.

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

Section 1. The City shall contribute the sum of \$846.50 per month to the HRA VEBA Trust Plan on behalf of each eligible and participating employee in lieu of medical insurance coverage but not in lieu of dental and vision coverage, commencing with the first pay period of January 2008.

Section 2. The City shall contribute the sum of \$1023.77 per month to the HRA VEBA Plan on behalf of each Councilmember in lieu of medical, dental, and vision insurance coverage commencing with the first pay period of January 2008.

Section 3. On an annual basis during the annual budget process, a review of any changes in the premiums paid by the City for employee medical, dental, and vision insurance coverage shall be conducted for the purpose of adjusting the VEBA Trust contributions by a similar amount to ensure parity.

Section 5. This Ordinance shall not be codified in the SeaTac Municipal Code.

Section 6. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 6th day of November, 2007, and signed in authentication thereof on this 6th day of November, 2007.

CITY OF SEATAC

Ralph Shape, Deputy Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: 11/17/07]
[VEBA Contributions]

ORDINANCE NO. 07-1023

AN ORDINANCE of the City Council of the City of SeaTac, Washington, adopting the Annual Budget for the year 2008 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 2008 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 2008 Annual Budget for the City of SeaTac, covering the period from January 1, 2008, through December 31, 2008, is hereby adopted by reference with appropriations in the amount of \$54,714,458.

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	\$ 28,114,180
101	City Street	824,061
102	Arterial Street	5,270,573
106	Transit Planning	39,550
107	Hotel/Motel Tax	987,019
108	Building Management	284,900
110	Facility Repair and Replacement	197,289
201	City Hall Limited Tax G.O. Bond	425,185
202	Transportation Bond	861,437
203	Hotel/Motel Tax Bond	384,058
204	Special Assessment Debt	258,000
205	LID Guarantee	20,000
301	Municipal Capital Improvements	2,300,217
303	Fire Equipment Capital Reserve	818,990

Ordinance No. _____
(continued)

<u>Fund Number</u>	<u>Fund Name</u>	<u>Appropriations</u>
306	Municipal Facilities CIP	\$ 4,813,036
307	Transportation CIP	5,692,055
403	SWM Utility	1,710,798
406	SWM Construction	1,074,800
501	Equipment Rental	<u>638,310</u>
TOTAL ALL FUNDS		\$ 54,714,458

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 2008 five (5) days after passage and publication as required by law.

ADOPTED this 27TH day of November, 2007, and signed in authentication thereof on this 27th day of November, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 12/8/07]

[2008 Annual Budget Ordinance]

ORDINANCE NO 07-1024

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 2008 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 2008 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 2008 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$13,905,817. This levy amount is determined by the King County Assessor as the maximum statutory property tax levy for 2008. 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 27th day of November, 2007, and signed in authentication thereof on this 27th day of November, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 12/8/07]

[2008 Ad Valorem Property Tax Levy]

ORDINANCE NO. 07-1025

An ORDINANCE of the City Council of the City of SeaTac, Washington, amending Chapter 15.38 of the SeaTac Municipal Code related to development regulations for the S. 154th St. Station Area.

WHEREAS, the Comprehensive Plan supports implementing development standards to encourage commercial land uses that serve the needs of the City's residents, businesses, and visitors (Goal 1.3); and

WHEREAS, the City of SeaTac is a diverse suburban South King County community with over 25,000 citizens and a large, short-term transient population moving through the SeaTac International Airport and the hotels located within the City; and

WHEREAS, a portion of the City involves airport, airport commercial, commercial business, and industrial land uses, with the remainder of the City being primarily residential in nature; and

WHEREAS, a transit oriented development concept in the South 154th Street Station Area would create significant economic development which would benefit the City and its residents, and help provide for creation of a mix of possible transportation infrastructures (both vehicular and pedestrian), housing, retail facilities, and public and private service facilities; and

WHEREAS, Sound Transit is currently constructing a light rail station at the intersection of South 154th Street and International Boulevard in the City of Tukwila, the Tukwila International Boulevard Station; and

WHEREAS, the South 154th Street Station Area is located in very close proximity to the Tukwila International Boulevard Station; and

WHEREAS, in July, 2006 the City Council adopted Interim Development Standards for the S. 154th St. Station Area, and extended those Interim Standards in December 2006, and again in May, 2007; and

WHEREAS, on December 12, 2006, the City Council adopted the S. 154th St. Station Area Action Plan as a Subarea Plan of the SeaTac Comprehensive Plan; and

WHEREAS, the environmental impacts of the proposed amendments have been assessed, and a Determination of Nonsignificance, File No. SEP07-00019, was issued October 8, 2007; and

WHEREAS, after a public hearing on October 22, 2007, continued to November 5, 2007, to consider the proposed amendments, the Planning Commission recommended to the City Council adoption of proposed amendments;

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

SECTION 1. Chapter 15.38 of the SeaTac Municipal Code, is hereby amended as set forth in Exhibit A (attached):

SECTION 2. The City Clerk is directed to transmit a complete and accurate copy of this Ordinance, as adopted, to the Washington Office of Community 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. 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. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage, approval, and publication in accordance with law.

