



# City of SeaTac

## Council Study Session Agenda

September 9, 2014  
4:00 PM

City Hall  
Council Chambers

### CALL TO ORDER:

**PUBLIC COMMENTS (related to the agenda items listed below):** (Speakers must sign up prior to the meeting. Public Comments shall be limited to a total of ten minutes with individual comments limited to three minutes and a representative speaking for a group of four or more persons in attendance shall be limited to ten minutes. However, the Mayor or designee may reduce equally the amount of time each speaker may comment so that the total public comment time does not exceed ten minutes. When recognized by the Mayor or his designee, walk to the podium, state and spell your name, and give your address [optional] for the record.)

### 1. PRESENTATIONS – INFORMATION ONLY:

- **Introduction of new City Employee: Court Administrator Gail Cannon** (*total time: 5 minutes*)

By: City Manager Todd Cutts

- 2. **Agenda Bill #3632; An Ordinance granting tw telecom of Washington, LLC a non-exclusive franchise to operate a fiber optic cable network in the City** (*total time: 15 minutes / presentation time: 10 minutes*)

By: City Engineer Susan Sanderson / tw telecom Vice President Regulatory and Legislative Affairs Greg Diamond

- 3. **Agenda Bill #3628; A Resolution providing notice of the intent to establish a Tourism Promotion Area and establish the date for a Public Hearing** (*total time: 30 minutes / presentation time: 15 minutes*)

By: Economic Development Manager Jeff Robinson / Pacifica Law Group Partner Deanna Gregory

- 4. **Agenda Bill #3634; A Motion authorizing the final acceptance of the Angle Lake Park Boat Dock project** (*total time: 10 minutes / presentation time: 5 minutes*)

By: Parks and Recreations Director Kit Ledbetter

### 5. PRESENTATIONS – COUNCIL DIRECTION:

- **Major Comprehensive Plan Update – Land Use Element** (*total time: 20 minutes / presentation time: 15 minutes*)

By: Planning Manager Steve Pilcher / Senior Planner Mike Scarey

### ADJOURN:



# City of SeaTac

## Regular Council Meeting Agenda

September 9, 2014  
6:30 PM

City Hall  
Council Chambers

**CALL TO ORDER:**  
**ROLL CALL:**  
**FLAG SALUTE:**

**PUBLIC COMMENTS:** (Speakers must sign up prior to the meeting. Individual comments shall be limited to three minutes. A representative speaking for a group of four or more persons in attendance shall be limited to ten minutes. When recognized by the Mayor or his designee, walk to the podium, state and spell your name, and give your address [optional] for the record.)

**PUBLIC COMMENTS (related to Agenda Bill #3619):** RCW 42.17A.555 requires that proponents and opponents of the ballot proposition are afforded an approximately equal opportunity for the expression of viewpoints. Therefore, all proponents of the ballot measure will be allocated a maximum of 10 minutes collectively, and all opponents of the ballot measure will be allocated a maximum of 10 minutes collectively. Members of the public are encouraged to communicate with each other prior to comment, so that these time limits can be observed. Speakers must sign up prior to the meeting. Comments related to Agenda Bill #3619 will only be taken at this time.

**ACTION ITEM:**

**6. Agenda Bill #3619; A Resolution expressing the City Council's support for Highline School District Proposition No. 1—Bonds to Construct New Schools and Replace and Renovate Deteriorating Schools, to be presented to the electorate on November 4, 2014 (total time: 10 minutes / presentation time: 5 minutes)**

By: Senior Assistant City Attorney Mark Johnsen

**7. PRESENTATIONS:**

● **South King County Gay Pride Proclamation (total time: 5 minutes)**

By: Mayor Mia Gregerson / South King County Pride Cofounder Wade Schwartz

● **Diaper Need Awareness Week Proclamation (total time: 5 minutes)**

By: Mayor Mia Gregerson / Westside Baby Executive Director Nancy Woodland

● **National Day of Recovery Proclamation (total time: 5 minutes)**

By: Mayor Mia Gregerson

● **King County Bar Association and Pro Bono Services (total time: 5 minutes)**

By: King County Bar Association Housing Justice Project Managing Attorney Rory O'Sullivan

● **Puget Sound Energy/Hdromax Sewer Inspection Service (total time: 20 minutes/ presentation time: 10 minutes)**

By: Hydromax USA, LLC Manager Kahana Ison

● **Council consideration and confirmation of the Mayoral re-appointments of Frank Welton, Cathy Heiberg, Caroline Curtis, and Jeffrey Bauknecht to the Hotel/Motel Tax Advisory Committee and Cheryl Forbes and Thomas Plante to the Library Advisory Committee (total time: 5 minutes)**

By: Mayor Mia Gregerson

**8. CONSENT AGENDA:**

● **Approval of claims vouchers** (check no. 108267 - 108452) in the amount of \$2,322,979.33 for the period ended August 20, 2014.

● **Approval of claims vouchers** (check no. 108453 - 108566) in the amount of \$263,045.91 for the period ended September 5, 2014.

● **Approval of payroll vouchers** (check nos. 52343 - 52374) in the amount of \$156,836.17 for the period ended August 15, 2014.

● **Approval of payroll electronic fund transfers** (check nos. 82002 - 82150) in the amount of \$270,113.71 for the period ended August 15, 2014.

● **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$57,649.76 for the period ended August 15, 2014.

**8. CONSENT AGENDA (Continued):**

- **Approval of payroll vouchers** (check nos. 52375 – 52408) in the amount of \$306,754.21 for the period ended August 31, 2014.
- **Approval of payroll electronic fund transfers** (check nos. 82151 - 82300) in the amount of \$261,765.19 for the period ended August 31, 2014.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$53,748.02 for the period ended August 31, 2014.
- **Pre-approval or final approval of City Council and City Manager travel related expenses** for the period ended August 3, 2014.
- **Summary of Grant Acceptance** for the period ended September 5, 2014.

**Approval of Council Meeting Minutes:**

- **Council Study Session held June 25, 2013**
- **Regular Council Meeting held April 8, 2014**
- **Regular Council Meeting held May 27, 2014**
- **Regular Council Meeting held July 8, 2014**

**Agenda Items reviewed at the August 12, 2014 Council Study Session and recommended for placement on this Consent Agenda:**

**Agenda Bill #3625; A Motion authorizing the acceptance of the work for the replacement of the glazing in City Hall windows**

**Agenda Bill #3633; A Motion authorizing the Mayor to execute an amendment to the employee agreement between the City and City Manager Todd Cutts**

**PUBLIC COMMENTS (related to Action Items and Unfinished Business):** (Individual comments shall be limited to one minute and group comments shall be limited to two minutes.)

**ACTION ITEM:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**CITY MANAGER'S COMMENTS:**

**COMMITTEE UPDATES:**

**COUNCIL COMMENTS:**

**EXECUTIVE SESSION:**

**ADJOURN:**

**1. PRESENTATIONS – INFORMATION ONLY:**

- **Introduction of new City Employee: Court Administrator Gail Cannon** (*total time: 5 minutes*)

By: City Manager Todd Cutts



**FISCAL IMPACT:** None. The City is not able to charge a franchise fee pursuant to federal law, as this is a telecommunications provider. However, the franchise outlines the conditions for relocation of their facilities and when tw telecom is responsible for relocation costs.

**ALTERNATIVE(S):** Do not pass the Ordinance.

**ATTACHMENTS:** None.

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE of the City of SeaTac, Washington, granting to **tw telecom of washington llc**, a Delaware limited liability company, and its successors and assigns, a non-exclusive franchise to construct, maintain, repair, replace, remove, and operate a Fiber Optic Cable Network in, upon, over, under, along, across and through the Franchise Area of the City of SeaTac.

**WHEREAS**, tw telecom of washington llc (“Grantee”) has applied for a nonexclusive franchise to enter, occupy, and use public rights-of-way and nonexclusive easements to construct, operate and maintain a Fiber Optic Cable Network to offer and provide Communications Services for hire, sale, or resale in the City; and

**WHEREAS**, the City has the authority to grant franchises for the use of its streets and other public properties pursuant to RCW 35A.47.040;

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

**SECTION 1. DEFINITIONS**

For the purposes of this Franchise and the Exhibits attached hereto, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. Words not defined shall be given their common and ordinary meaning. The word "shall" is always mandatory and not merely directory.

- 1.1 **“Affiliate”** means a Person directly or indirectly owned or controlled by Grantee, or that owns or controls Grantee, or is under common ownership or control with Grantee.
- 1.2 **"Communications Services"** means telecommunications services and information services as defined under 47 U.S.C. § 153, and network telephone services as defined under RCW 82.16.010.
- 1.3 **"City"** means the City of SeaTac, Washington, a municipal corporation.
- 1.4 **"FCC"** means the Federal Communications Commission or its lawful successor.
- 1.5 **"Fiber Optic Cable Network”** means a transmission medium of optical fiber cable, along with all associated optronics and equipment, capable of carrying communications signals

by means of electric light-wave impulses.

**1.6 "Franchise"** means this document, a non-exclusive contractual agreement, and any amendments and modifications thereto executed between the City and Grantee, containing the specific provisions of the authorization granted to operate a Fiber Optic Cable Network in the City.

**1.7 "Franchise Area"** means Rights-of-Way within the jurisdictional boundaries of the City, including any areas annexed by the City during the term of this Franchise.

**1.8 "Grantee"** shall mean tw telecom of washington llc, a Delaware limited liability company.

**1.9 "Person"** means any individual, partnership, association, joint stock company, trust, corporation, or governmental entity, but shall not mean the City.

**1.10 "Right-of-Way" (pluralized as "Rights-of-Way")** means the surface of, and the space above and below, any public street, highway, freeway, bridge, land path, alley, court, boulevard, sidewalk, way, lane, public way, drive, circle or other public way of the City, including, but not limited to, non-exclusive utility easements, dedicated utility strips, or public ways dedicated for compatible uses now or hereafter held by the City in the Franchise Area, which shall entitle the Grantee to the use thereof for the purpose of installing, operating, repairing, upgrading and maintaining the Fiber Optic Cable Network. Right-of-Way shall also mean any easement now or hereafter held by the City within the Franchise Area for the purpose of public travel or for utility or public service use dedicated for compatible uses.

**1.11 "State"** means the State of Washington.

**1.12 "Underground Facilities "** means Facilities located under the surface of the ground, other than underground foundations or supports for overhead Facilities.

## **SECTION 2. GRANT OF FRANCHISE**

### **2.1 Grant**

(A) The City hereby grants to the Grantee a nonexclusive Franchise authorizing construction, operation, and maintenance of a Fiber Optic Cable Network in, along, among, upon, across, above, over, under, the Franchise Area, and for that purpose to install, construct, repair, replace, reconstruct, maintain, or retain in the Franchise Area such wires, cables, conductors, ducts, conduits, vaults, manholes, pedestals, amplifiers, appliances, attachments, and other related property or equipment and use existing poles as may be necessary or appurtenant for Grantee's Fiber Optic Cable Network. This Franchise shall also constitute a right to provide Communications Services throughout the Franchise Area.

(B) Grantee, through this Franchise, is granted the right for its Fiber Optic Cable Network to occupy and use the Franchise Area of the City. Subject to federal and State preemption, the material terms and conditions contained in this Franchise may not be unilaterally altered by the City through subsequent amendments to any ordinance, regulation, resolution or other enactment of the City, except within the lawful exercise of the City's police power. In the event of a conflict between the SeaTac Municipal Code and this Franchise, this Franchise shall control. Grantee



acknowledges that its rights hereunder are subject to the police powers of the City to adopt and enforce ordinances necessary to protect the health, safety and welfare of the public and Grantee agrees to comply with all applicable general laws and ordinances enacted by the City pursuant to such power upon reasonable notice by the City.

(C) Grantee guarantees, as a condition of exercising the privileges granted by this Franchise, that any Affiliate of the Grantee offering Communications Services in the Franchise Area, or directly involved in the management or operation of the Fiber Optic Cable Network in the Franchise Area, will also comply with the terms and conditions of this Franchise.

(D) This Franchise shall not include or be a substitute for:

(1) Any other permit or authorization lawfully required for the purpose of conducting business within the City pursuant to the ordinances and laws of the City; or

(2) Any permit, agreement or authorization lawfully required by the City for Rights-of-Way users in connection with operations on or in Rights-of-Way or public property including, by way of example and not limitation, street cut permits; or

(3) Any permits or agreements for occupying any other property of the City to which access is not specifically granted by this Franchise including, without limitation, permits and agreements for placing devices on poles, in conduits or in or on other structures.

(E) This Franchise is intended to convey limited rights and interests only as to those Rights-of-Way in which the City has an actual interest. It is not a warranty of title or interest in any Rights-of-Way; it does not provide the Grantee with any interest in any particular location within the Rights-of-Way.

(F) This Franchise expressly authorizes Grantee to provide Communications Services over its Fiber Optic Cable Network.

## **2.2 Duration**

This Franchise is and shall remain in full force and effect until June 30, 2025; provided, however, Grantee shall have no rights under this Franchise nor shall Grantee be bound by the terms and conditions of this Franchise unless Grantee shall, within thirty (30) days after the passage date of the Ordinance, file with the City its written acceptance of the Ordinance. It is further provided that upon Grantee's written request for an extension, the City may, at its discretion extend this Franchise for up to one ten (10) year extension, provided, however, that the City will not consider the request to extend the Franchise unless Grantee is in substantial compliance with the terms and conditions of the Franchise. In any such extension, if granted by the City, the terms and conditions of this Franchise shall remain in full force and effect, except as may be otherwise mutually agreed by the parties hereto.

## **2.3 Effective Date**

This Ordinance shall be effective after having been: (i) introduced to the City Council not less

than five days before its passage; (ii) first submitted to the City Attorney; (iii) published at least five days prior to the effective date and as otherwise required by law; and (iv) passed at a regular meeting of the legislative body of the City of SeaTac by a vote of a majority of the City Council, unless Grantee fails to file with the City an unconditional written acceptance of this Franchise and post the security required hereunder within sixty (60) days of the effective date of this Franchise, in which event this Franchise shall be void.

#### **2.4 Franchise Nonexclusive**

This Franchise shall be nonexclusive, and subject to all prior rights, interests, easements, permits or licenses granted by the City to any Person to use any property for any purpose whatsoever, including the right of the City to use the same for any purpose it deems fit, including the same or similar purposes allowed Grantee hereunder. The City may at any time grant authorization to use the Rights-of-Way for any purpose not incompatible with Grantee's authority under this Franchise and for such additional franchises for Fiber Optic Cable Network as the City deems appropriate.

#### **2.5 Effect of Acceptance**

By accepting the Franchise, the Grantee: (1) acknowledges and accepts the City's legal right to issue and enforce the Franchise; (2) agrees that it will not oppose the City's intervening, to the extent that the City is legally entitled to do so, in any legal or regulatory proceeding affecting the Fiber Optic Cable Network within the Franchise Area; (3) accepts and agrees to comply with each and every provision of this Franchise; and (4) agrees that the Franchise was granted pursuant to processes and procedures consistent with applicable law, and that it will not raise any claim to the contrary.

### **SECTION 3. TAXES, CHARGES, AND FEES**

#### **3.1 Franchise Fee.**

The parties understand that RCW 35.21.860 currently prohibits a city or town from imposing a franchise fee or any other fee or charge of whatever nature or description for use of the rights-of-Way upon any telephone business, as defined in RCW 82.16.010, or service provider, as defined in RCW 35.99.010. Based on the representations of Grantee, the City understands that Grantee is a service provider as defined in RCW 35.99.010, and engages in the telephone business as defined by RCW 82.16.010. If the statutory prohibition in RCW 35.21.860 is removed, Grantee agrees that the City may assess a reasonable franchise fee in accordance with such lawfully adopted revised state statute and that this Franchise will be amended accordingly, upon the mutual agreement of the parties, including the adoption of provisions necessary for the proper administration and payment of such fee.

#### **3.2 Administrative Charges and Fees.**

The parties also understand that RCW 35.21.860 authorizes the City to recover from Grantee all charges and fees imposed to recover actual administrative expenses incurred by the City that are directly related to: receiving and approving this Franchise and required permits; inspecting plans and construction; and preparing a detailed statement under Ch. 43.21C RCW. Regular application and processing charges and fees imposed by the City shall be deemed to be attributable to actual administrative expenses incurred by the City but shall not excuse Grantee from paying and being responsible for other actual administrative expenses incurred by the City.

Grantee and the City agree that the following fees are consistent with this provision and shall be paid by Franchise:

- (A) Grantee shall pay an initial franchise administration/processing fee of two thousand dollars (\$2,000) at the time of application, with said application having previously submitted with the administration/processing fee as evidenced by Grantee's check number 0756464, dated June 24, 2014.
- (B) Grantee shall pay permit fees and related charges, in accordance with the applicable sections of the most current City Code, at the time of application for the permit.

**3.3** The fees and taxes set forth in this section shall be in addition to any and all taxes or other levies or assessments which are now or hereafter required to be paid by businesses in general by any law of the City, the State or the United States including, without limitation, sales, use and other taxes, business license fees or other payments. Payment of the fees under this Franchise shall not exempt Grantee from the payment of any other license fee, permit fee, tax or charge on the business, occupation, property or income of Grantee that may be lawfully imposed by the City.

## **SECTION 4. INDEMNIFICATION AND INSURANCE REQUIREMENTS**

### **4.1 Indemnification**

- (A) General Indemnification. Grantee shall indemnify, defend and hold harmless the City, and its officers, officials, boards, commissions, agents and employees (while acting in an official capacity) from any action, claim, damage, loss, liability, cost or expense, including court and appeal costs and reasonable attorneys' fees and expenses, arising from the death of, injury, casualty or accident to, as applicable, a Person, equipment or property arising out of, or by reason of, any construction, excavation, operation, maintenance, repair, reconstruction, upgrade, rebuild, upkeep or removal of the Fiber Optic Cable Network, by or for Grantee, its agents or employees, or by reason of any neglect or omission of Grantee, its agents or employees, except to the extent that such injuries and damages caused by the sole negligence of the City. Grantee shall consult and cooperate with the City while conducting its defense of the City.
- (B) Procedures and Defense. The City shall give the Grantee timely written notice of any claim or of the commencement of any action, suit or other proceeding covered by the indemnity in this Section. If a claim or action arises, the City or any other indemnified party shall then tender the defense of the claim to Grantee within six (6) business days of receipt of such notice, which defense shall be at Grantee's expense. The City may participate in the defense of a claim, at City's sole expense (except as provided in subsection (C) below), and, in any event, neither party may agree to any settlement of claims financially affecting the other party without such party's prior written approval, which approval shall not be unreasonably withheld.
- (C) Expenses. If separate representation to fully protect the interests of both parties is required, such as conflict of interest between the City and the counsel selected by Grantee to represent the City, Grantee shall pay the reasonable expenses incurred by the City in defending itself with regard to any action, suit or proceeding indemnified by Grantee. The

City's expenses shall include all out-of-pocket expenses that are necessary for the City's defense, such as reasonable consultants' fees, and shall also include the reasonable value of any services rendered by the City Attorney or his/her assistants or any employees of the City or its agents but shall not include outside attorneys' fees for services that are unnecessarily duplicative of services provided the City by Grantee. In the event City desires to pursue or bring any counterclaims or an interpleader action, equitable relief, a restraining order or injunction, City may employ separate counsel on its behalf at City's sole expense.

## 4.2 Insurance Requirements

Grantee shall procure and maintain for the duration of the Franchise, insurance against claims for injuries to Persons or damage to property which may arise from or in connection with this Franchise by the Grantee, their agents, representatives, employees or subcontractors.

- (A) **Minimum Amounts of Insurance.** In accordance with applicable law, the Grantee shall maintain throughout the term of this Franchise the following insurance limits:
- (1) **Automobile Liability.** The Grantee shall keep in force an automobile liability insurance policy and, if necessary, a commercial umbrella liability insurance policy with a limit of not less than Three Million Dollars (\$3,000,000) per accident. Such insurance shall cover liability arising out of any Grantee motor vehicle (including owned, hired, and non-owned vehicles).
  - (2) **Commercial General Liability.** A commercial general liability insurance policy issued by a company duly authorized to do business in the State of Washington insuring the Grantee with respect to the installation, maintenance, and operation of Grantee's Fiber Optic Cable Network in the minimum amount of Two Million Dollars (\$2,000,000) per occurrence and Five Million Dollars (\$5,000,000) aggregate.
  - (3) **Excess General Liability.** Excess or Umbrella Liability coverage at limits of Five Million Dollars (\$5,000,000) per occurrence and annual aggregate. This excess or umbrella liability coverage shall apply, at a minimum, to both the Commercial General and Auto insurance policy coverage.
  - (4) **Workers' Compensation** coverage as required by the Industrial Insurance laws of the State of Washington.
- (B) **Other Insurance Provisions.** The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Commercial General Liability, and Excess General Liability insurance:
- (1) The Grantee's insurance coverage shall be primary insurance as respect the City. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Grantee's insurance and shall not contribute with it.
  - (2) The Grantee's insurance shall be endorsed to state that coverage shall not

be cancelled by either party, except after thirty (30) days prior written notice by mail, has been given to the City.

(3) Grantee may utilize primary and umbrella liability insurance policies to satisfy insurance policy limit requirements herein.

- (C) Acceptability of Insurers. Insurance is to be obtained from insurers with a current A.M. Best rating of not less than A: VII licensed to do business in the State of Washington.
- (D) Verification of Coverage. Upon acceptance of the Franchise, Grantee shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Grantee. Grantee may also name the City as an additional insured on a "blanket basis" in lieu of an additional insured endorsement.
- (E) Subcontractors. Grantee shall have sole responsibility for determining the insurance coverage and limits required, if any, to be obtained by any contractors or subcontractors, which determination shall be made in accordance with reasonable and prudent business practices.
- (F) Endorsements. Grantee agrees that with respect to the insurance requirements contained above, all insurance certificates will contain the following required provisions:
  - (1) Name the City and its officers, employees, and elected representatives as a primary, non-contributory additional insured, with the exception of Workers' Compensation.
  - (2) Provide for thirty (30) days' notice to the City for cancellation or non-renewal.
  - (3) Shall be on an occurrence basis.
- (G) Insurance Term. The insurance required above shall be kept in full force and effect by Grantee during this Franchise and thereafter until after the removal of all poles, wires, Fiber Optic cables, underground conduits, manholes, and other conductors and fixtures incident to the maintenance and operation of Grantee's Fiber Optic Cable Network, should such removal be required by City Council or undertaken by Grantee.
- (H) Issuing Companies. Companies issuing the insurance policies shall have no recourse against the City for payment of any premiums or assessments which all are set at the sole risk of the Grantee.
- (I) No Limit on Liability. Grantee's maintenance of insurance as required by this Franchise shall not be construed to limit the liability of Grantee to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy to which the City is otherwise entitled at law or in equity.

### 4.3 Performance Bond

(A) Amount. Within 60 days of the Effective Date of this Franchise, the Grantee shall provide the City with a financial guarantee in the amount of One Hundred Thousand Dollars (\$100,000) running for or renewable for, the term of this Franchise, in a form and substance acceptable to the City. This Franchise performance bond shall be separate and distinct from any other bond or deposit required.

(B) Damages. In the event Grantee shall fail to substantially comply with any one or more of the provisions of this Franchise, then there shall be recovered jointly and severally from the principal and any surety of such financial guarantee any damages suffered by City as a result thereof, including but not limited to reasonable staff time, material and equipment costs, compensation or indemnification of third parties, and the cost of removal or abandonment of facilities hereinabove described.

(1) Before any draws are made on the Franchise performance bond, the City Manager or designee shall give written notice to the Grantee:

(a) Describing with reasonable particularity the act, default or failure to be remedied, or the damages, cost or expenses which the City has incurred by reason of the Grantee's act or default;

(b) Providing a reasonable opportunity for the Grantee to first remedy the existing or ongoing default or failure, if applicable;

(c) Providing a reasonable opportunity for the Grantee to pay any moneys due the City before the City draws on the Franchise performance bond, if applicable;

(d). That the Grantee will be given an opportunity to review the act, default or failure described in the notice with the City Manager or designee.

(2) The Grantee shall replace the Franchise performance bond within fourteen (14) days after written notice from the City Manager or designee that there is a deficiency in the amount of the Franchise performance bond.

C. Liability. Grantee's maintenance of the bond(s) shall not be construed to excuse unfaithful performance by Grantee, or limit the liability of Grantee to the amount of the bond(s), or otherwise limit the City's recourse to any other remedy available at law or in equity.

