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ORDINANCE NO. 97-1001

AN ORDINANCE of the City Council of the City of SeaTac, Washington creating a new Section of the SeaTac Municipal Code relating to loitering in City park and recreational facilities.

WHEREAS, the City of SeaTac places high value on the safety and welfare of its citizens using the City's park and recreational facilities; and

WHEREAS, the park and recreational facilities are used a great deal by young children and youth participating in sporting or other recreational activities; and

WHEREAS, the City of SeaTac has a vested interest in keeping park facilities available to all citizens yet also discouraging undesirable behaviors at those facilities; and

WHEREAS, the City of SeaTac has no ordinance in effect at this time to protect its park and recreational-using citizens from certain unlawful or undesirable behaviors that could occur in or around public restrooms in the City's park and recreational facilities; and

WHEREAS, the City Council has received reports and statements from the City's police department, regarding problems with persons loitering in and around public restrooms in SeaTac parks in order to facilitate voyeurism, engage in exhibitionism, or to obtain, solicit or engage in sexual conduct; and

WHEREAS, the City Council finds that an ordinance prohibiting unlawful loitering in restrooms at park and recreational facilities will preserve the public safety and reduce or eliminate undesirable behaviors that police have no legal mechanism to curtail or prohibit; and

WHEREAS, the City Council further finds that reasonable regulations on behaviors in public restrooms at park and recreation facilities will protect the citizens using those facilities;

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

Section 1. That a new Section of the SeaTac Municipal Code be, and the same hereby is created to read as follows:

2.45.575 Unlawful Park Loitering

It is unlawful for any person to loiter in or about a public restroom or bathhouse in any City park or recreational facility in a manner and under circumstances manifesting the purpose to engage in acts of misconduct including, but not limited to, exhibitionism, solicitation, malicious mischief, or acts of indecent exposure.

Section 2. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 14th day of January, 1997, and signed in authentication

thereof on this 14th day of January, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, Interim City Attorney

ORDINANCE NO. 97-1002

AN ORDINANCE of the City Council of the City of SeaTac, Washington providing for underground installation of electrical and communication lines and facilities.

WHEREAS, Chapter 35.96 RCW provides the authority for the City to require initial installation, or conversion of overhead electric and communication lines and facilities to underground facilities; and

WHEREAS, the City's Comprehensive Plan provides, as a component of the Utilities Element, for undergrounding of new utility distribution lines, with the exception of high voltage electrical transmission lines, and for undergrounding of existing utility distribution lines as streets are improved and widened;

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

Section 1. A new Chapter 11.20 is hereby added to the SeaTac Municipal Code to read as follows:

Underground Installation of Electrical and Communication Lines and Facilities

11.20.010 Compliance - Purpose - Scope.

A. It is the policy of the City of SeaTac, pursuant to its Comprehensive Plan, to require compliance with the following orderly program pertaining to the underground relocation of all existing overhead wires carrying any electrical energy and/or communication signals, including but not limited to, telephone, telegraph, cable television, fiber optics and electrical power, and to require the underground installation of all new electrical and communication facilities, subject to certain exceptions noted hereafter. It is found and determined by the City that the health and safety, particularly the safety of the traveling public, and the general welfare of the residents of the City require that all such existing overhead facilities be relocated underground as soon as practicable in accordance with the requirements specified herein and that all such new facilities be installed underground, as specified herein.

B. The purpose of this Chapter includes, but is not limited to, establishing minimum requirements and procedures for the underground installation and relocation of electrical and communication facilities within the City.

C. Subject to the exceptions set forth in Subsection D. of this Section, this Chapter shall apply to all electric facilities and to all communication facilities, including but not limited to telephone, telegraph, cable television, fiber optics and electrical communication facilities.

D. This Chapter shall not apply to the following facilities:

(1) Electric utility substations, pad-mounted transformers and switching facilities not located on the public right-of-way where site screening is or will be provided in accordance with Section 11.20.050, C.

(2) Electric transmission systems, (including poles and wires) of a voltage of more than thirtyfive thousand (35,000) volts, and facilities where the utility providing electrical energy provides, at its own expense, an underground street lighting circuit including all conductors and conduit to a point on the poles at least twenty (20) feet above ground level to serve utility owned street and pedestrian lighting fixtures mounted on poles.

(3) Ornamental street lighting standards.

(4) Telephone pedestals and other equivalent communication facilities.

(5) Police and fire sirens, or any similar City equipment, including traffic-control equipment.

11.20.020 Cost.

Except as provided in currently valid tariffs on file with the Washington State Utilities and Transportation Commission, issued prior to December 26, 1996, which provide for greater responsibility for payment of undergrounding costs by the customer and/or the City than is provided herein, the cost and expense of converting existing overhead facilities to underground, or installing new facilities underground, and connection from such facilities to buildings, residences and other structures, shall be borne by the serving utilities, or the owners or occupants of the real property served or persons applying for such underground service. However, if the City determines that the public health, welfare, convenience and pedestrian and vehicular traffic safety in any street or road widening or relocation project requires conversion of existing overhead facilities to an underground installation, with connection to the buildings, residences and other structures served thereby, then in any such event, the utility or utilities affected shall provide such work at its/their own cost and expense. Provided, However, that in order for the utility or utilities to be responsible for the costs of connecting the undergrounded services to buildings, residences and other structures to be served, each property owner shall convey and grant to the utility or utilities easements or licenses and permission to enter onto the property of such owner for the purpose of connecting such service. Provided, further, that the City may, but shall not be required, to determine by Motion or Resolution to assume and pay, as part of cost of the project, all or a portion of the cost of underground connection from rights-of-way to buildings, residences or structures to be served.

11.20.030 Underground requirements.

A. The following terms when used in this Chapter shall have the following definitions:

- (1) Rebuilds: a placement of overhead facilities for a distance of three (3) or more spans (four poles) or five hundred (500) feet exclusive of replacements due to casualty damage.
- (2) Services: facilities located on private property and/or for the specific purpose of servicing one customer.
- (3) Relocations: removal of existing facilities with subsequent reinstallation at an adjacent location, generally necessitated by roadway improvements or widening projects.

B. All new electric or communications services from an overhead or underground facility to serve buildings, multi-family residences or structures shall be installed underground from and after the effective date of this Chapter. All rebuilt or relocated electric or communication service from an overhead or underground facility to serve buildings, multi-family residences or structures shall be installed underground from and after the effective date hereof except: (1) those services which only involve a change in the overhead service line without a change in the corresponding service entrance facilities; and (2) rebuilding or enlarging services feeding overhead to existing single-family residences.

C. The following requirements apply to all areas zoned by the Comprehensive Zoning Code of the City as Community Business (CB), Neighborhood Business (NB), and Aviation Business Center (ABC), and all public facilities:

- (1) Subject to the exceptions of 11.20.010(D) all existing overhead electric and communication facilities shall be converted to underground facilities within fifteen (15) years from the effective date hereof, subject to extensions by the City up to ten (10) years, whenever, in the City's judgment, its financial situation prohibits the City from participating financially to the degree required by the provisions of this Chapter, or by State law or regulations.
- (2) All areas rezoned for business uses and all public facilities constructed after the effective date hereof, extensions, rebuilds or relocations of existing overhead electric and communication facilities shall be installed underground from and after the effective date hereof.
- (3) All areas rezoned for commercial or industrial use after the effective date hereof shall be converted to

underground in the same manner as provided in this Subsection, provided, however, that the fifteen (15) year period specified in C(2) above, shall commence upon the effective date of such rezoning.

D. All extensions, relocations, or rebuilds of existing overhead electric and communication facilities in areas zoned by the Comprehensive Zoning Ordinance of the City as Urban Low Density (UL), Urban Medium Density (UM) and Urban High Density (UH), shall be installed underground from and after the effective date hereof.

E. The following requirements apply to all areas not included in paragraph C of this Code and zoned by the Comprehensive Zoning Code of the City as Community Business (CB), Neighborhood Business (NB), and Aviation Business Center (ABC) zones (commercial/retail businesses and public facilities).

(1) The underground requirements with respect to all electric or communication facilities in these areas shall conform to the requirements of the immediately surrounding areas as determined by the zoning classifications, provided that where the surrounding areas have varying requirements in accordance with the provisions of Subsections C and D, above, the undergrounding requirements shall be those which are most appropriate and applicable to the predominantly surrounding area as determined by the City.

F. Street lighting facilities or systems conforming to the current standards of the City's Public Works Department shall be installed as an integral part of all undergrounding projects.

G. All rights-of-way proposed to be dedicated to the City and all easements for public facilities shall be subject to the provisions of this Chapter.

H. Except as provided in Section 11.20.020 hereof, the owner or owners of real property abutting an underground project shall be responsible, at such owners' expense, for converting to, and connecting with, underground service within ninety (90) days after the date of the mailing of the notice as hereinbelow set forth. Time in completing conversion and connection from overhead to underground service is of the essence and such notice to the property owner of the affected premises may be mailed, postage prepaid, or delivered in person. Nothing herein shall limit the authority of the City to require conversion from overhead service to underground service, and connection to such underground service, by local improvement districts or as otherwise permitted by law, including RCW 35.96.030 and 35.96.040.

I. When service from the underground electric and communications facilities is available in all or part of a conversion area, the City shall mail a notice to the owners of all buildings, residences or other structures served from existing overhead facilities in the area, which notice shall state that:

(1) Service from the underground facility is available;

(2) All electric and communication service lines from the existing overhead facilities within the area to any building, residence or other structure must be disconnected and be removed, and underground facilities and service be established within ninety (90) days after the date of the mailing of the notice;

(3) Should such owner fail to convert from overhead to underground within ninety (90) days after the date of the mailing of the notice, the City shall order the electric and communication utilities to disconnect and remove the overhead service facilities and lines;

(4) Should the owner object to the disconnection and removal of the overhead facilities and service lines, the owner may file written objections thereto with the City Clerk within thirty (30) days after the date of the mailing of the notice and failure to so object within such time will constitute a waiver of the owner's right thereafter to object to such disconnection and removal.

J. Upon the timely filing by the owner of objections to the disconnection and removal of overhead facilities and service lines, the City Council shall conduct a hearing to determine whether the removal of all or any part of the overhead facilities and service lines is in the public benefit. The hearings shall be held at such time as the Council may establish and shall be held in accordance with the regularly established procedures set forth by the City Council Administrative

Procedures. The determination reached by the City Council shall be final.

K. Unless otherwise provided by Chapter 35.96 RCW, all of the general provisions relating to local improvements of cities and towns shall likewise apply to local improvements for the conversion of overhead electric and communication facilities to underground facilities.

L. Where above ground pole line installations are permitted under the variance procedures set forth in Section 11.20.060, conductors shall be placed in vertical alignment or other approved alignment as authorized by the City's Public Works Department.

M. Plans for all above ground installations, including those excepted under Section 11.20.010, D., shall be submitted to the City for approval of screening and setback requirements prior to the issuance of any permits in connection with such above ground installations in the public rights-of-way or in public utility easements.

N. Project "As-Built" Drawings, in a form and scale conforming to generally accepted engineering practices, shall be submitted in duplicate to the City's Public Works Department within thirty (30) days of the completion of any underground project within the City. In addition, each utility shall submit in duplicate "As-Built" drawings of all of its underground facilities within the City on an annual basis, commencing on January 1 following the effective date hereof, provided that, if said drawings are not available at that time, the utility shall be given a reasonable time to prepare and submit such drawings. The requirement to provide the drawings as specified in this Subsection shall not relieve the applicant for a permit from providing preliminary plans in connection with the application for a permit for work in the public right-of-way or otherwise.

11.20.040 Permits and Fees.

A. A permit for work in the public right-of-way for undergrounding work shall be acquired by the utility from the Public Works Department prior to proceeding with construction of facilities in the public right-of-way, or within easements for public facilities, or public property. The fee for and terms for such permit for any undergrounding shall be pursuant to Chapter 11.10 of the SeaTac Municipal Code and the City's approved fee schedule.

B. Where above grade pole line installations are permitted under the variance procedures of Section 11.20.060 of this Chapter, a permit shall be acquired by the utility from the City's Public Works Department prior to proceeding with construction of such facilities in the public right-of-way, or within easements for public facilities, or public property. The fee for and terms of such permit shall be pursuant to Chapter 11.10 of the SeaTac Municipal Code and the City's approved fee schedule.

11.20.050 Design Standards.

A. All conductors, switches, transformers, and regulating devices shall be installed in accordance with applicable national, state and local safety standards. All structural devices shall be designed in accordance with the provisions of, and additions to, the Uniform Building Code adopted by the City, and all other applicable Ordinances and regulations of the City as its building code.

B. All underground facilities provided for herein shall be installed in such manner as to be coordinated with underground water, sewer, and gas pipelines, and with traffic control and other signal systems. Whenever such coordination requires installation practices more restrictive or demanding than the minimum standards required by applicable national, state and local codes and safety standards, the requirements of such coordination shall govern and be controlling.

C. All vaults, manholes, ventilation gratings, and access covers and conduits in public rights-of-way shall be strong enough to withstand ten thousand (10,000) pounds wheel load. The utility may, at its option, elect not to comply with the said wheel load requirement as to such facilities not on the traveled portion of the street providing, however, that the utility shall be responsible for up-grading of the said facilities in event of widening of the traveled portion of the

street.

D. Any equipment and facilities excepted from underground requirements or otherwise permitted to be installed above ground except for poles, pole-mounted equipment, and aerial lines, shall be:

- (1) Placed within an enclosure or within the building or structure being served, or be suitably screened in accordance with the landscape requirements of Chapter 15.14 of the SeaTac Municipal Code.
- (2) The utility shall be responsible for the installation, maintenance, repair, and replacement of the sight screening materials and barrier when the real property on which the above ground facility is located is owned by the utility.
- (3) When the above ground facility is located on real property not owned by the utility, the owner of such real property shall be responsible for the installation, maintenance, repair, and replacement of the aforementioned screening materials and sight barrier.

E. Space frames and structural arrangements for holding equipment or facilities shall be designed to have an uncluttered and neat appearance.

F. Streets shall be excavated to subgrade prior to the installation of underground facilities as determined by the City's Public Works Department.

11.20.060 Variance procedures.

All applications for variance from the foregoing underground requirements shall first be filed with the City Clerk. Underground requirements shall be waived by a variance only if the utility, user, or other affected party can demonstrate that such requirements would cause an undue hardship and that the variance would not cause substantial adverse impact to other persons or entities in the immediate surrounding area. The term "undue hardship" is hereby defined as a technological difficulty associated with the particular facility, or with the particular real property involved, or the cost of undergrounding such facility which exceeds usual costs or is found to outweigh the general welfare considerations implicit in underground installation or that the particular real property is in an area where the pattern of growth and development has not yet been sufficiently established to permit the determination of ultimate service requirements or major service routes.

11.20.070 Joint trenches.

In requiring undergrounding of electric and communications facilities, it is the City's intent to authorize and encourage establishment of joint or common trenches, as follows:

A. Utilization of a single trench where feasible by all utilities and rights-of-way franchise holders is hereby encouraged and shall be required where ever feasible. Upon application for an underground right-of-way use permit, the City's Public Works Department shall determine whether other utilities and franchise holders have applied, or may be likely to apply on a timely basis, for undergrounding along the same right-of-way and whether the permit, if issued, should require joint use of a common trench. If at the time of application for an underground permit it does not appear that all utilities involved in the undergrounding project have made appropriate arrangements for the use of the common trenches, the Public Works Department may delay the issuance of such permit until all utilities involved in such relocation shall have been given the opportunity to be heard upon two (2) weeks' notice.

B. Where new structures require underground services extending into or across the public right-of-way to existing overhead distribution systems for connection, it shall be the responsibility of the property owner, owner's agent or other persons applying for such underground service from an electrical or communications utility to provide adequate provisions and capacity for joint usage in a trench with conduit or other required facilities for present and future service extensions to the structure. The utility, property owner, owner's, agent, or other person applying for the permit shall notify all other electrical and communications utilities as to the availability of a common trench. The issuance of a permit may be delayed until all utilities involved in a street crossing for underground service connection to a

structure have been given the opportunity to be heard upon two (2) weeks' notice.

C. Whenever an electrical or communications facility, including but not limited to electrical power, telephone, telegraph, cable television, and fiber optics is required to be placed underground in a joint trench, then the costs of excavation and fill and also the costs of conduit, cable, vaults, and other appurtenant facilities shall be borne on an equal basis, or as agreed, by the utilities, franchise holders, or others participating in the undergrounding project.

11.20.080 Enforcement.

Any violation of the provisions of this Chapter, or any amendments thereto, by any individual or entity shall constitute a civil infraction and any individual or entity committing such infraction shall be subject to a civil penalty not exceeding one thousand dollars (\$1,000) for each violation and for each day upon which any such violation shall continue. The City Manager, or designee, shall be responsible for investigation of violations and for enforcement of the provisions of this Chapter.

Section 2. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 14th day of January, 1997, and signed in authentication

thereof on this 14th day of January, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, Interim City Attorney

ORDINANCE NO. 97-1003

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Sections 13.10.020 of the SeaTac Municipal Code, and adding a new Section relating to exemptions from licensing or certification requirements for performing certain electrical work.

WHEREAS, the City Council has previously adopted an Electrical Code, now codified at Chapter 13.10 of the SeaTac Municipal Code; and

WHEREAS, Section 13.10.020 thereof adopts by reference a number of State statutes relating to electricians and electrical installations, and including RCW 19.28.610 which exempts from licensing and certification requirements certain electrical work performed by the owner of property or by employees of an employer owner of property; and

WHEREAS, the language of RCW 19.28.610 is ambiguous and could be read to exempt from licensing and certification requirements electrical work performed by tenants or by employees working on property not owned by their employers; and

WHEREAS, the City has authority to clarify State statutes adopted by resolution and may, in fact, adopt its own electrical code with equal, higher, or better standards;

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

Section 1. Section 13.10.020 of the SeaTac Municipal Code is hereby amended to read as follows:

13.10.020 Electricians and electrical installations.

The following sections of chapter 19.28 RCW as now in effect, and as may subsequently be amended, are adopted by reference to establish regulations pertaining to electricians and electrical installations, except that "Department" shall mean the City Department of Public Works:

19.28.005 Definitions.

19.28.010 Electrical wiring requirements - General - Exceptions.

19.28.060 Rules, regulations, and standards.

19.28.070 Enforcement - State electrical inspectors - Qualifications - Salaries and expenses.

19.28.120 License required - General or specialty licenses - Fees - Application - Bond - Cash deposit in lieu of bond.

19.28.125 Electrical contractors - Designee of firm to take administrator's examination - Certificate duration, renewal, nontransferable - Administrator's duties.

19.28.180 Licensee's bond - Action on - Priorities - Cash deposit, payment from.

19.28.190 Actions - Local permits - Proof of insurance.

19.28.200 Licensing - Exemptions.

19.28.210 Inspections - Notice to repair and change - Disconnection - Entry - Concealment - Connection to utility - Permits, fees.

19.28.250 Inspection reports.

19.28.260 Nonconforming installations - Disputes - Reference to board.

19.28.300 Board - Request for rulings - Fee - Costs.

19.28.310 Revocation or suspension of license - Grounds - Appeal to board - Fee - Costs.

19.28.340 Liability for injury or damage.

19.28.350 Violations of RCW 19.28.010 through 19.28.360 - Schedule of penalties - Appeal.

19.28.360 RCW 19.28.210 inapplicable in certain cities and towns, electricity supply agency service areas, and rights of way of state highways.

19.28.370 RCW 19.28.010 through 19.28.380 inapplicable to telegraph or telephone companies exercising certain functions.

19.28.390 Devices for diagnosis or treatment of disease or injury - Compliance with chapter.

19.28.510 Certificate of competency required - Electrical training certificate - Fee.

19.28.600 Powers and duties of director - Administration of RCW 19.28.510 through 19.28.620 by the department.

~~19.28.610 Exemptions from RCW 19.28.510 through 19.28.620.~~

19.28.620 Violations of RCW 19.28.510 through 19.28.620 - Schedule of penalties - Appeal.

Section 2. There is hereby added a new Section 13.10.025 of the SeaTac Municipal Code to read as follows:

13.10.025 Exemptions from licensing and certification requirements.

Nothing in RCW 19.28.510 through 19.28.620, as adopted by reference at Section 13.10.020, above, shall be construed to require that a person obtain a license or a certified electrician in order to do electrical work at his or her residence or farm or on other property owned by him or her unless the electrical work is on the construction of a new building intended for rent, sale, or lease. However, if the construction is of a new residential building with up to four units intended for rent, sale, or lease, the owner may receive an exemption from the requirement to obtain a license or use a certified electrician if he or she provides a signed affidavit to the department stating that he or she will be performing the work and will occupy one of the units as his or her principal residence. The owner shall apply to the department for this exemption and may only receive an exemption once every twenty-four months. It is intended that the owner receiving this exemption shall occupy the unit as his or her principal residence for twenty-four months after completion of the units. Nothing in RCW 19.28.510 through 19.28.620, as adopted by reference, shall be intended to derogate from or dispense with the requirements of any valid electrical code enacted by the City pursuant to RCW 19.28.010(3), except that the holder of a certificate of competency shall not be required to demonstrate any additional proof of competency or obtain any other license or pay any fee in

order to engage in the electrical construction trade. RCW 19.28.510 through 19.28.620, as adopted by reference, shall not apply to common carriers subject to Part I of the Interstate Commerce Act, nor to their officers and employees. Nothing in RCW 19.28.510 through 19.28.620, as adopted by reference, shall be deemed to apply to the installation or maintenance of telephone, telegraph, radio, or television wires and equipment; nor to any electrical utility or its employees in the installation, repair, and maintenance of electrical wiring, circuits, and equipment by or for the utility, or comprising a part of its plants, lines or systems. The licensing provisions, as adopted by reference, of RCW 19.28.510 through 19.28.620 shall not apply to:

(1) Persons making electrical installations on their own property or to regularly employed employees working on premises owned by their employer, unless the electrical work is on the construction of a new building intended for rent, sale, or lease; or

(2) Employees of an employer while the employer is performing utility type work of the nature described in RCW 19.28.200, as adopted by reference, so long as such employees have registered in the State of Washington with or graduated from a state-approved outside lineman apprenticeship course that is recognized by the Department of Labor and Industries and that qualifies a person to perform such work.

Nothing in RCW 19.28.510 through 19.28.620, as adopted by reference, shall be construed to restrict the right of any homeowner to assist or receive assistance from a friend, neighbor, relative or other person when none of the individuals doing the electrical installation hold themselves out as engaged in the trade or business of electrical installations. Nothing precludes any person who is exempt from the licensing requirements of this chapter under this section from obtaining a journeyman or specialty certificate of competency if they otherwise meet the requirements of this chapter.

Section 3. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this _____ day of _____, 1997, and signed in authentication thereof on this _____ day of _____, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1004

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 15.26.070 of the SeaTac Municipal Code relating to Mobile Home Park Relocation Standards.

WHEREAS, there is a limited supply of vacant mobile home park spaces in the County and surrounding area; and

WHEREAS, the closure of a mobile home park and relocation of the tenants could cause a substantial burden to the tenants; and

WHEREAS, the City deems it desirable to have an established process to 1) assess the impacts of a proposed mobile home park closure; 2) provide information about alternative housing options to mobile home park tenants; and 3) increase the certainty of the process for both tenants and owners; and

WHEREAS, the Department of Planning & Community Development has thoroughly reviewed the existing provisions of the SeaTac Municipal Code relating to Mobile Home Park Relocation Standards and has considered testimony and advice of City advisory committees and of the public; and

WHEREAS, the Department has recommended adoption of new standards relating to mobile park relocations; and

WHEREAS, the City Council concurs with the recommendations of the Department of Planning & Community Development;

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

Section 1. Section 15.26.070 of the SeaTac Municipal Code is hereby amended to delete the existing text, as follows:

~~Any mobile home park that is rezoned for redevelopment with different uses shall comply with the adopted Mobile Home Relocation policies and standards. At a minimum, mobile home park owners shall create and implement a relocation plan that encompasses the required elements set forth in the City Comprehensive Plan Policies.~~

And the said Section is hereby reconstituted as follows:

15.26.070 Mobile Home Park Relocation Standards

At such time as the owner of a mobile home park determines to close a mobile home park, or any portion thereof, or to change the use of the land on which a mobile home park is located, or any portion thereof, including conversion to a mobile home park subdivision, condominium or cooperative as discussed below, but prior to the date on which the owner gives notice to tenants of the change of land use pursuant to RCW 59.20.080(1)(e), the owner shall submit to the City a mobile home park relocation plan covering the park or portion of the park for which a change is proposed.