ADOPTED this 27TH day of November, 2007, and signed in authentication thereof on this 27th day of November, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 12/8/07_]

\\Webeoc\station area planning\2007 - Station Area Planning\2007 Dev Standards
Updt\Council\Ordinance Final Standards Draft 4 (11-14-07) .doc

ORDINANCE NO. 07-1026

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 implementation strategies, 6-year Capital Facilities Element, and other sections as identified through public process, and

WHEREAS, procedures for amending the Plan have been implemented in 2007,

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. SEP07-00011, was issued October 22, 2007; and

WHEREAS, after a public hearing on November 5, 2007 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, all of the foregoing recitals are deemed by the City Council to be findings of fact; 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;

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

(attached). 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, as adopted, 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, 2007.

ADOPTED this 27TH day of November, 2007 and signed in authentication thereof this 27TH

day of November, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: 12/8/07]

Exhibit A

2007 Comprehensive Plan Amendments

ORDINANCE NO. 07-1027

AN ORDINANCE of the City Council of the City of SeaTac, Washington confirming the appointment of Elizabeth Cordi-Bejarano as the Municipal Court Judge, affixing the compensation of the Municipal Court Judge and Judges Pro-Tem, and authorizing entry of a Professional Services Contract.

WHEREAS, due to the retirement of Judge Paul J. Codd, effective December 31, 2007, the City Manager has appointed Elizabeth Cordi-Bejarano to serve as the SeaTac Municipal Court Judge for the remainder of the four-year term that commenced January 1, 2007, pursuant to RCW 35A.13.080 (2); and

WHEREAS, the City Council deems it is appropriate to confirm the appointment made by the City Manager; and

WHEREAS, the City Council deems it appropriate to set the compensation of the Municipal Court Judge and Judges Pro-Tem at \$65.00 per hour, pursuant to RCW 3.50.080 and RCW 3.50.090; and

WHEREAS, the City Council deems it appropriate to authorize the City Manager to enter into a Professional Services Contract with Judge Cordi-Bejarano;

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

Section 1. The SeaTac City Council confirms the City Manager's appointment of Elizabeth Cordi-Bejarano to serve as Municipal Court Judge for the remainder of the four-year term that commenced January 1, 2007.

Section 2. The compensation of the Municipal Court Judge and Judges Pro-Tem shall be \$65.00 per hour unless a lower amount is specified in a Professional Services Agreement.

Section 3. The City Manager is authorized to enter into a Professional Services Contract with Judge Cordi-Bejarano in substantially similar form attached hereto as "Exhibit A."

Section 4. 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 5. This Ordinance shall not be codified.

Section 6. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 11th day of December, 2007, and signed in authentication thereof on this 11th day of December, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mark S. Johnsen, Senior Assistant City Attorney

[Effective Date: 12/22/07]

[Municipal Court Judge 2008]

ORDINANCE NO. 07-1028

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to ad valorem property taxes, repealing City of SeaTac Ordinance #07-1024, setting the levy rate for the year 2008, setting the amount to be levied in 2008 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 #07-1024, tentatively establishing the 2008 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 \$4,587,006,934; 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 \$11,220,799, 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 #07-1024 is Repealed.

City of SeaTac Ordinance #07-1024, tentatively establishing the 2008 property tax levy, is hereby repealed.

SECTION 2. Levy Rate Fixed.

The regular ad valorem levy rate for collection during the fiscal year of 2008 is hereby set at \$2.45 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 2008 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$11,220,799.

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 Sixteen Thousand Two Hundred and Fifty-Seven Dollars (\$16,257) or point fifteen percent (0.15%), (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 11th day of December, 2007, and signed in authentication thereof

on this 11th day of December, 2007.

CITY OF SEATAC

Gene Fisher, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary E. Mirante-Bartolo, City Attorney

[Effective Date: 12/22/07]

[2008 Ad Valorem Property Tax Levy]