D. Termination. If the Franchise is terminated, or upon expiration or transfer of the Franchise, the City will return the original bond or sign the necessary documentation to release the bond promptly if Grantee does not have any unexpired obligations with respect to right of way work and does not owe funds to the City or is not in default of a material provision of the Franchise.

## SECTION 5. REPORTS AND RECORDS

### 5.1 Open Records

The City shall have access to, and the right to inspect, any books and records of Grantee and its Affiliates which are reasonably necessary to monitor and enforce Grantee's compliance with the provisions of this Franchise at the Grantee's regional business office, during normal business hours, and without unreasonably interfering with Grantee's business operations. The City may, in writing, request copies of any such records or books that are not identified as proprietary or confidential and are reasonably necessary to monitor and enforce Grantee's compliance with the provisions of this Franchise, and Grantee shall provide such copies within thirty (30) days of the transmittal of such request. One copy of all reports and records required under this or any other Section shall be furnished to the City at the sole expense of the Grantee. If the requested books and records are too voluminous, or identified as proprietary and confidential, or for security reasons cannot be copied or removed, then the City shall inspect them at Grantee's regional office, with any travel related expenses incurred in making such inspection paid by the Grantee. The City shall not exercise its rights under this Section 5.1 more than once per calendar year.

## **5.2 Confidentiality**

Grantee shall not be required to disclose information that it reasonably deems to be proprietary or confidential in nature, nor disclose books and records of any Affiliate of Grantee that is not providing Communications Services in the Franchise Area. The City agrees to keep proprietary or confidential books or records of Grantee confidential to the extent permitted by law. For confidential or proprietary books and records, Grantee shall accommodate the review of these books and records through a Non-Disclosure Agreement negotiated with a City designated third-party consultant. Grantee shall be responsible for clearly and conspicuously identifying the records as confidential or proprietary, and shall provide a brief written explanation as to why such information is confidential or proprietary and how it may be treated as such under State or federal law. The Grantee shall not be required to provide customer information in violation of applicable federal or state privacy laws. For purposes of this Section, the terms "proprietary or confidential" include, but are not limited to, information relating to the Fiber Optic Cable Network design, customer lists, marketing plans, financial information unrelated to the calculation of rates pursuant to FCC rules, or other information that is reasonably determined by the Grantee to be competitively sensitive. If the City receives a demand from any Person for disclosure of any information designated by Grantee as proprietary or confidential, the City shall, so far as consistent with applicable law, advise Grantee and provide Grantee with a copy of any written request by the Person demanding access to such information within five (5) business days.

## **5.3 Maps and Records Required**

Grantee shall provide in a timely manner upon the City's request:

(A) A route map that depicts the general location of the Fiber Optic Cable Network facilities placed in the Rights-of-Way. The route map shall identify Fiber Optic Cable Network facilities as aerial or underground and is not required to depict cable types, number of cables, electronic equipment, and service lines to individual Subscribers. The Grantee shall also provide, if requested, an electronic format of the aerial/underground facilities in relation to a Right-of-Way centerline reference to allow the City to add this information to City's geographic information Cable Network program.

## **SECTION 6. GENERAL RIGHT-OF-WAY USE AND CONSTRUCTION**

## **6.1 Right to Construct**

Subject to the other provisions of this Franchise, Grantee may perform all construction in the Rights-of-Way and applicable easements for any facility needed for the maintenance, operation or extension of Grantee's Fiber Optic Cable Network.

## **6.2 General Standard**

All work authorized and required hereunder shall be done in a commercially reasonable manner. All equipment shall be durable and installed and maintained in accordance with industry-standard engineering practices and shall comply with applicable law.

## **6.3 Movement of Facilities during Emergencies**

During emergencies, except those involving imminent danger to the public health, safety or welfare, the City shall provide notice to Grantee, at a designated emergency response contact number, to allow Grantee the opportunity to respond and rectify the problem without disrupting Communications Services. If after providing reasonable notice under the circumstances, there is no immediate response, the City may move Grantee's facilities, and the City may bill the Grantee for the cost, which shall be paid within 90 days of receipt of an itemized bill. Should the Grantee and the City disagree about any billed costs, both parties agree to work together to resolve the dispute. If no agreement can be reached, either party may pursue appropriate legal action.

## **6.4 One Call**

The Grantee shall, at its own expense, comply with all regulations of Chapter 19.122 RCW, the One Call Locator Service.

## **6.5 Permits Required**

Prior to doing any work in the Right-of-Way or other public property (which includes any lane closures or traffic control, and excludes installations or general maintenance that involves no construction and with no disruption to the use of the Right-of-Way or other public property), Grantee shall apply for, and obtain, in advance, appropriate construction permits from the City. As part of the permitting process, the City may impose such conditions as are necessary for protecting any structures in such Rights-of-Way, and for providing for the proper restoration of such Rights-of-Way and to protect the public and the continuity of pedestrian or vehicular traffic. Grantee shall pay all generally applicable fees for the requisite City construction permits.

## **6.6 Emergency Permits**

In the event that emergency repairs are necessary, Grantee may initiate such emergency repairs, and, if necessary, shall apply for appropriate permits within forty-eight (48) hours after discovery of the emergency.

## **6.7 Compliance with Applicable Codes**

(A) City Codes. Grantee shall comply with all applicable City codes regarding the construction and use of the Rights-of-Way.

(B) Regulations and Safety Codes. Grantee shall comply with the National Electric Code, National Electrical Safety Code, Occupational Safety and Health Administration (OSHA) standards, and laws and regulations of the State of Washington, and shall comply with RCW 39.04.180 with respect to the construction of trench safety systems.



## **6.8 Least Interference**

Work in the Rights-of-Way, or on other public property, shall be done in a commercially reasonable manner is designed to minimize interference with the rights and reasonable convenience of property owners and City residents. Grantee's Fiber Optic Cable Network shall be constructed and maintained in such a manner as not to interfere with storm sewers, conduit or any other property of the City, or with any other pipes, wires, conduits, pedestals, structures or other facilities that may have been laid in the Rights-of-Way by, or under, the City's authority. In the event of such interference, the City may require the removal or relocation of Grantee's lines, cables, equipment and other appurtenances from the property in question at Grantee's expense.

## **6.9 Poles & Undergrounding Requirements**

The Grantee shall locate its Fiber Optic Cable Network in accordance with Chapter 11.20, Underground Installation of Electric and Communication Lines and Facilities, of the SeaTac Municipal Code (SMC). Except as specifically authorized by waiver of the SMC, Grantee shall not be permitted to erect poles or to run or suspend wires, cables, or other facilities thereon, but shall lay such wires, cables or other facilities underground in the manner required by the City. Grantee acknowledges and agrees that if the City does not require the undergrounding of its Facilities at the time of permit application, the City may, at any time in the future, require the conversion of the Grantee's aerial facilities to underground installation at the Grantee's expense. Unless otherwise permitted by the City, the Grantee shall underground its Facilities in all future extensions of the cable network and at any location where utilities are currently underground.

Whenever the City may require the undergrounding of the aerial utilities in any area of the City, Grantee shall underground its aerial facilities in the manner specified by the City, concurrently with and in the area of the other affected utilities. The location of any such relocated and underground utilities shall be approved by the City. Where other utilities are present and involved in the undergrounding project, Grantee shall only be required to pay its fair share of common costs borne by all utilities, in additions to the costs specifically attributable to the undergrounding of Grantee's own Facilities. "Common costs" shall be determined for a project on the basis of the number and size of Grantee's Facilities being undergrounded in comparison to the total number and size of all other utility facilities being undergrounded. The provisions of this Section 6.9 shall survive the expiration, revocation, or termination of this Franchise. Nothing in this Section 6.9 shall be construed as requiring the City to pay any costs of undergrounding any of the Grantee's facilities.

This Franchise does not grant to the Grantee the right or privilege to utilize conduit, poles, or other equipment owned by the City or any Person without separate legal authority to do so or permission from the conduit, pole, or equipment owner.

## **6.10 Restoration of Property**

(A) If in connection with the construction, operation, maintenance, upgrade, repair or replacement of the Fiber Optic Cable Network, the Grantee disturbs, alters, or damages any public property, the Grantee agrees that it shall at its own cost and expense pay for any damage and replace and restore any such property to a condition equal to or better than the condition existing immediately prior to the disturbance, ordinary wear and tear excepted.

(B) Grantee shall warrant any restoration work performed by or for Grantee in the Rights-of-Way or on other public property for one (1) year, unless a longer period is required by the municipal code or any generally applicable ordinance or resolution of the City. If restoration is not

satisfactorily and timely performed by the Grantee, the City may, after prior notice to the Grantee, or without notice where the disturbance or damage may create a risk to public health or safety, cause the repairs to be made and recover the reasonable cost of those repairs from the Grantee. The Grantee shall pay the City within thirty (30) days of receipt of an itemized list of those costs, including the costs of labor, materials and equipment.

#### **6.11 Relocation of Fiber Optic Cable Network Facilities**

(A) Relocation at Request of City. Upon thirty (30) days prior written notice to the Grantee, the City shall have the right to require the Grantee to relocate any part of the Fiber Optic Cable Network within the Rights-of-Way or on public property when the safety, health or welfare of the public requires such change, and the expense thereof shall be paid by Grantee. In the event of any City capital improvement project which requires the temporary or permanent relocation, removal, replacement, modification or disconnection of the Grantee's facilities or equipment, the City shall provide at least ninety (90) days written notice to Grantee. Following notice by the City, Grantee shall relocate, remove, replace, modify or disconnect any of its facilities or equipment within any Right-of-Way, or on any other property of the City. Should Grantee fail to relocate, remove, replace, modify or disconnect any such facilities by the date established by the City, the City may effect such relocation, removal, replacement, modification or disconnection, and the expense thereof shall be paid by Grantee, including all costs and expenses incurred by the City due to Grantee's delay. If the City requires Grantee to relocate its facilities located within the Rights-of-Way, the City shall make a reasonable effort to provide Grantee with an alternate location within the Rights-of-Way.

(B) In the case of relocation projects where the City hires a contractor to accommodate and coordinate the conversion of overhead utilities within a City capital improvement project, if the Grantee decides to participate in the joint trench opportunity, then the Grantee shall pay to the City the Grantee's portion of trench costs, including excavation and other associated costs, trench bedding, and backfill commensurate with Grantee's proportionate share of trench usage. However, notwithstanding anything to the contrary set forth herein, if bids from the City's contractor for placement of Grantee's conduits and vaults/pedestals in the supplied joint trench, in the reasonable estimation of the Grantee, are not acceptable, the Grantee shall have the option to utilize contractor(s) of its choice to complete the required work at its sole cost. The City's contractor shall coordinate with the Grantee's contractor(s) to provide reasonable notice and time to complete the placement of the Grantee's facilities in the supplied joint trench.

#### **6.12 Movement of Fiber Optic Cable Network Facilities for Others**

If any relocation, removal, replacement, modification or disconnection of the Fiber Optic Cable Network is required to accommodate the construction, operation or repair of the facilities or equipment of another City franchise holder(s) or any facilities-based entity authorized to provide Communications Services within the franchise area without a franchise granted by the City, Grantee shall, after at least thirty (30) days advance written notice, take action to effect the necessary changes requested by the responsible entity, but only if the other Franchise holder or other facilities-based entity operating without a franchise pays for the Grantee's costs associated with the project and Grantee is issued a permit for such work by the City.

In the event an underground conversion of facilities is required as part of the street improvement condition(s) of a new land use development, not associated with a City capital or transportation improvement project, this Franchise shall in no way limit the Grantee's right to recoup all

reasonable costs associated with the underground conversion of the Fiber Optic Cable Network from the Person responsible for the project.

At the request of any Person holding a valid permit and upon reasonable advance notice, Grantee shall temporarily raise, lower or remove its wires as necessary to permit the moving of a building, vehicle, equipment or other item. The expense of such temporary changes must be paid by the permit holder.

### **6.13 Tree Trimming**

The Grantee shall have the authority to conduct pruning and trimming for access to the Fiber Optic Cable Network facilities in the Rights-of-Way. All such trimming shall be done at the Grantee's sole cost and expense. The Grantee shall be responsible for any damage caused by such trimming. Grantee shall use commercially reasonable efforts to provide advance notice to the record owners of property adjacent to Facilities of Grantee within the Franchise Area where major vegetation removal is planned to be conducted by Grantee.

### **6.14 Joint Trenching/Boring**

To the extent it makes economic sense, the timing is appropriate, and subject to applicable safety laws and best engineering practices, Grantee will joint trench or share bores or cuts and work with other providers (such as, but not limited to, telecommunications, gas and electric companies), licensees, permittees, and franchisees so as to reduce the number of Right-of-Way cuts within the City.

### **6.15 Limitations on Future Work**

In the event that City reconstructs a roadway, the Grantee shall not be permitted to excavate such roadway for a period of five (5) years absent emergency circumstances or written permission from the City.

### **6.16 Abandonment of Grantee's Facilities**

No facility constructed or owned by the Grantee may be abandoned without the express written consent of the City. Any plan for abandonment or removal of the Grantee's facilities must be first approved by the City, and all necessary permits must be obtained prior to such work.

## **SECTION 7. FRANCHISE VIOLATIONS**

### **7.1 Enforcement Action.**

Whenever the City seeks to enforce the Franchise agreement, it shall first provide written notice to the Grantee of the nature of the problem and requested action, together with any applicable time frame for response. Any time limits specified in this Section 7 may be modified by written stipulation of the City and Grantee.

(A) Except in case of urgency or public need relating to management of the Rights-of-Way as reasonably determined by the City, the Grantee has thirty (30) days from receipt of such notice to respond in writing to the official sending the notice:

- (1) Contesting it and requesting a meeting to discuss with the City; or
- (2) Accepting it and agreeing to cure as requested within time limits specified; or

(3) Requesting additional time or other modifications. In such event, Grantee shall promptly take all reasonable steps to cure the default, keeping the City informed as to the steps to be taken and a projected completion date.

(B) If the City is not satisfied with the response to the enforcement action, the City shall have the right to issue a Material Notice of Default.

## **7.2 Material Notice of Default.**

(A) The City shall notify the Grantee, in writing, of any alleged failure to comply with a material provision of this Franchise, which notice shall specify the alleged failure with reasonable particularity. The Grantee shall have thirty (30) days subsequent to receipt of the notice in which to:

(1) respond to the City, contesting the City's assertion that a default has occurred, and requesting a meeting in accordance with subsection (B), below; or

(2) Cure the default; or

(3) notify the City that Grantee cannot cure the default within the thirty (30) days, because of the nature of the default. In the event the default cannot be cured within thirty (30) days, Grantee shall promptly take all reasonable steps to cure the default and notify the City, in writing and in detail, as to the exact steps that will be taken and the projected completion date. In such case, the City may set a meeting in accordance with subsection (B) below to determine whether additional time beyond the thirty (30) days specified above is indeed needed, and whether Grantee's proposed completion schedule and steps are reasonable.

(B) If Grantee does not cure the alleged material default within the cure period stated above, or by the projected completion date under this section, or denies the default and requests a meeting in accordance with this section, or the City orders a meeting in accordance with this section, the City shall set a meeting to investigate said issues and the existence of the alleged default. The City shall notify Grantee of the meeting, in writing, and such meeting shall take place no less than thirty (30) days after Grantee's receipt of notice of the meeting. At the meeting, Grantee shall be provided an opportunity to be heard and to present evidence in its defense.

(C) If, after the meeting, the City determines that a default exists, then Grantee and the City may agree on a plan and schedule to cure the default. Absent such agreement, the City shall order Grantee to correct or remedy the default or violation within thirty (30) days or within such other reasonable timeframe as the City shall determine. In the event Grantee does not cure the default within such time to the City's reasonable satisfaction, the City may:

(1) Recommend the revocation of this Franchise pursuant to the procedures in this franchise; or

(2) Pursue any other legal or equitable remedy available under this Franchise or applicable law.

## **7.3 Revocation.**

(A) The City may revoke this Franchise and rescind all rights and privileges associated with

this Franchise in any of the following circumstances:

(1) If Grantee fails to cure any violations of a material obligation under this Franchise, after the process set forth in Section 7.2 has been followed;

(2) If Grantee becomes insolvent, or if there is an assignment for the benefit of Grantee's creditors;

(3) If Grantee willfully misrepresents material facts in the negotiation of this Franchise; or

(B) Prior to forfeiture or termination of the Franchise, the City shall give written notice to the Grantee of its intent to revoke the Franchise. The notice shall set forth the exact nature of the noncompliance. Grantee shall have forty-five (45) days from receipt of such notice to object in writing and to state its reasons for such objection and provide any explanation or cure the alleged default. In the event the City does not receive a timely and satisfactory response from Grantee, it may then, by Ordinance, seek a termination of the Franchise in accordance with this section.

(C) Grantee shall be bound by the City Council's decision to revoke the Franchise unless an appeal to a court of competent jurisdiction is timely filed as allowed by applicable law.

#### **7.4 Termination**

(A) If this Franchise expires without renewal or is otherwise lawfully terminated or revoked, the City may, subject to applicable law, order the removal of the above-ground Fiber Optic Cable Network facilities and such underground facilities from the Franchise Area at Grantee's sole expense within a reasonable period of time as determined by the City. In removing its plant, structures and equipment, Grantee shall refill, at its own expense, any excavation that is made by it and shall leave all Rights-of-Way and public places in as good a condition as that prevailing prior to Grantee's removal of its equipment, ordinary wear and tear excepted, and without affecting electrical or telephone wires or attachments. The indemnification and insurance provisions shall remain in full force and effect during the period of removal.

(B) If Grantee fails to complete any removal required by subsection 7.4(A) to the City's satisfaction, after written notice to Grantee, the City may cause the work to be done and Grantee shall reimburse the City for the costs and expenses incurred within thirty (30) days after receipt of an itemized list of the costs and expenses, or the City may recover the costs and expenses through the letter of credit, if any, or other surety if Grantee has not paid such amount within the foregoing time period.

#### **7.5 Alternative Remedies**

No provision of this Franchise shall be deemed to bar either party from seeking appropriate judicial relief. Neither the existence of other remedies identified in this Franchise nor the exercise thereof shall be deemed to bar or otherwise limit the right of the either party to recover damages, as allowed under applicable law, or to seek and obtain judicial enforcement of either party's obligations, injunctive relief or mandate, or any other remedy at law or in equity. The City specifically does not, by any provision of this Franchise, waive any right, immunity, limitation or protection otherwise available to the City, its officers, officials, City Council, Boards, commissions, agents, or employees

under federal, State, or local law. Grantee specifically does not, by any provision of this Franchise, waive any right, immunity, limitation or protection otherwise available to Grantee, its officers, agents, or employees under federal, State, or local law, all of which are hereby reserved.

## **SECTION 8. [SECTION INTENTIONALLY LEFT BLANK]**

## **SECTION 9. FRANCHISE TRANSFER**

Neither the Grantee nor any other Person may transfer the Fiber Optic Cable Network or the Franchise without the prior written notice to the City. No change in control of the Grantee, defined as an acquisition of 50% or greater ownership interest in Grantee, shall take place without prior written notice to the City. Notice is required for (1) a transfer in trust, by mortgage, hypothecation, or by assignment of any rights, title, or interest of the Grantee in the Franchise or in the Fiber Optic Cable Network in order to secure indebtedness, or (2) a transfer to an Affiliate.

## **SECTION 10. RESERVATION OF RIGHTS IN EVENT OF VACATION**

### **10.1 Vacation of Franchise Area**

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

### **10.2 Condemnation Rights**

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

## **SECTION 11. MISCELLANEOUS PROVISIONS**

### **11.1 Notices**

Throughout the term of this Franchise, each party shall maintain and file with the other a local address for the service of notices by mail. All notices shall be sent to such respective address, via certified mail, return receipt requested or overnight mail by a nationally recognized courier and such notices shall be effective upon actual receipt or refusal of delivery. Notices to Grantee shall be sent to:

Greg Diamond  
Vice President, Regulatory  
tw telecom of Washington LLC  
10475 Park Meadow Drive  
Littleton, CO 80124  
Email: [greg.diamond@twtelecom.com](mailto:greg.diamond@twtelecom.com)  
Phone 206-676-8052

with an additional copy to:

Tina Davis  
Senior VP and General Counsel  
tw telecom of Washington LLC  
10475 Park Meadow Drive  
Littleton, CO 80124  
Email: [tina.davis@twtelecom.com](mailto:tina.davis@twtelecom.com)  
Phone: 303-566-1279

Notices to City shall be sent to:

Todd Cutts  
City Manager  
City of SeaTac  
4800 South 188th Street  
SeaTac, WA 98188  
Email: [tcutts@ci.seatac.wa.us](mailto:tcutts@ci.seatac.wa.us)  
Phone: 206-973-4816

### **11.2 Cumulative Rights**

Subject to applicable law, all rights and remedies given to the City by this Franchise shall be in addition to and cumulative with any and all other rights and remedies, existing or implied, now or hereafter available to the City.

### **11.3 Costs to be Borne by Grantee**

Grantee shall reimburse the City for all costs of publication of this Franchise, and any notices prior to any public hearing regarding this Franchise, including hearings contemporaneous with its acceptance of this Franchise.

### **11.4 Binding Effect**

This Franchise shall be binding upon the parties hereto, their permitted successors and assigns.

### **11.5 Authority to Amend**

This Franchise may be amended at any time by mutual written agreement between the parties.

### **11.6 Governing Law and Venue**

This Franchise shall be governed, construed and enforced in accordance with the laws of the State of Washington, exclusive of its choice of law provisions. The parties agree that any dispute related to this franchise shall be subject to the exclusive jurisdiction of the state and/or federal courts located in the State of Washington.

### **11.7 Captions**

The captions and headings of this Franchise are for convenience and reference purposes only and shall not affect in any way the meaning or interpretation of any provision of this Franchise.

### **11.8 No Joint Venture**

Nothing herein shall be deemed to create a joint venture or principal-agent relationship between the parties and neither party is authorized to, nor shall either party act toward third parties or the public

in any manner which would indicate any such relationship with the other. Further, the Grantee is not granted any express or implied right or authority to assume or create any obligation or responsibility on behalf of or in the name of the City.

### **11.9 Cooperation**

The parties recognize that it is in their mutual best interests for the Fiber Optic Cable Network to be operated as efficiently as possible. To achieve this, the parties agree to cooperate with each other in accordance with the terms and provisions of this Franchise.

### **11.10 Waiver**

The failure of either party at any time to require performance by the other party concerning any provision hereof shall in no way affect the right of either party hereafter to enforce the same, nor shall the waiver by either party of any breach of any provision hereof be taken or held to be a waiver of any succeeding breach of such provision, or as a waiver of the provision itself or any other provision.

### **11.11 Severability**

If any section, subsection, paragraph or provision of this Franchise is determined to be illegal, invalid or unconstitutional by any court or agency of competent jurisdiction, such determination shall have no effect on the validity of any other section, subsection, paragraph or provision of this Franchise, all of which will remain in full force and effect for the term of the Franchise, provided that if a material section, subsection, paragraph or provision of this Franchise is determined to be illegal, invalid or unconstitutional by any court or agency of competent jurisdiction, the parties will negotiate in good faith on replacement terms, and if such negotiations fail to reach mutual agreement, and the City elects, without agreement by Grantee, to enforce the remaining provisions of this Franchise, Grantee shall have the option to immediately terminate this Franchise without penalty or pursue any remedy available in law or in equity.

### **11.12 Entire Agreement**

This Franchise and Exhibits represent the entire understanding and agreement between the parties hereto with respect to the subject matter hereof and supersede all prior oral and written negotiations between the parties.

### **11.13 Force Majeure**

The Grantee will not be held in violation under, or in noncompliance with, the provisions of this Franchise, nor suffer any enforcement relating thereto, where such noncompliance or alleged violation occurred or was caused by circumstances reasonably beyond the ability of the Grantee to control. This includes war or riots, civil disturbances, floods or other natural catastrophes, labor stoppages or slowdowns not attributable to Grantee's employees, or power outages exceeding back-up power supplies, and work delays caused by waiting for utility providers to service or monitor their utility poles to which the Grantee's Fiber Optic Cable Network is attached as well as verifiable unavailability of materials and/or qualified labor to perform the work necessary.

Grantee shall have a reasonable time, under the circumstances, to perform the affected obligation under this Franchise or to procure a reasonable substitute for such obligation which is satisfactory to the City.