In the case of conversion to a mobile home park subdivision, condominium or cooperative, a relocation plan shall be required if and only if purchase of a share is necessary to remain in the park; in such cases, the relocation plan shall be required only for tenants who are not purchasing a share and would be displaced by the conversion. Once the Plan is approved in accordance with this Section, the City shall issue a Certificate of Approval to the mobile home park owner. The mobile home relocation plan shall comply with the standards and procedures contained in this section.

If an eminent domain action of a Federal, State or local agency causes closure of a mobile home park and the procedures set forth in the Federal Uniform Relocation Assistance and Real Property Acquisition

Policies Act, 42 U.S.C. §4601 et seq., and the Regulations of 49 CFR Part 24 or the Relocation Assistance - Real Property Acquisition Policy Act of Chapter 8.26 RCW and the Regulations of Chapter 468-100 WAC are followed, the requirements of those Acts and Regulations will supersede the requirements of this section and the standards contained herein.

If a condemnation action of the City causes closure of a mobile home park, the City will be responsible for fulfilling the requirements of the standards contained herein and may provide additional relocation assistance in accordance with the provisions of the State Act and Regulations. If the City chooses to follow portions of the State Act and the Director of Planning and Community Development determines that there is a conflict or redundancy between the portions of the State Act and Regulations being followed by the City, and the standards contained herein, the State Act shall take precedence in such areas of conflict or redundancy. If the State Act is followed in all respects, such Act will supersede the requirements of this section and the standards contained herein.

A. Required Elements of the Mobile Home Park Relocation Plan

The mobile home relocation plan shall include the following required elements:

1. **Inventory.** An inventory of park tenants and their mobile homes shall be prepared in a format established by the Department of Planning and Community Development (hereinafter referred to as the "Department"). The purpose of the inventory is to provide data for the State Environmental Policy Act (Chapter 43.21C RCW) Checklist (hereinafter referred to as the "SEPA Checklist"), which will analyze the impact of the park closure, and to establish a basis for identifying relocation/mitigation options. The inventory shall include:

- a) An inventory of park tenants (to include information as to age, income, number of years in the park);
- b) An inventory of the age and conditions of the mobile homes; and
- c) Costs of pad rental, park utility fees and other charges, personal utilities, insurance, personal property taxes, and mobile home security interests, if applicable.

The inventory request form shall clearly state to tenants that disclosure of age, income and housing cost information is voluntary, and that the purpose of requesting the information is to assess the impact of the proposed closure and the applicability of low income housing assistance programs. If provided, this information shall be treated in a confidential manner and shall be made public only in statistical summary format.

2. **Environmental Conditions.** An analysis of environmental conditions in the park shall be conducted. The analysis shall include noise levels and other environmental factors affecting the suitability of the park for various land uses, including mobile homes, other residential uses, and commercial uses. This information will be used to prepare the SEPA determination of environmental impacts of the proposed action. Noise measurements shall be taken on site by the property owner using an approved noise meter.

3. **Options.** A list of relocation options shall be prepared, including:

- a) A list of vacant mobile home park spaces in King and Pierce Counties, together with a description of each park's amenities, restrictions, rental rates and other costs charged;
- b) A list of low cost apartments or other low-cost housing options in King County;
- c) Information from banks concerning first-time home-buyer programs;
- d) Information from the County or non-profit entities concerning relocation park options; and

e) Information from the Port of Seattle regarding the process for obtaining Port noise mitigation funds and "advisory assistance," if applicable, including a statement of whether or not the owner intends to participate in any available program and pass noise mitigation funds to tenants.

4. **Choices.** A statement of housing preference, based on the available options, shall be gathered from each mobile home tenant. The list of each participating tenant's preference shall provide a basis for tenants to coordinate their preferences with others in the park and with the available opportunities.

5. **Anticipated Timing.** The mobile home park owner shall provide a statement of anticipated timing for park closure.

6. **Coordination Plans or Actions.** The mobile home park owner shall provide a statement of any coordination plans or actions in addition to those stated above that the park owner intends to take in order to minimize the impacts of park closure on the tenants. The relocation plan shall identify an official relocation plan contact. The contact shall be responsible for providing the required relocation information to tenants and status information to the City.

B. Required Process

The timing and preparation of the mobile home relocation plan shall comply with the following process:

1. The owner of the park shall initiate a pre-application meeting with the Department to clarify the requirements of the relocation plan. If applicable, the applicant shall also meet with Port of Seattle staff to determine if relocation assistance is available.
2. The owner of the park shall notify, in writing, all affected park tenants and the Department that the owner is beginning the process of preparing a Mobile Home Relocation Plan. In such notification, the Department shall schedule a meeting with tenants to inform them of the owner's proposal for the property, the requirements of the Mobile Home Relocation Standards, as contained herein, and the proposed timeline for the process.
3. The mobile home park owner shall prepare a relocation plan, pursuant to the requirements of Subsection A of this Section.
4. The mobile home park owner shall complete a SEPA checklist for the relocation plan. A copy of the SEPA checklist shall be sent to each tenant of the mobile home park. If the owner is proposing to redevelop the site, the owner may choose to have the site plan for the new development evaluated for environmental impacts concurrently with the relocation plan. If this option is chosen, the owner shall submit a site plan along with the SEPA checklist and relocation plan.
5. The Department shall review the relocation plan to ensure compliance with the requirements of Subsection A of this Section. If it is determined that the requirements have not been met, the Department shall notify the mobile home park owner in writing of the identified deficiencies. The owner shall revise the plan to correct all of the identified deficiencies before resubmitting it to the City.
6. Once it is determined that the requirements of Subsection A of this Section have been met, the Director of the Department shall issue a decision on the relocation plan based on the impacts of the proposed action. The decision may be to approve, deny, or require modification of the relocation plan. If the relocation plan is approved, the Director shall issue a Certificate of Approval.
7. The decision of the Director is appealable to the Hearing Examiner, in accordance with the procedures of SMC 15.22.065. If the decision is appealed, the relocation plan process as set forth herein shall automatically be stayed until the appeal is resolved.

8. If approved, the relocation plan shall be delivered to all tenants by the mobile home park owner prior to or coincident with the minimum 12-month notice of intent to close the park. The relocation plan shall be valid for delivery to tenants for three months from the date of approval. If the relocation plan is not delivered in this time frame, or if park closure does not occur within 2 years of approval of the plan, preparation of a new or updated plan may be required by the City.

9. The mobile home park owner shall provide to the City a statement confirming that all requirements of Chapter 59.23 RCW, if applicable, including notice and first right of refusal of tenants to purchase the park have been followed.

10. The park owner shall submit to the City a report on the relocation process which shall include: (a) a list of tenants remaining in the park, by space or address (rent roll); and (b) spaces which have been vacated together with a description of the destination of vacating tenants and the type of housing obtained. The report shall be submitted monthly, or more frequently if requested by the Department, until the park is vacant.

11. Once the relocation plan has been deemed by the Director to be satisfactorily implemented, the City shall issue a Certificate of Satisfactory Completion. The mobile home park shall not be closed prior to the issuance of said Certificate. The relocation plan shall be deemed to be satisfactorily implemented when the plan's stated actions have been implemented and when all tenants have relocated.

C. Alternative Plan and Process

If the owner of a mobile home park negotiates a relocation agreement with tenants to the satisfaction of such tenants, the agreement, signed by all affected tenants, shall be submitted to the City in lieu of the relocation plan and process of Subsections A and B of this section. The following process shall then apply:

1. The City Attorney shall review the agreement and attest to its legality as to form.
2. The requirement of RCW 59.20.080(1)(e) with respect to a twelve month notice of land use change must still be met. However, if all tenants have satisfactorily relocated prior to the statutory twelve month period, the park, or portion thereof, may be closed sooner.
3. Once the agreement has been determined to address the needs of the tenants, the Director shall issue a Certificate of Approval.
4. The owner shall submit monthly reports in accordance with Subsection B. 10 of this Section.
5. After all tenants have moved from the park, the Director shall issue a Certificate of Satisfactory Completion and the Park may be closed.

Section 2. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this _____ day of _____, 1997, and signed in authentication

thereof on this _____ day of _____, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

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ORDINANCE NO. 97-1005

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to employment and employees and amending the Pay and Compensation Plan of the City for non-represented employees,

WHEREAS, the City Council of the City of SeaTac, Washington, has previously enacted Ordinance No. 93-1030 and various amendments thereto, establishing personnel policies and procedures and adopting a pay and compensation plan for City employees; and

WHEREAS, the City Council of the City of SeaTac, Washington, has previously enacted Ordinance No. 94-1015 and various amendments thereto establishing a salary pay plan ; and

WHEREAS, in order to address the need for a reasonable and fair compensation to non-represented city employees, and to provide a reasonable cost of living allowance, it is appropriate that modification of the pay and compensation plan be made.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as a non-codified Ordinance, as follows:

1. **SALARY RANGES**: The salary ranges for the various positions of the non-represented employees of the City shall be increased by the amount of 2.61 percent over the current level to reflect the COLA for 1997, effective January 1, 1997, with the salaries of employees in those positions being likewise increased by the same percentage to the extent that such increase does not exceed the maximum amount of the employee's salary range, and with employees whose salary is or would exceed the maximum amount for the employee's salary range, the salaries of such employees shall be increased over the 1996 level by the amount of 2.01 percent, effective January 1, 1997.
2. That the provisions of Ordinance No. 94-1015 and Ordinance 96-1001 and the pay and compensation Ordinances of the City shall remain in full force and effect except as inconsistent herewith.
3. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary as required by law.

ADOPTED this day of , 1997, and signed in authentication thereof on this day of , 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1006

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Title 2 SMC relating to Administration and Personnel and establishing a uniform three-year term of office for all members of advisory Boards and Commissions.

WHEREAS, the City Council desires to make certain changes to the Ordinances and Codes pertaining to indemnification of members of advisory Boards and Commissions and to make uniform the terms of office of all such members of advisory Boards and Commissions;

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

Section 1. Section 2.06.020 of the SeaTac Municipal Code is hereby amended to read as follows:

2.06.020 Definitions.

Unless the context indicates otherwise, the words and phrases used in this chapter shall have the following meaning:

A. "Employee" means any person who is or has been employed by the City, including volunteers: and members of advisory Boards and Commissions appointed by the Mayor with confirmation by the City Council.

B. "Official" means any person who is serving or has served as an elected City official, and any person who is serving or who has served as an appointed ~~member of any City board, commission, committee or any other appointed position with the city~~ officer of the City as defined by State law.

Section 2. Section 2.15.040 of the SeaTac Municipal Code is hereby amended to read as follows:

2.15.040 Term of office.

Commencing upon expiration of the term of any member serving on the effective date hereof, the ~~Members~~ of the Planning Commission shall serve for a term of ~~five~~ three years, or until appointment of a successor member, whichever is later. ~~However, the initial members shall be appointed to serve for the following terms: Two members shall serve a two year term, or until appointment of a successor member, whichever is later; two members shall serve a three year term, or until appointment of a successor member, whichever is later; two members shall serve a four year terms or until appointment of a successor member, whichever is later; and one member shall serve a five year term, or until appointment of a successor member, whichever is later.~~ If a member of the Planning Commission shall be absent, without prior notification and excuse, from three consecutive regularly scheduled meetings of the Commission, the Chairperson of the Planning Commission may declare the position held by that member vacant and a new member may be appointed in the manner set forth at Section 2.15.030. ~~It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Planning Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commissions (s) or committee(s) shall be the member's "first" and "second" preferences. Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and the City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board,~~

~~commission or advisory committee to serve for the remainder of the initial member's term.~~ In the event of the extended excused absence or disability of a member, the Mayor, with concurrence of the City Council, may appoint a member pro tempore to serve during the absence or disability; provided, that such pro tempore appointments or re-appointments shall be for a period of time not to exceed eight months, with any appointments, re-appointments or extensions of appointments thereafter being reviewed and considered by the City Council.

Section 3. Section 2.20.040 of the SeaTac Municipal Code is hereby amended to read as follows:

2.20.040 Terms of office.

~~The Mmembers~~ of the Human Services Commission shall serve for a term of three years, or until appointment of a successor member, whichever is later. The term of office of all members serving during the year 1996 is extended until December 31st of the year in which the term of each member would expire except for this provision. All subsequent terms shall commence on January 1st and shall terminate on December 31st three years thereafter. If a member of the Human Services Commission shall be absent, without prior notification or excuse, from three consecutive, regularly scheduled meetings of the Commission, the Chairperson of the Human Services Commission may declare the position held by that member vacant and a new member may be appointed in the manner set forth at Section 2.20.030 of this chapter. ~~It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Human Services commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second" preferences. Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term.~~ In the event of the extended excused absence or disability of a member, the Mayor, with concurrence of the City Council, may appoint a member pro tempore to serve during the absence or disability; provided that such pro tempore appointments or re-appointments shall be for a period of time not to exceed eight months, with any appointments, re-appointments or extensions of appointments thereafter being reviewed and considered by the City Council.

Section 4. Section 2.22.040 of the SeaTac Municipal Code is hereby amended to read as follows:

2.22.040 Terms of office.

The members of the Human Relations Commission shall serve for a term of three (3) years, or until appointment of a successor member, whichever is later. If a member of the Human Relations Commission shall be absent without prior notification or excuse from three (3) consecutive, regularly scheduled meetings of the commission, the chairperson of the Human Relations Commission may declare the position held by that member vacant and a new member may be appointed pursuant to Section 2.22.030. ~~It is provided, however, that if there has been difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Human Relations Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two (2) board(s), commission(s) or committee(s) shall be the member's "first" and "second" preferences. Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and city Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term.~~ In the event of the extended excused absence or disability of a member, the Mayor, with concurrence of the City Council, may appoint a member pro tempore to serve during the absence or

disability; provided, that such pro tempore appointments or re-appointments shall be for a period of time not to exceed eight months, with any appointments, re-appointments or extensions of appointments thereafter being reviewed and considered by the City Council.

Section 5. Section 2.24.040 of the SeaTac Municipal Code is hereby amended to read as follows:

2.24.040 Terms of office.

~~The M~~members of the ADA Citizens' Access Committee shall serve for a term of three (3) years, or until appointment of a successor member, whichever is later. If a member of the Senior Citizen commission shall be absent without prior notification or excuse from three (3) consecutive regularly scheduled meetings of the Commission, the Chairperson of the Senior Citizen Commission may declare the position held by that member vacant and a new member may be appointed pursuant to Section 2.24.030. However, ~~the initial members shall be appointed to serve for the following terms; two (2) members shall be appointed to serve initial terms of two (2) years, or until appointment of a successor member, whichever is later; and three (3) members shall be appointed to serve initial terms of three (3) years, or until appointment of a successor member, whichever is later. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the ADA Citizens' Access Committee applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two (2) board(s), commission(s) or committee(s) shall be the member's "first" and "second" preferences. Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's terms. In the event of the extended excused absence or disability of a member, the Mayor, with concurrence of the City Council, may appoint a member pro tempore to serve during the absence or disability; provided, that such pro tempore appointments or re-appointments or extensions of appointments shall be for a period of time not to exceed eight months, with any appointments, re-appointments or extensions of appointments thereafter being reviewed and considered by the City Council.~~

Section 6. Chapter 2.26 of the SeaTac Municipal Code is hereby repealed.

Section 7. Section 2.27.040 of the SeaTac Municipal Code is hereby amended to read as follows:

2.27.040 Term of office.

The members of the Senior Citizen Commission shall serve for a term of three (3) years, or until appointment of a successor member, whichever is later, ~~provided that the initial appointment of the members to the Commission shall be as follows: two (2) members shall be appointed to serve a one (1) year term, or until appointment of a successor member, whichever is later, two (2) members shall be appointed to serve a two (2) year term, or until appointment of a successor member whichever is later, and three (3) members shall be appointee to serve a three (3) year term, or until appointment of a successor member, whichever is later, with subsequent appointments and/or reappointments being for three (3) year terms, or until appointment of a successor member, whichever is later.~~ If a member of the Senior Citizen commission shall be absent without prior notification or excuse from three (3) consecutive regularly scheduled meetings of the Commission, the Chairperson of the Senior Citizen Commission may declare the position held by that member vacant and a new member may be appointed pursuant to Section 2.27.030. It is provided, however, that if there has been a difficulty in filling appointment to City boards, commissions or advisory committees established by the City Council, and if a member of the Senior Citizen Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two (2) board(s), commission(s) or committee(s) shall be the member's "first" and "second"

preferences. Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and city Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. In the event of the extended excused absence or disability of a member, the Mayor, with concurrence of the City Council, may appoint a member pro tempore to serve during the absence or disability; provided, that such pro tempore appointments or re-appointments or extensions of appointments shall be for a period of time not to exceed eight months, with any appointments, re-appointments or extensions of appointments thereafter being reviewed and considered by the City Council.

Section 7. Section 2.40.080 of the SeaTac Municipal Code is hereby amended to read as follows:

2.40.080 Terms of office.

~~The M~~members of the Library Board shall serve for a term of three (3) years, or until appointment of a successor member, whichever is later. ~~However, the members initially appointed shall serve for a term of only two years, or until appointment of a successor member, whichever is later. At the expiration of the said initial term of the Board, members shall be appointed to serve for the following terms: Two members shall serve a two-year term, or until appointment of a successor member, whichever is later, and three members shall serve a three-year term, or until appointment of a successor member, whichever is later. Thereafter, all further appointments shall be for the regular three-year term, or until appointment of a successor member, whichever is later. If a member of the Library Board shall be absent, without prior notification and excuse, from three consecutive, regularly scheduled meetings of the Board, the Chairperson of the Library Board may declare the position held by that member vacant and a new member may be appointed in the manner set forth at Section 2.40.070. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Library Board applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second" preferences. Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term.~~In the event of the extended excused absence or disability of a member, the Mayor, with concurrence of the City Council, may appoint a member pro tempore to serve during the absence or disability; provided, that such pro tempore appointments or re-appointments shall be for a period of time not to exceed eight months, with any appointments, re-appointments or extensions of appointments thereafter being reviewed and considered by the City Council.

Section 8. Section 2.44.010 of the SeaTac Municipal Code is hereby amended to read as follows:

2.44.010 Parks, Arts and Recreation Advisory Board created.

There is hereby created an advisory board to be known as "The Parks, Arts and Recreation Advisory Board of the City of SeaTac."

Section 9. Section 2.44.040 of the SeaTac Municipal Code is hereby amended to read as follows:

2.44.040 Terms and vacancies.

Commencing upon expiration of the term of any member serving on the effective date hereof. The Mmembers of the Parks, Arts and Recreation Advisory Board shall serve for a term of ~~four (4)~~ three (3) years or until appointment of a successor member, whichever is later, unless otherwise replaced. ~~It is provided, however, that for the initial appointment, two (2) members shall be initially appointed for four (4) year terms, or until appointment of a successor member, whichever is later, unless otherwise replace;~~

~~two (2) members shall be initially appointed for three (3) year terms, or until appointment of a successor member; whichever is later, unless otherwise replaced; and two members shall be initially appointed for two (2) year terms, or until appointment of a successor member, whichever is later, unless otherwise replace; and one (1) member shall be initially appointed for a one (1) year term, or until appointment of a successor member, whichever is later, unless otherwise replaced. In case of any vacancies on the commission, vacancies shall be filled consistent with the procedures set forth in Section 2.44.020, for the unexpired terms for which such vacancies are filled. It is provided, however that if there has been a difficulty in filling appointments to city boards, commissions or advisory committees established by the City Council, and if a member of the Arts and Recreation Advisory Board applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two board(s), commission(s) or committee(s) shall be the member's "first" and "second" appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and city Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" on the board, commission, or advisory committee, to serve for the remainder of the initial member's term, unless otherwise replaced. In the event of the extended excused absence or disability of a member, the Mayor, with concurrence of the City Council, may appoint a member pro tempore to serve during the absence or disability; provided, that such pro tempore appointments or re-appointments shall be for a period of time not to exceed eight months, with any appointments, re-appointments or extensions of appointments thereafter being reviewed and considered by the City Council.~~

Section 10. Section 2.47.040 of the SeaTac Municipal Code is hereby amended to read as follows:

2.47.040 Terms of office.

~~The members of the Solid Waste Advisory Board shall serve for terms of three (3) years, or until appointment of a successor member, whichever is later, provided, however, that the terms of the members who shall be initially appointed to the Board shall include the following: two (2) members of the Board shall be appointed for a term of one (1) year, or until appointment of a successor member, whichever is later, provided, however, that the terms of the members who shall be initially appointed to the Board shall include the following: two (2) members of the Board shall be appointed for a term of one (1) year, or until appointment of a successor member, whichever is later; and three (3) members of the Board shall serve for terms of three (3) years, or until appointment of a successor member, whichever is later. All subsequent appointments of members to the Board shall be for periods of three (3) years, or until appointment of a successor member, whichever is later. If a member of the Solid Waste Advisory Board shall be absent, without prior notification or excuse, from three (3) consecutive, regularly scheduled meetings of the Board, the Chairperson of the Solid Waste Advisory Board may declare the position held by that member vacant and a new member may be appointed in the manner set forth in Section 2.47.030 of the City Code. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Solid Waste Advisory Board applies to serve on another such board, commission or advisory committee, prior to appointment of the member to another board, commission or committee, the member shall indicate which of the two (2) board(s), commission(s) or committee(s) shall be the member's "first" and "second" preferences. Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee to serve for the remainder of the initial member's term. In the event of the extended excused absence or disability of a member, the Mayor, with concurrence of the City Council, may appoint a member pro tempore to serve during the absence or disability; provided, that such pro tempore appointments or re-appointments shall be for a period of time not to exceed eight months, with any appointments, re-appointments or extensions of appointments thereafter being reviewed and considered by the City Council.~~

Section 11. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 22nd day of April, 1997, and signed in authentication thereof on this 22nd day of April, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1007

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the City's purchasing system.

WHEREAS, state law, RCW 35A. 11.01, grants authority to code cities to "purchase, lease, receive, or otherwise acquire real and personal property of every kind, and use, enjoy, hold, lease, control, convey, or otherwise dispose of it for the common benefit"; and,

WHEREAS, code cities are not required to follow formal competitive bidding procedures when acquiring supplies, equipment, and other assets, except as to Public Works projects as defined by state law; and,

WHEREAS, the City Council annually reviews, during the budget process, all requests for purchases of substantial items of personal property and services; and,

WHEREAS, the City Council finds that delegation of authority to the City Manager for determining appropriate safeguards, rather than competitive bidding, for use in purchasing or leasing materials, equipment, supplies, and services, would improve and make more efficient the City's purchasing system, but would maintain administrative and fiscal accountability; and,

WHEREAS, the City Council finds that revision of the City's purchasing system is in the public interest of reduction of paperwork, elimination of delay, and cost savings, without loss of adequate safeguards,

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

Section 1. Sections 3.30.010 through 3.30.060, inclusive, of the SeaTac Municipal Code are hereby amended to read as follows:

3.30.010 Purpose.

The purpose of this chapter is to delegate authority for ~~set forth rules and regulations applicable to the purchase or lease of material, equipment, services and supplies by, through, or under authority delegated to the City Manager, or designee, as City Purchasing Agent.~~

3.30.020 Definitions.

A. ~~An~~ "Alternate" means material, supplies, equipment or services which deviate in respect to features, performance or use from the brand, model or specification designated as a standard whether or not such deviation constitutes an improvement.