If Grantee believes that a reason beyond its control has prevented or delayed its compliance with the provisions of this Franchise, Grantee shall provide documentation as reasonably required by the City to substantiate the Grantee's claim. If Grantee has not yet cured the deficiency, Grantee shall also provide the City with its proposed plan for remediation, including the timing for such cure.

**11.14 Attorneys' Fees**

If any action or suit arises in connection with this Franchise, the prevailing party shall be entitled to recover all of its reasonable attorneys' fees, costs and expenses in connection therewith, in addition to such other relief as the court may deem proper.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014, and signed in authentication thereof on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

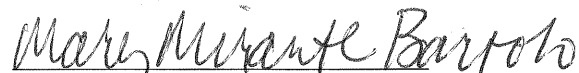
**CITY OF SEATAC**

\_\_\_\_\_  
Mia Gregerson, Mayor

ATTEST:

\_\_\_\_\_  
Kristina Gregg, City Clerk

Approved as to Form:

  
Mary Mirante Bartolo, City Attorney

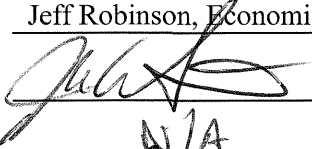
(Effective Date: \_\_\_\_\_)

**SeaTac City Council**  
**REQUEST FOR COUNCIL ACTION**

Department Prepared by: Community & Economic Development

Agenda Bill #: **3628**

**TITLE:** A Resolution providing notice of the intent to establish a Tourism Promotion Area and establishing the date for a Public Hearing.

<i>August 28, 2014</i>	
<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Info. Only <input type="checkbox"/> Other	
Date Council Action Requested: <u>RCM 09-23-14</u>	
Ord/Res Exhibits: _____	
Review Dates: <u>CSS 09-09-14</u>	
Prepared By: <u>Jeff Robinson, Economic Development Manager</u>	
Director: <u></u>	City Attorney: <u>Marilyn Mirante Bartolo</u>
Finance: <u>N/A</u>	BARS #: <u>N/A</u>
City Manager: <u>Todd Curtis</u>	Applicable Fund Name: <u>N/A</u>

**SUMMARY:** This Resolution provides the required statutory notice under RCW 35.101.030 of the intent to establish the Seattle Southside Tourism Promotion Area (“SSTPA”), and sets the time and place a hearing to consider the establishment of an area.

**DISCUSSION / ANALYSIS / ISSUES:** Tourism Promotion Areas (“TPA”) were created by State law (RCW 35.101) with the purpose of furthering additional positive impacts for tourism spending in local communities. The TPA statute allows for the imposition of a charge on certain lodging of up to \$2.00 per room, per night. The charge is not a tax on the sale of lodging -- it is a self-imposed special assessment collected from guests by certain lodging businesses within the participating municipalities.

In King County, the establishment of a TPA requires the participation of two or more local governments through an Interlocal Agreement (“ILA”). In May, 2014, the cities of SeaTac, Tukwila, and Des Moines executed an ILA to designate the SeaTac City Council as the legislative authority for the proposed TPA.

TPA formation is initiated when the operators of lodging businesses in the proposed TPA, who would pay 60% or more of the proposed self-assessments, submit a formation petition to the designated legislative authority. This petition was delivered to the City on August 7, 2014, a copy of which is attached as Attachment #1.

RCW 35.101.030 provides that a legislative authority shall, after receiving a valid initiation petition, adopt a resolution of intent to establish the TPA which includes the time and place of a hearing to be held by the legislative authority to consider the establishment of the TPA. The proposed Resolution provides that a public hearing will be held on October 14, 2014 at 6:30 p.m. After conducting the hearing the City Council will consider adoption of an Ordinance creating the TPA.

**RECOMMENDATION(S):** It is recommended that the Resolution be passed.

**FISCAL IMPACT:** This Resolution does not have a fiscal impact.

**ALTERNATIVE(S):** None. The City Council is required pass a Resolution to set the time and place a hearing to consider the establishment of an area.

**ATTACHMENTS:** 1. TPA Formation Petition

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION of the City Council of the City of SeaTac, Washington, the designated “legislative authority” of the proposed Seattle Southside Tourism Promotion Area for purposes of chapter 35.101 RCW pursuant to the Interlocal Agreement for the Joint Establishment of a Tourism Promotion Area, by and among the City, the City of Tukwila, and the City of Des Moines, providing notice of the intent to establish a tourism promotion area; providing notice that the City Council shall conduct a public hearing in accordance with chapter 35.101 RCW; identifying the proposed boundaries of the tourism promotion area; identifying the proposed use of revenues generated by the tourism promotion area; and specifying the estimated charges by classification, among other matters.

**WHEREAS**, the City of Tukwila, Washington (“Tukwila”) currently administers Seattle Southside Visitors Services (“SSVS”), a tourism promotion program funded by lodging taxes imposed and collected within Tukwila, the City of SeaTac (the “City”), and the City of Des Moines (“Des Moines”), and remitted to SSVS in exchange for tourism promotion services; and

**WHEREAS**, the tourism industry is a vital and substantial component of the region’s economy and tourism promotion increases the number of visitors to the region which in turn increases regional sales supporting the local economy; and

**WHEREAS**, the Legislature of the State of Washington (the “Legislature”) has recognized the importance of tourism promotion in the State of Washington and in 2003 passed Engrossed Substitute Senate Bill No. 6026, codified as chapter 35.101 RCW, as it now exists and may hereafter be amended (the “TPA Act”), authorizing counties with a population greater than forty thousand but less than one million, and any city or town within such a county, to establish a tourism promotion area for the purpose of imposing charges (referred to herein as “Special Assessments”) on the furnishing of lodging to be expended exclusively on tourism promotion; and

**WHEREAS**, in 2009 the Legislature amended the TPA Act to allow two or more cities located in a county with a population of one million or more acting jointly under chapter 39.34 RCW (the “Interlocal Cooperation Act”) to form a tourism promotion area for such purpose, and the “legislative authority” of a tourism promotion area formed in such county shall be comprised of two or more jurisdictions acting jointly as the legislative authority under an interlocal agreement created under the Interlocal Cooperation Act for the joint establishment and operation of a tourism promotion area; and

**WHEREAS**, pursuant to RCW 35.101.040, a county, city or town may establish a tourism promotion area that includes within the boundaries of the area portions of its own jurisdiction and another jurisdiction, if the other jurisdiction is a party to an interlocal agreement formed pursuant to the Interlocal Cooperation Act; and

**WHEREAS**, pursuant to the TPA Act and the Interlocal Cooperation Act, the City, Tukwila, and Des Moines entered into an Interlocal Agreement for the Joint Establishment of a Tourism Promotion Area dated May 6, 2014, as it may be amended from time to time (the “Interlocal Agreement”), for the purpose of, among other things, designating the SeaTac City Council (the “City Council”) as the “legislative authority” for purposes of the TPA Act, including without limitation for the purpose of receiving a petition to initiate the establishment of a tourism promotion area within the jurisdictional boundaries of the City, Tukwila and Des Moines (the “Seattle Southside TPA”), considering a resolution of intent to form the Seattle Southside TPA, holding a public hearing as required by the TPA Act, and, if certain requirements are satisfied, adopting an ordinance forming the Seattle Southside TPA; and

**WHEREAS**, operators of Lodging Businesses (as defined in the TPA Act) located in the proposed Seattle Southside TPA have presented a petition pursuant to the terms of the TPA Act

to the City Council (the “Initiation Petition”) to initiate the establishment of the Seattle Southside TPA; and

**WHEREAS**, the Initiation Petition contained all required elements pursuant to RCW 35.101.020, including;

1. A description of the boundaries of the proposed Seattle Southside TPA;
2. The proposed uses and projects to which the proposed revenue from the Special Assessments should be dedicated and the total estimated costs of such uses and projects;
3. The estimated rate for the Special Assessments to be levied on Lodging Businesses in various zones within the Seattle Southside TPA with a proposed breakdown by class of Lodging Business if such classification is to be used; and
4. The signatures of the persons who operate Lodging Businesses in the proposed Seattle Southside TPA who would pay sixty percent or more of the proposed Special Assessments; and

**WHEREAS**, having received the Initiation Petition, the City Council, as the designated legislative authority of the proposed Seattle Southside TPA, is required pursuant to RCW 35.101.030 to adopt a resolution providing notice of the intention to establish the Seattle Southside TPA, and setting the time and place of a public hearing to be conducted by the City Council to hear protests and receive evidence for or against the proposed formation of the Seattle Southside TPA;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC,  
WASHINGTON HEREBY RESOLVES, as follows:**

Section 1.     Defined Terms. Capitalized terms not otherwise defined herein shall have the meanings set forth below, in the TPA Act or the Interlocal Agreement, as the context may require.

“City” or “City of SeaTac” means the City of SeaTac, a municipal corporation organized under the laws and statutes of the State.

“City Council” means the City Council of the City of SeaTac, as the same shall be duly and regularly constituted from time to time.

“Des Moines” means the City of Des Moines, a municipal corporation organized under the laws and statutes of the State.

“Initiation Petition” means the initiation petition delivered to the Legislative Authority pursuant to the Interlocal Agreement and the TPA Act.

“Interlocal Agreement” means the Interlocal Agreement for the Joint Establishment of a Tourism Promotion Area by and among the City, Tukwila, and Des Moines, entered into pursuant to the TPA Act and the Interlocal Cooperation Act, as it may be amended from time to time.

“Interlocal Cooperation Act” means chapter 39.34 RCW, as the same may be amended from time to time.

“Legislative Authority” means the legislative authority of the Seattle Southside TPA appointed pursuant to the Interlocal Agreement, currently the City Council, as the same shall be duly and regularly constituted from time to time.

“Lodging Business” means a business located within the Seattle Southside TPA that furnishes lodging taxable by the State under chapter 82.08 RCW that has 40 or more lodging units.

“Operator” or “Operator of a Lodging Business” means an operator of a Lodging Business, whether in the capacity of owner, general manager, lessee, sublessee, mortgagee in possession, license or any other similar capacity.

“Seattle Southside Tourism Promotion Area” or “Seattle Southside TPA” means the proposed tourism promotion area described in the Initiation Petition.

“Special Assessment” means the charge imposed by the Legislative Authority on the Operators of Lodging Businesses within the proposed Seattle Southside TPA and subsequently passed on to the guests of the Lodging Business, under the authority of the TPA Act, for the purpose of providing funding of Tourism Promotion in the boundaries of the Seattle Southside TPA.

“State” means the State of Washington.

“TPA Act” means chapter 35.101 RCW, as the same may be amended from time to time.

“Tourism Promotion” means, consistent with the definition set forth in RCW 35.101.010, domestic and international tourism promotion, advertising, sales and marketing activities intended to encourage tourism in the Seattle Southside TPA in order to increase area hotel occupancies. “Promotion, advertising, sales and marketing activities” include, but are not limited to: strategic planning; market research; creative development; media placement; sales activities; hosting tourism industry events relating to promotion and marketing; administrative, operational and management support for such services; and creating and maintaining a standing

limited reserve, as such reserve may be specified in the Seattle Southside TPA budget, to fund any such activities.

“Transient Basis” means the rental of a room or rooms for dwelling, lodging, or sleeping purposes by the Operator of a Lodging Business for a period of 30 consecutive calendar days or less, counting a portion of a day as a full calendar day.

“Tukwila” means the City of Tukwila, a municipal corporation organized under the laws and statutes of the State.

Section 2. Interlocal Agreement; Legislative Authority. The City approved and adopted the Interlocal Agreement on March 25, 2014 pursuant to Resolution No. 14-007. Tukwila approved and adopted the Interlocal Agreement on April 7, 2014 pursuant to a motion of its city council. Des Moines approved and adopted the Interlocal Agreement on April 25, 2014 pursuant to Resolution No. 1261.

Pursuant to the terms of the Interlocal Cooperation Act, the TPA Act, and the Interlocal Agreement, the City, Tukwila, and Des Moines jointly agreed to appoint and designate the City Council as the “Legislative Authority” for purposes of the TPA Act to receive the Initiation Petition and otherwise carry out the terms of the TPA Act in order to help facilitate the formation and operation of the proposed Seattle Southside TPA. It is under and pursuant to the authority granted in the Interlocal Cooperation Act, the TPA Act, and the Interlocal Agreement that the City Council takes the actions set forth herein. As used herein, references to the “City Council” shall mean the City Council serving as the designated “Legislative Authority” of the proposed Seattle Southside TPA.

Section 3. Notice of Intent to Establish a Tourism Promotion Area and Notice of Public Hearing. Having received an Initiation Petition to establish the Seattle Southside TPA



pursuant to the TPA Act, the City Council hereby provides notice of the intent to establish the Seattle Southside TPA and hereby provides notice that the City Council will conduct a public hearing at 6:30 p.m. or as soon as possible thereafter on October 14, 2014, at the City Hall Council Chambers, located at SeaTac City Hall, 4800 South 188th Street, SeaTac, Washington 98188.

The purpose of the hearing is to hear all protests and receive all evidence for or against the establishment of the Seattle Southside TPA which, if established, shall have legal authority to impose Special Assessments on the provision of lodging by Lodging Businesses located within the Seattle Southside TPA. The proceeds collected from the charge shall be used solely to fund Tourism Promotion as authorized in the TPA Act and the Interlocal Agreement, and described in Section 4 of this resolution.

Section 4. Proposed Seattle Southside TPA. Pursuant to RCW 35.101.030, the following information is provided in connection with the public hearing set forth in Section 3 of this resolution:

(a) *Boundaries of Proposed Seattle Southside TPA.* The boundaries of the proposed Seattle Southside TPA shall include the jurisdictional boundaries of the City, Tukwila, and Des Moines.

(b) *Use of Special Assessments.* The revenues from the Special Assessments levied on the operators of Lodging Businesses situated in the Seattle Southside TPA shall be used solely and for the exclusive purpose of providing needed resources to promote visitor spending within the Seattle Southside TPA, and in particular visitors on a trip away from home overnight, in paid accommodations. The revenue will be used for domestic and international tourism promotion, advertising, sales and marketing activities (which may include, without

limitation, the creation of a standing limited reserve solely to fund any such activities that arise unexpectedly from year to year) intended to encourage tourist spending in the Seattle Southside TPA in order to increase hotel occupancies and for no other purpose. The revenue will be dedicated to the following tourism promotion uses and projects:

(i) Tourism promotion, advertising, sales, and marketing services including, but not limited to, strategic planning, market research, creative deployment, media placement, sales activities, hosting tourism industry events relating to promotion and marketing, and administrative, operational and management support for such services;

(ii) The marketing of the southwest King County area to recruit sporting, athletic, recreational, entertainment, performing arts and cultural events in order to benefit tourism and the Lodging Businesses in the Seattle Southside TPA, and for the purpose of increasing overnight visitor stays within the Seattle Southside TPA;

(iii) Providing marketing and event assistance for qualifying non-profit and for-profit events that represent a substantial likelihood of benefiting tourism and lodging businesses in the Seattle Southside TPA, and for the purpose of increasing overnight visitor stays within southwest King County; and

(iv) For other Tourism Promotion purposes consistent with the TPA Act and the Interlocal Agreement.

(c) *Estimated Costs of Proposed Projects.* The total estimated costs of the proposed uses and projects to which the proposed revenues of the Special Assessments shall be dedicated are estimated by SSVS, on an annual basis, to be approximately between \$3.0 million and \$3.5 million, with no limit. This amount will vary from year to year depending on the

fluctuating occupancy rates, the number of hotel rooms in the area, and the amount assessed per day on Lodging Businesses in the proposed Seattle Southside TPA.

(d) *Zones.* The Special Assessments to be levied and imposed on the operators of those Lodging Businesses located in the proposed Seattle Southside TPA are set forth below; provided, however, Special Assessments shall not be imposed on rooms (1) where the occupant has stayed 30 or more days and are not otherwise on a Transient Basis, (2) provided by an Operator of a Lodging Business to guests without charge for promotional purposes, (3) available exclusively to members or guests of members of a private member-owned clubs or its reciprocal clubs, or (4) contracted with airlines for use by their flight crews. The proposed Special Assessments are as follows:

Zone	Charge
Zone A	\$2.00 per occupied room per day
Zone B	\$0.00 per occupied room per day

**Zone A:** Zone A encompasses those Lodging Businesses, that are either hotel, motel, or bed and breakfast facilities, with 90 or more lodging units located within the City, Des Moines, and Tukwila.

**Zone B:** Zone B encompasses those Lodging Businesses, that are either hotel, motel, or bed and breakfast facilities, with between 40 to 89 lodging units located within the City, Des Moines, and Tukwila.

The proposed Special Assessments (a) are not a tax on the “sale of lodging” for the purposes of chapter 82.14 RCW and are not applicable to temporary medical housing exempt under chapter 82.08 RCW, (b) are in addition to the special assessments that may be levied under chapter 35.87A RCW, and (c) are intended to enhance, supplement, and extend existing tourism marketing efforts of the City, Tukwila, and Des Moines.

Section 5. Conduct of Public Hearing. Any person may appear at the time, place, and date set forth in Section 3 above and present testimony on the intention to establish the Seattle Southside TPA as described herein. Pursuant to RCW 35.101.070, the proceedings establishing the Seattle Southside TPA shall terminate if protests are made by Lodging Businesses in the proposed Seattle Southside TPA which would pay a majority of the proposed charges. If sufficient protests are not made by Lodging Businesses in the proposed Seattle Southside TPA, the City Council may adopt an ordinance establishing the Seattle Southside TPA and other matters related thereto as provided by law.

**PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2014 and signed in authentication thereof on this \_\_\_\_ day of \_\_\_\_\_, 2014.

**CITY OF SEATAC, WASHINGTON**

\_\_\_\_\_  
Mia Gregerson, Mayor

ATTEST:

\_\_\_\_\_  
Kristina Gregg, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Mary E. Mirante Bartolo, City Attorney

INITIATION PETITION TO ESTABLISH  
A SEATTLE SOUTHSIDE TOURISM PROMOTION AREA

CITY OF SEATAC  
RECEIVED

AUG 7 2014

**WHEREAS**, the 2003 State Legislature of the State of Washington has <sup>TIME: \_\_\_\_\_</sup> recognized the importance of tourism promotion in the State of Washington and passed Engrossed Substitute Senate Bill 6026, codified at chapter 35.101 RCW (the "TPA Act"), which authorized the establishment of a Tourism Promotion Area to levy special assessments ("Special Lodging Assessments") on certain Lodging Businesses (as defined in the TPA Act) to fund tourism promotion (as defined in the TPA Act); and

**WHEREAS**, the Lodging Businesses within the City of Des Moines, the City of SeaTac and the City of Tukwila desire now to present an initiation petition to establish a Tourism Promotion Area pursuant to the TPA Act to the City Council of the City of SeaTac, acting as the designated legislative authority pursuant to the Interlocal Agreement for the Joint Establishment of a Tourism Promotion Area by and among the City of Des Moines, the City of SeaTac and the City of Tukwila (the "Interlocal Agreement"); and

**WHEREAS**, pursuant to RCW 35.101.020, the initiation petition submitted to the designated legislative authority must contain the following:

1. A description of the boundaries of the proposed tourism promotion area, to be referred to as the Seattle Southside Tourism Promotion Area ("SSTPA");
2. The proposed uses and projects to which the proposed revenue from the Special Lodging Assessments should be dedicated and the total estimated costs of such uses and projects;
3. The estimated rate for the self-imposed to be levied on Lodging Businesses in various zones within the SSTPA with a proposed breakdown by class of lodging business if such classification is to be used; and
4. The signatures of the persons who operate lodging businesses in the proposed area who would pay sixty percent or more of the proposed Special Lodging Assessment.

**NOW THEREFORE**, we, the undersigned representatives of said Lodging Businesses offering transient accommodations with ninety (90) or more guest rooms located within the City of Des Moines, the City of SeaTac and the City of Tukwila do hereby petition the City Council of the City of SeaTac, in its capacity as legislative authority pursuant to the Interlocal Agreement, as follows:

1. For the purpose of this Petition, it is expected the City of SeaTac, will charter a public development authority under chapter 35.21 RCW named the Seattle Southside Regional Tourism Authority ("SSRTA"). SSRTA will be a separate legal entity formed to administer the operation of the TPA and provide tourism promotion services currently provided by Seattle Southside Visitor Services ("SSVS"). SSRTA will also contract for additional lodging tax dollars with each of the Cities at no

less than and may be more than the minimum funding levels delineated within the Interlocal Agreement for joint establishment of a tourism promotion area.

2. The boundaries of the SSTPA shall include the incorporated areas of the City of Des Moines, the City of SeaTac and the City of Tukwila as shown on the map attached as "Exhibit A".
3. It is the intent of the petitioners that the City of SeaTac request that the Department of Revenue remit Special Lodging Assessment revenue directly to the newly created public development authority SSRTA, and require that Legislative Authority direct any Special Lodging Assessment TPA revenue received by such city to the public development authority.
4. The revenue from the Special Lodging Assessments collected from the operators of Lodging Businesses within the SSTPA shall be used solely and exclusive purpose of providing needed resources to promote visitor spending within the SSTPA, and in particular visitors on a trip away from home overnight, in paid accommodations. The revenue will be used for domestic and international tourism promotion, advertising, sales and marketing activities (including, without limitation, the creation of a standing limited reserve solely to fund any such activities that arise unexpectedly from year to year) intended to encourage tourist spending in the SSTPA in order to increase hotel occupancies and for no other purpose. The revenue will be dedicated to the following uses and projects:
  - a. Promotion, advertising, sales and marketing services include, but are not limited to, strategic planning, market research, creative development, media placement, sales activities, hosting tourism industry events relating to promotion and marketing, and administrative and management support for such services.
  - b. The marketing of the Seattle Southside Area to recruit sporting, athletic, recreational, entertainment, performing arts and cultural events in order to benefit tourism and the Lodging Businesses in the SSTPA, and for the purpose of increasing overnight visitor stays within the SSTPA; and
  - c. Providing marketing and event assistance for qualifying non-profit and for-profit events that represent a substantial likelihood of benefiting tourism and lodging businesses in the SSTPA, and for the purpose of increasing overnight visitor stays within the Seattle Southside Area.
5. The total estimated costs of such uses and projects are as follows:

The Seattle Southside Visitor Services estimates that, on an annual basis, the revenue from the Special Lodging Assessments collected from the operators of Lodging Businesses within the SSTPA shall be between \$3 million and \$3.5 million. This amount will vary from year to year depending upon the fluctuating occupancy rates of Lodging Businesses in the SSTPA.

6. The proposed rates of the Special Lodging Assessment to be imposed in support of the tourism functions of the SSRTA are provided below; provided, however, the surcharge would not be imposed on rooms (a) where the occupant has stayed 30 or more calendar days, (b) that are provided by an operator of a Lodging Business to guests without charge for promotional purposes, (c) available exclusively to members or guests of members of a private member-owned club or its reciprocal clubs, or (d) airline crew contract rooms night as is done in other tourism promotion areas around the state.

It is understood and agreed by and between the City of Des Moines, the City of SeaTac, and the City of Tukwila, that the SSTPA shall include the following three (3) classifications:

Classification A: Classification A encompasses those lodging businesses with 90 or more hotel rooms located within the City of Des Moines, the City of SeaTac, and the City of Tukwila.

Classification B: Classification B encompasses those lodging businesses with between 40 to 89 hotel rooms located within the City of Des Moines, the City of SeaTac, and the City of Tukwila.

Classification C: Classification C encompasses Lodging Businesses located within the SSTPA, as that term is addressed in WAC 458-20-166 as it presently exists or may be hereinafter amended, other than hotels, motels, and bed and breakfast facilities. Lodging Businesses within this zone, as addressed in WAC 458-20-166, would include only (i) trailer camps and recreational vehicle parks which charge for the rental of space to transients for locating or parking house trailers, campers, recreational vehicles, mobile homes, and tents; (ii) educational institutions which sell overnight lodging to persons other than students; (iii) private lodging houses, dormitories and bunkhouses operated by or on behalf of businesses and industrial firms or schools solely for the accommodation of employees of such firms or students which are not held out to the public as a place where sleeping accommodations may be obtained; and (iv) guest ranches or summer camps which, in addition to supplying meals and lodging, offer special recreational facilities and instruction in sports, boating, riding, and outdoor living.