B. "Annual contract" means an agreement between the City and a vendor, ~~entered into pursuant to the formal advertising and bid process~~ whereby the vendor agrees to supply specified items to the City for a fixed period of time in quantities to be determined by the City requirements and at a bid unit price. ~~The annual contract is used wherever historical data indicates a reasonable likelihood that the City will require a quantity of an item(s) costing in excess of three thousand dollars (\$3,000.00).~~

C. "Bid" means an offer to perform a contract to sell, lease or supply material, equipment, services or supplies in response to a formal solicitation.

D. "Bidder" means one who submits a bid.

E. "Blanket contract" means an agreement between the City and a vendor, entered into without formal advertising and bid, whereby the vendor agrees to supply any and all goods or services merchandised by that vendor for a one-year period in quantities to be determined by the City requirements and indicated on purchase requisitions. The cost of such goods or services shall be as set forth at the time of contracting. ~~"Blanket contracts", are for the convenient purchase of low-cost items and no individual requisition shall exceed five hundred dollars (\$500.00).~~

F. "City Purchasing Agent" is the City Manager, or designee, who is charged with procurement of all supplies, materials, equipment and ~~nonprofessional~~ services for the City with the exception of contracts for public works projects.

G. "Description" means identifying information distinctly and plainly set forth and sufficiently portrayed and explained to ensure that the product or service under consideration is uniquely identified.

H. "Emergency purchase" means a purchase made in response to unforeseen circumstances beyond the control of the City which presents a real, immediate and material threat to the public interests or property of the City.

I. An "equal" is material, equipment or supplies which is equal to or exceeds the quality, performance and usefulness of the brand, model or specifications designated as the standard.

J. An "informality" or "irregularity" is one which is merely a matter of form or is some immaterial variation from the exact requirements of the invitation for bids, having no effect or merely a trivial or negligible effect on quality, quantity, or delivery of the supplies or performance of the services being procured, and the correction or waiver of which would not affect the relative standing of, or be otherwise prejudicial to bidders.

K. "invitation to bid" means the procedure used in the formal sealed bid procedure.

L. "Purchase" includes leasing or renting.

M. "Purchaser" means the City and the department or agencies using material, equipment, supplies or services purchased.

N. "Request for quotation" means the procedure used when soliciting ~~telephone and/or written~~ quotations ~~in accordance with RCW 35.23.352(8)~~. The request and the quote in response may be either written or oral as specified by the City Purchasing Agent.

O. "Single source purchase" means a purchase of goods or services which can reasonably be obtained from only one known vendor.

P. "Specialized equipment purchase" means a purchase of goods or equipment which are not generally available from known and established vendors, and which require manufacture or alteration to meet specific needs of the City.

Q. "Specification" means the explicit requirements furnished with an invitation to bid or request for quotation upon which a purchase order or contract is to be based. Specifications set forth the characteristics of the equipment, material, supplies or services to be purchased to enable the bidder or vendor to determine and understand that which is to be supplied. This information may be either in terms of physical characteristics or performance requirements or both.

R. "Vendor" means the supplier of goods or services, or both.

3.30.030 Designation of City Purchasing Agent.

The ~~Director of Financing~~ City Manager is hereby designated as the City Purchasing Agent, through whom all departments shall make purchases or leases of every kind and character, with the exception of contracts for public works and improvements which shall be the responsibility of the Director of the Department of Public Works. The ~~Director of Finance~~ City Manager may delegate the authority and responsibilities of the City Purchasing Agent to any appropriate member of the ~~department~~ City staff. ~~In the absence of a Director of Finance, or designee, the City Manager may act as City Purchasing Agent.~~

Within the limits of available technology and staff capabilities, the City Purchasing Agent shall:

A. Develop a system to collect information concerning the type, cost, quality and annually consumed quantity of commonly used supplies, materials and equipment ~~and shall purchase such items in as large a quantity as reasonable, where the available information clearly indicates a continuing need for such items. to ensure acquisition, as needed, of quality items at reasonable cost.~~

B. Develop a system to identify surplus, obsolete, or inoperative supplies, materials, and equipment, and to dispose of the same in a reasonable manner, with consideration for donation to public and non-profit entities.

~~B C.~~ Develop a system to maintain current records of the amounts fixed assets purchased and fixed assets surplus and disposed of.

D. Develop standards for determining when quotations or sealed bids should be required for any particular purchase.

3.30.040 Procedure for purchase of tangible personal property.

~~For all purchases of tangible personal property in excess of five thousand dollars (\$5,000.00) The City Purchasing Agent, or designee, shall determine the appropriate informal or formal process to be used in making any particular acquisition, except that purchases, other than single source purchases or specialized equipment purchases, of value in excess of twenty five thousand dollars (\$25,000.00) shall require the use of formal, competitive bidding. If the City Purchasing Agent determines, or is required, to use formal, competitive bidding, the Purchasing Agent shall prepare bid specifications and advertise for bids. In addition, the City Purchasing Agent shall mail invitations to bid to a sufficient number of prospective bidders to elicit adequate competition, such vendors being drawn from established vendor lists and from any other source thought to be of advantage to the City. Formal, competitive bidding shall be subject to the further provisions of sections 3.30.080 through 3.30.350 of this charter.~~

3.30.050 Exceptions to competitive, sealed bid procedures.

A. The City Purchasing Agent is granted authority to let any contract, lease or purchase of material, equipment, services or supplies involving a purchase value less than twenty five hundred thousand dollars (\$500.00) (\$25,000), without advertisement and without competitive bidding ~~provided, that in order to prevent the artificial division of purchase requirements so as to constitute a purchase of less than the said maximum, the City Purchasing Agent shall accumulate and consolidate purchase orders to the greatest extent possible based on the known quantity requirements of the City and ordering departments. However, purchases of value in excess of five thousand dollars (\$5,000) but less than twenty five thousand dollars (\$25,000) shall be reported to the City Council for approval by motion in accordance with the Council's administrative procedures.~~

B. To ensure availability, quality, and reasonable price, In the case of purchases for an amount between five hundred dollars (\$500.00) and five thousand dollars (\$5,000.00), the City Purchasing Agent shall:

1. Obtain telephone and/or written quotations from enough vendors to assure establishment of

a competitive price and to award such contract to the lowest responsible bidder.

2. ~~Immediately after the award is made, the Record bid quotations or proposals obtained shall be recorded and which shall be available to public inspection and shall be available by telephone inquiry.~~

C. Purchases which are ~~clearly and legitimately~~ reasonably limited to a single known source of supply and purchases involving special facilities, services or market conditions may be acquired through direct negotiations with a single vendor.

D. Specialized equipment purchases shall not be subject to formal, competitive bidding, but shall be negotiated and the City Council shall be advised in the same manner as indicated at Subsection A, above.

E. ~~In appropriate circumstances, the City Purchasing Agent may purchase of used equipment from private vendors or public and private entities. at a total price not in excess of two thousand dollars (2,000.00) shall generally be considered to be a purchase within the exceptions to competitive, sealed bid procedures. A City department desiring to purchase used equipment shall be responsible for determining what used equipment is available on the market and for properly recording this search. The purchase request must fully justify the acquisition of used equipment.~~

F. When no bids or proposals are received in response to an invitation to bid or a request for proposals, the City Purchasing Agent is authorized to procure the required item or service through direct negotiations with a vendor or to rebid as the City Purchasing Agent deems appropriate.

3.30.060 Procedure for solicitation and purchase of professional and/or technical service consultant contracts.

A. Professional and/or technical service consultant contracts shall be construed as meaning those in which the City enters into a legal agreement to purchase services requiring special expertise from a corporation, firm, agency, individual or group of individuals who for a fee and based on their recognized expertise, perform a defined service for the City. Examples of such service include, but are not limited to, the following:

1. Financial or administrative studies;
2. Feasibility studies of a scientific or technical nature;
3. Special project management for a defined period of time or result;
4. Management advisory services;
5. Engineering and architectural consulting services;
6. Legal advice and representation.

~~B. Annually, the City Purchasing Agent shall determine the City's anticipated requirements for any category or type of professional/technical service and shall publish an announcement of these requirements. If the City later requires any further, previously unpublished professional/technical services, the City Purchasing Agent shall publish additional announcements on each occasion when such services are required. All such publications shall include a request that professional firms interested in providing those services to the City submit a statement of qualifications and performance data to be placed on file.~~

~~C. B.~~ Prior to entering into a professional/technical services contract, the requesting department or the City

Purchasing Agent, when appropriate, shall evaluate all statements on file, together with those that may be submitted by other firms and shall conduct discussions with one or more firms regarding anticipated concepts and the relative usefulness of alternative methods or approaches.

~~Ð C.~~ The City Purchasing Agent shall then develop, with the requesting department, the written criteria which will be used to determine which professional/technical firm to recommend for contract award. Such criteria shall include, but not be limited to, the following:

1. Quality of past performance;
2. Known and documented expertise;
3. Documentation, as required, and demonstration of financial capability to perform required work;
4. Cost of performance, where appropriate.

~~E D.~~ ~~In addition, if formal requests for proposals or requests for qualifications are deemed appropriate in soliciting and awarding professional and/or technical service contracts having a value to the contractor in excess of five thousand dollars (\$5,000.00), the City Purchasing Agent Manager, or designee shall:~~

1. Develop bid specifications or a project description in the form of a request for proposal in concert with the requesting department;
2. Publicly advertise the request for proposals and the name of the contact person from whom the project specifications shall be available;
3. Rank the proposals submitted based upon the criteria set forth in subsection ~~Ð C.~~ above, and submit the ranked proposals to the City Council with appropriate recommendations.

~~F E.~~ The City Council shall then select the consultant to be awarded the contract; provided, that in the event the City ~~Purchasing Agent Manager~~ fails to negotiate satisfactory terms with the selected consultant, with consent of the City Council, the City ~~Purchasing Agent Manager~~ shall then begin negotiations with the next highest ranked consultant.

Section 2. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 22nd day of April, 1997, and signed in authentication thereof on this 22nd day of April, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1008

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending provisions of the City Zoning Code relating to manufactured housing.

WHEREAS, Title 15 of the SeaTac Municipal Code, known as the Zoning Code, permits the siting of "manufactured/modular homes", constructed in compliance with Uniform Building Code (UBC) standards, in the Mobile Home Park (MHP) zone, and by conditional use permit in UL, UM, and UH zones; and

WHEREAS, "mobile homes", constructed in compliance with Department of Housing and Urban Development (HUD) standards, are currently permitted in MHP zones and, by conditional use permit, in UM and UH zones but are not permitted in UL zones; and

WHEREAS, the National Manufactured Home Construction and Safety Standards Act has preempted state, county and city authority to regulate standards of construction and safety not identical to the Federal Standards established by HUD, applicable to what were known as "mobile homes", but are now defined by the Act as "manufactured homes", (i.e., a mobile home manufactured to HUD standards since 1976); and

WHEREAS, siting or zoning restrictions which impact manufactured (mobile) homes based upon construction or safety standards differing from the HUD standards are likely invalid based upon the Federal preemption; and

WHEREAS, the City Council finds that siting or zoning restrictions applied against manufactured homes, meeting the HUD standards, and against modular (factory-built) homes, meeting the UBC standards, but not applied against on-site construction meeting UBC standards, do not bear a substantial relation to the public safety, health, or welfare; and

WHEREAS, the Council further finds that single family detached dwellings, of any type of construction, are not appropriate in UH zones;

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

Section 1. Section 15.10.210 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.210 Dwelling unit, manufactured home.

A detached building containing one dwelling unit for a family ~~located permanently affixed~~ on a permanent foundation, constructed ~~off-site and assembled on-site~~ within HUD standards, as defined at 24 CFR Part 3280.

Section 2. Section 15.10.215 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.215 Dwelling unit, mobile home.

A detached building containing one dwelling unit for a family, but not constructed within HUD standards, with running gear, attached or detachable, that allows it to be ~~readily~~ relocated.

Section 3. A new Section 15.10.217 is hereby added to the SeaTac Municipal Code, to read as follows:

15.10.217 Dwelling unit, modular home.

A detached building containing one dwelling unit for a family located on a permanent foundation, constructed within UBC standards, but constructed off-site and assembled on-site. This term is identical to "factory-built home".

Section 4. A new Section 15.10.225 is hereby added to the SeaTac Municipal Code, to read as follows:

15.10.225 Dwelling unit, single detached.

A detached building containing one dwelling unit for a family. Such a building may be constructed on-site, or may be a manufactured home or modular home.

Section 5. The graphic representation at Section 15.12.020 of the SeaTac Municipal Code is hereby amended to read as follows:

Section 6. Section 15.26.015 of the SeaTac Municipal Code is hereby amended to read as follows:

15.26.015 Definitions.

~~The following definitions are for the purposes of this chapter exclusively.~~

~~Leasable Space. That area within mobile home parks designated on an approved master plan as lots for locating mobile home units with utility hook-ups.~~

~~Manufactured/Modular Home. A detached building containing one (1) dwelling unit for a family located on a permanent foundation as approved by the City, constructed off-site according to the adopted UBC, and assembled on-site without running gear.~~

~~Mobile Home. A detached building containing one (1) dwelling unit for a family, constructed within HUD standards, with running gear, attached or detachable, that allows it to be readily relocated and set above ground level with skirting.~~

~~Recreational Vehicle (RV). A vehicle designed primarily for recreational camping, travel or seasonal use which has its own power or is towed by another vehicle, limited to: motor home and travel trailer/camping trailer (applicable to this chapter only).~~

~~Utility Hook-Ups. The minimum required utility hook-up apparatus (pursuant to city approval) including, but not limited to: sanitary sewer hook-up, water hook-up and electrical hook-up services.~~

Section 7. Section 15.26.020 of the SeaTac Municipal Code is hereby amended to read as follows:

15.26.020 Modular and manufactured homes—Standards for locating on individual lots.

~~A. Modular and manufactured homes may be located within the UL and UM, ~~and UH~~ zone classifications, provided the following conditions are met:~~

~~1. The home must be ~~pit set or placed flush on a permanent cement foundation at ground level (no skirting allowed)~~ shall be installed in accordance with the manufacturer's instructions, in accordance with the requirements of Chapter 296-150A or Chapter 296-150M WAC, as applicable, and shall be hooked up to all utility services;~~

~~2. The home shall have a pitched roof with a slope no less than a three (3) inch rise to a twelve (12) inch run. The roof must be an integral part of the home; and shall be made of either composition, shakes, shingles, or tile;~~

2. The home ~~should~~ must meet the required sound insulation standards as set forth by applicable Federal Aviation Administration Regulations ~~the Port of Seattle~~ when located within established noise remedy zones;

3. Minimum size shall be ~~24 feet x 40 feet in width and length~~ 864 square feet;

4. The home shall have exterior siding and skirting similar in appearance to siding materials commonly used on conventional site-built uniform building code single-family residences.

5. ~~The unit shall be taxed as real property;~~

6. ~~The units shall be eligible for FHA mortgage;~~

~~B. Any mobile home that is removed from an individual residential lot due to violation of City Codes, physical deterioration, or by the owner's free-will may be replaced with a manufactured home.~~

Section 8. Section 15.26.025 of the SeaTac Municipal Code is hereby repealed.

Section 9. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 27th day of May, 1997, and signed in authentication thereof on this 27th day of May, 1997.

CITY OF SEATAC

Kathy Gehring, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1009

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 15.10.360, 15.10.625, 15.12.020, 15.13.110 B., 15.14.040, 15.14.130, 15.15.030, and 15.15.110 B and adding new Sections 15.14.125, 15.15.100 J., and 15.15.100 K. of the SeaTac Municipal Code.

WHEREAS, since the adoption of the initial zoning code of the City of SeaTac, the City has adopted a city-wide comprehensive plan pursuant to the Growth Management Act, and has further amended the zoning code by subsequent ordinances; and,

WHEREAS, in order to better meet the needs of the City and to provide development regulations which are responsive to the needs of the City, the zoning code requires periodic review and amendment; and,

WHEREAS, in connection with the review of the zoning code, certain classifications, land uses and standards have been identified as needing definition and greater clarity; and,

WHEREAS, the Planning Commission of the City of SeaTac has completed a thorough review of the zoning code, and has held public hearings for the purposes of soliciting public comment regarding zoning code changes, and has recommended certain changes to the City Council for amendment of the City's zoning code;

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

Section 1. Section 15.10.360 of the SeaTac Municipal Code is hereby amended to read as follows:

15.160.360 Kennel.

An commercial establishment, ~~generally retail in nature~~, which houses, cares for, breeds, raises or sells dogs or cats. Four (4) or more adult dogs or cats or any combination thereof, constitute a kennel. Small animal hospitals and clinics and up to two (2) dwelling units, to be used as manager/caretaker residences, either attached or detached, from the kennel are included. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four months

Section 2. Section 15.10.625, Street, Private of the SeaTac Municipal Code is hereby amended to read as follows:

15.16.625 Street, Private.

Any easement, tract or street, for ingress and egress which is not a public street. ~~For purposes of this Code, a private street will be considered as being a public street for determining setback provisions.~~ Driveways which are not part of an easement, tract, or street, for ingress and egress shall not be considered a street.

Section 3. The graphic representation at Section 15.12.020 of the SeaTac Municipal is hereby amended to read as follows:

* See Chapter 15.13 for additional development standards.

(1) Accessory living quarters permitted with the following restrictions (Ref. 15.10.016)

A. No more than 45% of the total square footage in the main dwelling unit;

B. Must be contained within the primary dwelling or significantly attached to the primary dwelling;

C. Primary dwelling must be owner-occupied;

D. Kitchen permitted as component.

(2) Standards for Bed & Breakfast:

A. Number of guests limited to six (6), with no more than three (3) bedrooms;

B. Parking area for three (3) non-resident vehicles, and screened;

C. Proof of King County Health Department approval;

D. Breakfast is only meal served for paying guest.

(3) Standards for Transitional Housing:

A. No more than five (5) non-support people;

B. No more than two (2) support people;

C. Parking area to be screened and not visible from public streets;

D. House shall maintain residential character with no outward change of appearance beyond upgrades.

(4) A park outside established or proposed mobile home park zone is permitted after approval through the CUP process.

(5) Limited to 1,000 gsf and a 20 foot height limit (highest point).

(6) See Section 15.17 for standards and limitations.

(7) Efficiency Unit permitted within primary dwelling, not exceeding 25% of gross square feet of dwelling.

(8) Ground floor uses must be retail service or commercial uses as described in 15.13.107.

(9) See definition in Chapter 15.26.015 for additional development standards.

(10) For new development and redevelopment residential projects that are located in the UH-UCR zone, at least 50 percent of the building's ground floor shall be a retail, service, or commercial use as described in 15.13.107.

11. Only on property owned by the Port of Seattle or within the area bounded by S. 188th St. to the north, S. 192nd St. to the south, 28th Ave. S. to the east, and 24th Ave. S., as extended, to the west.

(12) Domestic Animals allowed. See Definition 15.10.180.

Section 42. Section 15.13.110 B. of the SeaTac Municipal Code d. is hereby amended to add read as the followings:

15.13.110 B. Standards Applicable to the CB-C, UH-UCR AND O/CM Zones.

Unless otherwise stated, the following standards will apply to properties zoned Community Business that are located in the Urban Center (CB-C) as defined in Section 15.10.660 and delineated on the City of SeaTac Official Zoning Map and to all properties zoned Office/Commercial Medium (O/CM), and Urban High - Urban Center Residential (UH-UCR).

1. **Maximum Front Yard Setback.** The following maximum setback standard will apply to properties zoned CB-C, O/CM and UH-UCR.

a. In addition to the minimum front yard setback specified in Section 15.13.010, a maximum front yard setback of ten feet (10') shall be applied to new development and major redevelopment. A maximum front yard setback of ten feet (10') shall mean that the edge of the primary building shall be located no further than ten feet (10') from the property line.

b. If a building is on a corner lot and abuts more than two streets, the maximum front yard setback will apply to two streets only; the setback will apply to the two streets with the highest roadway

classification as defined by the SeaTac Comprehensive Plan. If three or more streets have the same roadway classification, then the property owner shall select the two streets to which the maximum front yard setback shall be applied.

c. For through lots, the maximum front yard setback requirements shall apply to the street with the highest roadway classification as defined by the SeaTac Comprehensive Plan. If both streets have the same roadway classification, then the property owner shall determine the location of the front yard.

d. Exceptions to the maximum building setback shall be granted for:

i. Auto sales/rentals, and other outdoor sales;

ii. Car washes;

iii. Communications facilities;

iv. Utility substations;

v. Auto service stations; ~~and~~

vi. Site designs, approved by the City Manager or designee, that are intended to enhance pedestrian convenience and activity; and

vii. Toll Booths

2. Landscaping. Except as otherwise provided in this subsection, landscaping shall be required in conformance with Section 15.14 of the SeaTac Municipal Code.

a. Alternative Landscaping on street frontages in the CB-C, O/CM and UH-UCR zones. In order to create a building-sidewalk relationship that promotes pedestrian access and activity, the following landscaping standard will apply to the street frontages of properties zoned CB-C, O/CM, and UH-UCR. Where the building setback is smaller than the width of the street frontage landscaping normally required for a use per Section 15.14.060, the width of the street frontage landscaping shall be reduced to correspond with the building setback and the following alternative landscaping shall be required:

i. 50% of the amount of landscaping normally required along the street frontage shall be placed into plazas, roof-top gardens, and other pedestrian amenities (such as restrooms) accessible to the public during business hours. Additionally, street trees shall be planted within the public right-of-way in locations and amounts to be determined by the City Manager or designee.

ii. A percentage of the street frontage landscaping requirements will be waived for placing parking

underground. Excluding the requirement for street trees, up to a maximum of 80% of the alternative landscaping will be waived, on a percentage-by-percentage basis, for placing parking underground (e.g., placing 75% of the site's required parking underground would meet 75% of the square footage portion of the alternative landscaping requirement.)

b. Bufferyard Requirements in the ABC zone. Bufferyard requirements shall be as stated in Section 15.14.060 except as follows:

In the ABC zone, Type III landscaping, fifteen (15) feet wide berm to conceal service areas, backs of buildings, and parking areas from street level view.

Section 53. A new subsection J is hereby added to Section 15.14.040 of the SeaTac Municipal Code, to read as follows::

15.14.040 General Landscape Requirements.

J. The area of vehicle overhangs into landscaped areas shall not be counted towards required landscaping.

Section 64. Section 15.14.130 of the SeaTac Municipal Code is hereby amended to read as follows:

15.14.130 Street Landscaping.

Street trees, shrubs, and/or groundcover shall be planted along the property frontage within City right-of-way adjacent to the subject property. The type and location of plantings shall be determined by the City Manager or designee. Street trees shall be planted on a maximum of thirty (30) feet on center and to be a minimum 2 2 inch caliper upon planting. Upon review and approval by the City Manager or designee, street landscaping and street frontage landscaping may be combined and be variable widths, no less than five (5) feet, provided the total required amount of the street landscaping and street frontage landscaping is located on-site.

Section 75. Section 15.15.030 of the SeaTac Municipal Code is hereby amended to read as follows:

USE#	LAND USE	MINIMUM SPACES REQUIRED

	GENERAL SERVICES USES	
048	Kennel	<u>1 per 250 sf</u> <u>1 space per 12 animal enclosures</u> <u>1 space per 250 sq. ft. of retail sales area</u> <u>2 spaces for a dwelling unit.</u>

Section 86. Section 15.15.110 B of the SeaTac Municipal Code . is hereby amended to read as follows:

15.15.110 Off-Street Parking Construction Standards.

B. Asphalt-surfaced parking areas shall have parking spaces marked by surface paint lines or a suitable substitute traffic marking material in accordance with the Washington State Department of Transportation Standards. Wheel stops are required where a parked vehicle would encroach upon adjacent property, pedestrian access, circulation areas or landscaping areas. Typically approved markings and wheel stop locations are illustrated on the following page. A vehicle overhang may be allowed into the landscaped area, provided the area of the vehicle overhang is not counted towards required landscaping.