It is understood and agreed by and between the City of Des Moines, the City of SeaTac, and the City of Tukwila, that the operators of lodging businesses within the SSTPA operating in the above-described classifications will be subject to special lodging assessments to be levied as follows:

Classification A: \$2.00 per occupied room per day

Classification B: \$0.00 per occupied room per day

Classification C: \$0.00 per occupied room or space per day

7. It is the intent of the petitioners that the revenue from the Special Lodging Assessments collected from the operators of Lodging Businesses within the SSTPA, shall have an SSRTA Board of Directors whose membership would be comprised primarily of ratepayers, representative of a variety of geographic locations, property sizes and price points of lodging businesses within the SSTPA. Board members will generally be representative of the hospitality industry and would not likely be drawn from the existing lodging tax advisory committees. The SSRTA Board of Directors would consist of an odd number (no fewer than 7 and no more than 11) of SSTPA ratepayers whose initial terms shall be for 1, 2 or 3 years from nominations provided by the SSVS Executive Director; nominations from existing Lodging Tax Advisory Committees members within the SSTPA; and Special Lodging Assessment TPA ratepayer applicants—five appointed by the City of SeaTac, two appointed by the then current Board members. The SSRTA Board of Directors shall meet at least six times a year; approve an annual work program and budget; address and discuss ratepayer concerns and questions regarding the SSTPA and SSRTA program; review all financial reports; marketing plans; outcome reports; and sponsor an annual Special Lodging Assessments ratepayers meeting. The SSRTA Board of Directors shall be responsible for adopting appropriate operating policies and procedures and present its marketing plan and outcomes annually to the legislative authority.
8. Following the initial four years (4-year) period from the effective date of the ordinance establishing the SSTPA, the operators of Lodging Businesses which paid over fifty percent (50%) of the Special Lodging Assessments collected within the SSTPA during the preceding calendar year may file a petition with the SeaTac City Council, as legislative authority of the SSTPA, requesting that the City Council adopt a resolution of intention to disestablish or modify the SSTPA per RCW 35.100.140, and shall state the time and place of a public hearing to be held by the legislative authority to consider the proposed action; provided, the public hearing shall be at least 15 days prior to consideration of the proposed action.
9. This initiative is not intended to supplant lodging taxes currently funding Seattle Southside Visitor Services. These additional funds are intended to keep the program competitive with other Destination Marketing Organizations in our state, bring more visitors to the Seattle Southside area, bolster hotel occupancy, protect current jobs, create new jobs, increase business at restaurants and retail stores, and increase patronage at arts, cultural and sporting venues in an ever increasingly competitive marketplace.

This Petition is hereby presented by the following persons who operate Lodging Businesses in the proposed Seattle Southside Tourism Promotion Area and will pay sixty percent (60%) or more of the proposed Special Lodging Assessments. By signing below, the undersigned represents and warrants that he or she has the legal capacity to bind the Ratepayer and is authorized to sign and deliver this Petition in support of the SSTPA on Ratepayer's behalf.

**Printed Name of Ratepayer (including any dba): Best Western Airport Executel**

**Property or Building Address: 20717 International Boulevard, SeaTac, WA, 98198-5808**



**Number of Guest Rooms: 140**

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: NADEEM PIRANI

Signature of Authorized Signatory: 

Title of Authorized Signatory: GM / MANAGING DIRECTOR.

Date: 5/20/14

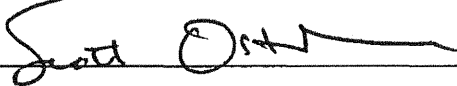
**Printed Name of Ratepayer (including any dba): Cedarbrook Lodge**

**Property or Building Address: 18525 36<sup>th</sup> Ave. S., SeaTac, WA 98188**

**Number of Guest Rooms: 167**

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: Scott Ostrander

Signature of Authorized Signatory: 

Title of Authorized Signatory: General manager

Date: 5/20/14  
*on behalf of Cedarbrook Lodge LLC in / Annual of  
Yosi Hatan, CEO Cedarbrook Hotel Group on 5/21/14*

**Printed Name of Ratepayer (including any dba): Clarion Hotel**

**Property or Building Address: 3000 S. 176<sup>th</sup> St., SeaTac, WA 98188**

**Number of Guest Rooms: 214**

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: PERRY WALKER

Signature of Authorized Signatory: 

Title of Authorized Signatory: GM

Date: 5-21-14

**Printed Name of Ratepayer (including any dba): Courtyard by Marriott Southcenter**

**Property or Building Address:** 400 Andover Park W., Tukwila, WA 98188

**Number of Guest Rooms:** 149

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: Michael Schabbing

Signature of Authorized Signatory: 

Title of Authorized Signatory: General Mgr

Date: 5/21/14

**Printed Name of Ratepayer (including any dba): DoubleTree Guests Suites**

**Property or Building Address:** 165000 Southcenter Pkwy., Tukwila, WA 98188

**Number of Guest Rooms:** 219

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: Jim Duro Jim Duro

Signature of Authorized Signatory: 

Title of Authorized Signatory: General Manager

Date: 5/21/14

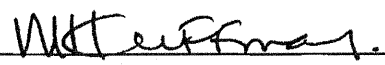
**Printed Name of Ratepayer (including any dba): Embassy Suites**

**Property or Building Address:** 15920 W. Valley Hwy., Tukwila, WA 98188

**Number of Guest Rooms:** 238

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: MAUREEN HUFFMAN

Signature of Authorized Signatory: 

Title of Authorized Signatory: General Manager

Date: 5/21/14

Printed Name of Ratepayer (including any dba): Hampton Inn Southcenter

Property or Building Address: 7200 S. 156<sup>th</sup> St., Tukwila, WA 98188  
Number of Guest Rooms: 153

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: Susan M. Utschinski

Signature of Authorized Signatory: 

Title of Authorized Signatory: General Manager

Date: 5/28/2014

Printed Name of Ratepayer (including any dba): Hilton & DoubleTree

Property or Building Address: 17620 International Blvd., SeaTac, WA 98188 & 18740 International Blvd., SeaTac, WA 98188  
Number of Guest Rooms: 1246

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: Frank Welton

Signature of Authorized Signatory: 

Title of Authorized Signatory: General Manager

Date: 5/22/14

Printed Name of Ratepayer (including any dba): Holiday Inn / Crown Plaza

Property or Building Address: 17338 International Blvd., SeaTac, WA 98188

Number of Guest Rooms: ~~259~~ 260

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: LOREN TERPSTRA

Signature of Authorized Signatory: 

Title of Authorized Signatory: DIRECTOR OF OPERATIONS

Date: 5/21/14

**Printed Name of Ratepayer (including any dba): Homewood Suites**

**Property or Building Address:** 6955 Fort Dent Hwy., Tukwila, WA 98188

**Number of Guest Rooms:** 106

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: Milisa Berni

Signature of Authorized Signatory: 

Title of Authorized Signatory: General Manager

Date: 5/27/14

**Printed Name of Ratepayer (including any dba): Ramada Tukwila**

**Property or Building Address:** 15901 W. Valley Hwy., Tukwila, WA 98188

**Number of Guest Rooms:** 146

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: Barbara Brunetti

Signature of Authorized Signatory: 

Title of Authorized Signatory: General Mgr.

Date: 5/13/14

**Printed Name of Ratepayer (including any dba): Red Lion Hotel Seattle Airport**

**Property or Building Address:** 18220 International Blvd., SeaTac, WA 98188

**Number of Guest Rooms:** 144

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: SHAWN DARLING

Signature of Authorized Signatory: 

Title of Authorized Signatory: \_\_\_\_\_

Date: 5/21/14

**Printed Name of Ratepayer (including any dba):** Residence Inn Marriott

**Property or Building Address:** 16201 W. Valley Hwy., Tukwila, WA 98188

**Number of Guest Rooms:** 144

**Mailing Address (if different than address above):** 16201 West Valley Hwy

**Printed Name of Authorized Signatory:** David Murphy

**Signature of Authorized Signatory:** 

**Title of Authorized Signatory:** General Manager

**Date:** 5/21/14

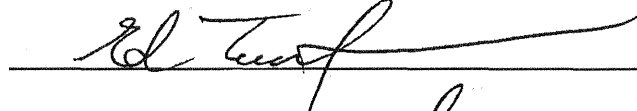
**Printed Name of Ratepayer (including any dba):** Seattle Airport Marriott

**Property or Building Address:** 3201 S. 176<sup>th</sup> St., SeaTac, WA 98188

**Number of Guest Rooms:** 459

**Mailing Address (if different than address above):** \_\_\_\_\_

**Printed Name of Authorized Signatory:** ED TOWEIGNIA

**Signature of Authorized Signatory:** 

**Title of Authorized Signatory:** INT. General MGR

**Date:** 5/21/2014

**Printed Name of Ratepayer (including any dba):** Coast Gateway

**Property or Building Address:** 18415 International Blvd., SeaTac, WA 98188

**Number of Guest Rooms:** 143

**Mailing Address (if different than address above):** \_\_\_\_\_

**Printed Name of Authorized Signatory:** Tonya Delacruz

**Signature of Authorized Signatory:** 

**Title of Authorized Signatory:** General Manager

**Date:** 5.21.14

Printed Name of Ratepayer (including any dba): Courtyard by Marriott

Property or Building Address: 16038 W. Valley Hwy., Tukwila, WA 98188

Number of Guest Rooms: 211

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name of Ratepayer (including any dba): Hampton Inn & Suites Seattle-Airport

Property or Building Address: 18850 28<sup>th</sup> Ave. S., SeaTac, WA 98188

Number of Guest Rooms: ~~120~~ 218

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name of Ratepayer (including any dba): Radisson

Property or Building Address: 18118 International Blvd, SeaTac, WA 98188

Number of Guest Rooms: 204

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: HPT TRS SPEC, II, INC. BY: LIBOR MANAGEMENT LLC, IT'S AGENT

Signature of Authorized Signatory: BY: ~~[Signature]~~ JAMAY MATHAN

Title of Authorized Signatory: GENERAL MANAGER

Date: 6/25/14

**Printed Name of Ratepayer (including any dba): Super 8**

**Property or Building Address:** 3100 S. 192<sup>nd</sup> St., SeaTac, WA 98188

**Number of Guest Rooms:** 119

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: Michael Mann

Signature of Authorized Signatory: 

Title of Authorized Signatory: General Manager / RVP.

Date: 5/21/14

**Printed Name of Ratepayer (including any dba): Comfort Inn & Suites SeaTac Airport**

**Property or Building Address:** 19333 International Blvd., SeaTac, WA 98188

**Number of Guest Rooms:** 176

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Comfort Suites Seattle Airport**

**Property or Building Address:** 7200 Fun Center Way, Tukwila, WA 98188

**Number of Guest Rooms:** 138

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Days Inn Seattle South**

**Property or Building Address:** 13050 48<sup>th</sup> Ave. S., Tukwila, WA 98168

**Number of Guest Rooms:** ~~119~~ 114

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Econo Lodge SeaTac Airport South Seattle N/A**

**Property or Building Address:** 13910 International Blvd., <sup>Tukwila</sup> SeaTac, WA 98188

**Number of Guest Rooms:** ~~94~~ 47

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Extended Stay America Tukwila**

**Property or Building Address:** 15451 53<sup>rd</sup> Ave. S., Tukwila, WA 98188

**Number of Guest Rooms:** 96

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_



**Printed Name of Ratepayer (including any dba): Extended Stay America Seattle Southcenter**

**Property or Building Address:** 15635 W. Valley Hwy., Tukwila, WA 98188

**Number of Guest Rooms:** 94

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): La Quinta Inn & Suites Seattle SeaTac**

**Property or Building Address:** 2824 S. 188<sup>th</sup> St., SeaTac, WA 98188

**Number of Guest Rooms:** 143

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Motel 6 SeaTac Airport**

**Property or Building Address:** 16500 International Blvd., SeaTac, WA 98188

**Number of Guest Rooms:** 109

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Motel 6 SeaTac Airport South**

**Property or Building Address:** 18900 47<sup>th</sup> Ave. S., Seattle, WA 98188

**Number of Guest Rooms:** 144

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Motel 6 Seattle South**

**Property or Building Address:** 20651 Military Rd., SeaTac, WA 98188

**Number of Guest Rooms:** 124

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Quality Inn SeaTac Airport Seattle**

**Property or Building Address:** 2900 S. 192<sup>nd</sup> St., SeaTac, WA 98188

**Number of Guest Rooms:** ~~104~~ 102

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Red Roof Inn Seattle Airport**

**Property or Building Address:** 16838 International Blvd., SeaTac, WA 98188

**Number of Guest Rooms:** 152

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Sandstone Inn N/A**

**Property or Building Address:** 19225 International Blvd., SeaTac, WA 98188

**Number of Guest Rooms:** ~~94~~ 82

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Sleep Inn SeaTac Airport**

**Property or Building Address:** 20406 International Blvd., SeaTac, WA 98188

**Number of Guest Rooms:** 105

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba):** Hampton Inn Seattle Airport

**Property or Building Address:** 19445 International Boulevard, Seatac, WA 98188

**Number of Guest Rooms:** 130

**Mailing Address (if different than address above):** \_\_\_\_\_

**Printed Name of Authorized Signatory:** SANKET MEHTA

**Signature of Authorized Signatory:** 

**Title of Authorized Signatory:** GENERAL MANAGER

**Date:** 5/27/2014

AM

SS

**Printed Name of Ratepayer (including any dba): Fairfield Inn SeaTac (BMI Property Voted No)**

**Property or Building Address:** 19631 International Blvd., SeaTac, WA 98188

**Number of Guest Rooms:** 146

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Holiday Inn Express & Suites (BMI Property Voted No)**

**Property or Building Address:** 19621 International Blvd., SeaTac, WA 98188

**Number of Guest Rooms:** 171

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

Date: \_\_\_\_\_

**Printed Name of Ratepayer (including any dba): Ramada Inn SeaTac (Voted No)**

**Property or Building Address:** 16720 International Blvd, SeaTac, WA 98188

**Number of Guest Rooms:** 155

Mailing Address (if different than address above): \_\_\_\_\_

Printed Name of Authorized Signatory: \_\_\_\_\_

Signature of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

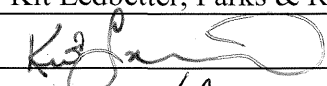
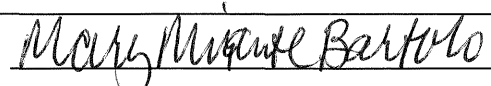

Date: \_\_\_\_\_

**SeaTac City Council**  
**REQUEST FOR COUNCIL ACTION**

Department Prepared by: Parks & Recreation

Agenda Bill: # 3634

**TITLE:** A Motion authorizing the final acceptance of the Angle Lake Park Boat Dock project.

<i>August 11, 2014</i>	
___ Ordinance ___ Resolution <u>X</u> Motion ___ Info. Only ___ Other	
<b>Date Council Action Requested:</b> <u>RCM 09/23/2014</u>	
<b>Ord/Res Exhibits:</b> _____	
<b>Review Dates:</b> <u>CSS 09/09/2014</u>	
<b>Prepared By:</b> <u>Kit Ledbetter, Parks &amp; Recreation Director</u>	
<b>Director:</b> <u></u>	<b>City Attorney:</b> <u></u>
<b>Finance:</b> <u>N/A</u>	<b>BARS #:</b> <u>301.000.04.594.76.63.119</u>
<b>City Manager:</b> <u></u>	<b>Applicable Fund Name:</b> <u>Municipal Capital Improvement</u>

*MMB*  
*100*

**SUMMARY:**

This Motion authorizes the final acceptance of the Angle Lake Park Boat Dock construction by Boettcher and Sons, Inc.

**DISCUSSION / ANALYSIS / ISSUES:**

The construction contract for this project was awarded to Boettcher and Sons, Inc on May 27, 2014. The City Council approved the budget not to exceed \$64,735 with Boettcher and Sons, Inc. The total value of the construction including one change order and tax was \$62,086.39 which is \$2,648.61 under the approved budget. This Motion authorizes the final acceptance of the Angle Lake Park Boat Dock project, and establishes the required 45 day lien period.

**RECOMMENDATION(S):**

It is recommended that the City Council formally accept the project as complete.

**FISCAL IMPACT:**

The work was completed within the established budget that the City Council approved. Final acceptance will have no fiscal impact beyond payment of retainage as budgeted.

**ALTERNATIVE(S):**

Do not accept the work as complete at this time.

**ATTACHMENT(S):**

None.

**5. PRESENTATIONS – COUNCIL DIRECTION:**


- **Major Comprehensive Plan Update – Land Use Element** (*total time: 20 minutes / presentation time: 15 minutes*)

By: Planning Manager Steve Pilcher / Senior Planner Mike Scarey



## MEMORANDUM

*Department of Community and Economic Development  
Planning Division*

TO: Councilmembers  
THROUGH: Steve Pilcher, AICP, Planning Manager  
FROM: Mike Scarey, AICP, Senior Planner   
REGARDING: City Council Review of Draft Land Use Element Amendments  
CSS September 9, 2014  
DATE: September 4, 2014

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The attached material is provided in advance of next Tuesday's Council Study Session. Staff's presentation at the study session will be **informational only**. Although **no Council action is requested**, staff would welcome Council feedback regarding the general direction of the proposed amendments.

As part of the Planning staff's approach to review individual sections of the Major Comprehensive Plan Update with the City Council each month, draft amendments to the Land Use Element are attached for your review.

A **summary of the draft amendments** is listed here:

- The element has been reorganized to recognize the City's emphasis on the Urban Center and the Station Areas/City Center as the focus for accommodating the housing and employment growth targets. The Land Use Goals and Policies are now organized into the following sections:
  - Growth Management – this section includes subsections for Urban Center land Uses and General Growth;
  - Healthy Equitable and Connected Communities – this section incorporates language from the Council-endorsed Access to Corner Stores study, conducted under the CPPW grant in 2012, as well as additional policies to support the principles in the Growing Transit Communities Strategy;
  - Citywide Land Uses – this section is made up of descriptions of the land use designation, moved from the background report and restated as policies to serve as guidance for decisions pertaining to Zoning questions. Council may recall that we noted when we reviewed the Land Use Background Report at the March 11 Council Study Session that we planned to move the land use designation descriptions from the Background Report to the Goals and Policies part of the Plan; and,
  - Essential Public facilities
- The Major Land Use Issues section is updated to represent the current and anticipated circumstances;
- Duplicative policies are deleted or combined;



- Policy language has been standardized to lead with active verbs;
- Some unnecessary policy “discussions” are deleted;
- A Table of Contents for the Land Use Element has been added to facilitate way finding;
- Factual corrections are made throughout.

Because the document has been **extensively reorganized**, we would like to describe how we formatted the changes to make clear what has been changed from the existing document:

- If a policy was moved, it is shown as stricken out, and a note is provided to explain the new location.
- That policy is re-numbered in the new position, with the former policy number shown as stricken out.
- In the new position, any language changes in the policy are shown in strikethrough-underline format, with the existing language shown as unchanged.

Two files are attached: Attachment 1 is the draft showing all of the changes. Attachment 2 is a clean version just showing the result if all of these changes are incorporated.

We are still planning to reformat this into a new, contemporary looking document, but Attachment 2 shows the content of the new structure, with all of the language changes. We will bring the fully reformatted document to Council for final review beginning in January.

Feel free to contact me before next Tuesday if you have any questions: (206) 973-4841 direct.

CHAPTER 1

# LAND USE ELEMENT

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# INTRODUCTION

This Element addresses the major land use issues facing the City of SeaTac over the next 20 years. The goals and policies included in this section of the Comprehensive Plan cover the following land use categories: (a) general land use; (b) residential land use; (c) commercial land use; (d) manufacturing/industrial/business park land use; (e) parks and open space land use; (f) Airport-related land use; (g) essential public facilities; and (h) potential annexation areas.

The Land Use Element goals and policies guide the type, distribution, and location of land uses in to direct SeaTac's physical development. It provides the policy context for the City's zoning code, development regulations and administrative processes, and investment decisions, such as capital improvements and work plans for City staff, Planning Commission, City Council, and partners.

This Element is closely coordinated with the Housing, Transportation, Parks, Recreation and Open Space, Environmental Management, and Community Image Elements. This coordination ensures that residences and future development occur in areas that are best served by public transportation, walkable infrastructure, and open space, while reducing impacts on the environment. For example, the Land Use policies encourage higher density housing with commercial services in close proximity to the three light rail stations, and the Transportation Element supports these station areas with walking and bicycle routes policies. Likewise, the Parks, Recreation, and Open Space Element ensures access to parks for people living in those areas. The Community Image Element adds to the Land Use policies by defining the desired character of new development.

Additional land use goals and policies are in the following three subarea plans: City Center Plan, South 154<sup>th</sup> Street Action Plan and Angle Lake Station Area Plan.

## MAJOR LAND USE ISSUES

There are several land use-related issues in SeaTac. Many of these issues overlap with topics covered in other elements of this Comprehensive Plan.

Some of the major land use issues ~~challenges~~ facing SeaTac include:

- ~~The City of SeaTac is an urbanized area, with little undeveloped land remaining within its boundaries.~~
- ~~The Seattle-Tacoma International Airport has a major land use presence in the City of SeaTac.~~
- ~~SeaTac's commercial development has occurred in a linear manner, primarily along International Boulevard, rather than focusing in compact and complete communities.~~
- The completion of three Sound Transit light rail stations serving SeaTac will likely influence the types and amount of development attracted to SeaTac. Ensuring that change happens equitably and with regard for creating complete communities will be a challenge.
- SeaTac is a regional provider of affordable housing and business space. Increasing land values may increase risks of residential and commercial displacement.
- Home to one of the most ethnically and racially diverse populations in Washington, SeaTac has a unique challenge to plan for a wide variety of land use and development needs and interests.
- ~~Implementation of the City Center Plan, and Station Area Plans, and the Aviation Business Center zone and redevelopment in other areas have been hampered by a slow economy statewide and development economies that make mixed use projects difficult to develop in SeaTac.~~
- ~~SeaTac's commercial development has occurred in a very linear manner, primarily along International Boulevard.~~
- ~~The construction of a third runway at the Airport will have an impact on adjacent land uses.~~
- ~~SeaTac has several stable, single family residential neighborhoods.~~
- ~~Sanitary sewer service has been extended to an area in the southeast part of SeaTac that will allow the development of a significant number of multi-family units.~~

- ~~King County's Countywide Planning Policies encourage major employment areas, such as the City of SeaTac, to become "urban centers."~~
  - ~~Sound Transit is planning to construct light rail stations at S. 176th St. and International Boulevard, serving SeaTac's City Center and Sea-Tac International Airport, and S. 154th St. and International Boulevard in Tukwila adjacent to the City boundary, both of which will impact land uses in SeaTac.~~
  - ~~Most of the land uses in SeaTac's industrial/manufacturing areas (excluding Airport property) consist primarily of distribution centers.~~
  - ~~SeaTac has little existing agricultural land and no forestry land.~~
- 
-

# GOALS AND POLICIES

This section of the Element contains SeaTac's the land use goals and policies for the City of SeaTac. The following g. Goals represent the City's general direction of the City related to land use objectives, while the policies provide more detail about the steps needed to meet the intent of each individual goal achieve each goal's intent.

## GENERAL LAND USE GROWTH MANAGEMENT

### GOAL 1.1

To Focus growth to achieve a rational land use a balanced mix and arrangement of land uses that support economic vitality, community health and equity, and transit access. pattern for the City of SeaTac.