Section 97. A new Section 15.14.125 is hereby added to Section 15.14.125 is hereby added to the SeaTac Municipal Code, to read as follows:

15.14.125 Street Frontage Landscaping

Street frontage landscaping shall be installed on the subject (private) property and is separate from street landscaping as described in Section 15.14.130 fo the SMC.

Section 810. A new Subsection J Section 15.15.100 J. is hereby added to Section 15.15.100 of the SeaTac Municipal Code, to read as follows:

15.15.100 Off-Street Parking Plan Design Standards.

J. In determining the length of an off-street parking stall as required under Sections 15.15.100 C and E, overhangs from a wheel stop as required under Section 15.15.110 B. and illustrated in Figure 15.15.110b may be included.

Section 119. A new Subsection 15.15.100 K. is hereby added to Section 15.15.100 of the SeaTac Municipal Code, to read as follows:

15.15.100 Off-Street Parking Plan Design Standards.

K. Compact parking stalls shall not be allowed across drive aisles from each other except under the following circumstance: Compact parking stalls may be located across drive aisles from each other provided that the applicant/business owner/land owner institutes a parking lot management plan, approved by the Director of Planning and Community Development, that would designate only compact cars to compact off-street parking spaces. The approved plan shall be filed as a covenant running with the property for as long as the parking lot layout provides for compact off-street parking spaces across drive aisles from each other.

Section 120. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this day of , 1997, and signed in authentication thereof on this day of , 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1010

AN ORDINANCE of the City Council of the City of SeaTac, Washington adding a new Section 15.12.015 and amending Section 15.10.625 of the SeaTac Municipal Code in regard to zoning definitions and uses.

WHEREAS, the Department of Planning and Community Development brought to the Council on June 3, 1997, Agenda Bill No. 1390 which related to amending of the Zoning Code to provide clarification to certain sections; and

WHEREAS, the Council directed staff to remove therefrom a provision relating to domestic animals and a provision relating to the definition of private streets for further consideration by the Land Use, Parks and Economic Development Committee; and

WHEREAS, the Council subsequently adopted the remaining provisions of the agenda bill as Ordinance No. 97-1009; and

WHEREAS, the Land Use, Parks and Economic Development Committee reviewed the remaining two provisions on June 12, 1997, and recommended adoption;

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

Section 1. Section 15.10.625 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.625 Street, Private.

Any easement, tract or street for ingress and egress which is not a public street. ~~For purposes of this Code, a private street will be considered as being a public street for determining setback provisions.~~ Driveways which are not part of an easement, tract, or street for ingress and egress shall not be considered a street.

Section 2. A new Section 15.12.015 is hereby added to the SeaTac Municipal Code, to read as follows:

15.12.015 Domestic Animals.

Domestic animals as defined and limited at Section 15.10.180 of this Code, are permitted outright in all zone classifications within the City.

Section 3. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this day of , 1997, and signed in authentication thereof on this day of , 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1011

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending the Zoning Code to modify continuing use of the public agency yard and to establish an administrative procedure for minor conditional use permits.

WHEREAS, the Zoning Code provides for certain uses within the various zoning classifications subject to issuance of a conditional use permit; and

WHEREAS, the existing conditional use permit process is appropriate for substantial projects, developments, and uses, but may be overly burdensome as to uses which are minor in relation to the outright permitted uses within a zoning classification, and as to expansion of existing conditional uses; and

WHEREAS, the Council's Land Use, Parks and Economic Development Committee considered these matters at its June 12, 1997, pursuant to referral by the Council at its Study Session of June 3, 1997, and has recommended approval of the said changes and additions; and

WHEREAS, the Council finds the proposed modifications of City development regulations to be consistent with the City's Comprehensive Plan;

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

Section 1. Section 1.20.110 of the SeaTac Municipal Code is hereby amended to read as follows:

1.20.110 Decision of the examiner which are final.

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

- A. Applications for major conditional use permits;
- B. Applications for variances;
- C. Applications for shoreline permits when a public hearing is required;
- D. Appeals from the decision of the City Manager or designee on applications for short subdivisions and lot line adjustments;
- E. Appeals from threshold determinations concerning applications not subject to Council action;
- F. Appeals from notices and orders issued as code enforcement actions;
- G. Appeals from decisions regarding the abatement of nonconforming uses;
- H. Appeals from administrative decisions or determinations by City officials where the governing ordinance provides for an appeal to the Examiner;
- I. Other applications or appeals which the Council may prescribe by ordinance;

Appeal for a sign amortization extension. (Ord. 96-1008 § 4; Ord. 95-1012 § : Ord. 90-1045 § 10)

J. Appeals from administrative decisions regarding minor conditional use permits.

Section 2. Section 12.10.030 of the SeaTac Municipal Code is hereby amended to read as follows:

12.10.030 Drainage review - When required.

- A. Permits. A drainage review is required for any proposed project requiring one of the permits

or approvals listed in subsection B of this section which would:

1. Add more than five thousand (5,000) square feet of new impervious surface; or
2. Collect and concentrate surface and storm water runoff from a drainage area of more than five thousand (5,000) square feet; or
3. Contain or abut a flood plain, stream, lake, wetland or closed depression, or a sensitive area as defined by ordinance or as determined by the City Manager, or designee.

B. The following permits and approvals will be required to have a drainage review if the project involves the planned actions listed in subsection A of this section:

1. Commercial building;
2. Major Conditional use;
3. Formal subdivision (plat);
4. Grading;
5. Master plan development;
6. Planned unit development;
7. Residential building;
8. Right-of-way use;
9. Shoreline substantial development;
10. Administrative subdivision (short plat);
11. Special use;
12. Unclassified use;
13. Zoning reclassification; and/or
14. Zoning variance.

Section 3. Section 15.10.140 of the SeaTac Municipal Code is hereby amended to read as follows:

1. - Conditional Use, Major.

A use which is not permitted outright in a zone classification due to the nature of impacts created by the use, only after review and approval by the Hearing Examiner under specific conditions based upon decision criteria of Section 15.22.030 of this Title. ~~Conditional uses are such that they may be compatible only under certain conditions in specific locations in a zone classification, or if the site is regulated in a certain manner in order to achieve the purposes of this title.~~

Section 4. A new Section 15.10.142 is hereby added to the SeaTac Municipal Code, to read as follows:

1. Conditional use, Minor.

The expansion of an existing and authorized major conditional use within a zone classification, after review and approval by the City Manager or designee. Minor conditional uses are those which are compatible with the preexisting major conditional use and satisfy the requirements of Section 16.03.050 of this Code.

Section 5. Section 15.12.050 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.050 Government/office, business uses.

ZONES:		UM - Urban Medium Density	I - Industrial/Manufacturing				
P - Park		UH - Urban High Density	O/CM - Office/Commercial Medium				
AU - Airport Use		NB - Neighborhood Business	BP - Business Park				
MHP - Mobile Home Park		CB - Community Business					

UL - Urban Low Density		ABC - Aviation Business Center											
P- Permitted Use; C - Conditional Use Permit													
ZONES													
USE #	LAND USE	P	AU	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP
GOVERNMENT/OFFICE USES													
O71	Social Service Office		P(6)				C(*)	P	P(*)	P(*)	P	P(*)	C(1,*)
O72	Public Agency Office		P(6)				P(*)	P	P(*)	P(*)	P	P(*)	C(1,*)
O73	Public Agency Yard	C(2)	P(5)		P(4)				P(*)	C(*)	P	C(*)	C(*)
O74	Public Archives	C(3)	C					C	P(*)	P(*)	P	P(*)	C(*)
O75	Court		P						P(*)	P(*)	P	P(*)	C(1,*)
O76	Police Facility	P	P		C	P	P(*)	P	P(*)	P(*)	P	P(*)	P(*)
O77	Fire Facility	P	P		C	P	P(*)	P	P(*)	P(*)	P	P(*)	P(*)
O79	Helipad/Airport & Facilities		P(5)								P		
O80	Utility Use		P		C	C	C(*)	C	C(*)	P(*)	P	C(*)	C(*)
O81	Utility Substation		P				C(*)	C	P(*)	P(*)	P	C(*)	C(*)
O82	Financial Institution		P(6)					P	P(*)	P(*)	P	P(*)	C(1,*)
BUSINESS SERVICES USES													
O86	Construction/Trade		C(5)						C(*)	P*(1)	P	C(*)	
O87	Truck Terminal		C(5)						C(*)	P(1,*)	P	C(*)	
O88	Airport Support Facility		P							P(*)			
O89	Warehouse/Storage		P					C	C(*)	P(*)	P	C(*)	P(*)
O90	Professional Office		P				P(*)	P	P(*)	P(*)	P	P(*)	P(1,*)
O91	Heavy Equipment Rental		C(5)							C(*)	P		
O92	Misc. Equipment Rental Facility							C	P(*)		P	P(1,*)	
O93	Auto Rental/Sales		P						P(*)	P(1,*)	P	C(1,*)	
O94	Public/Private Parking		P					C	P(*)	P(*)	P	C(1,*)	
O95	Motor Freight Repair		C(7)								P		
O96	Heavy Equipment Repair		P(7)								P		
O97	R & D/Testing		P(5)					C	C(*)	P(*)	P	C(*)	P(*)
O98	Commercial/Industrial Accessory Uses		C(5)					P	P(*)	P(*)	P	C(*)	

* See Chapter 15.13 for additional development standards.

(1) Accessory to primary use not to exceed 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 non-park purposes, provided that the facility shall be no more expansive than that which is reasonably expected to be needed for park maintenance when park facilities are fully developed.

(3) A public archives facility located on property within the park zone is limited to existing structures.

(4) Applies only to City of SeaTac Public Works Maintenance Facility located at the Glacier High School site, on an

interim basis. The City of SeaTac shall be allowed to expand the maintenance facility at that site to the extent authorized by the City Council; ~~provided that the maintenance facility at that site shall not be used beyond July 1, 1997.~~ until such time as a replacement facility at another site is operational.

(5) Only on property owned by the Port of Seattle.

(6) Inside airport terminal facilities only.

(7) Airport/aviation related only.

Section 6. Section 15.12.080 of the SeaTac Municipal Code is hereby amended to read as follows:

1. Hazardous materials.

- A. On-site hazardous waste treatment and storage activity generating hazardous waste is considered an accessory use to permitted uses within this land use chapter, provided that such facilities meet the state siting criteria adopted pursuant to the requirements of RCW 70.105.210.
- B. Off-site hazardous waste treatment and storage may be permitted as a major conditional use in the Industrial (I) zone district, provided that such facilities meet the state siting criteria adopted pursuant to the requirements of RCW 70.105.210.

Section 7. Section 15.21.095 of the SeaTac Municipal Code is hereby amended to read as follows:

Section 15.21.095 Reuse of nonresidential facilities - General standards.

Upon major conditional use permit review and approval an interim or permanent reuse of surplus, nonresidential facilities in residential zone classifications shall require that no more than 50% of the original floor area may be demolished for either permanent or interim reuse of facilities.

Section 8. Section 15.21.100 of the SeaTac Municipal Code is hereby amended to read as follows:

1. Reuse of facilities - Reestablishment of closed public school facilities.

Upon major conditional use permit review and approval the reestablishment or reconversion of an interim nonschool use of school facilities back to school uses shall have a site plan approved by the Hearing Examiner decision and administered by the City Manager, or designee.

Section 9. Section 15.21.100 of the SeaTac Municipal Code is hereby amended to read as follows:

15.21.110 Reuse of facilities - Standards for conversion of historic buildings.

In order to insure that significant features of the property are protected pursuant to City Codes, the following standards shall, through the major conditional use permit review, apply to conversion of historic buildings:

- A. Gross floor area of building additions or new buildings required for the conversion shall not exceed 20% of the gross floor area of the building, unless allowed by the zone classifications;
- B. Conversions to apartments shall not exceed one (1) dwelling unit for each 3,600 square feet of lot area, unless allowed by the zone classifications;
- A. Any construction required for the conversion shall require certification of appropriateness from the City and the King County Landmark Commission.

Section 10. Section 15.22.030 of the SeaTac Municipal Code is hereby amended to read as follows:

1. Conditional use permit (CUP).

A. A major conditional use permit (CUP) is a permit granted by the Hearings Examiner which sets special conditions regarding a use in a zone where the use is not permitted outright due to the nature of impacts created by the use.

B. A minor conditional use permit is a permit granted by the City Manager, or designee, to allow the expansion of an existing legal conditional use, pursuant to the criteria set forth in Section 16.03.050 of this Code.

C. The CUP process is a means of imposing special conditions and requirements on development, so that the compatibility of uses shall be maintained considering other existing and potential uses within the general area where the conditional use is proposed. Conditions imposed on a CUP will reasonably assure that a nuisance or hazard to life or property will not occur. The CUP process is not a means to reduce the requirements of a ~~district~~ zone classification where the conditional use is proposed.

~~B.D.~~ The applicant must show that the proposed development satisfies all of the following criteria for approval by the Hearing Examiner or City Manager, or designee:

1. The proposed use is listed as a Conditional Use under the zone classification use charts, Chapter 15.12 of this code;
2. The site is adequate in size and shape for the proposed project and the use conforms to the general character of the neighborhood;
3. The unique character of topography, arterial streets and adjacent land use complement the proposed conditional use;
4. The conditional use would not be detrimental to surrounding land use;
5. Modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this code;
6. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
7. The conditional use will be supported by adequate public facilities or services, and will not adversely affect public services to the surrounding area unless conditions can be established to mitigate adverse impacts.

Section 11. Section 15.29.020 of the SeaTac Municipal Code is hereby amended to read as follows:

Section 15.29.020 Establishments permitted.

Adult entertainment establishments shall be permitted by a major conditional use permit in commercial and industrial zones pursuant to the City of SeaTac Comprehensive Plan and

zoning ordinances or any subsequent amendments by the City Council thereafter, as determined by the locational standards for adult entertainment.

Section 12. Subsection I of Section 15.30.220 of the SeaTac Municipal Code is hereby amended to read as follows:

Section 15.30.220 Flood fringe - Development standards and permitted alterations.

I. Critical facilities may be allowed within the flood fringe of the floodplain, but only when no feasible alternative site is available. Critical facilities shall be evaluated through the major conditional use permit process. Critical facilities constructed within the flood fringe shall have the lowest floor elevated to three (3) or more feet above the base flood elevation. Flood-proofing and sealing measures shall be taken to ensure that hazardous substances will not be displaced by or released into the floodwaters. Access routes elevated to or above the base flood elevation shall be provided to all critical facilities from the nearest maintained public street or roadway.

Section 13. Section 16.03.050 of the SeaTac Municipal Code is hereby amended to read as follows:

Section 16.03.050 City Manager or designee.

The City Manager or designee shall review and act on the following:

A. Variances to the provisions of Chapters 14 and 15 of the SMC where the change does not exceed ten (10%) percent of the distance, area, or other measure of the requirement of City Code, provided:

1. The requested requirement change does not reasonably involve a life/safety issue nor does it reasonably involve damage to or loss of property of any person or entity.
2. The person or entity requesting the requirements change shall agree to waive his/her /its right to pursue a variance or other process to seek an alternative to the requirements of the City Code, provided that if no change in the requirements of the City Code is granted to such person or entity, the person or entity would be entitled to pursue a variance or other available procedure, in the normal course.

B. Minor conditional use permits (CUP) which conform to the following criteria:

1. A "Minor CUP" shall only be allowed upon request to expand an existing, legal conditional use which has previously been permitted within the zone classification.
2. The requested expansion of the existing conditional use is no greater than 20% of the gross floor area or gross area of the existing conditional use.
3. The requested "Minor CUP" is exempt from environmental review under the State Environmental Policy Act (SEPA).
4. The minor conditional use must conform to the criteria as set forth under Section 15.22.030 of this Code.
5. The minor conditional use must conform to all other requirements

of this Code.

~~B.C.~~ The City Manager or ~~his~~ designee is vested with and authorized to exercise the discretion to decide all such requests for changes in the requirements of the City Code pursuant to this section. The review of ~~these applications for variances and minor conditional use permits~~ shall be pursuant to the criteria listed in ~~SMC Section 15.22.020 and Section 15.22.030 of the SMC~~ this Code.

Section 14. Section 16.03.090 of the SeaTac Municipal Code is hereby amended to read as follows:

Section 16.03.090 Hearing Examiner.

The Hearing Examiner shall review and act on the following subjects. In all cases, the Hearing Examiner's decision shall be final unless appealed to the City Council or Superior Court ~~as outlined in SMC~~ pursuant to Sections 1.20.090 and 1.20.110 of this Code:

- A. Major Conditional Use Permits;
- B. Variance Requests;
- C. Preliminary Subdivisions;
- D. Preliminary Planned Unit Development;
- E. Individual requests for rezones of properties, not including the rezone of properties initiated by the City;
- F. Applications for Shoreline Permits when a public hearing is required;
- G. Appeals from the decisions of the City staff on applications for short subdivisions;
- H. Appeals from the decisions of the City staff on applications for lot line adjustments (LLA);
- I. Appeals from threshold determinations concerning applications not subject to Hearings Examiner action;
- J. Appeals from administrative decisions or determinations by City officials where the governing ordinance provides for an appeal to the Examiner;
- K. Appeals from notices and orders issued as code enforcement actions;
- L. Appeals from decisions regarding the abatement of nonconforming uses;
- M. Other applications or appeals which the Council may prescribe by ordinance;
- N. ~~Appeals for a sign amortization extension.~~ Appeals from administrative decisions regarding minor conditional use permits.

Section 15. Subsection B Section 16.07.010 of the SeaTac Municipal Code is hereby amended to read as follows:

Section 16.07.010 Notice of development actions.

- B. The notice of development application shall be at a minimum:
 - 1. Posted on the subject property. Posting in three (3) public places where ordinances are posted and at least two (2) notices on the subject property. One (1) of the notices on the

property shall be posted on a "notice board" at a conspicuous place where it can be viewed from the public right-of-way and by persons passing by the property. Such "notice board" may be located adjacent to the property upon approval of the City Manager or his designee. The City Manager or his designee may require additional notice boards when a site does not abut a public right-of-way or as determined to be necessary. The posting shall be on site for at least thirty (30) days. The "notice board" shall have the minimum following dimensions: The notice board shall be four (4) feet by five (5) feet and shall have a sky blue background with white lettering. Lettering size shall be the following:

- a. Helvetica or similar standard type face;
- b. Three (3) inch capital letters for the following title:

NOTICE OF PROPOSED

LAND USE ACTION

[Graphic representation unchanged]

- c. Two (2) inch capital letters for all other letters except for the 8.5 by 11-inch laminated City notice sheet provided by the City.

The property owner or his/her representative shall be responsible for the installation of the "notice board". An affidavit shall be submitted to the City by the property owner or his/her representative stating when the "notice board" has been installed and the location of the "notice board".

2. Published once in a newspaper of general circulation.
3. Adjacent property owners within 500 or 1,000 feet of the exterior property line shall be notified by first class mail, at a minimum, based on the following criteria:
 - a. For the following actions, adjacent property owners within 500 feet shall be notified:
 - i. All actions normally exempt from SEPA review, but which require SEPA review due to "sensitive areas" on site (i.e., construction of a single-family house);
 - ii. All actions within "shoreline" jurisdiction that normally are exempt from SEPA review, but require SEPA review due to being subject to shoreline regulations (i.e., construction of a single-family house).
 - [iii. Minor Conditional Use permits.](#)
 - b. For the following actions, adjacent property owners within 1,000 feet shall be notified:
 - i. All other actions requiring an NOA that do not meet the criteria listed above;
 - ii. Short plats.

The property owner or his/her representatives shall be responsible for providing the envelopes as required by the minimum applications requirements as outlined in SMC 16.05.040.

Section 16. Section 16.07.020 of the SeaTac Municipal Code is hereby amended to read as follows:

Section 16.07.020 Notice of administrative approvals.

Notice of administrative approvals subject to notice ~~under SMC~~ pursuant to Section 16.09.020 of this Title shall be made as follows:

A. Notification of Preliminary Approval. The City Manager or ~~his~~ designee shall notify the adjacent property owners within ~~a the minimums set forth at Section 16.07.010 of 1000 feet from the exterior property line of the subject property~~ of his intent to grant approval. Notification shall be made by first class mail only. The notice shall include:

- 1 . A description of the preliminary approval granted, including any conditions of approval.
2. A place where further information may be obtained.
- 3 . A statement that final approval will be granted unless an appeal requesting a public hearing is filed with the City Clerk within ten (10) days of the date of the notice.

Section 17. Section 16.07.030 of the SeaTac Municipal Code is hereby amended to read as follows:

Section 16.07.030 Notice of public hearings.

Notice of a public hearing for all development applications and all open record appeals shall be given as follows:

A. Time of Notices: Except as otherwise required, public notification of meetings and hearings ~~under SMC~~ pursuant to Titles 13 through 16 of this Code, shall be made by:

1 . Publication at least fourteen (14) days before the date of a public meeting, hearing, or pending action in the official newspaper ~~if one has been designated or a newspaper of general circulation in the City~~; and

2. Mailing at least fourteen (14) days before the date of a public meeting, hearing, or pending action to all property owners as shown on the records of the County Assessor and to all street addresses of properties within a minimum of 500 or 1,000 feet of the exterior boundaries of the property which is the subject of the meeting or pending action. Addressed, pre-stamped envelopes shall be provided by the applicant as required by ~~SMC~~ Section 16.05.040 of this Title. Additional notification to property owners beyond 500 or 1,000 feet may be required at the discretion of the City Manager or ~~his~~ designee. The criteria for determining the area of notification is listed below.

Adjacent property owners within 500 or 1,000 feet of the exterior property line shall be notified by first class mail, at a minimum, based on the following criteria:

a. For the following actions, adjacent property owners within 500 feet shall be notified:

i. All actions normally exempt from SEPA review, but which require SEPA review due

to "sensitive areas" on site (i.e. construction of a single-family house);

ii. All actions within "shoreline" jurisdiction that normally are exempt from SEPA review, but require SEPA review due to being subject to shoreline regulations (i.e. construction of a single-family house);

iii Variances;

iv Home occupation permits;

v. Special home occupation permits;

vi. Temporary use permits;

vii Lot line adjustments;

viii Appeals from administrative decisions regarding minor conditional use permits.

b. For the following actions, adjacent property owners within 1,000 feet shall be notified:

i. All other actions requiring an NOA that do not meet the criteria listed above;

ii. Short plats; and

3. Posting at least fourteen (14) days before the meeting, hearing, or pending action in three (3) public places where ordinances are posted and at least two (2) notices on the subject property. One (1) of the notices on the property shall be posted on a "notice board" at a conspicuous place where it can be viewed from the public right-of-way and by persons passing by the property. Such "notice board" may be located adjacent to the property upon approval of the City Manager or his designee. The City Manager or his designee may require additional notice boards when a site does not abut a public right-of-way or as determined to be necessary. The posting shall be on site for at least thirty (30) days; and

4. The "notice board" shall have the minimum following dimensions: The notice board shall be four (4) feet by five (5) feet and shall have a sky blue background with white lettering. Lettering size shall be the following:

a. Helvetica or similar standard type face;

b. Three (3) inch capital letters for the following title: "NOTICE OF PROPOSED LAND USE ACTION";

c. Two (2) inch capital letters for all other letters except of the 8.5 by 11-inch laminated city notice sheet.

The property owner or his/her representative shall be responsible for the installation of the "notice board". An affidavit shall be submitted to the City by

the property owner or his/her representative stating when the "notice board" has been installed and the location of the "notice board". The "notice board" shall be the same as illustrated in SMC 16.07.010(B).