## URBAN CENTER LAND USES

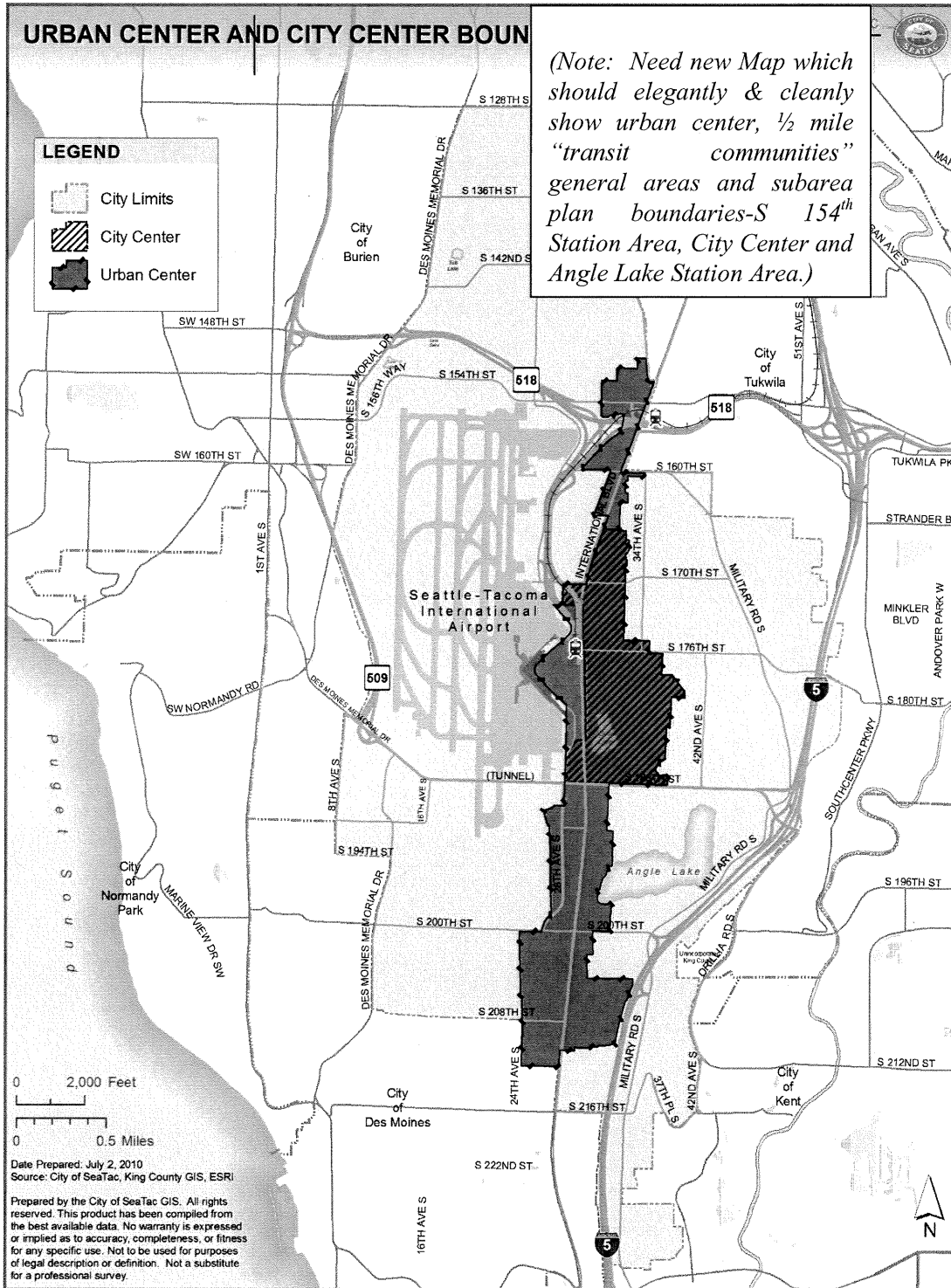
### Policy 1.1A

Implement the City Center, South 154<sup>th</sup> Street Station Area, and Angle Lake Station Area Plans to focus the majority of SeaTac's commercial and residential growth and redevelopment into three distinct neighborhood centers within SeaTac's Ddesignated and create an "Urban Center that has clearly defined boundaries, a mixture of land uses and densities sufficient to support high capacity transit, a pedestrian emphasis, public open spaces and recreational opportunities, and both daytime and nighttime activities.

**Discussion:** Vision 2040 and the Countywide Planning Policies emphasize the designation of "Centers" in major employment centers throughout the Puget Sound Region. Vision 2040 defines a hierarchy of centers, which includes "Regional Growth Centers." The Countywide Planning Policies also define a hierarchy of centers, which include "Urban Centers." The presence of Seattle Tacoma International Airport has resulted in a concentration of employment and commercial activities, which makes the City of SeaTac a significant and desirable place within which to focus future employment growth, transit linkages, and recreational opportunities. The SeaTac City Council's nomination of a section of the City as an "Urban Center" was approved by King County's Growth Management Planning Council in 1994. SeaTac's designation as an Urban Center under the Countywide Planning Policies is consistent with Vision 2040's Regional Growth Centers strategy. Sound Transit's Airport Link light rail station at S. 176th Street, located within the Urban Center, will provides a key transit connection within the Urban Center area. The City has adopted a station area plans for the S. 154th Street Station area.

Move revised discussion to sidebar:

A portion of SeaTac is designated an "Urban Center" under the King County Countywide Planning Policies and a "Regional Growth Center" under the Puget Sound Regional Council's Vision 2040. The City Center, South 154<sup>th</sup> Street Station Area, and Angle Lake Station Area plans support compact development around three Link light rail stations within the Urban Center to maximize residents' and businesses' access to the region via public transit. Implementation of these plans would transform the International Boulevard corridor from a linear commercial form into three distinct and complete neighborhoods, accommodating new residential and employment growth. The higher employment and residential densities would result in an inviting and vibrant urban environment, while preserving the City's stable residential areas from inappropriate higher density development.



COMPREHENSIVE PLAN ▶ MAP 1.1

**Policy 1.1B**

~~Encourage most of the City's commercial and residential growth to occur within the Urban Center's boundaries.~~

~~**Discussion:** One of the major objectives of designating an Urban Center is to create a development area that has employment and residential densities large enough to be served by a high capacity transit system and diverse enough to result in an inviting and vibrant urban environment. In order to accomplish this objective, it is important that most of the City's future business and housing development occur within SeaTac's Urban Center. Encouraging new commercial and residential development in the Urban Center will also preserve the City's stable residential areas from inappropriate commercial and residential development projects.~~

**Policy 1.1B 1.2B**

~~Encourage moderate and high density residential development in appropriate locations, primarily within SeaTac's the Urban Center boundaries, especially within the City Center and station areas.~~

~~**Discussion:** An urban center is designed to accommodate both accommodates residents and employees in a mix of uses and structures. Moderate and high density residential uses are appropriate within an urban center, where residents can walk or ride mass transit to work, and take advantage of the employment and activities within the center. There may be some areas outside the urban center where higher density residential development is appropriate, and the City should encourage this type of development where appropriate and consistent with adopted criteria.~~

**Policy 1.1C**

~~Encourage neighborhood-scale commercial development in appropriate locations outside of the Urban Center/City Center.~~

~~**Discussion:** Although it is appropriate to direct most of the City's commercial growth to the Urban and City Centers, there is also a need to serve the residential areas with neighborhood-scale commercial services. Small, neighborhood-scale commercial areas would provide residents with services and shopping opportunities close to home, which can reduce auto trips and help build community by providing opportunities for neighbors to meet. These neighborhood commercial areas could provide local gathering places and service and retail opportunities. Examples include, but are not limited to, cafes and restaurants, hair salons, dry cleaners, tax preparation services, grocery stores, video rental stores and florist shops.~~

**Policy 1.1C 1.1G**

~~Provide Promote development that reduces block sizes in the Urban Center, particularly in the City Center and the Station Areas, and provides a network of connected local streets in the three HCT districts and elsewhere through the Urban Center to facilitate pedestrian circulation and transit accessibility.~~

~~**Discussion:** The physical layout of the Urban Center, including its street and sidewalk network, block size and configuration, is perhaps the most crucial determinant of its pedestrian and transit accessibility. A dense network of connected streets provides the pedestrian with a number of direct, safe, and interesting routes between destinations, and is generally more safe and interesting for walking. It is commonly held that one-quarter to one-half mile are comfortable walking distances. Figure 1.21 shows the one-quarter mile and one-half mile distances from the Airport/S. 176th Street and S. 154th Street light rail stations. The~~

Policy 1.1B combined with revised 1.1A to be the new "focus growth" policy.

Sidenote (pulled from old Policy 1.2B discussion):  
There may be some areas outside the urban center where higher density residential development is appropriate, and the City should encourage this type of development where appropriate and consistent with adopted criteria.

Policy 1.1C moved to new Access to Neighborhood Services section



process of converting SeaTac's Urban Center area to a form that is more pedestrian and transit friendly will require that the current average block size be reduced through the addition of. Development should add new streets as development occurs. The aim of the plan should be to reduce the average block size within the HCT districts station areas from the current 11.4 acres to blocks three to six acres in size.

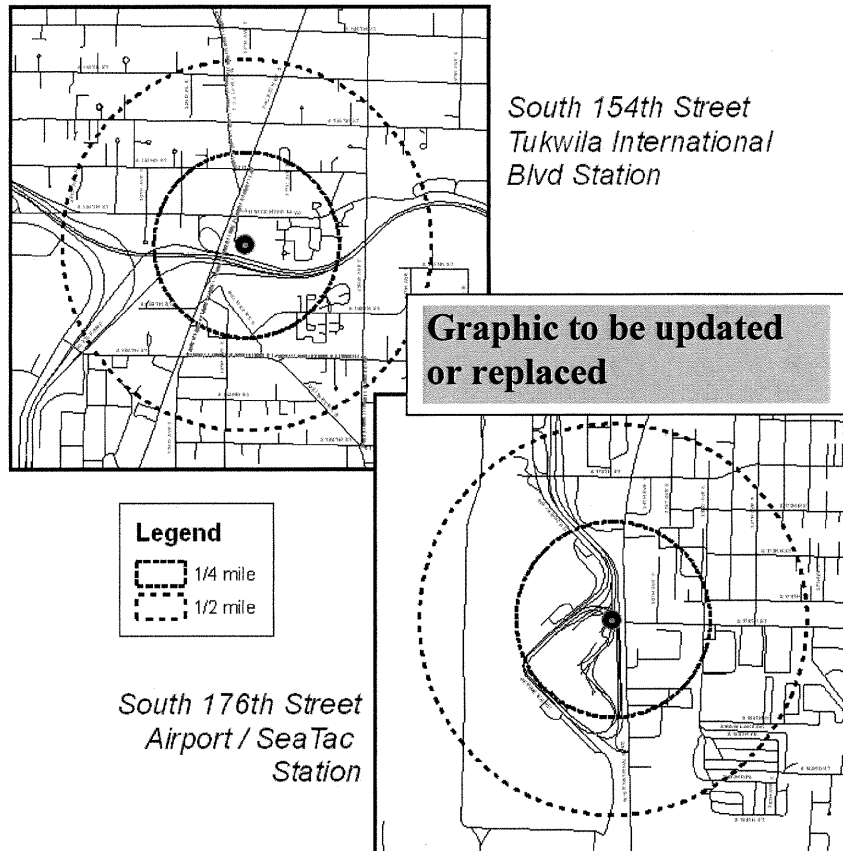
**Policy 1.1D 1.3B**

Encourage retail development within SeaTac's Urban Center and especially within the City Center and station areas.

**Discussion:** Most of the commercial development on International Boulevard consists of non-retail businesses, such as hotels, restaurants, park 'n fly lots, and offices. There are and a few auto-oriented retail establishments along this roadway at the northern and southern ends of SeaTac's boundaries, but they are primarily auto-oriented in nature (for example, c.g., used car sales). Sea-Tac International Airport provides a large, relatively untapped market for retail activity in the City of SeaTac. There were more than 26 million passengers traveling through the Airport terminal in 2003, with the annual volume increasing to 39 million passengers/year in 2020. This market could possibly be tapped, especially if there was a convenient way for easily transporting people to and from a new travelers could conveniently access shopping area areas.

**Callout box:**

It is commonly held that one-quarter to one-half mile is a comfortable walking distance. Figure 1.1 shows the one-quarter mile and one-half mile distances from the Airport/S. 176th Street and S. 154th Street light rail stations.



## **GENERAL GROWTH**

### **Policy 1.1E**

Promote efficient use of land by requiring development of the appropriate type and density for each zone.

**Discussion:** The Growth Management Act requires each city to accommodate its fair share of forecast growth. In King County this fair share is called a “growth target.” To accommodate SeaTac’s growth target, minimum densities should be required in higher density zones.

### **Policy 1.1F**

Require new lots in all low density residential zones to achieve the zoned density through measures such as allowing reduced road standards and specifying building placement so as not to preclude future land division.

### **Policy 1.1G 1.1H**

Ensure that the future uses of Highline School District unused/unoccupied properties are compatible with adjacent neighborhoods and land uses.

~~**Discussion:** TheA few of Highline School District’s owns a number of facilities within the City’s boundaries. While the majority of facilities are actively used, a few sites, such as Riverton Heights Elementary School, Glacier High School, Boulevard Park Elementary School, and Maywood Elementary School, are no longer occupied or used by the school district. These sites present unique opportunities for neighborhood redevelopment projects through the rehabilitation of buildings and/or recreational facilities. Redevelopment of some of these facilities would enhance neighborhood character and provide additional space for private or public business endeavors.~~

### **Policy 1.1H 1.1F**

~~Encourage the phasing of Amend zoning amendments in accordance with adopted criteria to achieve the vision illustrated on the City’s Land Use Plan Map in accordance with the adopted criteria below.~~

~~**Discussion:** The Comprehensive Plan envisions the eventual rezoning of many areas of the City, concurrent with the development of public and private infrastructure development, market demand, and neighborhood compatibility. The Land Use Plan Map on page X represents the ultimate outcome of this process over a 20-year horizon. It is the intent of this plan that pProperties which are not zoned consistently with the designations of the Land Use Plan Map designations should be rezoned when the following criteria are satisfied:~~

- ~~(1) Market demand is sufficient for blocks of land to be developed;~~
- ~~(2) Infrastructure improvements are planned concurrently to serve the proposed development; and~~
- ~~(3) The surrounding neighborhood is compatible with the planned land use.~~

~~Property owners are encouraged to propose rezoning properties when, in their opinion, demand for such zoned property exists or will soon exist. Proposed zoning changes which must satisfy the criteria listed above must and be consistent with the designations of the Land Use Plan Map designations. It is understood that However, piecemeal rezoning of an area, on a lot-by-lot basis, to those designations shown in the Land Use Plan Map could be detrimental to the overall goals and policies of the Comprehensive Plan and inconsistent with the public~~

health, safety and welfare. Such proposals should be postponed until such time as the proposed zoning change area includes enough properties to fully realize the intent of this plan for the area designated in the Land Use Plan Map.

**Policy 1.1D**

Encourage the creation of a “town center,” or central business district, within the Urban Center’s boundaries.

**Discussion:** Most cities in Washington have a recognizable downtown or town center. These town center areas usually serve as a focal point for their cities, and provide a sense of community identity and civic pride. They usually include retail establishments, a post office, the City Hall, other government buildings, and parks. A town center is smaller in size than an “urban center.” A town center area, however, often is a major focal point of the larger urban center.

Even though it is a relatively built-up city, SeaTac does not have a distinct and identifiable city/town center. This is due, in part, to the fact that SeaTac is a new city. Much of SeaTac’s more intensive land uses developed without the guidance of a comprehensive land use plan and in response to the needs of Seattle-Tacoma International Airport. As the City of SeaTac grows and evolves, it would be a positive step to have the creation of a town center occur as well.

**Policy 1.1E**

Provide for adequate buffers between different types of land uses, where needed.

**Discussion:** Buffering and attention to landscaping, design and scale are useful methods for preventing conflict and enhancing compatibility between different land use types. Buffers and other steps can provide for a harmonious and visually appealing transition between distinct land uses. One hypothetical example would be the desirability of a fence and landscaped buffer between a commercial property and an adjacent single family residential neighborhood. The positioning of the commercial building’s location at the farthest point on the lot away from the single family area’s boundary line would further enhance the buffering condition. Landscaping, lighting and other design features must comply with the design standards set forth by CPTED provisions in the SeaTac Municipal Code. CPTED standards aim to reduce crime and improve safety while enhancing and beautifying the development site.

**Policy 1.1G**

Provide a network of connected local streets in the three HCT districts and elsewhere through the Urban Center to facilitate pedestrian circulation and transit accessibility.

**Discussion:** The physical layout of the Urban Center, including its street and sidewalk network, block size and configuration, is perhaps the most crucial determinant of its pedestrian and transit accessibility. A dense network of connected streets provides the pedestrian with a number of direct routes between destinations, and is generally more safe and interesting for walking. It is commonly held that one quarter to one half mile are comfortable walking distances. Figure 1.21 shows the one quarter mile and one half mile distances from the Airport/S. 176th Street and S. 154th Street light rail stations. The process of converting SeaTac’s Urban Center area to a form that is more pedestrian and transit friendly will require that the current average block size be reduced through the addition of new streets as development occurs. The aim of the plan should be to reduce the average block size within the HCT districts from the current 11.4 acres to blocks three to six acres in size.

Policy 1.1D is addressed by new or amended policies in the new Urban Center Land Uses section

This will be addressed in the Community Design Element

Policy 1.1G moved to New Urban Center Land Uses section

# HEALTHY, EQUITABLE, AND CONNECTED COMMUNITIES

## Goal 1.2:

Create walkable, compact, transit-oriented communities with a range of transportation, employment, housing, and recreation choices, and access to goods and services.

## ACCESS TO TRANSPORTATION CHOICES

### Policy 1.2A

Establish land use patterns that promote walking, bicycling and using transit to access goods, services, education, employment and recreation.

### Policy 1.2B:

Promote residential and employment densities in transit communities to provide current and future residents with greater access to transportation, housing, and economic opportunities.

### Policy 1.3B

Encourage retail development in designated areas within SeaTac's Urban Center.

**Discussion:** Most of the commercial development on International Boulevard consists of non-retail businesses, such as hotels, restaurants, park 'n fly lots, and offices. There are a few retail establishments along this roadway at the northern and southern ends of SeaTac's boundaries, but they are primarily auto-oriented in nature (for example, used car sales). Sea Tac International Airport provides a large, relatively untapped market for retail activity in the City of SeaTac. There were more than 26 million passengers traveling through the Airport terminal in 2003, with the annual volume increasing to 39 million passengers/year in 2020. This market could possibly be tapped, especially if there was a convenient way for easily transporting people to and from a new shopping area.

### Policy 1.2B

Encourage moderate and high density residential development in appropriate locations, primarily within SeaTac's Urban Center boundaries.

**Discussion:** An urban center is designed to accommodate both residents and employees in a mix of uses and structures. Moderate and high density residential uses are appropriate within an urban center, where residents can walk or ride mass transit to work, and take advantage of the employment and activities within the center. There may be some areas outside the urban center where higher density residential development is appropriate, and the City should encourage this type of development where appropriate and consistent with adopted criteria.

**Note:** New section to provide policy basis for City's non-motorized transportation goals (Safe & Complete Streets Plan endorsed by Council 2012 to be integrated into Transp Element & TMP) and TOD in subarea plans and helps implement Growing Transit Communities Compact resolution endorsed by Council

Callout box:  
See related policies in the Transportation Element regarding multi-modal transportation options.

Callout Box:  
Transit communities are generally considered the land within a half mile walking distance from the three light rail stations serving SeaTac. In some cases this land may extend beyond the Subarea boundaries. Developing transit communities implements the Council-endorsed Growing Transit Communities Compact.

**Note:** Policies 1.3B, and 1.2B moved up to a new Urban Center section

## ACCESS TO HEALTHY FOODS

### Policy 1.2A

Incorporate consideration of physical health and well-being into local decision-making by locating, designing and operating public facilities and services in a manner that supports creation of community gardens on public open space in accessible locations throughout SeaTac.

### Policy 1.2B

Support, policy, systems, and environmental changes that result in increased access to healthy foods

### Policy 1.2C

Provide opportunities for shops, and services, recreation, and access to healthy food sources within walking or bicycling distance of homes, work places, and other gathering places

### Policy 1.2D

Support the creation of community gardens on public open space in accessible locations throughout SeaTac.

## ACCESS TO HOUSING

Recommended by Makers.  
Seems unnecessary

### Policy x.x1.2E

Foster high quality, diverse, and affordable housing, diversity, and affordability.

## ACCESS TO NEIGHBORHOOD SERVICES

### Policy 1.2E 1.1C

Encourage neighborhood scale commercial development in appropriate locations outside of the Urban Center/City Center to serve needs of residents.

**Discussion:** Although it is appropriate to direct most of the City’s commercial growth to the Urban and City Centers, there is also a need to serve the residential areas with neighborhood-scale commercial services. Small, neighborhood-scale commercial areas would provide residents with services and shopping opportunities close to home, which can reduce auto trips and help build community by providing opportunities for neighbors to meet. These neighborhood commercial areas could provide local gathering places and service and retail opportunities. Examples include, but are not limited to, cafes and restaurants, hair salons, dry cleaners, tax preparation services, grocery stores, video rental stores and florist shops.

**Note:** Policies 1.2A, 1.2B, and 1.2C were endorsed by City Council March 13, 2012 as part of “Access to Corner Stores” study under CPPW grant.

Callout box:  
See the Housing Element for related policies.

**Policy 1.2F 1.3D**

Promote and incentivize developments in commercial designations with retail and service-oriented businesses on the ground floor or on the same site to serve employees, residents, and visitors.

Encourage mixed-use projects, especially those with a retail/office/residential component, in designated areas of the City.

**Discussion:** ~~The traditional zoning approach segregates various land uses, such as commercial and residential, into different locations. In many situations, however, it is more appropriate for some land uses to be “mixed” together. The mixed-use development concept is gaining popularity around Puget Sound and the United States. A “mixed use” building/site has a mix of different uses within one structure or a given site, such as retail uses on the first floor with office and/or residential on the upper floors. This type of development pattern would promote a more pedestrian-friendly environment in the City and might encourage more resident-oriented businesses to locate in SeaTac. Ground floor activities should serve the daily needs of employees, residents, and visitors to provide the opportunity for a car-free lifestyle. These may include convenience shopping, specialty shops and restaurants.~~

**Policy 1.2G**

Allow commercial uses on the ground floors of residential buildings that serve neighborhood needs.

**Discussion:** Examples of neighborhood-serving ground floor commercial uses include small grocery markets, hardware stores, bakeries, day care centers, dry cleaning, doctor’s offices, hair salons, and coffee shops.

**Policy 1.2H 1.3C**

Encourage the development of small, “resident-oriented” businesses in SeaTac.

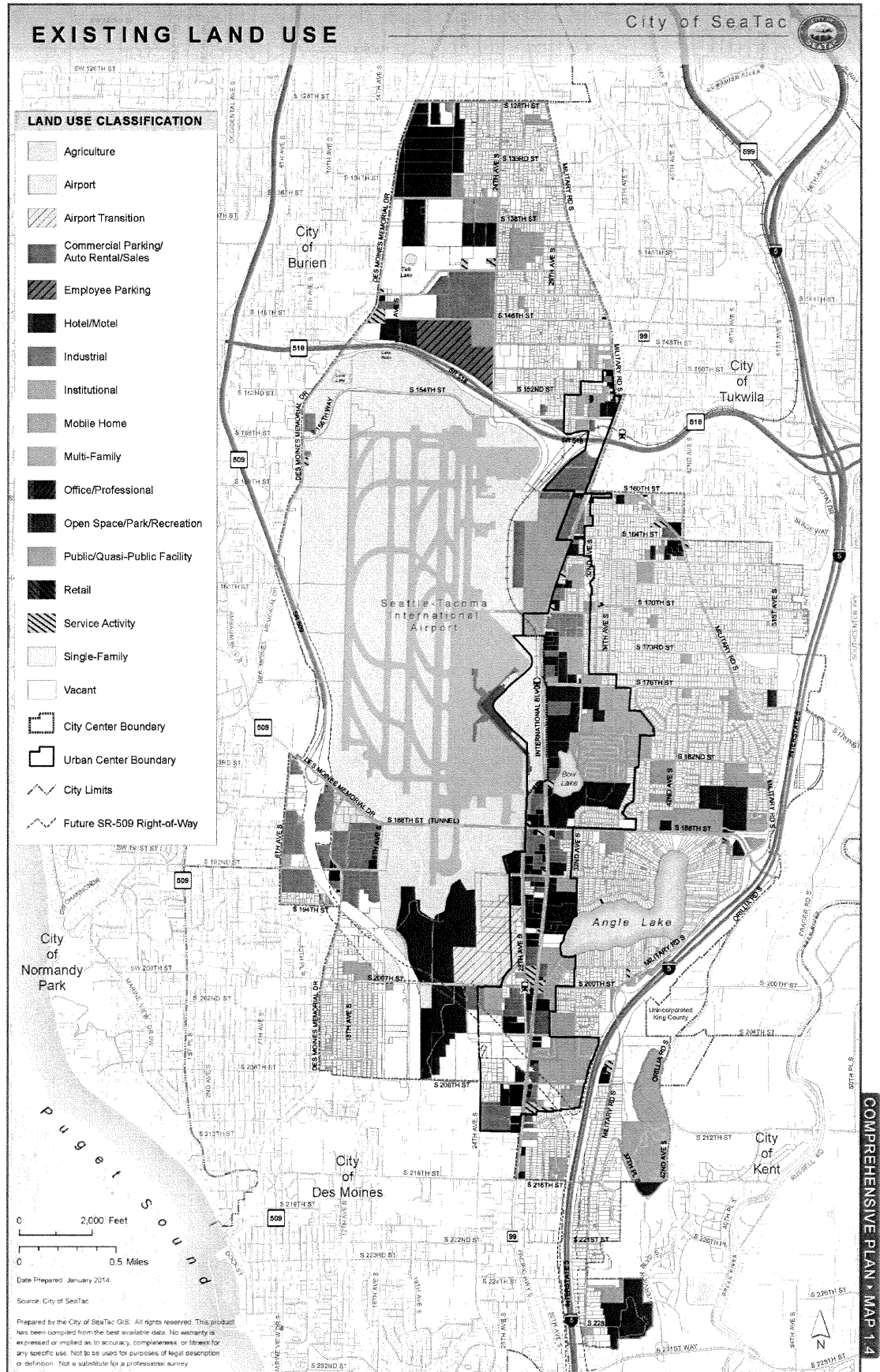
**Discussion:** While there are a large number of commercial businesses in SeaTac, many of them provide services that are primarily oriented to Airport-related visitors and daytime employees. In order to provide services needed by City residents, there should be a strong effort to allow and encourage businesses that also cater to residents’ needs. Examples of such businesses include, but are not limited to, hardware stores, bakeries, small grocery markets, ~~video rental shops, bookstores, day care centers, restaurants and espresso cafes.~~ These types of services also help to make the City more livable for families.