B. Content of Notice. The public notice shall include a general description of the proposed project, action to be taken, a nonlegal description of the property or a vicinity map or sketch, the time, date and place of the public hearing (when applicable) and the place where further information may be obtained.

C. Continuations. If, for any reason, a meeting or hearing on a pending action cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a date certain and no further notice under this section is required.

Section 18. Section 16.09.020 of the SeaTac Municipal Code is hereby amended to read as follows:

Section 16.09.020 Administrative Approvals Subject to Notice.

A. The City Manager or his designee may grant preliminary approval or approval with conditions, or may deny the following actions subject to the notice and appeal requirements of this title:

1. Short subdivisions;
2. Shoreline substantial development permits where a public hearing is not required;
3. Shoreline substantial development permits - Variance, where a public hearing is not required;
4. Shoreline substantial development permits - Conditional use, where a public hearing is not required;
5. Minor conditional use permits.

B. Final Minor Approvals. Preliminary approvals under this section shall become final subject to the following:

1. If a written notice of appeal is received within the specified time, the matter will be referred to the Hearing Examiner for a public hearing.

Section 19. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this day of , 1997, and signed in authentication thereof on this day of , 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1012

AN ORDINANCE of the City Council of the City of SeaTac, Washington, adding a new Chapter 5.50 to Title 5 of the SeaTac Municipal Code to regulate the business of Ambulance Operators within the City.

WHEREAS, a state-wide program of emergency medical care has been implemented by authority of Chapter 18.73 RCW, to promote the health, safety, and welfare of all citizens by assuring minimum standards and training for first responders and emergency medical technicians, and minimum standards for ambulance services, ambulances, aid vehicles, aid services, and emergency medical equipment; and

WHEREAS, the City's Fire Department has been assigned the role of first response to any emergency medical incident within the City, to perform triage as necessary, to provide emergency medical care and basic life support, to call for advanced life support services as required, and to call for transport by private ambulance operators when appropriate; and

WHEREAS, the Fire Department is verified and licensed by the Secretary of the State Department of Health to so act; and

WHEREAS, the Fire Department's aid vehicles and fire suppression apparatus are designed to carry aid equipment and individuals trained in emergency medical procedure, but are not designed specifically for transport of the patients to hospitals or trauma centers; and

WHEREAS, ambulances owned by private ambulance operators are designed to transport ill, incapacitated, and injured persons and to provide personnel, facilities, and equipment to treat such patients during transportation; and

WHEREAS, the City Council desires to fully implement the state-wide program of emergency medical care by imposing higher standards than those of the state statutes and regulations upon ambulance operators providing services, as requested by the City Fire Department and otherwise, to residents and visitors, and to ensure full disclosure and equality of service charges;

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

Section 1. There is hereby added a new Chapter 5.50 to Title 5 of the SeaTac Municipal Code, to read as follows:

Chapter 5.50**Ambulance Operator Regulations****5.50.010 Purpose.**

It is the intention of the City to fully implement the state-wide program of emergency medical care to promote the health, safety, and welfare of all City residents and visitors, by assuring the City Fire Department's role as first response agency to emergency medical incidents within the City and also to require higher than minimum standards of ambulance operators conducting business within the City and providing services as requested by the City Fire Department for transport of ill, incapacitated, or injured persons.

5.50.020 Definitions.

For purposes of this Chapter, the following definitions, as well as those other definitions set forth at RCW 18.73.030 and WAC 246-976-010, as currently exist and as may be hereafter amended, shall apply:

- A. "Advanced Life Support" means invasive emergency medical services requiring advanced medical treatment skills as defined by Chapter 18.71 RCW, and as typically provided by King County Medic One.
- B. "Aid Vehicle" means a vehicle used to carry aid equipment and individuals trained in emergency medical procedure, which typically consist of Fire Department aid units, King County Medic One units, and Fire Department apparatus.
- C. "Ambulance" means a privately-owned ground or air vehicle designed and used to transport patients and to provide personnel, facilities, and equipment to treat patients before and during transportation.
- D. "Ambulance Operator" means a person or entity owning one or more ambulances and operating them as a private business.
- E. "Basic Life Support" means noninvasive emergency medical services requiring basic medical treatment skills as defined in Chapter 18.73 RCW.
- F. "Dispatch" means the designation and direction by the South Communication (South-Com) dispatch center of an emergency response unit to a service location.
- G. "Emergency Medical Services" (EMS) means medical treatment and care which may be rendered at the scene of any medical emergency or while transporting any patient to an appropriate medical facility.
- H. "Emergency Medical Technician" (EMT) means a person who is authorized by the State Department of Health to render emergency medical care pursuant to RCW 18.73.081.
- I. "Fire Chief" means the titular head of the City Fire Department acting as such and in his or her role as "aid director" of the Department's emergency medical services.
- J. "Fire Official" means the Fire Chief, or designee, and the Fire Department's Incident Commander at any emergency medical services incident.
- K. "First Response Agency" means the City Fire Department, its emergency medical technicians, aid vehicles, and apparatus.
- L. "Operator Response Time" means the time from notification by dispatch to an ambulance operator until the time of arrival on the scene of an emergency medical incident. This is the same as the combination of activation and enroute times defined under "system response time" at WAC 246-976-010.
- M. "Patient" means a person who is ill, injured, or otherwise incapacitated or helpless, and in need of, or receiving, medical treatment, including trauma care.
- N. "Person" means any individual, corporation, company, firm, joint stock company, co-partnership, joint venture, trust, business trust, club, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, or any receiver, administrator, executor, assignee, or trustee in bankruptcy.
- O. "Prehospital" means emergency medical care or transportation rendered to patients by emergency medical technicians prior to hospital admission.

P. "Triage" means the sorting of patients in terms of disposition, destination, and/or priority. Triage of prehospital trauma victims requires identifying injury severity so that the appropriate care level can be readily assessed according to patient care guidelines.

5.50.030 Business License Required.

A. No person shall conduct, maintain, operate or engage in business as an ambulance operator within the City, without applying for and obtaining a business license pursuant to Chapter 5.05 of this Title and pursuant to the additional requirements of this Chapter.

B. An ambulance operator is engaged in business within the City if the operator:

1. Stations ambulances within the corporate limits of the City; or
2. Dispatches ambulances, from within or without the corporate limits of the City, to transport patients from or to locations within the City.

C. The following are exempt from the requirement of obtaining a business license:

1. Ambulances and aid vehicles owned and operated by the United States, a state, county, city, or municipal corporation;
2. Ambulance operators providing service in other states when bringing patients into this state;
3. Owners of businesses in which an ambulance or ambulances are used exclusively on company property but occasionally, in emergencies, may bring patients to hospitals not on company property; and
4. Operators of vehicles pressed into service for transportation of patients in emergencies when licensed ambulances are not available or cannot meet overwhelming demand.

5.50.040 Separate Business Locations.

Notwithstanding Sections 5.05.030 and 5.05.040 of this Title, the placement at, and operation of ambulances from, multiple locations within the City shall not require separate business licenses, provided that all such ambulances be owned and operated by and under the trade name of a single ambulance operator.

5.50.050 Application for Business License.

No business license shall be issued except upon application pursuant to Section 5.05.060 of this Title, and subject to the general qualifications of Section 5.05.090 of this Title, and together with the following information specific to ambulance operators:

A. A copy of the ambulance operator's state license issued pursuant to RCW 18.73.130 and WAC 246-976-260.

B. A roster of all ambulances to be used, or to be potentially used, within the City to include year of manufacture, name of manufacturer, statement of compliance with the ambulance vehicle standards of WAC 246-976-290, statement of compliance with the ambulance vehicle equipment requirements of WAC 246-976-300, statement of compliance with the communications equipment requirements of WAC 246-976-310, and proof of current licensure pursuant to WAC 246-976-260 of each listed ambulance.

C. A roster by name, residence address, date of birth, social security number, and current Washington State driver's license number (or photo identification), together with statement of highest certification as advanced first aid qualification, first responder, emergency medical technician (including level and any medical equipment qualifications), intravenous therapy technician, airway technician, or paramedic, together with proof of such current license or certification.

D. A certificate or certificates of insurance as required by the State Department of Health (WAC 246-976-260(2)(c)).

E. A schedule of rates to be charged for services during the license period for which the application is made, together with a statement that the said rates shall not be increased during the period for which the license is issued.

F. The inspection fee required by Section 5.50.060 of this Chapter.

5.50.060 Fee.

By reason of the supersession of all local license fees pursuant to RCW 18.73.020, the business license fee set forth at Section 5.05.070 of this Title shall not be charged. However, an inspection fee in the sum of One Hundred Dollars (\$100.00) shall be imposed during the year 1997 to defray the costs and expenses of inspections by Fire Department personnel. Thereafter, the inspection fee shall be as prescribed by resolution of the City Council establishing fees and charges.

5.50.070 Investigation, Inspection and Verification.

The Fire Chief shall review and investigate all applications submitted by ambulance operators to ensure compliance with all application requirements and to verify the validity of all state or county certifications, verifications, and licenses. A Fire Official shall, upon receipt of an application, make physical inspection of the ambulance operator's premises, ambulances, equipment, and communication equipment. As a condition of issuance of a business license, the ambulance operator shall permit a Fire Official to make regular inspections of the ambulances, equipment, and personnel of licensed ambulance operators, at all reasonable hours, with or without advance notice, upon presentation of appropriate credentials to an authorized representative of the ambulance operator. The provisions of Section 5.05.170 of this Title shall also apply.

5.50.080 Issuance of Business License.

Upon satisfactory completion of investigation, inspection, and verification, as set forth at Section 5.50.070 of this Chapter, the Fire Chief shall provide written approval of the application to the City's Finance Department and the business license shall be issued in the same manner as any other City business license.

5.50.090 Posting of Business License.

The business license shall be posted by the ambulance operator pursuant to Section 5.05.120 of this Title.

5.50.100 Non-Transferability of Business License.

Any business license issued to an ambulance operator shall be personal to that ambulance operator and shall not be transferred or assigned to any other person. Ambulance services authorized by the license shall not be assigned or subcontracted to any other ambulance operator or to any other person.

5.50.110 Renewal of Business License.

The term of the business license issued to ambulance operators, and renewal of such business licenses,

shall be governed by Sections 5.05.110 and 5.05.130 of this Title. Upon application for renewal, investigation, inspection, and verification shall be completed pursuant to Section 5.50.070 of this Chapter.

5.50.120 Standards of Operation.

All operations of, and services provided by, a licensed ambulance operator shall, as a minimum, fully comply with the following standards.

A. All applicable provisions of state law, regulations of the State Department of Health, and procedures adopted thereunder, including, but not limited to, Chapter 18.71 RCW, Chapter 18.73 RCW, Chapter 70.168 RCW, and Chapter 246-976 WAC, must be fully met at all times.

B. All applicable provisions of county ordinances, and procedures adopted thereunder, including, but not limited to, Chapter 2.26 of the King County Code, must be fully met at all times.

C. For each ambulance available to respond to dispatches to locations within the City, the ambulance operator shall provide not less than two ambulance attendants currently certified as Emergency Medical Technicians (EMT). The certificate of EMT status shall be in possession of each such ambulance attendant while on duty.

D. The ambulance operator shall provide for dispatch of ambulances when notified by the Fire Department, through the South Communications (South-Com) dispatch center. The ambulance operator shall advise South-Com from which location the ambulance is responding. Operator response time shall be in accordance with the following standard:

1. Ninety percent (90%) of all responses by an ambulance operator to dispatches of South-Com to locations within the boundaries of the City shall not exceed a maximum of ten minutes under code red and fourteen minutes under code yellow.

E. The ambulance operator shall respond on code red or code yellow as advised by South-Com or the Fire Official on the scene of an emergency medical incident. The ambulance operator shall be fully responsible for proper and safe operation of its ambulances, and the actions of its employees, in responding to such dispatches.

F. The ambulance operator shall be responsible for furnishing all required and necessary on-board equipment and for maintaining the same in good working condition.

G. The ambulance operator shall be responsible for providing and maintaining its communication system, channel selection, authorization for use, and proper operation of the system.

H. Upon arrival at the scene of an emergency medical incident, the ambulance attendant in charge shall report directly to the Fire Official and the ambulance attendants shall then follow instructions of the Fire Official until such time as responsibility for patient care is turned over to the ambulance attendants.

I. The ambulance operator may continue to respond to private calls for transportation not generated through the 911 system or South-Com. However, if

the private call reports an incident which is of an emergency medical nature, the ambulance operator shall promptly advise South-Com for dispatch of Fire Department aid units.

J. No ambulance operator shall refuse to transport any patient when such patient is determined by the Fire Official to require transport to a hospital, trauma center, or other medical facility.

K. The ambulance operator shall transport a patient to the nearest hospital capable of providing appropriate medical services, or to a hospital designated by the patient. If, however, a specific hospital or trauma center is designated by the Fire Official at the scene, the ambulance operator shall transport the patient to that facility.

L. Charges for services shall be made by the ambulance operator only if a patient is actually transported, and such charges shall not exceed the rates filed by the ambulance operator with the City.

M. Unless requested to the contrary, every licensed ambulance operator shall be placed upon the Fire Department's rotation list for dispatch to the scene of emergency medical incidents within the boundaries of the City and for transport of patients, providing, however, that the ambulance operator enters into a written Agreement in the form prepared by, and available from, the Fire Chief.

5.50.140 Denial, Suspension, or Revocation of Business License.

In addition to the grounds set forth at Section 5.05.180 of this Title, an application or license of an ambulance operator may be denied, suspended, or revoked, for any of the following reasons:

A. Failure to comply with applicable provisions of state law, regulations of the State Department of Health, or procedures adopted thereunder, or applicable provisions of county ordinances, or failure to comply with the requirements of this Chapter.

B. Failure to equip and maintain ambulances and on-board equipment and communications equipment in proper manner.

C. Failure to meet the response time standards set forth at Section 5.50.120 of this Chapter.

D. Failure to correctly advise South-Com of the location from which an ambulance is responding to a dispatch.

E. Failure to respond to a dispatch from South-Com unless the ambulance operator can document the non-availability of any ambulance located within a reasonable distance from the City.

F. Failure to provide the required number of ambulance attendants with the minimum required certifications.

G. Charging for services not actually performed or charging at rates in excess of the rates filed by the ambulance operator with the City.

H. Unauthorized use of, or monitoring of, the Fire Department's radio channels for monetary gains, or responding to the scene of an emergency medical incident

without having been dispatched by South-Com or the Fire Official.

I. Failure to notify South-Com of private calls for ambulance response to serious medical emergencies within the City.

J. Repeated, and verified, complaints from firefighters, emergency medical technicians, other emergency personnel, or from the general public, relating to unsafe, discourtesy, uncooperative, or unprofessional conduct.

5.50.150 Standby Services.

In event an ambulance operator agrees or contracts to provide an ambulance or ambulances to standby for emergency medical services or transportation during public or private community events, the ambulance operator shall notify the Fire Chief in writing 14 days prior to the date of the event, or as soon as is reasonably possible, and shall identify the date, time and scope of standby responsibilities. In event of an emergency medical incident during any such community event, the ambulance operator shall immediately employ the 911 system to notify South-Com of the nature of the emergency.

5.50.160 Violations.

Violations of Chapter 5.05 of this Title, and violations of this Chapter may result in suspension or revocation of the business license of an ambulance operator, termination of the ambulance operator's inclusion on the Fire Department's rotation list, and also in civil or criminal penalties as set forth at Sections 5.05.240, 5.05.260, and 5.05.270 of this Title.

5.50.170 Additional Enforcement.

The remedies and penalties found in this Chapter are not exclusive. The City may seek any other legal or equitable relief, including, but not limited to, enjoining any acts or practices which constitute or will constitute a violation of law, civil rights, or any business regulations.

Section 2. If any one or more sections, subsections, or provisions of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the same shall remain in full force and effect.

Section 3. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this day of , 1997, and signed in authentication thereof on this day of , 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1013

AN ORDINANCE of the City Council of the City of SeaTac, Washington establishing a process and standards for siting of commercial wireless telecommunications facilities.

WHEREAS, it appears that the City will continue to receive a large number of applications to install various wireless telecommunications facilities, such as transmission towers and monopoles, satellite dishes, micro-dishes, communication node cabinets, above-ground pedestal cabinets, antennas and relay station facilities for personal pagers, cellular phones, personal communications services (PCS), and enhanced specialized mobile radio (ESWR) facilities; and

WHEREAS, the development and construction of these commercial wireless telecommunications facilities form part of a rapidly changing technology that may, in certain instances, allow for less invasive or obtrusive facilities than those initially proposed for construction without burdening commercial wireless telecommunications facilities providers; and

WHEREAS, it appears that a limited number of potential sites exist which would be acceptable for the construction and installation of commercial wireless telecommunication facilities; and

WHEREAS, the City Council values the existence of this new technology and desires to support these businesses within the City, but finds that City citizens and businesses would be best served if these facilities were designed and located so as to serve the business needs while at the same time addressing health, safety and aesthetic concerns; and

WHEREAS, the City desires to ensure competition within the wireless telecommunications industry and among providers of the services; and

WHEREAS, the Federal Telecommunications Act of 1996 addresses State and Local ability to regulate commercial wireless telecommunications facilities; and

WHEREAS, operation of the City's public safety and emergency communications networks (911 and 800 MHz systems) may be functionally impaired either by direct interference or by dramatically increased background noise levels as a result of this increased presence of commercial wireless telecommunications facilities; and

WHEREAS, because of potential impacts to the public health, welfare and safety and to neighborhood aesthetics, it may be appropriate to develop incentives or regulations that will encourage co-location of commercial wireless telecommunications facilities;

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

Section 1. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.005 Abandonment.

Intentional discontinuation of electrical service to a wireless telecommunications facility (WTF) for 60 or more days.

Section 2. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.061.05 Antenna.

Any system of electromagnetically tuned wires, poles, rods, reflecting discs or similar devices

used to transmit or receive electromagnetic waves between terrestrial and/or orbital based points. Types of antenna(e) include:

- a. Omni-directional (or "whip") antenna(e) which transmit and receive radio frequency signals in a 360 degree radial pattern. For the purpose of this document, an omni-directional antenna(e) is up to 24 feet in height and up to 6 inches in average diameter.
- b. Directional (or "panel") antenna(e) which transmit and receive radio frequency signals in a specific directional pattern of less than 360 degrees.
- c. Parabolic antenna(e) (or dish) antenna(e) is a bowl-shaped device for the reception and/or transmission of communications signals in a specific directional pattern.

Section 3. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.109.05 Collocation.

The use of a single support structure or existing structure for more than one wireless telecommunications facility.

Section 4. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.114 Commercial Wireless Telecommunications Facility (Commercial WTF).

A wireless telecommunication facility used to provide service(s) that is available to the general public.

Section 5. Section 15.10.120 of the SeaTac Municipal Code is hereby amended to read as follows:

15.10.120 Communication Facility, Major.

A communication facility for transmission and reception of UHF and VHF television signals; FM and AM radio signals; ~~cellular radio signals~~, and signals through FM translators or boosters not related to wireless telecommunications facilities.

Section 6. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.243 Equipment Shelter.

Any structure used to contain ancillary equipment for a wireless telecommunications facility. Equipment shelters include but are not limited to shelters, cabinets, expansion of an existing structure, pedestals and other similar structures.

Section 7. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.253 Existing Structure.

An existing structure to which wireless telecommunications antenna(e) may be attached. For the purpose of siting wireless telecommunications facilities, existing structures shall include only the following: buildings, water towers, utility poles, and legally conforming signs, provided that no part of a WTF is visible on the sign.

Section 8. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.327 Height.

For the purposes of measuring the height of any WTF, any antenna(e) mounted on a support structure shall be considered part of the support structure and shall be included in measurements to determine overall (i.e. combined) height. For antenna(e) mounted on an existing structure(s), the height of the antenna(e) shall be measured in addition to the height of the existing structure, but the combined height shall be subject to the height limitations specified in this Chapter, or of the Federal Aviation Administration (FAA) if applicable.

Section 9. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.402 Microcell.

A wireless telecommunications facility consisting of either: (a) a directional antenna that is four feet in height, with an area of not more than five hundred eighty square inches; or (b) an omnidirectional antenna no more than four inches in diameter and no more than six feet in length.

Section 10. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.408 Monopole.

A freestanding structure designed to support a wireless telecommunications antenna(e) or antenna platform(s), and consisting of a single vertical pole driven into the ground and/or attached to a foundation.

Section 11. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.470.05 Platform.

A mounting structure to which one or more antennae, sufficient to serve the needs of a single wireless telecommunications carrier's installation, are attached, and which is affixed to a support structure.

Section 12. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.543 Renovation.

Replacement of antenna(e), equipment shelters, cables and related equipment on a wireless telecommunications facility with similar or comparable equipment.

Section 13. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.567 Setbacks.

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

Section 14. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.635 Support Structure.

A freestanding monopole or tower designed solely to support telecommunications facilities, on

which wireless telecommunications facilities are mounted.

Section 15. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.639 Temporary Wireless Telecommunications Facility (Temporary WTF)

A WTF which is to be placed in use for a limited period of time, is not deployed in a permanent manner, and does not have a permanent foundation.

Section 16. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.640.05 Tower.

A freestanding structure designed to solely to support an antenna(e) or antenna platform(s), and consisting of a network of crossed metal braces which may be three- or more-sided.

Section 17. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.668.05 Utility Pole.

Utility poles include telephone poles, light poles, and electrical transmission poles.

Section 18. There is hereby added to Chapter 15.10 of the SeaTac Municipal Code a new Section to read as follows:

15.10.713 Wireless Telecommunications Facility (WTF)

Any unstaffed facility or component thereof for the transmission and/or reception of radio frequency (RF) signals through electromagnetic energy, which enable the provision of cellular, personal communications services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, wireless digital data transmission, and other similar services that currently exist or that may in the future be developed. Wireless telecommunications facilities include towers and monopoles; equipment shelters, communication node cabinets, above-ground pedestal cabinets; antenna(e), antenna platform(s), and relay station facilities; cables and associated equipment.

Section 19. Section 15.12.040 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.040 General, educational, health services uses.

ZONES: P - Park			NB - Neighborhood Business										
AU - Airport Use			CB - Community Business										
MHP - Mobile Home Park			ABC - Aviation Business Center										
UL - Urban Low Density			I - Industrial/Manufacturing										
UM - Urban Medium Density			O/CM - Office/Commercial Medium										
UH - Urban High Density			BP - Business Park										
P - Permitted Use													
C - Conditional Use Permit													
ZONES													
USE #	LAND USE	P	AU	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP

GENERAL USES													
041	Wireless Telecommunication Facility **	C/P (6)	P	C/P (6)	C/P (6)	C/P (6)	C/P (6)	P	P	P	P	P	P
042	Communications Facility		P		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	P*	P*
043	Dry Cleaner		P(1)				P* (1,2)	P	P*	P*(1)		P*(2)	P*(2)
044	Auto Repair							C	P*		P		
045	Auto Service							P	P*	P*(1)	P		
046	Funeral Home/Crematory	C	P					P	P*	P*(1)	P	P*(2)	
047	Veterinary Clinic		P(1)					P	P*	P*(1)	P	P*(2)	
048	Kennel		P					P	P*				
049	Day Care I		P(3,5)		P(3,5)	P(3,5)	P* (3,5)	P(3,5)		P* (1,3,5)		P* (2,3,5)	P* (3,5,)
050	Day Care II		P(3)		C(3)	P(3)	P*(3)	P(3)	P*(3)	P*(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					C	P*	C*	C	P*(2)	C*
058	Specialized Instruction School		P		P(4)	P(4)	P*(4)	P	P*	P*	P	P*(2)	C*
059	College/University				C	C	C*		P*	P*		P*	C*
HEALTH SERVICES USES													
062	Office/Outpatient Clinic		P(1)				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*
066	Miscellaneous Health							P	P*	P*		C*	C*
* See Chapter 15.13 for additional development standards.													
** See Chapter 15.31 for additional development standards.													
(1) Accessory to primary use not to exceed 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 daycare (Ord. No. 94-1030, Effective 8/11/94)													
(6) WTFs are permitted uses if located on water towers, school buildings higher than 30 feet, or utility poles; WCFs are conditional uses in all other cases.													