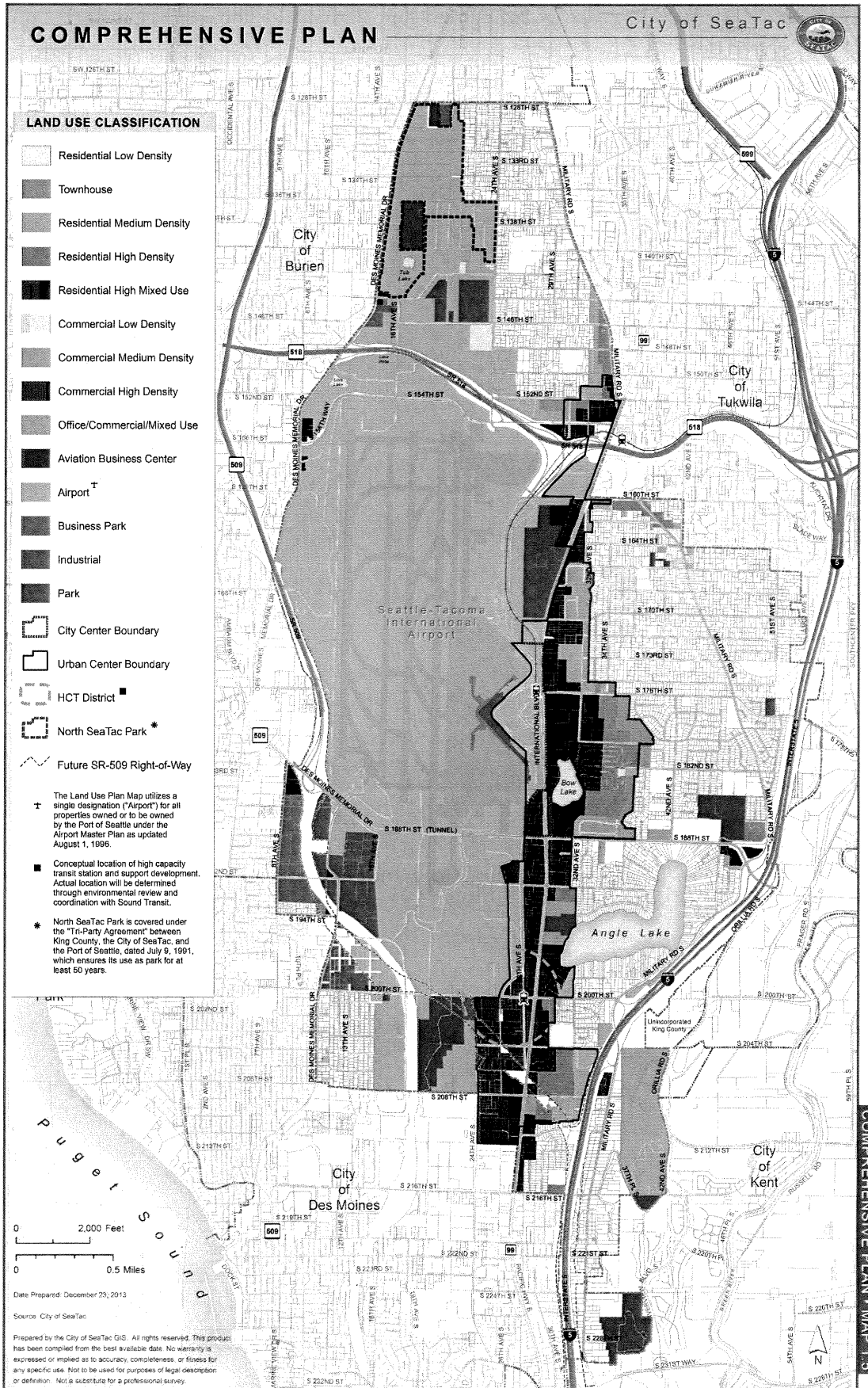
**Policy 1.2I 1.3G**

Allow home occupations in residential areas if they meet the City of SeaTac’s current Zoning Code requirements for such business operations.

**Discussion:** Home occupations allow small businesses to operate in a cost-effective manner. These types of businesses can be compatible within residential neighborhoods, if the operation has a small number of employees, is incidental to the residence’s primary use as a dwelling unit, and has no negative traffic or environmental impacts associated with it. ~~For more information on the local requirements, please see the City of SeaTac Zoning Code, Chapter 15.17, Home Occupations.~~

Callout box:  
See the Urban Center section for related policies.







## CITYWIDE LAND USES

The geographic interpretation of Goal 1.1 is depicted on SeaTac’s Land Use Plan Map (see Map 1.5 in the Land Use Element). Its land use designations fall under the following broad categories:

- Residential
- Commercial
- Manufacturing/Industrial/Business Park/Industrial/Airport Industrial
- Park/Other

## RESIDENTIAL LAND USE

### GOAL 1.3 1.2

**To achieve a mix of housing types, while maintaining healthy residential neighborhoods and guiding new housing development into appropriate areas.**

### RESIDENTIAL LOW DENSITY

#### Policy 1.3A 1.2A

~~Preserve the residential character of single family residential neighborhoods, whenever possible.~~

~~Maintain a Land within the Residential —Low Density land use designation with corresponding single family zoning classifications. areas is, and will continue to be, primarily single family in nature. Densities in the Residential Low Density designation are described in terms of minimum lot sizes: 5,000 square feet minimum (8.7 dwelling units per acre), 7,200 square feet minimum (6.1 dwelling units per acre), 9,000 square feet (4.8 dwelling units per acre) and 15,000 square feet (2.9 dwelling units per acre. The intent purpose of this designation is to stabilize and protect existing single family residential neighborhoods, and foster an environment that provides high quality housing, diversity and affordability.~~

~~The lower densities (9,000 and 15,000 square feet minimum lot sizes) are a legacy of unincorporated King County zoning, were established to provide larger lots to be served by septic systems where sanitary sewer service was not available, and should only be allowed in the areas where they currently exist, and should be rezoned to appropriate higher single family densities when sanitary sewer service is available.~~

**Note:**

Descriptions of land use types and related policies are moved from the Comprehensive Plan Land Use descriptions in the Land use Background Report. Those descriptions were moved to this section and adapted to serve as policies to support regulations in the Zoning Code.

**Callout Box**

See Table x.x in the Land Use Background report for how the Zoning Classifications correspond to the Land Use Designations.

Accessory units (sometimes called “mother-in-law units”) will be allowed in single family designations in order to provide additional housing opportunities and income sources for homeowners.

Single family areas will be served by bus and a growing network of sidewalks and bicycle paths/facilities. Open space will be provided within subdivisions, in neighborhood and community parks, and through shared use of at-school playfields, s and neighborhood parks, with larger facilities located within North SeaTac and Angle Lake Parks.

The single family designations will be buffered from higher intensity uses by landscaping/buffering and “transitional” residential uses, including townhouses and small scale, residentially oriented, mixed use development. This will promote the stabilization and enhancement of single family neighborhoods.

~~Discussion: SeaTac’s established residential neighborhoods are important components of the community and should be protected from negative impacts of conflicting or inappropriate nearby land uses. The character of healthy neighborhoods should be maintained since they provide a sense of well-being for local residents and enhance the stability of the entire City.~~

**Policy 1.2B**

~~Encourage moderate and high density residential development in appropriate locations, primarily within SeaTac’s Urban Center boundaries.~~

~~Discussion: An urban center is designed to accommodate both residents and employees in a mix of uses and structures. Moderate and high density residential uses are appropriate within an urban center, where residents can walk or ride mass transit to work, and take advantage of the employment and activities within the center. There may be some areas outside the urban center where higher density residential development is appropriate, and the City should encourage this type of development where appropriate and consistent with adopted criteria.~~

Policy 1.2B moved to new Urban Center Land Uses section

**Policy 1.2C**

~~Ensure that multi family residential development is designed and sited in a manner that is compatible with adjacent lower density neighborhoods.~~

~~Discussion: Multi-family residential uses can be designed in a manner that allows for a harmonious transition into the surrounding single family neighborhoods, or other areas zoned for lower densities. The use of buffers, landscaping and building design/placement that blends with neighboring structures’ general or specific characteristics can greatly facilitate a smooth transition between different densities and land uses. Gradually decreasing densities as one moves outward from the urban center is one method for ensuring such compatibility.~~

Move to Community Image

**Policy 1.2D**

~~Encourage residential areas in SeaTac to be developed in an efficient manner.~~

~~Discussion: The Countywide Planning Policies require undeveloped areas to have minimum densities to ensure that these lands are developed efficiently. The majority of SeaTac’s residential land is already developed at “urban” densities, but there are many opportunities for infill development, as well as one area of remaining land that is relatively undeveloped. This area, though, possesses development constraints, including steep slopes and streams. The City will require that new lots in all low density residential zones are as close as possible to zoned~~

Policy 1.2D replaced by new Policies 1.1E and 1.1F in new General Growth section

~~density through measures such as allowing reduced road standards and specifying building placement so as not to preclude future land division. Long-term planning for the few large remaining vacant areas should involve application of Planned Unit Development (PUD) principles, in order to cluster development at appropriate densities.~~

**TOWNHOUSE**

**Policy 1.3B**

~~Maintain a Townhouse land use designation and corresponding zoning classification as a higher density (12 – 24 dwelling units per acre) alternative to a single family home with many characteristics of single family development, intended to foster a sense of community. Those characteristics include Townhouse designated areas are residential areas creating a buffer between adjacent Residential – Low Density areas and more intensely developed higher density residential or commercial/mixed use areas. These areas will be residential in character, with design features intended to help foster a sense of community: a good relationship to the street, unobtrusive parking arrangements, requirements for open space to be used by residents, attention to detail in building design, and minimum site size requirements to minimize neighborhood fragmentation. Heights will be limited to three stories. These development characteristics are intended to result in a building type that has single-family characteristics at densities that support transit ridership and nearby commercial activities.~~

~~Townhouse designated areas are also intended to serve as are residential areas creating a buffers between adjacent Residential – Low Density areas and more intensely developed higher density residential or commercial/mixed use areas, so are appropriate for those locations, such as at the edges of station areas or the City Center.~~

~~Townhouse development should be allowed in the Townhouse and UM-1800 and UM-2400 Zones~~

**RESIDENTIAL – MEDIUM DENSITY**

**Policy 1.3C**

~~Maintain a Residential —Medium Density land use designation and corresponding zoning classifications for areas are residential areas with a higher density than single family or medium density alternatives while maintaining a desirable living environment. Ideally, they provide a transition between lower density and higher density areas, so are most appropriate in these transition areas, or where topography creates a natural transition to a lower or higher density area, such as the hillside on the City’s southeast edge. Densities should be 12 to 18 dwelling units per acre but unlike Townhouse, in a more traditional apartment form. to be located between higher density uses and single family residences, or townhouses in some cases. These areas will be~~

Callout box:  
Purposeful design and placement of buildings, landscape, and open spaces will strengthen the characteristics of these land use designations. See the Community Image and Open Space Elements for these related policies.

primarily residential in character, with some supporting residentially oriented commercial uses. Building heights ~~will~~ should be limited to three or four or five stories, with possible height bonuses through a conditional use ~~process~~ or special administrative/staff review process, or incentive program. Examples of the types of uses that would be found in this designation are ~~two to four story~~ apartments and townhouses. Some mixed use residential-commercial buildings containing services like dry cleaning, doctor's offices, hair salons, coffee shops and video stores will also be allowed at specific sites. Careful attention will be given to the amount and type of commercial uses to ensure project feasibility and maximize the positive impacts of these business uses in residential areas. In Residential —Medium Density areas, a range of different types of open space ~~will~~ should be provided, from decks and balconies to small yards and pocket parks. Parking ~~will~~ should be integrated into the site plan to reduce its visual impact. Where possible, alleys should be used to separate service access and parking from the street frontage.

## **RESIDENTIAL – HIGH DENSITY**

### **Policy 1.3D**

Maintain a Residential —High Density land use designation and corresponding zoning classifications to provide areas are residential areas a higher density living option in a multi-family building form at densities ranging from 24 to 48 dwelling units per acre. Ideally Residential – High Density areas provide a transition between lower density and higher density areas. to be located between Residential High —Mixed Use areas and Residential Medium Density areas. In some cases Residential – High Density uses may be located adjacent to Residential – Low Density areas, but in these cases additional buffering, building setbacks or upper story setbacks ~~may~~ should be required. These areas will be primarily residential in character, with some supporting residentially oriented commercial uses. Building heights will be limited to four or five stories, with possible height bonuses through a conditional use ~~process~~, or special administrative/staff review process, or an incentive program. Examples of the types of uses that would be found in this designation are ~~two to four story~~ apartments and townhouses. Some mixed-use residential-commercial buildings containing services like dry cleaning, doctor's offices, hair salons, coffee shops and video stores ~~will~~ may also be allowed at specific sites. Careful attention ~~will~~ should be given to the amount and type of commercial uses to ensure project feasibility and maximize the positive impacts of these business uses in residential areas. In Residential – High Density areas, a range of different types of open space ~~will~~ should be provided, from decks and balconies, to small yards and pocket parks. Parking ~~will~~ should be integrated into the site plan to reduce its visual impact. Where possible, alleys should be used to separate service access and parking from the street frontage.

**RESIDENTIAL HIGH – MIXED USE**

**Policy 1.3E**

Maintain a residential high density mixed use land use designation and a corresponding zoning classification in appropriate locations to promote the development of a high density residential area that complements the high density commercial area. As such, the residential high mixed use designation should be located adjacent to commercial high density areas to provide a transition to other residential areas, ideally residential high density areas, or along principal arterials in the Urban Center. Together, these areas will form the core of SeaTac’s Urban Center with residential high-mixed use areas in both station areas and in the City Center.

Heights should be limited only by FAA requirements, and building setbacks should be minimal. Public open space should be provided in neighborhood pocket parks and plazas. Private open space will be provided through terraces, courtyards, and private balconies. In this designation, commercial uses will be allowed on the first floors of buildings. Although, since the residential high-mixed use designation is intended primarily for residential use, such commercial activities should be primarily oriented toward serving the needs of the residents.

**COMMERCIAL LAND USE**

**GOAL 1.43**

~~To encourage commercial land uses that~~ **serve the needs of the City’s residents, businesses, and visitors through appropriate commercial land uses.**

**Policy 1.43A**

~~Concentrate commercial uses in specific locations to improve the provision of services and protect existing residential areas.~~

~~**Discussion:** SeaTac’s commercial base is expected to grow over the next 10 to 20 years. It is important that an adequate supply of commercial land is available to accommodate this SeaTac’s expected employment growth. It is also crucial, though, that the City’s new commercial businesses be located in appropriate areas that would not be detrimental to SeaTac’s residential neighborhoods. Examples of appropriate areas would include SeaTac’s Urban Center and the Aviation Business Center (ABC) area.~~

**Policy 1.3B**

~~Encourage retail development in designated areas within SeaTac’s Urban Center.~~

~~**Discussion:** Most of the commercial development on International Boulevard consists of non-retail businesses, such as hotels, restaurants, park ‘n fly lots, and offices. There are a few retail establishments along this roadway at the northern and southern ends of SeaTac’s boundaries, but they are primarily auto-oriented in nature (for example, used car sales). Sea Tac~~

**Note:** Policy 1.3B moved to new Urban Center Land Uses section.

## Land Use Element

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International Airport provides a large, relatively untapped market for retail activity in the City of SeaTac. There were more than 26 million passengers traveling through the Airport terminal in 2003, with the annual volume increasing to 39 million passengers/year in 2020. This market could possibly be tapped, especially if there was a convenient way for easily transporting people to and from a new shopping area

### Policy 1.3E

Encourage new and redeveloped buildings within SeaTac's Urban Center to be well designed.

**Discussion:** Street edges along International Boulevard are poorly defined, land uses are largely auto-oriented, and building design and site planning are generally uncoordinated. Additionally, building orientation and parking lot locations vary considerably, with parking often being a significant component of the site. Lower quality development is also interspersed with higher quality development. SeaTac's Urban Center would benefit from an overall set of administrative design guidelines that establishes a common character within this section of the City. These guidelines would help to unite the land uses within this area into a true "town center" for the City of SeaTac.

### Policy 1.3F

Ensure that commercial development is designed and scaled in a manner that is compatible with surrounding lower density neighborhoods.

**Discussion:** Land use conflicts, including the lack of adequate transition between land uses and negative impacts on neighboring properties, threaten stable residential neighborhoods. Land use designations should work to preserve and enhance existing neighborhoods by providing better transitions to residential uses, and encouraging development which minimizes conflict through careful design and landscape buffering.

### Policy 1.3G

Allow home occupations in residential areas if they meet the City of SeaTac's current Zoning Code requirements for such business operations.

**Discussion:** Home occupations allow small businesses to operate in a cost effective manner. These types of businesses can be compatible within residential neighborhoods, if the operation has a small number of employees, is incidental to the residence's primary use as a dwelling unit, and has no negative traffic or environmental impacts associated with it. For more information on the local requirements, please see the City of SeaTac Zoning Code, Chapter 15.17, Home Occupations.

### Policy 1.3H4B

Protect designated land uses from the negative impacts of "adult entertainment" establishments.

**Discussion:** A city is allowed to regulate adult entertainment businesses, as long as a "reasonable opportunity" is provided to operate such a business within the municipal boundaries. To limit the negative impacts of adult entertainment businesses while allowing the required "reasonable opportunity" to operate, regulate these establishments in the City, adult entertainment businesses shall be regulated in a manner that protects designated sensitive land uses, such as public and private schools; public parks; public libraries; State-certified day care facilities; community/teen centers; churches, cemeteries or and other religious facilities or institutions; residential and lodging uses, and property zoned for

Move to Community Image

Move to Community Image

Moved old Policy 1.3G to Access to Neighborhood Services section.

Delete all the examples (after "sensitive land uses") if described in code elsewhere.

residential uses; other adult entertainment uses; and property used for any organizations, associations, facilities and businesses which provide, as a substantial portion of their activities, functions or business, the provision of services to children and/or youth during operational hours., so that their premises would have children in attendance or at the location during a predominant portion of the operational hours of the organization, association, facility or business.

## COMMERCIAL LAND USE DESIGNATIONS

### COMMERCIAL MIXED USE—LOW INTENSITY DENSITY

#### Policy 1.4C

Maintain a Commercial Low Density land use designation and a corresponding zoning classification to promote the development of commercial areas outside of the Urban Center to provide convenient daily shopping and some services for a limited service area. They are intended to enhance low to medium density residential neighborhoods by locating goods and services within a convenient distance for residents. Commercial low Density areas may also serve as a neighborhood hub for bus or other transit options. Some areas along International Boulevard will be outside the one-quarter to one-half mile radius from the planned light rail station location and will not be within easy walking distance of the station. Consequently, these areas would not benefit from high intensity, transit-supportive land uses. These areas could, however, potentially be served by the personal rapid transit (PRT, or similar system providing a similar function) system if feasible. The areas designated as Commercial Mixed Use—Low Intensity will provide opportunities to retain many of the necessarily auto-oriented, small scale uses that make up the present character of International Boulevard. Examples of this type of development include nurseries, hardware and home supply stores, car sales, automotive repair garages, and department stores. Guidelines for businesses in these areas will be directed at improving their function and visual appearance. It is expected that there will be minimal housing in these designated areas. Transit service would consist of bus service and possible PRT (or similar system providing a similar function).

### OFFICE/COMMERCIAL/MIXED USE

#### Policy 1.4D

Maintain an Office/Commercial/Mixed Use land use designation and corresponding zoning classification to provide a mixed use, medium density type of development that is more residential in character than commercial. This designation is appropriate as a transition area between lower density areas and higher density commercial or residential areas. Most retail and commercial uses should be allowed only in the mixed use context, with lower building height limits in the two to three story range.

**COMMERCIAL MIXED USE—MEDIUM INTENSITY DENSITY**

**Policy 1.4E**

~~Maintain a The Commercial Mixed Use—Medium Intensity-Density land use designation and corresponding zoning classification to provide a medium density commercial area that is more commercially than residentially oriented. anticipates a lower intensity of development than the High Intensity designation. Building heights should will be around five-four to seven stories with additional stories (up to 12) allowed through a bonus system. Typical activities will should include dense corporate parks, individual office buildings, smaller hotels and restaurants, and relatively dense retail developments. Developers will be encouraged to mix uses, either within an individual building or within different buildings on a multiple building development site. Mid-rise apartments (4-5 stories) or mixed, residential/commercial developments could be built within this area. Structured parking will also be encouraged, in this area, but may not be as feasible due to the lower intensity of development. As with the high intensity designation, developers will be encouraged to locate surface parking in a way that allows for redevelopment as structured parking becomes feasible.~~

**COMMERCIAL MIXED USE—HIGH INTENSITY DENSITY**

**Policy 1.4F**

~~Maintain a The Commercial Mixed Use—High Intensity-Density land use designation and corresponding zoning classification to provide for allows the highest concentration of commercial development. The building heights in this area will should be limited only by FAA height limits. Activities within this designation will should include hotels, office towers and high density housing. Retail and service-oriented businesses will be encouraged to locate within the first floors of large scale, multi-story developments. Some of these commercial activities would be oriented toward employees, providing them with convenience shopping, eating establishments—restaurants and places to complete daily errands without having to drive. Other commercial activities such as specialty shops, restaurants, and movie theaters could be oriented to serve City residents and travelers staying at hotels. Some opportunities may also exist for convention center activities which this designation would support. The SeaTac Office Center and the Red Lion Hotel are some examples of the types of development that are envisioned for the Commercial Mixed Use—High Intensity designation. For non-commercial parking businesses structured parking will should be encouraged as land values make this feasible. In the interim, while surface parking is still necessary, developers new developments will should be encouraged to orient their site plans to allow for redeveloping the surface parking at a later date. For new commercial parking businesses structured parking should be required in the City Center and station areas. Non-parking uses should be required on the ground floors of parking~~

Callout box:  
See the Transportation Element to see related policies on connecting to local and regional transit and providing non-motorized travel options. Also see related policies in the Healthy, Equitable, and Connected Communities section.



structures in the City Center and station areas, to provide access to goods and services and to activate the street. ~~New developments will should be encouraged to provide public open spaces, as part of the project. eating and sitting areas within their projects. The City will should also work to encourage the provision of small pocket parks. The SeaTac/Airport Station area will include bus and paratransit service at the plaza/“kiss and ride” to provide a high level of convenient multi-modal transit service. Sound Transit’s two stations will provide an efficient transit link to the rest of the region. The Personal Rapid Transit (PRT, or similar system providing a similar function) system could eventually link development within these areas to the Airport and other large developments. Sound Transit’s two stations will provide an efficient transit link to the rest of the region.~~

## AVIATION BUSINESS CENTER

### Policy 1.4G

~~Maintain an The Aviation Business Center (ABC) land use designation and corresponding zoning classification. reflects the existing/potential ABC zoning and related development standards. One purpose of the designation is to promote The Aviation Business Center is intended to support a major commercial center supporting with high concentrations of customers, visitors, employees, and pedestrian activity to create a quality development area in which people can work, shop and access child care. This area will also A second related purpose is to encourage create a development area with a businesses orientedation to the Airport and compatible with Airport operations. This designation will encourage flexible development programs to improve the design, character, and quality of new development, facilitate the provision of streets and utilities, and preserve natural and scenic features. The ABC area also establishes minimum lot sizes to encourage projects of sufficient scale to increase the viability of high capacity transit and PRT (or similar system providing a similar function) in this area. With the coming of the Angle lake Light rail Station in 2016, the northern part of the ABC area (north of the SR 509 Extension right-of-way) will focus on a pedestrian orientation and Transit Oriented Development.~~

### Policy 1.4B 1.6B

Encourage the development of Airport-compatible activities in the Aviation Business Center (ABC) area.