Section 20. Section 15.13.010 of the SeaTac Municipal Code is hereby amended to read as follows:

15.13.010 Standards chart.

The Zone Classifications as set forth in this chart have minimum setbacks, lot size, lot area and lot coverage that is related to each classification. The minimum lot areas for properties under the UL, UM or

UH zone categories apply to the specific zone that is indicated on the Official Zoning Map by a suffix (for example, the minimum lot area is 15,000 square feet for a UL-15,000 zone classification and 7,200 square feet for a UL-7,200 zoning classification).

Zone	Minimum Lot Area (Sq. Ft.)	Front Yard Setback (13)		Minimum Side Yard Setback (13)	Minimum Rear Yard Setback (13)	Building Lot Coverage	Maximum Structure Height	Minimum Lot Width
		Minimum	Maximum					
P	N/A	10'	-	10'	10'	N/A	N/A	N/A
AU	N/A	10'	-	5'	5'	85% (7)	75' (10)	N/A
MHP	3 acres	10'	-	5'	5'	N/A	N/A	N/A
UL	15,000 9,600 7,200 5,000(SDO)	20'	-	5'	15' (3)	35% (2)	30'	60'
UM	3,600/2,400	20'	-	5'	15' (3)	45% (2)	40'	N/A
UH	1,800/900 UCR	0'/10'(9)	10'(9)	5'	5'	75%/90% (2,11)	55' (8)	N/A
NB	N/A	10'	-	5'	5'	65%	35'	N/A
CB(4)	N/A	0'/10'(9)	10'(9)	-	-	75%(2)	FAA/UFC STDS. (1)	N/A
ABC(4)	N/A	-	-	-	-	75%, 85%(2)	FAA/UFC STDS.(1)	N/A
BP(4)	5 acres (12)	10'	-	5'	5'	75% (2,5)	75'	N/A
O/CM(4)	N/A	0'(9)	10'(9)	5'	5'	75% (2)	45' (6)	N/A
I	N/A	10'	-	5'	5'	85%(2)	75'	N/A

(1) Limited by FAA height limits and Uniform Fire Code.

(2) See Residential/Commercial Density Incentives (Chapter 15.24).

(3) 5' setback for accessory structures only.

(4) See Section 15.13.110 or Section 15.13.111 for additional development standards.

(5) This standard applies to the maximum total impervious surface coverage of a site, and not to building lot coverage.

(6) If density incentives and bonuses are granted by the City, a maximum height of up to that permitted by the FAA and the Uniform Fire Code may be allowed.

(7) 85% on property owned by the Port of Seattle only, 35% on all other properties.

(8) Except that UH-UCR zones shall be governed by the FAA/UFC standards.

(9) Properties zoned UH-UCR, CB-C and O/CM shall have 0' minimum and 10' maximum setback standards applied.

Properties zoned UH-900, UH-1,800 and CB shall have a 10' minimum setback standard applied, with no max. setback. See Section 15.13.110 for additional development standards.

(10) Except that FAA/UFC standards shall govern the height of the airport terminal building, the airport terminal's main parking garage, and any building immediately adjacent to and east of the airport terminal's main parking garage.

(11) 90% building lot coverage standard applies only to properties zoned UH-UCR.

(12) See Section 15.13.111(E) for lot size waiver requirements.

(13) See Section 15.31.040 for setback standards specific to Wireless Telecommunication Facilities

(SDO) Special District Overlay

Section 21. Section 15.13.080 of the SeaTac Municipal Code is hereby amended to read as follows:

15.13.080 Setbacks - Projections allowed.

Projections may extend into 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 facade;
2. Are not wider than ten (10) feet; and
3. Project no more than twenty-four (24) inches, inclusive of rain gutters, into any yard setback; (Amended, Ord. No. 96-1002, Effective 2/22/96.)

B. Uncovered porches and decks which exceed eighteen (18) inches above the finished grade may project:

1. Eighteen (18) inches into interior side yard setbacks, and
2. Five (5) feet into the front/rear yard setback;

C. Uncovered porches and decks not exceeding eighteen (18) inches above the finished grade may project ten (10) feet into only the rear yard setback only;

D. Eaves, including rain gutters and down spouts, may not project more than:

1. Eighteen (18) inches into an interior side yard setback, or
2. Twenty-four (24) inches into a front/rear yard setback;

Structures that do not have rain gutters and are currently legal nonconforming in regard to the building setback from the property line may be remodeled to provide rain gutters that extend beyond the maximum projection of an eave into the side, front and rear setback area (See Figure 15.13.080a), providing that, under no circumstances, will the edge of the existing roof line be extended further into any yard setback. (Amended, Ord. 96-1002, Effective 2/22/96.)

E. Wireless telecommunication antennae mounted on the sides of existing buildings, up to a maximum of 24 inches.

~~E.FE.~~ Within Residential Zone Classifications, any fence shall be limited to four (4) feet in height in the front yard of the lot. Fences shall be limited to six (6) feet in height along all side and rear property boundaries, except as provided in SMC 13.50.030. ((For swimming pool fence requirements), see Section 13.50.030 of the SeaTac Municipal Code. or in SMC 15.31.040 (wireless telecommunications facilities).

Section 22. Section 15.13.090 of the SeaTac Municipal Code is hereby amended to read as follows:

15.13.090 Height - Exceptions to limits.

The following structures may be erected above the height limits established under Section 15.13.010:

- A. Roof structures, housing elevators, stairways, tanks, ventilating fans or similar equipment required for building operations and maintenance;
- B. Fire or parapet walls, skylights, flagpoles, chimneys, smokestacks, church steeples,

approved communication transmission structures (including, but not limited to ham radio towers and wireless telecommunications facilitiescellular phone structures, but refer to Section 15.31.040 for height limits regarding wireless telecommunications facilities), approved utility line towers and similar structures; and

C. Single Family and Multi-Family dwelling units may have fences to a height of six (6) feet when fronting on a major arterial/highway, but must have adequate setback in order to maintain sight distance requirements established in 15.13.100.

Section 23. Subsection B of Section 15.13.110 of the SeaTac Municipal Code is hereby amended to read as follows:

B. Standards Applicable to the CB-C, UH-UCR and O/CM Zones. Unless otherwise stated, the following standards will apply to properties zoned Community Business that are located in the Urban Center (CB-C) as defined in Section 15.10.660 and delineated on the City of SeaTac Official Zoning Map and to all properties zoned Office/Commercial Medium (O/CM), and Urban High - Urban Center Residential (UH-UCR).

1. Maximum Front Yard Setback. The following maximum setback standard will apply to properties zoned CB-C, O/CM and UH-UCR.

a. In addition to the minimum front yard setback specified in Section 15.13.010, a maximum front yard setback of ten feet (10') shall be applied to new development and major redevelopment. A maximum front yard setback of ten feet (10') shall mean that the edge of the primary building shall be located no further than ten feet (10') from the property line.

b. If a building is on a corner lot and abuts more than two streets, the maximum front yard setback will apply to two streets only; the setback will apply to the two streets with the highest roadway classification as defined by the SeaTac Comprehensive Plan. If three or more streets have the same roadway classification, then the property owner shall select the two streets to which the maximum front yard setback shall be applied.

c. For through lots, the maximum front yard setback requirements shall apply to the street with the highest roadway classification as defined by the SeaTac Comprehensive Plan. If both streets have the same roadway classification, then the property owner shall determine the location of the front yard.

d. Exceptions to the maximum building setback shall be granted for:

i. Auto sales/rentals, and other outdoor sales;

ii. Car washes;

iii. Communications facilities, including wireless telecommunications facilities;

iv. Utility substations;

v. Auto service stations; and

vi. Site designs, approved by the City Manager or designee, that are intended to enhance pedestrian convenience and activity.

e. The ten-foot (10') maximum front yard setback may be waived for major redevelopment, if the property owner/applicant demonstrates to the City Manager or his designee that this requirement is not feasible due to existing buildings/improvements on-site or the property's unique configuration. If the waiver is granted, the property owner/applicant shall incorporate pedestrian amenities that create a physical and design linkage between the building and the sidewalk/street. Examples of such amenities are plazas and covered/landscaped walkways from the sidewalk to the main entrance.

2. Landscaping. Except as otherwise provided in this subsection, landscaping shall be required in conformance with Section 15.14 of the SeaTac Municipal Code.

a. Alternative Landscaping on street frontages in the CB-C, O/CM and UH-UCR zones. In order to create a building-sidewalk relationship that promotes pedestrian access and activity, the following landscaping standard will apply to the street frontages of properties zoned CB-C, O/CM, and UH-UCR. Where the building setback is smaller than the width of the street frontage landscaping normally required for a use per Section 15.14.060, the width of the street frontage landscaping shall be reduced to correspond with the building setback and the following alternative landscaping shall be required:

i. 50% of the amount of landscaping normally required along the street frontage shall be placed into plazas, roof-top gardens, and other pedestrian amenities (such as restrooms) accessible to the public during business hours. Additionally, street trees shall be planted within the public right-of-way in locations and amounts to be determined by the City Manager or designee.

ii. A percentage of the street frontage landscaping requirements will be waived for placing parking underground. Excluding the requirement for street trees, up to a maximum of 80% of the alternative landscaping will be waived, on a percentage-by-percentage basis, for placing parking underground (e.g., placing 75% of the site's

required parking underground would meet 75% of the square footage portion of the alternative landscaping requirement.)

b. Bufferyard Requirements in the ABC zone. Bufferyard requirements shall be as stated in Section 15.14.060 except as follows:

In the ABC zone, Type III landscaping, fifteen (15) feet wide berm to conceal service areas, backs of buildings, and parking areas from street level view.

3. Parking. The following minimum parking standard will apply to the UH-UCR zone. The minimum parking spaces required for residential units in the UH-UCR zone is one (1) space per dwelling unit. Exceptions to the minimum parking standards for "small, resident-oriented uses" may be granted in accordance with Section 15.15.055 of this Code. Visitor parking will be required in the amount of one (1) space per every three (3) dwelling units.

4. Uses not Allowed. The following uses will not be allowed on CB-C properties.

- # 023 Golf Course # 087 Truck Terminal
- # 089 Warehouse/Storage # 025 Drive-in Theater
- # 088 Airport Support Facility # 133 Textile Mill

5. Building Placement. For properties where the front property line is equal to or wider than the property's depth, then the longest building facade shall be oriented toward the front property line and the main pedestrian entrance shall be located on this facade. For all properties, where the depth is greater than the front property line, the front of the building shall be oriented toward the front property line, to the maximum extent possible or as otherwise approved by the City Manager or his/her designee.

6. Other Standards Applicable. Except as specified in this Section of the Zoning Code, all other relevant standards and requirements in this Code shall apply.

Section 24. Section 15.14.060 of the SeaTac Municipal Code is hereby amended to read as follows:

15.14.060 Landscape standards for general, educational and health services uses.

USE #	LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF > 30 FT. HIGH OR 50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NON-COMPATIBLE USES (Type/Width)	PARKING LOT STANDARDS APPLICABLE*
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	GENERAL USES					
O41	Wireless Telecommunications Facility	II/10 ft. I/10 ft.**	-	II/5 ft. I/10 ft.**	II/10 ft. (RES./PARK)	-
O42	Communications Facility	II/10 ft.	-	-	-	-
O43	Dry Cleaner	IV/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
O44	Auto Repair	II/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
O45	Auto Service	II/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
O46	Funeral Home/Crematory	IV/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
O47	Veterinary Clinic	IV/10 ft.	IV/5 ft.	II/5 ft.	-	-
O48	Kennel	IV/10 ft.	IV/5 ft.	II/5 ft.	I/10 ft. (SF)	-
O49	Day Care I	-	-	-	-	-
O50	Day Care II	IV/10 ft.	IV/5 ft.	II/5 ft.	-	Yes
O51	General Repair	II/10 ft.	IV/5 ft.	II/5 ft.	I/10 ft. (SF)	
	EDUCATIONAL USES					
O55	Elementary - Jr. High	IV/10 ft.	IV/5 ft.	IV/5 ft.	-	Yes
O56	High School	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
O57	Vocational School	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
O58	Specialized Instruction School	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
O59	College/University	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
	HEALTH SERVICES USES					
O62	Office/Outpatient Clinic	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft.	Yes
O64	Hospital	II/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft.	Yes
O65	Medical/Dental Lab	II/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft.	Yes
O66	Miscellaneous Health	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft.	Yes
* See Section 15.14.090.						
** Type II landscaping applies in high intensity zones. Type I landscaping applies in low intensity zones. See Section 15.31.040.						
(SF) Adjacent to single-family uses for buffering purposes.						
(RES./PARK) Adjacent to residential or park zones for buffering purposes.						

Section 25. Section 15.22.020 of the SeaTac Municipal Code is hereby amended to read as follows:

15.22.020 Variance.

A. A variance is a request for an exception to the development standards of the code because

of special circumstances (i.e., size, shape, topography of lot, conflict with Growth Management Policies) when the strict application of the code deprives such property of privileges enjoyed by other similar properties. A variance is granted through the Public Hearing process; the Hearing Examiner may grant a variance when a hardship is proven. A variance cannot be used for relief from types of uses permitted within zone classifications.

B. The applicant must show that the proposed development issue requiring a variance meets all of the following criteria for approval by the Hearing Examiner, except as specified in 15.22.020.C of this Code:

1. There are exceptional circumstances applicable to the property;
2. The variance is necessary to protect a property right possessed by others;
3. The variance will not harm the public welfare of adjacent properties;
4. There is no reasonable alternative that will allow a reasonable use of the land or building;
5. The special circumstances and conditions do not result from the actions of the applicant;
6. The requested variance will not create a use not generally permitted within the zone classification in which the subject property is located;
7. The variance is the minimum necessary to grant relief to the applicant.

C. A variance from the height limitations specified in 15.31.040.B of this Code may be granted only in situations where all of the following criteria are met. These criteria shall apply in lieu of those specified in 15.22.020.B of this Code.

1. The specified height limit would have the effect of precluding the provision of commercial wireless communication service;
2. The variance is necessary to protect a property right possessed by others;
3. The variance will not harm the public welfare of adjacent properties;
4. The requested variance will not create a use not generally permitted within the zone classification in which the subject property is located;
5. The variance is the minimum necessary to grant relief to the applicant;
6. Any request for a variance from height limits shall include a written report that specifies:
 - a) The necessity of the site to provide the communication coverage required by the applicant; and
 - b) The necessity of the requested height as the minimum necessary to provide the communication coverage required by the applicant.

An assessment of all possible alternatives that could meet the service provider's system coverage requirements. The alternatives assessment shall include alternative sites, alternative antenna types, and any other mechanism that could make the additional height unnecessary in terms of meeting the service provider's

system coverage needs.

Section 26. There is hereby added a new Chapter 15.31 to Title 15 of the SeaTac Municipal Code to read as follows:

Chapter 15.31

Siting of Commercial Wireless Telecommunications Facilities

15.31.010 Purpose

In addition to implementing the general purposes of the Comprehensive Plan and the City's general development regulations, it is the purpose of this Chapter to establish clear local guidelines, standards and procedures for the siting and construction of commercial wireless telecommunications facilities (WTFs), and to address the issues of appearance and safety associated with WTFs. It is intended to provide adequate siting opportunities at appropriate locations within the City to support existing WTF technologies, to encourage new technologies to benefit SeaTac residents, businesses, and institutions, and to permit WTF providers to remain competitive.

A wide range of locations and options that minimize the safety hazards and visual impacts sometimes associated with WTFs are provided. The siting of facilities on existing structures, collocation of WTFs, 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 address setback and other site-specific location factors. Siting criteria for WTFs are necessary to encourage the siting of those facilities in locations most appropriate based on land use compatibility, neighborhood characteristics, and aesthetic considerations.

15.31.020 Authority and Application

The provisions of this Chapter shall apply to WTFs, except as specifically exempted in this section:

1. Maintenance and renovation of existing WTFs, provided that the number and size of antennae does not increase beyond that shown on the building and/or electrical permit.
2. Radio and Television Transmission Towers.
3. Non-commercial Ham Radio Towers.
4. Television antenna(e) and satellite dishes used for reception only.
5. Temporary WTFs for a period not to exceed 90 days, provided that this period may be extended at the discretion of the Planning Director.

15.31.030 REVIEW PROCESS

A. Permits Required

1. **Building/Electrical Permits:** A building and/or electrical permit is required for all WTF, unless specifically exempted under Section 15.31.020 of this Chapter.
2. **Minor Conditional Use Permits:** A minor conditional use permit is required for WTF

collocated on an existing support structure in Park, Urban Low, Urban Medium, Urban High, and Mobile Home Park Zones.

3. **Major Conditional Use Permits (Major CUP):** A major conditional use permit is required for WTFs and/or new support structures in Park, Urban Low, Urban Medium, Urban High, and Mobile Home Park Zones, unless the proposed WTF will be located on an existing support structure, a water tower, a school building higher than thirty feet, or a utility pole.
4. **Other Permits:** In addition to the building and/or electrical permit, other permits may be required, including but not limited to grading, and right-of-way permits.

The following table summarizes the types of permits required.

PERMITS REQUIRED

WTF TYPE/LOCATION	ZONES*	
	HIGH INTENSITY	LOW INTENSITY
New WTFs collocated on an existing support structure	<ul style="list-style-type: none"> • Building/Electrical 	<ul style="list-style-type: none"> • Minor CUP and • Building/Electrical
New WTFs on other existing structures: 1. Water Towers, school buildings higher than 30 feet, and utility poles 1. Other Structures	<ul style="list-style-type: none"> • Building/Electrical • Building/Electrical 	<ul style="list-style-type: none"> • Building/Electrical • Major CUP and • Building/Electrical
New Support Structures	<ul style="list-style-type: none"> • Building/Electrical 	<ul style="list-style-type: none"> • Major CUP and • Building/Electrical

- High Intensity Zones are as follows: I, AU, BP, ABC, CB, CB-C, O/CM, and NB

Low Intensity Zones are as follows: UL, UM, UH, MHP, and P

A. Submittal Requirements

1. With each application, the applicant shall provide an inventory of its existing towers and/or monopoles that are within the jurisdiction of the City and/or within one-quarter mile of the border thereof, including specific information about the location, height, design, and performance specifications of each tower or monopole. The Planning Department shall maintain a file containing this information, which will be available for review by applicants.
2. Each application shall illustrate and describe the WTF installation as it will be when fully

deployed, even if the construction or installation will occur in phases.

3. Each application for a new support structure shall include the following:
 - a. A copy of the following notice, with any and all responses or a statement that no responses were received, which was mailed by the applicant to all other wireless providers licensed to provide service within the City of SeaTac, and to the property owners of all existing structures exceeding forty feet in height within 1,000 feet of the proposed site:

"Pursuant to the requirements of the City of SeaTac Municipal Code 15.31.030.B.3, (*wireless provider*) is hereby providing you with notice of our intent to apply to the City of SeaTac to construct a wireless telecommunications support structure at (*address*). The proposed support structure will be approximately ___ feet in height for the purpose of providing (*type of service*) service.

Please inform us whether you have any existing structures or wireless support structures in the vicinity of our proposed facility that may be available for our use. Please provide this information to us within ten working days from the date of this letter. If we receive no response from you within that time, we shall assume that you do not wish to pursue a wireless telecommunications facility at this site."

- a. A copy of the mailing labels, or a list of the names and addresses of the recipients of the notice described in section 15.31.030.B.3.a) of this Code.
- b. If an alternative site is identified, either through the notice described in section 15.31.030.B.3.a) of this Code or through other means, the applicant shall also submit a written assessment by a radio frequency engineer that explains why that site will not meet the applicant's requirements. The report shall specify:
 - i. The necessity of the site proposed for the new support structure to provide the communication coverage required by the applicant;
 - ii. The additional structural demands of retrofitting, at the available host site, the additional antennae and equipment shelter needed by the applicant; and,
 - iii. An explanation of any other technical or structural limitations of the host site to accommodate the additional antennae and equipment shelter needed by the applicant.

The City may, at the applicant's expense, have an independent radio frequency engineer or other qualified consultant review this report.

In all other cases the City may require this report as part of the permit application.

1. All applications for WTFs shall comply with all applicable FAA and Federal Communication Commission (FCC) regulations.

A. Variance

A variance from the setback, landscaping, fencing, lighting, noise, and aesthetics standards specified in 15.31.040.B. of this Code may be granted, subject to the criteria and process set forth in 15.22.020.B of this Code.

- a. A variance from the height limitations specified in 15.31.040.B. of this Code may be granted only pursuant to the criteria set forth in 15.22.020.C of this Code.

In cases where the applicant is applying for a permit to construct a new support structure requiring a written report as per 15.31.030.B.3.c) of this Code, and for a height variance requiring the information specified 15.22.020.C.6. of this Code, the applicant may submit a single report, provided that it contains the information required under both 15.31.030.B.3.c) and 15.22.020.C.6.

The City may, at the applicant's expense, have an independent radio frequency engineer or other qualified consultant review this report.

15.31.040 General Siting Approach And Development Standards

A. General Siting Approach

Generally, collocation on existing support structures or other existing structures is encouraged. Further, attachment of antenna(e) to existing nonresidential structures primarily within high intensity zones, as listed below, is preferable to new freestanding support structures.

New support structures will be allowed only when there is no feasible alternative. Section 15.31.030.B.3 above, sets forth the procedures by which the existence of feasible alternatives will be determined. The preferred order for the location of new support structures is:

1. I, AU, and BP Zones
2. ABC, CB, CB-C, O/CM, and NB. zones
3. UH and UM zones
4. UL, MHP, and P zones

A. Development Standards

1. High Intensity Zones

Subject to the following development standards, WTFs are permitted in the following high intensity zones; I, AU, BP, ABC, CB, CB-C, O/CM, and NB:

- a. **Collocation:** Collocation is encouraged. No additional setback or landscaping standards are required for WTFs collocating on existing support structures or existing structures.
 - i. The maximum number of platforms on any support structure shall be four.
 - ii. The number of WTFs allowed on existing structures is not limited, except that not more than one WTF shall be allowed on a utility pole.
 - iii. Each service provider shall be limited to an equipment shelter installation not to exceed 250 square feet in area at each WTF site. An equipment shelter installation may be comprised of a single structure, or several cabinets or similar components.
- a. **Height:** The height of WTFs collocated on existing structures shall not exceed 24 feet above the existing structure, provided that the height shall not exceed applicable FAA limitations.

The height of new support structures shall be limited to 80 feet. This height may be increased to 100 feet if the support structure is designed to accommodate

collocation by another wireless telecommunications service provider.

WTFs collocated on an existing support structure shall not exceed the height of that support structure.

- c. **Setbacks:** For new support structures, the required setbacks shall be measured from the base of the support structure or from the edge of the equipment shelter, whichever is closer to the property line. The minimum setbacks shall be as follows:

Front - 10 feet

Side - 5 feet

Rear - 5 feet

The setbacks shall be a minimum of 20 feet on the sides adjacent to P, UL, UM, UH, and MHP zones. For collocated WTFs, there are no additional setback requirements.

For new WTFs located on existing buildings, the WTF shall be allowed to project into the setback, provided that such projection does not exceed 24 inches.

Within the Urban Center, new support structures shall be located as far to the rear of the site as the setbacks will allow, so as to preserve as much of the site as possible for future development.

- a. **Landscaping:** For new support structures, the street frontage landscaping shall be Type II, 10 feet, and Type II 5 feet on the sides and rear. Where adjacent to UL, UM, UH, MHP or P zones, new support structures shall provide 10 feet of Type II landscaping on that side(s). In all cases, the landscaping shall be located on the outside of any fence that is used.

Landscaping standards may be modified at the discretion of the Planning Director in cases where the need for landscaping is eliminated by adequate natural screening, existing landscape buffers, topography, or the placement of the WTF among buildings.

1. Low Intensity Zones

Low Intensity Zones include only the UL, UM, UH, MHP, and P zones.

Subject to the following development standards, WTFs are allowed in the low intensity zones only on support structures, and the following existing structures: water towers, school buildings higher than 30 feet, and utility poles.

- a. **Collocation:** Collocation, or locating on an existing structure is required, except where technical or other limitations preclude it, as documented by a report described in 15.31.030.B.3.c. of this Code.
- i. The maximum number of platforms on any support structure shall be four, except where the Planning Director determines that a lower number is needed to protect the character of the existing neighborhood.

- ii. The number of WTFs located on existing structures is not limited, except that not more than one WTF shall be allowed on a utility pole.
- iii. Each service provider shall be limited to an equipment shelter installation not to exceed 250 square feet in area at each WTF site. An equipment shelter installation may be comprised of a single structure, or several cabinets or similar components.
 - a. **Height:** The height of WTFs located on existing structures shall not exceed 24 feet above the existing structure, provided that the height shall not exceed applicable FAA height limitations.

The height of new support structures shall be limited to 60 feet. This height may be increased to 80 feet if the support structure is designed to accommodate collocation by another wireless telecommunications service provider.

WTFs collocated on an existing support structure shall not exceed the height of that support structure.

- b. **Setbacks:** For new support structures, the required setbacks shall be measured from the base of the support structure or from the edge of the equipment shelter, whichever is closer to the property line. The setbacks shall be a minimum of 20 feet on all sides. For collocated WTFs, or WTFs located on an existing structure, there are no additional setback requirements.
- c. **Landscaping:** For new support structures, the landscaping shall be Type I, 10 feet on all sides. In all cases, the landscaping shall be located on the outside of any fence that is used. Landscaping standards may be modified at the discretion of the Planning Director in cases where the need for landscaping is eliminated by adequate natural screening, existing landscape buffers, or topography.

1. General Development Standards

All WTFs in all zones shall be subject to the following development standards:

- a. **Fencing:** Fences are not required, but shall be subject to a maximum height of 10 feet. The maximum fence height shall include any barbed wire or similar material, if used at the top of the fence. Fences may be constructed of any standard fencing material. All fencing shall be located inside of any required landscaping.
- b. **Lighting:** Only lighting required by FAA regulations, as documented by a letter from that agency, is allowed on support structures or antennae. Where lighting is required by FAA regulations, the light source shall be hooded or directed to shield adjacent properties, except where prohibited by FAA regulations.
- c. **Noise:** WTFs shall meet all existing noise standards as per 15.18.020 of this Code. In addition, noise levels shall not exceed ambient noise levels when measured at the property boundaries except in designated emergencies or for emergency generator testing. During generator testing, noise levels shall not exceed 5dBA above ambient noise levels when measured at the property boundaries. Generator testing is allowed only between the hours of 9 a.m. and 5 p.m., Monday through Friday.
- d. **Aesthetics:** Support structures shall be painted a color that best allows them to blend into the surroundings. The use of grays, blues and greens will often be

appropriate. However, each case shall be evaluated individually, and approval of the Planning Director shall be obtained.

When located on an existing structure, antenna(e) and associated equipment shall be of a neutral color that is identical to, or closely compatible with, the color of the existing structure so as to make the installation as visually unobtrusive as possible.

Neither antenna(e), antenna array(s), nor support structures shall be painted with signs, symbols, logos, flags or similar markings, nor shall such signs, symbols, logos, flags or similar markings be attached to antenna(e), antenna array(s), or support structures. This provision is intended to preclude the use of WTFs for advertising purposes. UL certification tags, manufacturer's contact information, and similar small tags not visible at a distance are exempt from this provision.

- e. **Abandonment:** Any WTF that is abandoned shall be reported immediately to the Director of Planning and Community Development by the service provider. The service provider shall include documentation of the date that use of the WTF was discontinued. The service provider shall remove the abandoned WTF and restore the above-ground site features to their pre-existing condition within six months of the abandonment, unless another service provider commits to using the site/facility as specified below. If the abandoned WTF is not removed and the site restored within the specified time frame, the City may conduct the removal and/or restoration at the service provider's expense.

If there are two or more users of a single WTF, then this provision shall not become effective until all users cease using the WTF. If another service provider has committed to continue the use of the discontinued WTF, an extension of up to three months beyond the six month removal deadline may be granted provided that:

- i. A letter of intent to operate the abandoned facility is submitted to the City by the new service provider; and,
 - ii. The WTF is put into service, or an application for a WTF has been submitted within the 3-month extension period.
- a. **Maintenance:** All required landscaping shall be maintained as per 15.14.210 of this Code. In addition, painted or otherwise coated surfaces shall be continually maintained.

Section 27. Section 16.03.050 of the SeaTac Municipal Code is hereby amended to read as follows:

16.03.050 City Manager or designee.

The City Manager or designee shall review and act on the following:

A. Variances to the provisions of SMC Titles 14 and 15 where the change does not exceed ten (10%) percent of the distance, area, or other measure of the requirement of City Code; provided:

1. The requested requirement change does not reasonably involve a life/safety issue nor does it reasonably involve damage to or loss of property of any person or entity.

2. The person or entity requesting the requirements change shall agree to waive his/her/its right to pursue a variance or other process to seek an alternative to the requirements of the City Code; provided, that if no change in the requirements of the City Code is granted to such person or entity, the person or entity would be entitled to pursue a variance or other available procedure in the normal course.

B. Minor conditional use permits (CUP) which conform to the following criteria:

1. A "Minor CUP" shall only be allowed upon request to expand an existing, legal conditional use which has previously been permitted within the zone classification.

2. The requested expansion of the existing conditional use is either: a) no greater than 20% of the gross floor area or gross area of the existing conditional use, or b) the addition of one WTF to an existing WTF established as a

conditional use, provided that the requested addition meets all other requirements of Chapter 15.31 of this Code.

3. The requested "Minor CUP" is exempt from environmental review under the State Environmental Policy Act (SEPA).

4. The minor conditional use must conform to the criteria as set forth under Section 15.22.030 of this Code.

5. The minor conditional use must conform to all other requirements of this Code.

C. The City Manager or designee is vested with and authorized to exercise the discretion to decide all such requests for changes in the requirements of the City Code pursuant to this section. The review of applications for variances and minor conditional use permits shall be pursuant to the criteria listed in Section 15.22.020 and Section 15.22.030 of this Code.

Section 28. If any one or more sections, subsections, or provisions of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the same shall remain in full force and effect.

Section 29. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 26th day of August, 1997, and signed in authentication thereof on this 26th day of August, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1014

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City to enter into interlocal agreements pursuant to the Interlocal Cooperation Act, Chapter 39.34 RCW, and providing for supersedure by specific terms and conditions of such interlocal agreements of contrary general terms and conditions of pre-existing City ordinances.

WHEREAS, the Interlocal Cooperation Act, Chapter 39.34 RCW, is intended to permit local governmental units to make the most efficient use of their powers by enabling them to cooperate with other public agencies to their mutual advantages and thereby to provide services and facilities that will accord best with the needs and development of the cooperating agencies; and

WHEREAS, the City Council is specifically authorized to exercise any of the City's powers or to perform any of its functions jointly or in cooperation as provided for in the said Interlocal Cooperation Act; and

WHEREAS, the City Council desires to ensure that the City is empowered to make full use of the Interlocal Cooperation Act and to contract with other public agencies to perform any governmental service, activity, or undertaking which either the City or the other public agency may be authorized to provide or perform; and

WHEREAS, such interlocal agreements entered into pursuant to the Interlocal Cooperation Act may well contain terms and conditions not contemplated by, or in conflict with, the general City Ordinances codified in the SeaTac Municipal Code; and

WHEREAS, the Interlocal Cooperation Act, at RCW 39.34.170, provides that the powers and authority of that Act shall be in addition and supplemental to powers or authority conferred by any other law and shall not limit the powers or authority of the City;

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

Section 1. There is hereby added a new Chapter 1.30 to Title 1 of the SeaTac Municipal Code, to read as follows:

Chapter 1.30**Interlocal Agreements****1.30.010 Adoption of the Interlocal Cooperation Act.**

The City does hereby adopt the powers and authority granted by the Interlocal Cooperation Act, Chapter 39.34 RCW, and shall be entitled to enter into any and all interlocal agreements with other public agencies, as may be authorized by resolution of the City Council.

1.30.020 Supersedure of ordinances.

The terms and conditions of any interlocal agreement entered into pursuant to this Chapter and the Interlocal Cooperation Act shall supersede and take precedence over any contrary term or condition of any pre-existing or subsequent City ordinances whether or not codified in the SeaTac Municipal Code.

1.30.030 Powers otherwise prohibited.

No power, privilege, or other authority shall be exercised by interlocal agreement where prohibited by the

Washington State Constitution or the Constitution or laws of the federal government.

1.30.040 Filing of interlocal agreements.

Copies of any and all interlocal agreements entered into between the City and any other public agencies shall, prior to the effective date thereof, be filed with the City Clerk, the County Recorder, and the Secretary of State as well as with any other agency pursuant to the Interlocal Cooperation Act.

Section 2. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 26th day of August, 1997, and signed in authentication thereof on this 26th day of August, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1015

AN ORDINANCE of the City Council of the City of SeaTac annexing certain real property, commonly known as the Tombs Annexation, being City File No. ANN0001

97, pursuant to the direct petition method set forth in Chapter 35A.14 RCW; placing a new zoning classification of the said property; and requiring the said property to be assessed and taxed at the same rate and basis as other property within the City, without assumption of any additional indebtedness.

WHEREAS, a Notice of Intent to Annex, signed by the owners of not less than sixty percent (60%) in value, according to the assessed valuation for general taxation of the property for which annexation is sought, was filed with the City on January 15, 1997 and was assigned File No. ANN0001

97; and

WHEREAS, the proposed area to be annexed is generally located on the southeast corner of the intersection of Military Road South and 37th Avenue South and is more particularly described on Exhibit A, and depicted on Exhibit B, attached to this Ordinance; and

WHEREAS, the City has the authority to effect annexation by the direct petition method pursuant to RCW 35A.14.120 through 35A.14.230; and

WHEREAS, the City Council met with the petitioners, at a regular meeting of the City Council and then adopted Resolution No. 97

011 declaring the intent of the City Council to accept the proposed annexation; and

WHEREAS, the City Council has received a petition for annexation of the said property signed by owners of not less than sixty percent (60%) in value, according to the assessed valuation for general taxation of the property for which annexation is sought, and the validity and sufficiency of the said petition has been established; and

WHEREAS, notice of the pending annexation was filed with the King County Boundary Review Board and no request for review was received by the Board within the statutory time limits, and the annexation is therefore deemed approved by the Boundary Review Board; and

WHEREAS, the City Council has previously adopted a Comprehensive Plan and has enacted Ordinances establishing zoning classifications for the City, and pursuant thereto the zoning classification of the annexed property should be changed from the County's R-1 zoning to the City's UL 15,000 zoning; and

WHEREAS, the annexation petition was considered at a public hearing as required by State law;

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

SECTION 1. Annexation.

The real property commonly known as the Tombs Annexation, being City File No. ANN0001

97, and being more particularly described on Exhibit A to this Ordinance, which is incorporated herein by this reference, is hereby annexed to and made a part of the City of SeaTac.

SECTION 2. Comprehensive Plan and Zoning.

The existing King County Comprehensive Plan land use designation in the aforesaid real property, commonly known as the Tombs Annexation is hereby changed from the King County designation of "urban light" to the City's

"residential low density". The existing King County zoning covering parcels located within the aforesaid real property commonly known as the Tombs Annexation (R-1 one unit per acre) is hereby changed to the City's UL 15,000 zoning classification.

SECTION 3. Indebtedness.

All real property within the aforesaid annexation area shall be assessed and taxed at the same rate and on the same basis as other property within the City without any additional assumption of bonded indebtedness not presently pertaining thereto.

SECTION 4. Filing With the County Council.

The City Clerk is hereby directed to file a certified copy of this Ordinance with the King County Council and to file triplicate certificates of annexation with the State Office of Financial Management pursuant to state law.

SECTION 5. Non-Codification.

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

SECTION 6. Effective Date.

This Ordinance shall take effect and be in full force five (5) days after its passage and publication of a summary of its contents pursuant to law.

ADOPTED this 9th day of September, 1997, and signed in authentication thereof on this 9th day of September, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1016

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending and updating the City's Electrical Code.

WHEREAS, Chapter 19.28 RCW and Chapter 296-44 WAC adopt by reference the National Electrical Code and associated codes, manuals and reference works, and further set forth rules and regulations pertaining to electricians and electrical installations in furtherance of safety to life and property; and

WHEREAS, RCW 19.28.010(3) authorizes the City to adopt equal, higher, or better standards of construction, materials, appliances and equipment; and

WHEREAS, RCW 19.28.070 grants to the City the power to enforce all such state and local standards; and

WHEREAS, the City Council has previously adopted by ordinance an Electrical Code, which is codified at Chapter 13.10 of the SeaTac Municipal Code, but the adoption by reference relates to the now out-dated National Electrical Code, 1993 Edition; and

WHEREAS, the Council finds it desirable to up-date the City's Electrical Code, including adoption of the 1996 edition of that Code and all subsequent amendments and editions, and further finds it desirable to make technical corrections;

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

Section 1. Section 13.10.010 of the SeaTac Municipal Code is hereby amended to read as follows:

13.10.010 Adoption of the National Electrical Code.

The National Electrical Code, ~~1993~~ 1996 Edition, together with appendices B and C thereto, and amendments thereto and subsequent editions thereof, as published by the National Fire Protection Association, and as may subsequently be amended, is hereby adopted by reference, with the exception of provisions regarding fees, which shall be governed by Section 13.10.050 of this Chapter.

Section 2. Section 13.10.020 of the SeaTac Municipal Code is hereby amended to read as follows:

13.10.020 Electricians and electrical installations.

The following sections of chapter 19.28 RCW as now in effect, and as may subsequently be amended, are adopted by reference to establish regulations pertaining to electricians and electrical installations, except that "Department" shall mean the City Department of Public Works, "Director" shall mean the Director of the Department of Public Works, unless otherwise indicated by the context:

19.28.005 Definitions.

19.28.010 Electrical wiring requirements - General - Exceptions.

~~19.28.060 Rules, regulations, and standards.~~

19.28.070 Enforcement - State electrical inspectors - Qualifications - Salaries and expenses.

19.28.120 License required - General or specialty licenses - Fees - Application - Bond - Cash deposit in lieu of bond.

19.28.125 Electrical contractors - Designee of firm to take administrator's examination - Certificate duration, renewal, nontransferable - Administrator's duties.

19.28.180 Licensee's bond - Action on - Priorities - Cash deposit, payment from.

19.28.190 Actions - Local permits - Proof of insurance.

19.28.200 Licensing - Exemptions.

19.28.210 Inspections - Notice to repair and change - Disconnection - Entry - Concealment - Connection to utility - Permits, fees.

19.28.250 Inspection reports.

19.28.260 Nonconforming installations - Disputes - Reference to board.

19.28.300 Board - Request for rulings - Fee - Costs.

~~19.28.310 Revocation or suspension of license - Grounds - Appeal to board - Fee - Costs.~~

19.28.340 Liability for injury or damage.

19.28.350 Violations of RCW 19.28.010 through 19.28.360 - Schedule of penalties - Appeal.

19.28.360 RCW 19.28.210 inapplicable in certain cities and towns, electricity supply agency service areas, and rights of way of state highways.

19.28.370 RCW 19.28.010 through 19.28.380 inapplicable to telegraph or telephone companies exercising certain functions.

19.28.390 Devices for diagnosis or treatment of disease or injury - Compliance with chapter.

19.28.510 Certificate of competency required - Electrical training certificate - Fee.

19.28.600 Powers and duties of director - Administration of RCW 19.28.510 through 19.28.620 by the department.

19.28.620 Violations of RCW 19.28.510 through 19.28.620 - Schedule of penalties - Appeal.

Section 3. Section 13.10.025 of the SeaTac Municipal Code is hereby amended to read as follows:

13.10.025 Exemptions from licensing and certification requirements.

A. Nothing in RCW 19.28.510 through 19.28.620, as adopted by reference at Section 13.10.020 of this ~~section~~ Chapter, shall be construed to require that a person obtain a license or a certified electrician in order to do electrical work at his or her residence or farm or on other property owned by him or her unless the electrical work is on the construction of a new building intended for rent, sale, or lease. However, if the construction is of a new residential building with up to four (4) units intended for rent, sale, or lease, the owner may receive an exemption from the requirement to obtain a license or use a certified electrician if he or she provides a signed affidavit to the Department stating that he or she will be performing the work and will occupy one of the units as his or her principal residence. The owner shall apply to the Department for this exemption and may only receive an exemption once every twenty-four (24) months. It is intended that the owner receiving this exemption shall occupy the unit as his or her principal residence

for twenty-four (24) months after completion of the units. Nothing in RCW 19.28.510 through 19.28.620, as adopted by reference, shall be intended to derogate from or dispense with the requirements of any valid electrical code enacted by the City pursuant to RCW 19.28.010(3), except that the holder of a certificate of competency shall not be required to demonstrate any additional proof of competency or obtain any other license or pay any fee in order to engage in the electrical construction trade. RCW 19.28.510 through 19.28.620, as adopted by reference, shall not apply to common carriers subject to Part I of the Interstate Commerce Act, nor to their officers and employees. Nothing in RCW 19.28.510 through 19.28.620, as adopted by reference, shall be deemed to apply to the installation or maintenance of telephone, telegraph, radio, or television wires and equipment; nor to any electrical utility or its employees in the installation, repair, and maintenance of electrical wiring, circuits, and equipment by or for the utility, or comprising a part of its plants, lines or systems. The licensing provisions, as adopted by reference, of RCW 19.28.510 through 19.28.620 shall not apply to:

1. Persons making electrical installations on their own property or to regularly employed employees working on premises owned by their employer, unless the electrical work is on the construction of a new building intended for rent, sale, or lease; or

2. Employees of an employer while the employer is performing utility type work of the nature described in RCW 19.28.200, as adopted by reference, so long as such employees have registered in the State of Washington with or graduated from a State-approved outside lineman apprenticeship course that is recognized by the Department of Labor and Industries and that qualifies a person to perform such work.

B. Nothing in RCW 19.28.510 through 19.28.620, as adopted by reference, shall be construed to restrict the right of any homeowner to assist or receive assistance from a friend, neighbor, relative or other person when none of the individuals doing the electrical installation hold themselves out as engaged in the trade or business of electrical installations. Nothing precludes any person who is exempt from the licensing requirements of this chapter under this section from obtaining a journeyman or specialty certificate of competency if they otherwise meet the requirements of this chapter.

Section 4. Section 13.10.030 of the SeaTac Municipal Code is hereby amended to read as follows:

13.10.030 Safety standards - Installing electric wires and equipment - Administrative rules.

Those additional codes, manuals, and reference works referred to and the regulations contained in Chapter 296-46 WAC as now in effect, and as may subsequently be amended, updated, or issued as new editions, pursuant to RCW 19.28.060, is are hereby adopted by reference to establish safety standards in installing electric wires and equipment and to provide administrative rules, with the exception of the inspection fees of WAC 296-46-910.

Section 5. Section 13.10.050 of the SeaTac Municipal Code is hereby amended to read as follows:

13.10.050 Fee schedule.

A. The following schedule of fees shall apply to all electrical work and shall be charged in connection with electrical work permits:

~~ELECTRICAL FEE SCHEDULE~~

~~For issuance of each permit \$15.00~~

~~For supplemental permits 5.00~~

NEW SINGLE FAMILY DWELLINGS

~~Less than 3,000 square feet \$55.00~~

~~Over 3,000 square feet 75.00~~
New Single Family Dwelling \$70.00
~~Garages, Pools, Spas and similar Outbuildings 35.00~~ 50.00
~~Low voltage systems 30.00~~ 45.00

SINGLE FAMILY REMODEL AND SERVICE CHANGES

~~Adding or extending 0 - 5 circuits \$35.00~~ 50.00
~~Adding or extending 6 or more circuits 55.00~~ 70.00
~~Noise remedy modification permit 50.00~~ 65.00
~~Low voltage systems 30.00~~ 45.00

MULTI-FAMILY AND COMMERCIAL

(Plan Review is Included in the Permit Fee)

Contract Amount Valuation Permit Fee

~~\$250 or less \$30~~ 45
~~251 - 1,000 30~~ 45 plus 4%
of cost over 250
~~1,001 - 5,000 60~~ 75 plus 1.5%
of cost over 1,000
~~5,001 - 50,000 120~~ 135 plus 1.4%
of cost over 5,000
~~50,001 - 250,000 750~~ 765 plus 1%
of cost over 50,000
~~250,001 - 1,000,000 2,750~~ 2,765 plus .8%
of cost over 250,000
~~one million and up 8,750~~ 8,765 plus .4%
of cost over one million

Low voltage system fees shall be computed based on the valuation contract amount and said fee shall be 50% of the fee outlined in the above schedule. **Fire Alarm** permits shall be subject to plan review fee of \$50 per hour, in addition to the above permit fee.

MISCELLANEOUS

Electrical safety inspection \$100.00 115.00

Temporary service ~~35.00~~ 50.00

Mobile home service ~~35.00~~ 50.00

~~Swimming pools and spas 45.00~~

Signs

~~Electrical 30.00~~

~~Additional sign/same location 15.00~~

Carnivals

Base fee ~~50.00~~ 65.00

Each concession 10.00

Inspection or plan review not specified elsewhere. 50.00/hr

The established fees as set forth above may be doubled or increased by \$100, whichever is greater, in the event that work has been commenced without a permit first having been obtained for the performance of said work. This fee, which shall constitute an investigation fee, shall be imposed and collected in all cases, whether or not a permit is subsequently issued.

Section 6. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 23rd day of September, 1997, and signed in authentication thereof on this 23rd day of September, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1017

AN ORDINANCE of the City Council of the City of SeaTac, Washington, ordering certain local improvements and creating a local improvement district; providing for the payment of the cost of such improvements by special assessments; creating a local improvement district fund; and providing for the issuance and sale of local improvement district bonds and interim financing warrants or notes.

WHEREAS, on September 23, 1997, the City Council of the City of SeaTac, Washington (the "City") adopted Resolution No. 97-025 declaring its intention to order certain local improvements within the City and to create a local improvement district; and

WHEREAS, a hearing was held on October 14, 1997, after notice as provided by law, and after discussion of the proposed improvements and due consideration thereof and of all objections thereto, the Council has determined to order the local improvements described below and to create a local improvement district; and

WHEREAS, estimates of the costs and expenses of the proposed improvements, a description of the boundaries of the district, a statement of what portion of the costs and expenses of the improvements would be borne by the property within the proposed district, and a diagram showing the lots, tracts and parcels to be benefited and other information pertaining to the proposed district, have been filed with the City Clerk and certified to the City Council;

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

Section 1. The City shall acquire, construct and install the following improvements within the following described areas of the City: Reconstruction of 28th and 26th Avenues South to form a four lane arterial street with a center median and turning lane from South 188th Street to South 204th Street all in the City of SeaTac. Improvements will also be made to South 192nd Street, South 200th Street, and South 204th Street including drainage, lighting, landscaping, and other appurtenances for the complete functioning of the improvements and for increased level of service. The foregoing improvements are hereafter referred to as the "Improvements."