**Discussion:** The ABC district was created in 1991 to encourage a wide mix of Airport-related businesses in an area southeast of Seattle-Tacoma International Airport. This district will provide needed space for Airport-related activities, which play a key role in the City’s economy. The land uses within the ABC district are intended to be compatible with Airport operations.

## **MANUFACTURING/INDUSTRIAL/BUSINESS PARK LAND USE**

### **GOAL 1.54**

**To provide an appropriate level of manufacturing, industrial and “business park” land uses within the City.**

#### **Policy 1.54A**

Concentrate industrial/manufacturing/business park uses in specific and appropriate locations to ~~improve the provision of~~ services and protect existing residential and other commercial areas.

**Discussion:** Industrial and manufacturing establishments are valued because they provide jobs for SeaTac residents and tax revenues for the City ~~but are~~. This type of land use is usually ~~very intensive and~~ not always compatible with other land uses, such as single family residential uses. ~~Certain types of manufacturers also produce odors and dust. In order to~~ enjoy the benefits and minimize the adverse impacts of industrial and manufacturing establishments, the City of SeaTac should encourage the development of “clean, and light manufacturing” and business park land uses in ~~designated, appropriate~~ locations. Business park uses would be ~~production/distribution-related businesses with~~ with minimal environmental and land use impacts in this designation. Examples of this type of land use would include high technology business firms, Airport-related warehousing, and light manufacturing businesses that do not use toxic substances or emit pollutants ~~into the air~~. Another area of the City that would be appropriate for business park uses would be the Aviation Business Center area.

#### **Policy 1.54B**

Discourage inappropriate, heavy manufacturing businesses from locating in SeaTac, excluding Airport-sited uses.

**Discussion:** ~~It is felt that~~ The development of new “heavy industrial” land uses, with their negative environmental impacts, ~~would not be~~ not appropriate for the City of SeaTac ~~(see the discussion section of Policy 1.4A for more background information).~~

## **BUSINESS PARK**

#### **Policy 1.5C**

Maintain a The Business Park land use designation and corresponding zoning classification to provide for ~~would allow non-polluting business, such as biotechnology, non-polluting light manufacturing, electronics, computer technology or communications equipment establishments~~ manufacturing businesses. Warehousing and distribution operations are also appropriate businesses here. Land uses with significant impacts, such as truck terminals, would be expressly prohibited.

This designation should provide substantial buffering when adjacent to residential low density uses or zones, and is most appropriately located with other warehousing, manufacturing or light industrial uses.

~~Discussion:~~ Land uses with the following impacts or effects will be prohibited from Business Park areas:

- ~~• Emit significant quantities of dust, dirt, cinders, smoke, gases, fumes, odors or vapors into the atmosphere;~~
- ~~• Emit any liquid or solid wastes or other matter into any stream, river, or other waterway;~~
- ~~• Emit radiation or discharge glare or heat, or emit electromagnetic, microwave, ultrasonic, laser or other radiation levels over what is considered safe by the FCC that would adversely impact electronic equipment outside of the business's property;~~
- ~~• Heavy trucking as a principal use such as truck terminals;~~
- ~~• Produce excessive noise or ground vibration perceptible without instruments exterior to the property; and~~
- ~~• Utilize open storage.~~

Business park uses are appropriate in the Aviation Business Center area, as well.

~~Policy x.x~~

~~Implement design and lot coverage standards for Business Park areas to foster high quality development and to minimize their impacts.~~

**AIRPORT**

**Policy 1.5D**

Maintain an This Airport land use designated area and corresponding zoning classifications to provides for the Seattle-Tacoma International Airport and high intensity Airport-related facilities and activities. Per the Interlocal Agreement between the City and the Port of Seattle (ILA), The Land Use Plan Map utilizes a single designation ("Airport") for all properties owned or to be owned by the Port of Seattle under the Airport Master Plan, as updated amended August 1, 1996. Development of the Airport shall be in accordance with the ILA, which shall resolve any conflicts with other provisions of this Comprehensive Plan. To the extent the ILA establishes development standards as defined in RCW 36.70B.170 et seq., the ILA also constitutes a "development agreement."

The Airport designation establishes two corresponding zones that provides for Airport-related facilities and activities associated with Seattle-Tacoma International Airport that are related to either "Aviation Operations" or "Aviation Commercial" uses. As such the Airport land use designation covers a wide range of uses, unlike the City's other land use designations, so some attention is given to the corresponding zones here.

**Callout box:**  
Continued partnership with the Port of Seattle can enhance the character and economic function of the Urban Center growth area.

The **Aviation Operations** zone applies to all activities and uses related specifically to the functioning of the airport itself. ~~shall include only those uses listed in Attachment A-2 to the ILA. The Aviation Operations zone (AVO) is designated for development of the range of facilities that provide for safe and efficient commercial operations and support, together with security, access, the needs and convenience of the traveling public, and handling of air cargo.~~

The **Aviation Commercial** zone applies to other properties the Port around the airport proper. This zone should accommodate a wide variety of uses, which may be appropriate in some locations and not in others. Uses like warehousing and distribution, light manufacturing should be located where similar uses are located in other zones, such as Business Park, and should provide similar landscaping and buffering. Commercial uses, such as hotels, offices or retail uses should be located where similar uses are located in other zones, and should feature similar development characteristics, such as relationship to the street, building design, pedestrian facilities and parking location and design. ~~shall include those uses listed in Attachment A-2 to the ILA. The Aviation Commercial zone (AVC) is designated for development that provides support to operations of the Airport, the traveling public, and air cargo, and for other development that provides economic benefit to the Airport and community while maintaining compatibility with Airport operations and activities.~~

**Policy 1.5E 1.6A**

Encourage land uses adjacent to Sea-Tac International Airport that are compatible with Airport operations.

**Discussion:** The Federal Aviation Administration's standards (under the Part 150 Program) identify compatible land uses for areas immediately adjacent to an airport. Improving land use compatibility in areas near the Airport enables the City to take better advantage of the job and tax revenue benefits of the Airport, maintain and enhance the Airport's role as an essential public facility, and help reduce the negative impacts to City residents. Some appropriate land uses near airports include open space and passive park land, parking, transportation-related activities, and some manufacturing or business park uses. Multi-family housing that is constructed to meet the applicable noise standards and designed to recognize noise issues may be appropriate for areas within the 65 to 75 Ldn DNL area (see Map 1.3). Single family residential use, on the other hand, is an example of a land use type that is not generally recommended for such areas. Uses that are essential to the aviation function of an airport, including necessary support facilities, are considered elements of an airport as an Essential Public Facility (EPF), as addressed in Goal 1.7, and are subject to provisions of the Interlocal Agreement between the City and the Port of Seattle for Seattle-Tacoma International Airport, originally signed 9/4/97 (ILA), and updated and reauthorized in 2005. These land uses are addressed under the Recommended Implementation Strategies section, and within the provisions of the Land Use Background section. The ILA specifically lists Airport Master Plan projects and Airport related uses in Attachments A-1 and A-2 respectively. The parties adopted the listed projects and uses to settle their dispute over Airport expansion, and the ILA does not determine whether the listed uses are Essential Public Facilities (EPFs) under the Growth Management Act. Because of the extensive public and environmental review of the Airport Master Plan, the City's EPF siting process is deemed to be complete for the projects

**Note:**  
Maybe this section about the ILA should go back to the Background Report

~~listed in ILA Attachment A-1, "List of Port Master Plan Projects." The ILA reserves the City's rights under prescribed circumstances to challenge whether a proposed development at the Airport is an EPF.~~

**Policy ~~1.5F~~ 1.6C**

~~Work with the Port of Seattle to implement the ILA adopted 9/4/97.~~

**Discussion:** The City of SeaTac and Port of Seattle entered into the ILA to establish a mutually satisfactory process and set of development standards for Port projects and mitigation for the Airport Master Plan. The ILA resolves land use jurisdictional issues and establishes a basis for working toward compatibility between City and Airport land uses.

**INDUSTRIAL**

**Policy 1.5H**

~~Maintain an Industrial land use designation and corresponding zoning classification. The purpose of this designation is to provide for the location and grouping of industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling, storage, warehousing and heavy trucking. These areas could be served by both automobiles.~~

**INSTITUTIONAL USES**

**Policy ~~1.1H~~**

~~Ensure that the future uses of Highline School District unused/unoccupied properties are compatible with adjacent neighborhoods and land uses.~~

**Discussion:** The Highline School District owns a number of facilities within the City's boundaries. While the majority of facilities are actively used, a few sites, such as Riverton Heights Elementary School, Glacier High School, Boulevard Park Elementary School, and Maywood Elementary School, are no longer occupied or used by the school district. These sites present unique opportunities for neighborhood redevelopment projects through the rehabilitation of buildings and/or recreational facilities. Redevelopment of some of these facilities would enhance neighborhood character and provide additional space for private or public business endeavors.

**Note:** Moved to new General Growth Section

**PARKS AND OPEN SPACE LAND USE**

**GOAL 1.65**

~~To achieve~~ **Provide an adequate amount of accessible parks, recreational land, and open space forthroughout the City.**

**Policy 1.6A**

Maintain a Park land use designation and corresponding zoning classification to provide for This designation identifies park and open space areas to be used

Callout box:  
See the Open Space Element for related policies.

for outdoor passive and active recreation uses, conservation and protection of municipal watersheds, wildlife corridors and habitats.  
Essential Public Facilities

## ESSENTIAL PUBLIC FACILITIES

### GOAL 1.7

~~To address the siting of~~ **Accommodate** ~~of essential public facilities in alignment with this Plan's goals and policies.~~

#### Policy 1.7A

Administer a process consistent with ~~both the GMA and the Countywide Planning Policies to address the identify and siting of~~ essential public facilities (EPF).

**Discussion:** Pursuant to the State EPF process, ~~it is SeaTac's policy to allow the siting of EPFs; provided that any such EPF facility must be consistent with the City's goals and policies. An initial list of essential public facilities for SeaTac includes EPFs include, but is not limited to: airports; State and local correction facilities; State educational facilities; State and regional transportation facilities; landfills; solid waste handling facilities; sewage treatment facilities; major communication facilities and antennas (excluding wireless telecommunication facilities); and in-patient facilities, such as group homes (excluding those facilities covered by the Washington Housing Policy Act), mental health facilities, Secure Community Transition Facilities (SCTF), and substance abuse facilities. Differing levels of review and City involvement will be applied to different types of essential public facilities. The administrative details of EPFs. SeaTac's essential public facilities EPF siting administrative process are~~ outlined in the "implementation strategies" section and described in the Land Use Background Report.

**Note:** Policy 1.7B separates the original 1.7A into two policies

#### Policy 1.7B

~~Partner with Sound Transit to implement Light rail transit facilities must be consistent with the City's preferred route/alignment and must include three stations: The City's preferred route/alignment and station locations are as shown~~

on Map 1.2.

- ~~1. The Tukwila International Boulevard Station, located at S. 154th St. (Southeenter Blvd. in Tukwila) and International Boulevard;~~
- ~~2. The SeaTac/Airport Station, located at S. 176th St. and International Boulevard; and~~
- ~~3. The S. 200th St. Station, located at S. 200th St. and 28th Ave. S.~~

~~The City's preferred alignment is established from the Tukwila International Boulevard Station to the SeaTac/Airport Station, running primarily on Port of Seattle property, after crossing SR 518. From the SeaTac/Airport Station the~~

#### Callout box:

The Washington Growth Management Act (GMA) requires that city comprehensive plans include a process for identifying and siting essential public facilities. The GMA defines essential public facilities as being "those facilities that are typically difficult to site..." King County's Comprehensive Plan defines an essential public facility as a facility that either: (a) meets the GMA's definition of an essential public facility; (b) is on a State, County or local community list of essential public facilities; (c) serves a significant portion of the County or metropolitan region or is part of a Countywide service system; or (d) is difficult to site or expand. While the GMA authorizes municipalities to have some input into the siting process, it does not grant cities the right to prohibit essential public facilities. In fact, the Act states that "no local comprehensive plan or development regulations may preclude the siting of essential public facilities."

~~preferred alignment runs south to S. 188th St. on Port property and along the east side of 28th Ave. S. From S. 188th St. it continues south to the S. 200th St. Station on the east side of 28th Ave. S.~~

~~**Discussion:** Continuing south fFrom the Angle Lake S. 200th St. Station, the City’s preferred alignment runs along the west side of 28th Ave. S, and along the west side of International Boulevard (SR 99) within the City of SeaTac to the City’s boundary at S. 216th St.~~

**Note:** Most of this discussion is moved to the callout box on the preceding page

~~The Washington Growth Management Act (GMA) requires that city comprehensive plans include a process for identifying and siting essential public facilities. The GMA defines essential public facilities as being “those facilities that are typically difficult to site...” King County’s Comprehensive Plan defines an essential public facility as a facility that either: (a) meets the GMA’s definition of an essential public facility; (b) is on a State, County or local community list of essential public facilities; (c) serves a significant portion of the County or metropolitan region or is part of a Countywide service system; or (d) is difficult to site or expand. While the GMA authorizes municipalities to have some input into the siting process, it does not grant cities the right to prohibit essential public facilities. In fact, the Act states that “no local comprehensive plan or development regulations may preclude the siting of essential public facilities.” Puget Sound Regional Council (PSRC) and Countywide Planning Policies require a link between land use and transportation. Specifically, the PSRC policy states: “Connect and serve urban communities with an efficient, transit-oriented, multi-modal transportation system.” (Policy RG-1)[RM1].~~





## ~~PARKS AND OPEN SPACE LAND USE~~

### ~~GOAL 1.5~~

~~To achieve an adequate amount of parks, recreational land, and open space for the City.~~

**Note:**  
Policy 1.5  
addressed by Parks  
Recreation and  
Open space Policy  
9.2C

#### ~~Policy 1.5A~~

~~Provide an adequate number of parks at the neighborhood level.~~

~~**Discussion:** As the City's population grows, space will be needed in both residential neighborhoods and business areas (such as "pocket" parks) for visual relief, outdoor recreation and the enjoyment of natural features.~~

#### ~~Policy 1.5B~~

~~Develop a system of distinctively designed pedestrian/jogging/bicycle/horse trails throughout SeaTac that could also connect to regional trail systems.~~

~~**Discussion:** Recreational trails and pedestrian linkages between existing parks will enhance public enjoyment of natural features within the City, and benefit transportation mobility and circulation as well. Examples of these types of recreational pedestrian facilities include the proposed trail system along Des Moines Creek and a potential walkway around a portion of Bow Lake.~~

**Note:**  
Policy 1.5B  
moved to Parks,  
Recreation and  
Open Space  
Element

**AIRPORT-RELATED LAND USE****GOAL 1.6**

~~To achieve a reasonable level of compatibility between Airport activities and adjacent land uses.~~

**Policy 1.6A**

~~Encourage land uses adjacent to Sea-Tac International Airport that are compatible with Airport operations.~~

Note:  
Moved to new Airport  
Land Use section

~~**Discussion:** The Federal Aviation Administration's standards (under the Part 150 Program) identify compatible land uses for areas immediately adjacent to an airport. Improving land use compatibility in areas near the Airport enables the City to take better advantage of the job and tax revenue benefits of the Airport, maintain and enhance the Airport's role as an essential public facility, and help reduce the negative impacts to City residents. Some appropriate land uses near airports include open space and passive park land, parking, transportation-related activities, and some manufacturing or business park uses. Multi-family housing that is constructed to meet the applicable noise standards and designed to recognize noise issues may be appropriate for areas within the 65 to 75 Ldn area (see Map 1.3). Single family residential use, on the other hand, is an example of a land use type that is not generally recommended for such areas. Uses that are essential to the aviation function of an airport, including necessary support facilities, are considered elements of an airport as an Essential Public Facility (EPF), as addressed in Goal 1.7, and are subject to provisions of the Interlocal Agreement between the City and the Port of Seattle for Seattle-Tacoma International Airport originally signed 9/4/97 (ILA), and updated and reauthorized in 2005. These land uses are addressed under the Recommended Implementation Strategies section, and within the provisions of the Land Use Background section. The ILA specifically lists Airport Master Plan projects and Airport-related uses in Attachments A-1 and A-2 respectively. The parties adopted the listed projects and uses to settle their dispute over Airport expansion, and the ILA does not determine whether the listed uses are Essential Public Facilities (EPFs) under the Growth Management Act. Because of the extensive public and environmental review of the Airport Master Plan, the City's EPF siting process is deemed to be complete for the projects listed in ILA Attachment A-1, "List of Port Master Plan Projects." The ILA reserves the City's rights under prescribed circumstances to challenge whether a proposed development at the Airport is an EPF.~~



# ~~URBAN GROWTH BOUNDARY/POTENTIAL ANNEXATION AREAS~~

## ~~GOAL 1.8~~

~~To annex unincorporated areas of King County within SeaTac's Urban Growth Boundary, where appropriate.~~

### ~~Policy 1.8A~~

~~Extend SeaTac's Urban Growth Boundary to establish Potential Annexation Areas (PAAs), where deemed appropriate and necessary by the City, so they will be specific to the City of SeaTac and will not overlap with adjacent municipalities' PAAs.~~

~~**Discussion:** It is important that SeaTac officially designate potential annexation areas, working in conjunction with King County and adjacent cities. At present, SeaTac has no potential annexation areas. If the City designates any areas for potential annexation in the future, the City and King County will need to sign an interlocal agreement, once there is consensus on SeaTac's PAAs.~~

# RECOMMENDED IMPLEMENTATION STRATEGIES

The purpose of this section is to clearly identify the specific steps, or **implementation strategies**, that will need to be taken to implement this element’s policies. In addition, this section also identifies the group(s) with **primary responsibility** for carrying out each strategy and the expected **time frame** within which the strategy should be addressed. Each strategy is preceded by a summarized version of the **proposed policy** to be implemented.

In the “Primary Responsibility” column, it should be noted that many of the implementation strategies will be initially undertaken by a specified board or commission. In most cases, however, it will be the City Council that analyzes the specific board/commission recommendation, and then makes the final decision about how to proceed.

The “time line” categories are defined as follows:

- Immediate ..... within one year
- Short-Term..... one to six years
- Medium-Term..... six – 10 years
- Long-Term..... 10 – 20 years
- Ongoing ..... no set time frame, since the strategy will be implemented on a continual basis

The “time lines” are target dates set annually when the City Council adopts amendments to the Comprehensive Plan. Strategies that have been implemented are noted in brackets, along with the relevant completion date.

The list of implementation strategies is a minimum set of action steps, and is not intended to limit the City from undertaking other strategies not included in this list.

• Update table with new order once approved.

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<b>1.1 GENERAL LAND USE</b>			
<p><b>1.1A</b> Designate and Create an “Urban Center.”</p>	<ul style="list-style-type: none"> <li>Actively pursue the nomination of SeaTac’s Urban Center through the Growth Management Planning Council (GMPC), King County Council, and City ratification process. (GMPC and King County have ratified nomination.)</li> </ul>	<p>City Council</p>	<p>Immediate [City ratified in 10/94]</p>
	<ul style="list-style-type: none"> <li>Identify potential transit station areas and transit-related rights-of-way.</li> </ul>	<p>City Staff, Sound Transit</p>	<p>Completed 12/06 for Tukwila International Blvd. Station and SeaTac/Airport Station. Pending for extension of system to S. 200th St. Station.</p>
	<ul style="list-style-type: none"> <li>Evaluate design elements for transit service (light rail and/or bus) and station areas to enhance compatibility with other plan elements and policies, such as Community Image Policies 6.2C, D, E and F; Transportation Policy 3.3A and 3.4C, and Countywide Planning Policy LU-42.</li> </ul>	<p>City Staff, Sound Transit</p>	<p>Short-Term (1 – 2 years) [Design Stds. for Transit Facilities adopted 1999]</p>
	<ul style="list-style-type: none"> <li>Work with Sound Transit and the Port of Seattle on land use strategies to attract a mixture of uses supportive of high capacity transit to station areas.</li> </ul>	<p>City Staff, Sound Transit</p>	<p>Short-Term (3 – 5 years)</p>

City of SeaTac Comprehensive Plan

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<p><b>1.1B</b> Encourage Growth to Occur in the Urban Center Boundary.</p>	<ul style="list-style-type: none"> <li>The Zoning Code and Zoning Map should be revised, where needed, to direct most of the City's commercial growth into the Urban Center.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Immediate [Both revised in 7/95]</p>
	<ul style="list-style-type: none"> <li>Evaluate and amend as necessary the Zoning Code's density bonus section to encourage businesses to locate in SeaTac's Urban Center.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years)</p>
	<ul style="list-style-type: none"> <li>Give higher priority to infrastructure investments that would serve growth in the Urban Center.</li> </ul>	<p>City Council, City Staff</p>	<p>Ongoing</p>
	<ul style="list-style-type: none"> <li>Complete a Planned Action.</li> </ul>	<p>Planning Commission, City Council, City Staff</p>	<p>Immediate [Adopted in 12/94]</p>
<p><b>1.1C</b> Encourage Neighborhood-Scale Development.</p>	<ul style="list-style-type: none"> <li>Develop a "template" for a typical SeaTac Neighborhood Commercial area; including optimum size, economic analysis to identify markets and likely business types that might locate in such an area, and a set of prototypical visual examples.</li> </ul>	<p>Planning Commission, City Council, City Staff</p>	<p>Short-Term (1 – 2 years)</p>
	<ul style="list-style-type: none"> <li>Identify areas appropriate for neighborhood-scale commercial/mixed use developments.</li> </ul>	<p>Planning Commission, City Council, City Staff</p>	<p>Short-Term (1 – 2 years)</p>

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	<ul style="list-style-type: none"> <li>Prepare development standards to assure integration into existing neighborhoods. Development standards should include provision for mini-parks, or other public open spaces at appropriate scales.</li> </ul>	<p>Planning Commission, City Council, City Staff</p>	<p>Short-Term (1 – 2 years)</p>
	<ul style="list-style-type: none"> <li>Develop implementation plan, including phasing where appropriate.</li> </ul>	<p>Planning Commission, City Staff</p>	<p>Short-Term (1 – 2 years)</p>
	<ul style="list-style-type: none"> <li>Amend the Zoning Map in the areas identified.</li> </ul>	<p>City Council</p>	<p>Short-Term (1 – 2 years)</p>
	<ul style="list-style-type: none"> <li>Support business developments in the Neighborhood Commercial Districts:                             <ul style="list-style-type: none"> <li>Expedite the permit process for new Neighborhood Commercial Districts (see Goal 7.2 for details);</li> <li>Encourage a variety of housing types in redeveloping neighborhood-scale commercial/mixed use areas to provide a varied customer base.</li> </ul> </li> </ul>	<p>City Council, City Staff</p>	<p>Ongoing</p>
	<ul style="list-style-type: none"> <li>Continue to implement existing design and landscaping standards in new multi-family residential developments.</li> </ul> <p>[These strategies are also found in Housing and Neighborhood</p>	<p>City Council, City Staff</p>	<p>Ongoing</p>