Section 2. The plans and specifications for the Improvements, will be prepared and filed in the City Clerk's office. The Improvements, when completed, shall be in accordance with said plans, the provisions of this ordinance and any other ordinances as hereafter may be adopted in connection herewith; provided, however, that changes in detail of such plans that do not significantly alter the scope or costs of the Improvements will not require further approval.

Section 3. There is hereby established a local improvement district of the City to be known as "Local Improvement District No. 1" (herein referred to as "LID No. 1"). The boundaries of LID No. 1 shall be as described in Exhibit A attached hereto and incorporated herein by this reference.

It is hereby found that the above-described boundaries embrace as nearly as practicable all the property specially benefited by the Improvements, together with an airport institutional benefit to the Sea-Tac International Airport.

Section 4. The total cost and expense of the Improvements is estimated to be \$24,000,000, of which 31.25% shall be borne by and assessed against the property within LID No. 1 specially benefited by the Improvements. Assessments shall be made against the property within LID No. 1 in accordance with the special benefits accruing to such property.

Section 5. Upon completion of the Improvements, an assessment roll shall be prepared and, after notice and hearing in the manner provided by law, an assessment roll shall be confirmed. Assessments not paid within the 30day prepayment period provided by law shall be payable in installments and the City shall issue local improvement district bonds payable from such unpaid installments. The number of years said installments shall run, the dates of payment of the same and the rate of interest that the unpaid installments shall bear shall be as hereafter fixed by ordinance.

Section 6. There is hereby created a fund of the City to be known as the "Local Improvement District No. 1 Fund" for the purpose of paying the cost of the Improvements provided for in this ordinance and into which there shall be paid

all of the assessments collected in LID No. 1 as and when directed by the ordinance confirming the assessment roll. All moneys received from the sale of bonds, notes and warrants drawn on the LID No. 1 Fund shall be deposited into said Fund, and applied solely in payment of the costs and expenses of the Improvements.

Section 7. Pending the issuance of local improvement district bonds, the City may, for the purpose of meeting any and all costs and expenses of constructing the Improvements for which funds are not otherwise available, as the same are installed prior to the sale of the bonds, issue interim financing warrants against the LID No. 1 Fund, or issue local improvement district bond anticipation notes pursuant to Ch. 39.50 RCW, bearing interest at such rate or rates and with such terms as may hereafter be established by the Council by ordinance. Such interim warrants or notes, together with the interest due thereon to the date of delivery of the bonds, shall be redeemed and retired from the proceeds of the sale of local improvement district bonds or prepayments of assessments. Such warrants or notes shall be issued in an aggregate principal amount not in excess of the cost and expense of the Improvements.

Section 8. It is the intent of the City to reimburse a portion of the costs of the Improvements with the proceeds of bonds to be issued by the City (the "Reimbursement Bonds") the interest rate on which is excludable from gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 9. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 14th day of October, 1997, and signed in authentication thereof on this 14th day of October, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

APPROVED AS TO FORM:

Robert L. McAdams, City Attorney

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CLERK'S CERTIFICATE

I, the undersigned, the duly chosen, qualified, and acting Clerk of the City of SeaTac, Washington, and keeper of the records of the Council of the City (herein called the "Council"), DO HEREBY CERTIFY:

1. That the attached is a true and correct copy of Ordinance No. _(herein called the "Ordinance") of the Council as finally adopted at a meeting of the Council held on the 14th day of October, 1997, and duly recorded in my office.
2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the adoption of the Ordinance; that all other requirements and proceedings incident to the proper adoption of the Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 1997.

City Clerk

CERTIFICATE

The undersigned, Finance Director of the City of SeaTac, Washington, hereby certifies as follows:

1. The undersigned is authorized by law to collect assessments for local improvement districts within the City.
2. I received on October 15, 1997 (fifteen days within the passage of Ordinance No. forming Local Improvement District No. 1) the title and district number for Local Improvement District No. 1 and a copy of the diagram or print showing the boundaries of Local Improvement District No. 1 and the preliminary assessment roll or abstract of the same showing thereon the lots, tracts and parcels of land that will be specially benefited thereby and the estimated cost and expense of such improvements to be borne by each lot, tract or parcel of land.
3. Immediately upon receipt of the foregoing, I posted the proposed assessment roll upon the index of local improvement assessments against the properties affected by Local Improvement District No. 1.

DATED this ____ day of _____, 1997.

CITY OF SEATAC,
WASHINGTON

Elizabeth Spencer
Finance Director

[CITY SEAL]

ORDINANCE NO. 97-1018

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing a 1997 Supplemental Budget Appropriation for Property Acquisition.

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, public hearings, and final fixing of the budget; and

WHEREAS, the aforesaid law and procedures were followed and an Annual Budget for the year 1997 appropriating funds for estimated expenditures was adopted by the City Council as Ordinance No. 96-1026; and

WHEREAS, RCW 35A.33.120 limits expenditures to the total amount appropriated for each fund in the budget; and

WHEREAS, the said Ordinance No. 96-1026 appropriated for expenditure from Fund No. 306 "Municipal Facilities CIP" the total sum of \$250,000; and

WHEREAS, the purchase of the "Hughes" property from Alaska Airlines, Inc., which was approved by the City Council will require an increased appropriation from the Fund in the estimated total amount of \$2.9 million;

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

Section 1. A supplemental budget appropriation from Fund No. 306 "Municipal Facilities CIP" in the estimated sum of \$2.9 million is hereby approved, as is the December 31, 1997 ending fund balance reduction from \$5,410,000 to \$2,510,000.

Section 2. The 1997 Budget for the City of SeaTac, covering the period from January 1, 1997 through December 31, 1997, is hereby amended to indicate total appropriations in the amount of \$37,933,900.

Section 3. Section 1 and Section 2 of Ordinance No. 96-1026 are hereby amended in accordance with the foregoing.

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

ADOPTED this 14th day of October, 1997, and signed in authentication thereof on this 14th day of October, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1019

AN ORDINANCE of the City Council of the City of SeaTac, Washington, fixing and imposing an increased commercial parking tax and otherwise amending the Local Option Transportation Tax of Chapter 3.70 of the SeaTac Municipal Code.

WHEREAS, the State Legislature has authorized cities to levy certain "local option transportation taxes", one of which is the commercial parking tax as set forth at RCW 82.80.030; and

WHEREAS, the use of all local option transportation tax revenues is restricted to transportation purposes, consistent with each city's comprehensive transportation plan, including repayment of bonds issued for such purposes; and

WHEREAS, the City Council imposed and levied a commercial parking tax, now codified at Chapter 3.70 of the SeaTac Municipal Code, equal to fifty cents for each parking transaction which is paid by the owner or operator of the vehicle; and

WHEREAS, the City has need for increased revenues to fund necessary transportation improvement projects, including those relating to regional traffic to and from the Sea-Tac International Airport which should be routed to dedicated or improved roadways so as not to adversely impact the level of service on other City streets; and

WHEREAS, it is appropriate to increase the commercial parking tax levied upon owners or operators of vehicles engaging in commercial parking transactions from fifty cents per transaction to the sum of one dollar per transaction; and

WHEREAS, use of the tax revenues should not be limited to those purposes set forth in RCW 82.80.070; and

WHEREAS, the Council finds it appropriate to extend the date for remission of collected taxes from commercial parking businesses to the City from the tenth day of the following month to the thirtieth day of the following month; and

WHEREAS, the Council further finds it appropriate to provide for appeal of any disputes to the City Manager, or designee, and then to the City Hearing Examiner, rather than to the City Council;

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

Section 1. Section 3.70.020 of the SeaTac Municipal Code is hereby amended to read as follows:

3.70.020 Local option transportation tax imposed.

Pursuant to RCW 82.80.030, there is levied a special local option transportation tax to be imposed on the privilege of parking in commercial parking facilities within the City. The tax shall be imposed at the rate of ~~fifty cents (\$0.50)~~ one dollar (\$1.00) per commercial parking transaction, including "short-term metered parking," irrespective of the length of time that a vehicle is parked in connection with each transaction.

Section 2. Section 3.70.040 of the SeaTac Municipal Code is hereby amended to read as follows:

3.70.040 Fund created - Use of funds.

~~There is created a fund which shall be known as the "Local Option Transportation Tax Fund."~~
 All revenues, assessments and other charges generated and collected as local option transportation taxes shall be placed into the fund Arterial Street Fund 102, and shall be used by the City for ~~regional~~ transportation projects within the City of SeaTac Comprehensive Transportation Plan, in accordance with RCW 82.80.070, and for administering the tax, including activities of the City in keeping and tracking records, financial reports and other documents, reviewing filings and compiling reports by commercial parking businesses, and other activities involved in collection and enforcement of the tax.

Section 3. Section 3.70.050 of the SeaTac Municipal Code is hereby amended to read as follows:

3.70.050 Taxes collected by business operators.

Taxes imposed herein shall be collected by the operators of the commercial parking businesses. The operators of the commercial parking businesses shall remit to the City the local option transportation taxes collected on or before the ~~tenth last~~ day of the month following the month during which the taxes were collected. The City shall be authorized to review and inspect financial records involving activities of businesses which are taxable by this tax, at least quarterly each year.

Section 4. Section 3.70.080 of the SeaTac Municipal Code is hereby amended to read as follows:

3.70.080 Appeal procedure.

Any person aggrieved by the amount of tax determined to be due to the City pursuant to the provisions of this chapter, may appeal to the City ~~Council~~ Manager, or designee, from such determination by filing a written notice of appeal with the City Clerk within 20 days from the date on which such person was given notice of the tax. The City ~~Council~~ Manager, or designee, shall, as soon as practicable, fix a time and place for the hearing for such appeal. Notice of the hearing and the appeal shall be given to the appellant by certified mail at least five days prior to the date of the hearing. ~~On the appeal, The City Council appellant, if aggrieved by the decision of the City Manager, or designee, may appeal to the City Hearing Examiner pursuant to Section Chapter 1.20.110 of this City Code within 20 days of the date of the administrative decision. shall determine whether the tax was properly computed and whether the tax provisions of the City Code were properly applied to the circumstances of the appellant.~~

Section 5. This Ordinance shall be in full force and effect on November 1, 1997, being more than five (5) days after passage and publication.

ADOPTED this 14th day of October, 1997, and signed in authentication thereof on this 14th day of October, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1020

AN ORDINANCE of the City Council of the City of SeaTac, Washington, terminating Fire Department supervision of automatic fire alarms and automatic fire sprinkler systems.

WHEREAS, provisions of the Uniform Building Code, the Uniform Fire Code, and the SeaTac Municipal Code require automatic fire alarm systems and automatic fire sprinkler systems, together with monitoring at a constantly attended location, for specified multi-family and certain other occupancies; and

WHEREAS, the City previously amended certain sections of the Uniform Codes so as to require that all such systems be supervised by the Fire Department through digital alarm receiver (Omegalarm) at the South Communications Center; and

WHEREAS, approved central, remote, and proprietary stations now have expanded capabilities and services enabling such entities to safely and economically assume supervision of automatic systems where monitoring is required; and

WHEREAS, terminating Fire Department supervision will eliminate response to alarms triggered by system problems rather than by fire or other emergency and will also obviate the need for expensive up-grading of the Fire Department's alarm receiver equipment;

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

Section 1. Section 13.06.030J of the SeaTac Municipal Code is hereby repealed.

Section 2. Section 13.14.030B of the SeaTac Municipal Code is hereby amended to read as follows:

B. Article 10, Section 1003.3 is amended to provide for Group R Division 1 occupancies as follows:

An approved automatic sprinkler system shall be installed throughout every apartment house three or more levels in height or containing five or more dwelling units and every hotel three or more levels in height or containing ten or more guest rooms. Residential or quick response sprinkler heads shall be used in the dwelling unit and guest room portions of the buildings. The sprinkler system shall comply with the requirements of the Uniform Building Code Standard Numbers 9-1 or 9-3. ~~All automatic sprinkler systems shall be supervised by the City of SeaTac Fire Department.~~

Section 3. Section 13.14.030D of the SeaTac Municipal Code is hereby repealed.

Section 4. This Ordinance shall be in full force and effect thirty (30) days after passage and publication.

ADOPTED this 28th day of October, 1997, and signed in authentication thereof on this 28th day of October, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1021

AN ORDINANCE of the City Council of the City of SeaTac, Washington, fixing building permit fees.

WHEREAS, Section 13.06.010 of the SeaTac Municipal Code adopted by reference the 1994 Edition of the Uniform Building Code and the Uniform Code Standards, but retained the permit fee schedule from the 1991 Edition, which was based upon the 1985 Edition; and

WHEREAS, due to inflation, additional restrictions and standards, and the resultant need to invest more time by City staff in processing permits, performing plan review, conducting inspections, and in ensuring compliance, a particularized building permit fee schedule should be adopted; and

WHEREAS, the City Council finds that additional amendments, additions and deletions to Chapter 13.06 of the SeaTac Municipal Code should be considered, but that the limited amendments to fees set forth herein are now necessary and appropriate;

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

Section 1. Section 13.06.010 of the SeaTac Municipal Code is hereby amended to read as follows:

13.06.010 Uniform Building Code.

The 1994 Edition of the Uniform Building Code and the Uniform Building Code Standards, published by the International Conference of Building Officials as amended by the Washington State Building Code Council on November 18, 1994 and as published as Chapter 51-30 WAC are hereby adopted, except for the fees of Table 3A, with the 1991 fees being retained unless and until amended hereafter for provisions thereof specifically not adopted, and except for amendments and additions specifically adopted in this Chapter.

Section 2. Subsection A of Section 13.06.030 of the SeaTac Municipal Code is hereby amended to read as follows:

13.06.030 ~~Additional tables~~ Permit and footnotes fees adopted.

~~A. Table 3A 1-A of the 1994 Edition of the Uniform Building Code is amended, adding the following footnotes not adopted and the table of fees set forth at Appendix A to this chapter is hereby adopted, and all references to Table 1-A within the said Uniform Building Code shall be deemed to be references to Appendix A, subject to the following:~~

TABLE 3A

~~A.1. Table 3A Appendix A shall apply to permits for the installation of underground fuel storage tanks, fuel tank piping and vapor extraction systems. In addition to the permit fee, a plan review fee of 65% of the permit fee shall be required.~~

~~B.2. The permit fee for the removal of an underground fuel storage tank (UST) system, other than a farm or residential UST of capacity less than 1,100 gallons, shall be \$250.00 for the first tank and \$100.00 for each additional tank if inspected at the same time.~~

C.3. The permit fee for installing a moved residential structure, including new or relocated manufactured homes and mobile homes, onto a new site shall be \$250.00, which will include ~~the foundation, water hook-up and the building drain connection~~ plan review.

D.4. For the purpose of determining permit fees, buildings shall be assigned a minimum valuation based upon Table 3C.

E.5. Permits issued under the provisions of this ~~code chapter~~ for new single family residential construction, additions, remodels, carports and garages, ~~or~~ and other ~~uses~~ structures associated with single family ~~structures~~ uses shall expire one year from the date of issue. ~~The fee for renewal of said permits shall be one half the original permit fee.~~ 6. Permit Expiration. ~~Single family residential building permits shall expire one year from the date of issue.~~ A six month extension may be granted by the building official. The fee for renewal, beyond the extension that may ~~have been~~ granted, shall be equal to one half the original building permit fee.

F. Commercial building permits shall expire two years from the date of issue. ~~No extension will be authorized. Renewal of a commercial permit will revise a fee equal to one half the original permit fee.~~

G. Other fees, including, but not limited to, plan review, drainage plan review, and inspections, shall be as set forth in the City Schedule of License Fees, Permit Fees, and Other Fees and Charges adopted by Resolution.

Section 3. Subsection C of Section 13.06.030 of the SeaTac Municipal Code is hereby amended to read as follows:

C. A new Table 3C, establishing minimum valuation for buildings for the purposes of calculating permit fees is established as follows:

TABLE 3C

BUILDING VALUATION

The determination of value or valuation under any of the provisions of this code shall be made by the Building Official. For the purposes of determining The Value to be used in computing the building permit fees and building plan review fees, building valuation shall be based on the most recent "Building Valuation Data" as printed in the Building Standards magazine, published by the International Conference of Building Officials, or the contract price, whichever is higher. Valuation for purposes of determining a demolition permit fee shall be based upon the contract price or the fair market value of the demolition work, with a minimum fee of \$150.00. In addition to the regional modifier, the valuation shall be reduced by the following multipliers:

1. Residential additions .70
2. Residential remodels .30
3. Residential decks .20
4. Commercial tenant improvements .30

Section 4. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 28th day of October, 1997, and signed in authentication thereof on this 28th day of October, 1997.

CITY OF SEATAC

Don DeHan, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1022

AN ORDINANCE of the City Council of the City of SeaTac, Washington adopting the Annual Budget for the year 1998 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, public hearings, and final fixing of the budget; and

WHEREAS, a preliminary budget for the fiscal year 1998 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 1998 budget for the City of SeaTac, covering the period from January 01, 1998 through December 31, 1998, is hereby adopted by reference with appropriations in the amount of \$35,715,965.

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 appropriations in summary by funds and aggregate total of the City of SeaTac are as follows:

<u>Fund Number</u>	<u>Fund Name</u>	<u>Appropriations</u>
001	General	\$ 19,983,914
101	City Street	644,430
102	Arterial Street	3,162,138
104	Reach Housing Assistance	51,000
105	Port ILA	821,997
201	LTGO City Hall Bond	444,430
202	Transportation Bond	895,610
306	Municipal Facilities CIP	250,000
307	Transportation CIP	5,558,040
403	Surface Water Management	1,307,824
406	Surface Water Construction	2,307,500
501	Equipment Rental	<u>289,082</u>
	Total All Funds	<u>\$ 35,715,965</u>

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. Three complete copies 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 1998 five (5) days after passage and publication as required by law.

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ADOPTED this 25th day of November, 1997, and signed in authentication thereof on this 25th day of November, 1997.

CITY OF SEATAC

Kathy Gehring, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1023

AN ORDINANCE of the City Council of the City of SeaTac, Washington relating to ad valorem property taxes; establishing the amount to be levied in 1998 by taxation on the assessed valuation of the property of the City; and setting the levy rate for the year 1998.

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 now certified the assessed valuation of all taxable property situated within the boundaries of the City at \$2,370,090,176;

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

SECTION 1. Levy Rate Fixed.

The regular ad valorem levy for collection during the fiscal year of 1998 is hereby set at \$2.96 per thousand dollars of assessed value of all taxable property situated within the boundaries of the City.

SECTION 2. Estimated Amount to be Collected by Ad Valorem Taxation.

The amount of revenue to be collected by the City in the fiscal year 1998 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$7,004.692.

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 9th day of December, 1997, and signed in authentication thereof on this 9th day of December, 1997.

CITY OF SEATAC

Kathy Gehring, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

ORDINANCE NO. 97-1024

AN ORDINANCE of the City Council of the City of SeaTac, Washington, establishing a Fire Equipment Capital Reserve Fund and amending the 1997 City Budget.

WHEREAS, capital equipment purchases for the Fire Department can result in significant budgetary constraints in the year of purchase; and

WHEREAS, it is deemed fiscally prudent to reserve monies in a special fund by making annual transfers from the General Fund; and

WHEREAS, City staff estimates savings in the 1997 General Fund budget of at least \$400,000; and

WHEREAS, a designated fund balance of \$297,000 in the General Fund has been reserved for fire equipment purchases,

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

Section 1. A new special revenue fund of the City shall be established, entitled the "Fire Equipment Capital Reserve Fund."

Section 2. The 1997 Annual City Budget shall be amended to appropriate a transfer of \$400,000 from the General Fund to the Fire Equipment Capital Reserve Fund.

Section 3. The City Finance Director is authorized to transfer \$297,000 in General Fund Balance designated for fire equipment capital purchases to the Fire Equipment Capital Reserve Fund.

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

ADOPTED this 9th day of December, 1997, and signed in authentication thereof on this 9th day of December, 1997.

CITY OF SEATAC

Kathy Gehring, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

City of SeaTac

SeaTac City Hall

17900 International Blvd. , Suite 401

SeaTac, Washington 98188

(206) 241-9100

(Legal Notice)

December 10, 1997

NOTICE OF ORDINANCE PASSED

BY SEATAC CITY COUNCIL

The following is a summary of an Ordinance passed by the City of SeaTac City Council on the 9th day of December, 1997.

ORDINANCE NO. _____

AN ORDINANCE of the City Council of the City of SeaTac, Washington, establishing a Fire Equipment Capital Reserve Fund and amending the 1997 City Budget.

Section 1 of the Ordinance establishes a new special revenue fund of the City, entitled "Fire Equipment Capital Reserve Fund."

Section 2 of the Ordinance amends the 1997 Annual City Budget to appropriate a transfer of \$400,000 from the General Fund to the Fire Equipment Capital Reserve Fund.

Section 3 of the Ordinance authorizes the City Finance Director to transfer \$297,000 in General Fund Balance designated for fire equipment capital purchases to the Fire Equipment Capital Reserve Fund.

Section 4 of the Ordinance establishes an effective date of five (5) days after passage and publication as required by law.

A full text of the Ordinance is available at the City Clerk's Office, SeaTac City Hall, 17900 International Blvd., Suite 401, SeaTac, Washington, 98188; phone (206) 241-9100. A copy will be mailed upon request.

Judith L. Cary, City Clerk

Published in the Highline Times: _____

ORDINANCE NO. 97-1025

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 of SeaTac adopted its Comprehensive Plan in December, 1994, after study, review, community input and public hearings; and

WHEREAS, the State Growth Management Act provides for amendments to the Comprehensive Plan no more than once per year; and

WHEREAS, it is necessary to update the Comprehensive Plan's implementation strategies, 6-year Capital Facilities Element, and other sections as identified through public process, and

WHEREAS, the Port of Seattle ("Port") is a municipal corporation that owns and operates Seattle-Tacoma International Airport ("Airport"); which is substantially located within City limits; and

WHEREAS, it is required by the Growth Management Act that the Comprehensive Plan be consistent with the region's Metropolitan Transportation Plan ("MTP") that has been amended by the Puget Sound Regional Council to include a third runway at the Airport; and

WHEREAS, the Port adopted a Master Plan update including a third Airport runway on August 1, 1996 by Resolution 3212 (as amended) ("Port Master Plan") to implement the MTP; and

WHEREAS, the City of SeaTac Comprehensive Plan recognizes that an Airport is an essential public facility; and its importance for the City as well as the region; and

WHEREAS, the Interlocal Agreement dated September 4, 1997 ("ILA"), and adopted by the Port and the City comprises appropriate provisions for development, mitigation and operation of the Port Master Plan improvements, and includes provisions for project-specific review of Port Master Plan improvements, consistent with RCW 36.70A.200; and

WHEREAS, the Airport-related Land Use Map amendments in Exhibit A shall serve as a "Coordinated Land Use Map" consistent with Exhibit A, Section 2.1 of the ILA; and

WHEREAS, the environmental impacts of the proposed amendments have been assessed in the Final Supplemental Environmental Impact Statement for the City Of SeaTac Comprehensive Plan Amendments And Zoning Changes published November 26, 1997; and

WHEREAS, the proposed amendments are expected to have negligible effects on the value of property to be acquired by the Port for implementation of the Port Master Plan; and

WHEREAS, after a public hearing to consider proposed amendments to the Comprehensive Plan, the Planning Commission of the City of SeaTac has recommended to the City Council adoption of the proposed amendments to the Comprehensive Plan,

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, is hereby

amended as set forth in Exhibits A and B (attached) and that a copy of the amendments be maintained on file with the Office of the City Clerk for public inspection.

Section 2. A copy of this Ordinance shall be transmitted to the Department of Community, Trade and Economic Development pursuant to RCW 36.70A.106(3).

Section 3. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 9th day of December 1997 and signed in authentication thereof this 9th day of December 1997.

CITY OF SEATAC

Kathy Gehring, Deputy
Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Bob McAdams, City Attorney