City of SeaTac Comprehensive Plan

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	Strategies 2.7A]		
<p><b>1.1D</b> Create a Central Business District within the Urban Center.</p>	<ul style="list-style-type: none"> <li>The Transit-Supportive Land Use Master Plan, which includes a focus on development of a central business district (CBD) for the Urban Center, should be completed.</li> <li>See the Economic Vitality Element’s Implementation Strategies for more strategies related to Policy 1.1D.</li> </ul>	<p>Planning Commission, City Council, City Staff</p>	<p>Immediate [Completed in 10/94]</p>
<p><b>1.1E</b> Provide for Adequate Buffers between Land Uses.</p>	<ul style="list-style-type: none"> <li>The Zoning Code’s landscaping standards should be reviewed and revised using CPTED principles, as needed, to accommodate the need for increased or more appropriate landscaping between different land use types.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years)</p>
	<ul style="list-style-type: none"> <li>The Zoning Code should be revised using CPTED principles to include requirements for fencing, berming and other screening types, in order to provide for effective buffers between different land use types.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years)</p>
<p><b>1.1F</b> <u>Promote efficient use of land in all zones,</u></p>	<ul style="list-style-type: none"> <li><u>Amend the Zoning Code to Remove “Single Detached Dwelling Unit” as an allowed use in the UM and UH Zones.</u></li> <li><u>Amend the Zoning Code to establish a minimum density for multi-family residential zones</u></li> </ul>	<p><u>City Staff</u> <u>Planning Commission,</u> <u>City Council</u></p> <p><u>City Staff</u> <u>Planning Commission,</u> <u>City Council</u></p>	<p><u>Short-Term</u> <u>(1 – 2 years)</u></p> <p><u>Short-Term</u> <u>(1 – 2 years)</u></p>

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<p><b>1.1GF</b> Encourage Phased Zone Code Amendments.</p>	<ul style="list-style-type: none"> <li>Modify the Zoning Code to include criteria for phased zone code amendments.</li> </ul>	<p>City Council, Planning Commission</p>	<p>Immediate</p>
<p><b>1.1HG</b> Provide a Network of Connected Local Streets through the Urban Center to Facilitate Pedestrian Circulation and Transit Accessibility.</p>	<ul style="list-style-type: none"> <li>Adopt a subarea plan for the Urban Center which will guide the location of new streets in the Center area.</li> </ul>	<p>City Council, Planning Commission</p>	<p>Short-Term (1 – 2 years) [City Center Plan Adopted 1998]</p>
	<ul style="list-style-type: none"> <li>Coordinate the planning of new Urban Center streets with updates to the City of SeaTac’s Comprehensive Plan Elements, including Transportation, Capital Facilities, and the Zoning Code.</li> </ul>	<p>City Council, Planning Commission</p>	<p>Short-Term (1 – 2 years) [Included in TIP and CFP]</p>
<p><b>1.1HH</b> Ensure that the Future Uses of Highline School District Unused Properties Are Compatible with Adjacent Neighborhoods and Land Uses.</p>	<ul style="list-style-type: none"> <li>Identify specific properties of interest and present information to school district officials.</li> </ul>	<p>City Staff</p>	<p>Immediate</p>
	<ul style="list-style-type: none"> <li>Maintain regular contact with school district officials to obtain up-to-date information on abandoned facilities.</li> </ul>	<p>City Staff</p>	<p>Ongoing</p>
	<ul style="list-style-type: none"> <li>Develop potential projects/uses for abandoned facilities; have information prepared to present to school district officials.</li> </ul>	<p>City Staff, City Council</p>	<p>Ongoing</p>

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	<ul style="list-style-type: none"> <li>• Work with Highline School District to develop implementation plans for District facility reuse. Implementation plans should include:                             <ul style="list-style-type: none"> <li>— Target types of development (e.g., residential, sports, commercial);</li> <li>— Agreement that City development standards will be implemented.</li> </ul> </li> </ul>		
<b>1.2 RESIDENTIAL LAND USE</b>			
<b>1.2A</b> Preserve Residential Character.	<ul style="list-style-type: none"> <li>• The current single family residential zone (currently zoned as UL) boundaries should be maintained, except where otherwise noted in this Comprehensive Plan.</li> </ul>	Planning Commission, City Council	Ongoing
	<ul style="list-style-type: none"> <li>• The Zoning Code shall continue to exclude new multi-family residential structures as permitted uses in the UL zone.</li> </ul>	Planning Commission, City Council	Ongoing
	<ul style="list-style-type: none"> <li>• The Zoning Code shall be revised to strongly encourage any commercial land uses currently permitted in residential zones, other than hotels/motels, to be part of a mixed use development scheme.</li> </ul>	Planning Commission, City Council	Immediate [Z.C. Amended in 7/95]

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	<ul style="list-style-type: none"> <li>The Zoning Code’s list of “permitted” and “conditional” uses shall be reviewed on a regular basis to ensure that these uses continue to be appropriate within their applicable zones.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Ongoing</p>
	<ul style="list-style-type: none"> <li>An appropriate level of code enforcement activities shall continue to be maintained to ensure protection from illegal/inappropriate land uses and activities.</li> </ul>	<p>City Staff</p>	<p>Ongoing</p>
<p><b>1.2B</b> Encourage Moderate and High Density Residential Development in Urban Centers.</p>	<ul style="list-style-type: none"> <li>The Zoning Code should provide a range of incentives, such as density bonuses, to multi-family residential projects that are located within the Urban Center.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years)</p>
<p><b>1.2B (Cont’d)</b></p>	<ul style="list-style-type: none"> <li>The Zoning Code and Zoning Map shall be revised to create a new high density multi-family zone for the locations designated on the “Future Land Use” Map; this zone would require first floor retail uses and reference the FAA height restrictions.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Immediate [Z.C. Amended in 7/95]</p>
	<ul style="list-style-type: none"> <li>The lower density, residentially zoned properties should be renamed to more accurately reflect their medium density residential character.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Immediate [Z.C. Amended in 7/95]</p>

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PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	<ul style="list-style-type: none"> <li>A streamlined development review process, which would involve use of the Comprehensive Plan's EIS, should be created for proposed high density residential development in SeaTac's Urban Center.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years)</p>
	<ul style="list-style-type: none"> <li>Evaluate options for promoting mixed use residential development in the Urban Center.</li> </ul>	<p>Planning Commission, City Council, City Staff</p>	<p>Immediate, Ongoing</p>
	<ul style="list-style-type: none"> <li>Public infrastructure improvements, such as sidewalks and pocket parks, should be directed toward both existing and future multi-family zones.</li> </ul>	<p>City Council, City Staff</p>	<p>Ongoing</p>
	<ul style="list-style-type: none"> <li>The Building Code should require that all new multi-family residential construction within 65+ Ldn areas meet or surpass the applicable noise standards.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Immediate [Sound Transmission Code (Chapter 13.240 SMC) adopted 1993]</p>

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<p><b>1.2C</b> Design Multi-Family Residential Development to be Compatible with Surrounding Single Family Housing.</p>	<ul style="list-style-type: none"> <li>• The Zoning Code should be revised to ensure that the scale of multiple-family residential development is compatible with abutting single family neighborhoods, which would include such requirements as:                             <ul style="list-style-type: none"> <li>a. The design, scale and massing of the multi-family development will be compatible or complementary to abutting single family residences. See the implementation strategies for Policies 2.1D, 6.4C and 6.4D for more details.</li> </ul> </li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years)</p>
	<ul style="list-style-type: none"> <li>• The Zoning Map should be revised, in accordance with the Land Use Plan Map, to accommodate a “tiering down” effect that will ensure that the Urban Center’s residential growth will be compatible with abutting single family neighborhoods.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Immediate [Citywide Rezoning in 7/95]</p>
<p><b>1.2D</b> Major Vacant Land to be Developed Efficiently.</p>	<ul style="list-style-type: none"> <li>• The Zoning Code should be revised to provide incentives for developing residential properties to the maximum densities allowed by the zone. Incentives may include:                             <ul style="list-style-type: none"> <li>a. Reduced infrastructure requirements.</li> <li>b. Building placement specifications to ensure further land division in</li> </ul> </li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (3 – 5 years)</p>

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PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	the future.		
	<ul style="list-style-type: none"> <li>The Planned Unit Development (PUD) process and requirements should be streamlined for residential development on large, vacant parcels.</li> </ul>	Planning Commission, City Council	Short-Term (3 – 5 years)
<b>1.3 COMMERCIAL LAND USE</b>			
<b>1.3A</b> Concentrate Commercial Uses in Specific Locations.	<ul style="list-style-type: none"> <li>A streamlined development review process, which would involve use of the Comprehensive Plan’s EIS, should be created for proposed high density commercial development in SeaTac’s Urban Center and “business park” development in the West SeaTac subarea.</li> </ul>	Planning Commission, City Council	Short-Term (1 – 2 years)
	<ul style="list-style-type: none"> <li>Internal and external funding sources should be identified, and obtained when appropriate and possible, to help reduce the cost of new high density development in SeaTac’s Urban Center.</li> </ul>	City Staff, Chamber of Commerce	Short-Term (1 – 2 years)

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<p><b>1.3B</b> Encourage Retail Development in Designated Areas.</p>	<ul style="list-style-type: none"> <li>The Zoning Code should require retail uses in the first or lower floors of major multi-family residential projects in designated locations within the Urban Center. Careful attention should be paid to evaluating the appropriate amount and locations of these mixed use areas, prior to their designation.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Immediate [Z.C. Amended in 7/95]</p>
	<ul style="list-style-type: none"> <li>Explore the feasibility of reducing parking requirements for retail uses located in areas with “sufficient” residential densities.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Immediate, Short-Term (1 – 2 years)</p>
	<ul style="list-style-type: none"> <li>The types of retail establishments desired within the City should be identified and then actively recruited.</li> </ul>	<p>SeaTac Economic Partnership</p>	<p>Short-Term (2 – 4 years), Ongoing</p>
<p><b>1.3C</b> Encourage Small, “Resident-Oriented” Businesses.</p>	<ul style="list-style-type: none"> <li>The types and potential locations of resident-oriented businesses desired within the City should be identified and then actively recruited.</li> </ul>	<p>SeaTac Economic Partnership</p>	<p>Short-Term (2 – 4 years), Ongoing</p>
	<ul style="list-style-type: none"> <li>The Zoning Code should explicitly list as “permitted uses” the resident-oriented types of businesses identified by the City in the implementation strategy listed above.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years)</p>



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PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<p><b>1.3D</b> Encourage Mixed Use Projects.</p>	<ul style="list-style-type: none"> <li>The Zoning Code should be revised to explicitly state that mixed use projects are a desired type of development in SeaTac’s Urban Center, and consider the removal of any requirements that make mixed use projects infeasible.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Immediate [Z.C. Amended in 7/95]</p>
	<ul style="list-style-type: none"> <li>The Planned Unit Development (PUD) process and requirements should be streamlined for mixed use projects proposed to be located within the Urban Center.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years)</p>
<p><b>1.3E</b> Encourage Well-Designed Buildings in Urban Center.</p>	<ul style="list-style-type: none"> <li>Design review guidelines for new development and redevelopment projects within the Urban Center should be developed and incorporated into the Zoning Code. The IBC Subarea Plan’s “Urban Design Guideline Principles” chapter and the Transit-Supportive Land Use Study’s “Proposed Urban Design Guidelines” section should form the basis for the City of SeaTac’s design review guidelines.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years)</p>
	<ul style="list-style-type: none"> <li>An administrative process for applying design review standards to projects within the Urban Center should be incorporated into the Zoning Code.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years)</p>

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<p><b>1.3F</b> Design Commercial Development that is Compatible with Surrounding Neighborhoods.</p>	<ul style="list-style-type: none"> <li>• For new commercial development or major redevelopment that is adjacent to a <b>single family zone</b> (currently categorized as UL), the Zoning Code should require:                             <ul style="list-style-type: none"> <li>a. Type I landscaping along any property line that is adjacent to a single family zone;</li> <li>b. Minimum side and rear yard setbacks of 20 feet, if the side or rear property boundaries are adjacent to a single family zone; and</li> <li>c. That a business use or structure cannot have a front yard along a road that separates said business from a single family zone. This standard will not apply to a business use or structure located in a “neighborhood business” zone (currently categorized as NB) or a mixed use structure in which residential is the primary use.</li> </ul> </li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years) [Z.C. Amended re: a. &amp; b.]</p>

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	<ul style="list-style-type: none"> <li>For new commercial development or major redevelopment that is adjacent to a <b>multiple-family zone</b> (currently categorized as UM and UH), the Zoning Code should require the same standards listed above, except for the following substitution:  Type I landscaping shall be provided along any property line that is adjacent to a multiple-family zone.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Short-Term (1 – 2 years)</p>
<p><b>1.3G</b> Allow Home Occupations in Residential Areas.</p>	<ul style="list-style-type: none"> <li>Reevaluate the Zoning Code’s home occupation standards for consistency with GMA goals and policies.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Immediate [Z.C. Amended in 7/95]</p>

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<p><b>1.3H</b> Protect Designated Land Uses from Adult Entertainment Establishments.</p>	<ul style="list-style-type: none"> <li>• The Zoning Code shall be revised to include specific standards that shall be applied to adult entertainment establishments, including requirements that such businesses maintain a minimum distance of 1,000 feet from the following land use types:                             <ul style="list-style-type: none"> <li>– Public and private schools;</li> <li>– Public parks;</li> <li>– Public libraries;</li> <li>– State-certified day care facilities;</li> <li>– Community/teen centers;</li> <li>– Churches, cemeteries or other religious facilities or institutions;</li> <li>– Residential and lodging uses, and property zoned for residential uses;</li> <li>– Other adult entertainment uses; and</li> <li>– Property used for organizations, associations, facilities and businesses which provide, as a substantial portion of their activities, functions or business, the provision of services to children and/or youth, so that their premises would have children in attendance or at the location during a predominant portion of</li> </ul> </li> </ul>	<p>Planning Commission, City Council</p>	<p>Immediate [Z.C. Amended in 7/95]</p>

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PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	<p>the operational hours of the organization, association, facility or business.</p>		
	<ul style="list-style-type: none"> <li>The Zoning Code shall be revised to include administrative design review standards for all adult entertainment</li> </ul>	<p>Planning Commission, City Council</p>	<p>Immediate [Z.C. Amended in 12/94]</p>

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	establishments.		
<b>1.4 MANUFACTURING, INDUSTRIAL, AND BUSINESS PARK LAND USE</b>			
<p><b>1.4A</b> Concentrate Industrial/Manufacturing/Business Park Uses in Specific Locations.</p>	<ul style="list-style-type: none"> <li>Identify regional companies with major Airport-oriented distribution needs, and take steps to encourage them to construct a major facility in SeaTac. [See the Economic Vitality Element for more strategies on business attraction.]</li> </ul>	SeaTac Economic Partnership	Short-Term (1 – 2 years), Ongoing
	<ul style="list-style-type: none"> <li>The Zoning Code should be revised to allow and encourage “business park” uses in the areas designated on the Comprehensive Plan’s Land Use Plan Map. [See the Land Use Background Report for a proposed definition and development criteria for “business parks.”]</li> </ul>	Planning Commission, City Council	Immediate [Z.C. Amended in 7/95]
<p><b>1.4B</b> Discourage/Prohibit Heavy Manufacturing.</p>	<ul style="list-style-type: none"> <li>Revise the Zoning Code’s “Zone Classification Use Charts” to make the following uses subject to the conditional use review process:                             <ul style="list-style-type: none"> <li>– Textile Mill</li> <li>– Chemical/Petroleum Products</li> <li>– Rubber/Plastic/Leather/Mineral Products</li> <li>– Primary Metal Industry</li> </ul> </li> </ul>	Planning Commission, City Council	Short-Term (1 – 2 years)

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PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<b>1.5 PARKS AND OPEN SPACE LAND USE</b>			
<p><b>1.5A</b> Provide an Adequate Number of Parks.</p>	<ul style="list-style-type: none"> <li>• Neighborhoods without “neighborhood parks” should be identified.</li> </ul>	City Staff	Short-Term (1 – 2 years)
	<ul style="list-style-type: none"> <li>• The Zoning Code shall be revised to require major new residential developments to provide land, or “in lieu of” fees, for the creation of a neighborhood park, if a new demand for such a park is created by the new development.</li> </ul>	Planning Commission, City Council	Short-Term (1 – 2 years)
<p><b>1.5B</b> Develop Pedestrian/Jogging/Bicycle/Horse Trail System.</p>	<ul style="list-style-type: none"> <li>• Major new developments (for example, greater than one/two/three acres in size) shall be required to incorporate an open space/pedestrian pathway element into their site plan. It should be designed to link together existing or future open space/pedestrian paths from adjacent properties to the greatest extent possible (for example, a boardwalk along Bow Lake), or provide “in lieu of” fees. The provision of land or monies should be done in concert with an overall plan for open space/pedestrian trails. [See the Parks, Recreation and Open Space Element’s Implementation Strategies for more information.]</li> </ul>	Planning Commission, City Council	Short-Term (1 – 2 years)

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	<ul style="list-style-type: none"> <li>Internal and external funding sources to help pay for open space/pedestrian pathways should be identified, and obtained when appropriate and possible.</li> </ul>	City Staff	Ongoing
	<ul style="list-style-type: none"> <li>Designated regional open space/pedestrian trail connections should be created or expanded, in a coordinated manner with adjacent cities and other relevant jurisdictions.</li> </ul>	City Staff	Short-Term (2 – 4 years)
<b>1.6 AIRPORT-RELATED ISSUES</b>			
<p><b>1.6A</b> Encourage Land Use Adjacent to the Airport’s Property to be Compatible with Airport Operations.</p>	<ul style="list-style-type: none"> <li>The Zoning Code should be revised to prohibit the new placement of mobile home units in the 65+ Ldn area.</li> </ul>	Planning Commission, City Council	Short-Term (2 – 4 years)
	<ul style="list-style-type: none"> <li>The Building Code should require that all new residential developments be designed in accordance with the appropriate and most up-to-date noise insulation standards.</li> </ul>	Planning Commission, City Council	Ongoing
	<ul style="list-style-type: none"> <li>The Zoning Code and Zoning Map shall be revised to provide for an Aviation Operation Zone and Airport Commercial Zone for all properties shown in the ILA. The Zoning Code shall also provide a list of permitted uses that are related to Airport operations for these zoning categories, and development standards for proposed Port projects,</li> </ul>	Planning Commission, City Council	Immediate [Z.C. Amended 4/98]



PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	<p>consistent with terms of the ILA.</p>		
	<ul style="list-style-type: none"> <li>• Work with the City of Burien Planning Commission on issues of compatibility between West Side land uses and adjacent Burien residential properties.</li> </ul>	<p>Planning Commission</p>	<p>Ongoing</p>
	<ul style="list-style-type: none"> <li>• Meet annually with the City of Burien Planning Commission to work on compatibility between adjacent land uses.</li> </ul>	<p>Planning Commission</p>	<p>Ongoing</p>
<p><b>1.6B</b> Encourage the Development of Airport-Related Activities in the ABC Area.</p>	<ul style="list-style-type: none"> <li>• The Zoning Code’s ABC provisions shall be maintained or revised to be consistent with GMA requirements.</li> </ul>	<p>Planning Commission, City Council</p>	<p>Ongoing</p>
<p><b>1.6C</b> Work with the POS to Implement the ILA.</p>	<ul style="list-style-type: none"> <li>• Work with the Port to develop joint standards for the temporary use of POS property south of the Airport for fill material borrow sites subject to a mutually agreeable site plan for subsequent development of these sites.</li> </ul>	<p>City Council</p>	<p>Immediate [In progress, 1998 to present]</p>

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	<ul style="list-style-type: none"> <li>• Prepare a Subarea Plan for the Westside which provides for:                             <ul style="list-style-type: none"> <li>a. The third runway, perimeter roads, and other ancillary runway support facilities;</li> <li>b. A detailed master plan for the property between the edge of the third runway fill slope and City limits; and</li> <li>c. Joint economic development opportunities.</li> </ul> </li> </ul>	<p>Planning Commission, City Council, Staff, POS</p>	<p>Short-Term (1 – 2 years)</p>
	<ul style="list-style-type: none"> <li>• Amend the Zoning Code and Map as necessary in order to make it consistent with the ILA.</li> </ul>	<p>Planning Commission, City Council, Staff, POS</p>	<p>Ongoing</p>
<p><b>1.7 ESSENTIAL PUBLIC FACILITIES</b></p>			

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<p><b>1.7A</b> Process for Siting Essential Public Facilities.</p>	<ul style="list-style-type: none"> <li>• A siting process shall be developed and used by the City for the following types of “essential public facilities”:</li> <li>– Airport;</li> <li>– State and local correction facilities;</li> <li>– State educational facilities;</li> <li>– State and regional transportation facilities;</li> <li>– Landfills;</li> <li>– Solid waste handling facilities;</li> <li>– Sewage treatment facilities;</li> <li>– Major communication facilities and antennas (excluding wireless telecommunications facilities); and</li> <li>– In-patient facilities, such as group homes (excluding those facilities covered by the Washington Housing Policy Act), mental health facilities, Secure Community Transition Facilities (SCTF), and substance abuse facilities.</li> </ul>	<p>City Council</p>	<p>Short-Term (1 – 2 years), As Needed [Z.C. Amended 1998: Ord. 98-1037]</p>

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
	<ul style="list-style-type: none"> <li>• Criteria shall be established and used, along with administrative procedures, for the siting review process, including:                             <ul style="list-style-type: none"> <li>– Evaluation of any viable alternatives;</li> <li>– Interjurisdictional analysis;</li> <li>– Financial and infrastructural analysis; and</li> <li>– Physical analysis.</li> </ul> </li> <li>• Details of this process are contained in the Land Use Background Report.</li> </ul>	City Council	Short-Term (1 – 2 years), As Needed
<b>1.8 POTENTIAL ANNEXATION AREAS</b>			
<b>1.8A</b> <del>Establish Potential Annexation Areas Where Appropriate.</del>	<ul style="list-style-type: none"> <li>• <del>Plan for the City's Potential Annexation Areas, in consultation with King County, adjacent cities, affected residential groups and other parties.</del></li> </ul>	<del>City Council, Planning Commission, City Staff</del>	<del>Short-Term (1 – 2 years) [Potential Annexation Areas removed 2002]</del>
	<ul style="list-style-type: none"> <li>• <del>Create and execute interlocal agreements with King County and other agencies (if any) identifying the City's Potential Annexation Areas.</del></li> </ul>	City Council	<del>Short-Term (1 – 2 years) [Potential Annexation Areas removed 2002]</del>

CHAPTER 1

# LAND USE ELEMENT

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# INTRODUCTION

The Land Use Element goals and policies guide the type, distribution, and location of land uses to direct SeaTac's physical development. It provides the policy context for the City's zoning code, development regulations and administrative processes, and investment decisions, such as capital improvements and work plans for City staff, Planning Commission, City Council, and partners.

This Element is closely coordinated with the Housing, Transportation, Parks, Recreation and Open Space, Environmental Management, and Community Image Elements. This coordination ensures that residences and future development occur in areas that are best served by public transportation, walkable infrastructure, and open space, while reducing impacts on the environment. For example, the Land Use policies encourage higher density housing with commercial services in close proximity to the three light rail stations, and the Transportation Element supports these station areas with walking and bicycle routes policies. Likewise, the Parks, Recreation, and Open Space Element ensures access to parks for people living in those areas. The Community Image Element adds to the Land Use policies by defining the desired character of new development.

Additional land use goals and policies are in the following three subarea plans: City Center Plan, South 154<sup>th</sup> Street Action Plan and Angle Lake Station Area Plan.

## MAJOR LAND USE ISSUES

Several land use-related issues face SeaTac. Many of these issues overlap with topics covered in other elements of this Comprehensive Plan.

Some of the major land use challenges include:

- **The City of SeaTac is an urbanized area, with little undeveloped land remaining within its boundaries.**
- **The Seattle-Tacoma International Airport has a major land use presence in the City of SeaTac.**
- **SeaTac's commercial development has occurred in a linear manner, primarily along International Boulevard, rather than focusing in compact and complete communities.**
- **The completion of three Sound Transit light rail stations serving SeaTac will likely influence the types and amount of development attracted to SeaTac. Ensuring that change happens equitably and with regard for creating complete communities will be a challenge.**
- **SeaTac is a regional provider of affordable housing and business space. Increasing land values may increase risks of residential and commercial displacement.**
- **Home to one of the most ethnically and racially diverse populations in Washington, SeaTac has a unique challenge to plan for a wide variety of land use and development needs and interests.**
- **Implementation of the City Center Plan and Station Area Plans and redevelopment in other areas have been hampered by a slow economy statewide.**

## GOALS AND POLICIES

This section contains SeaTac’s land use goals and policies. . **Goals** represent the City’s general objectives, while **policies** provide more detail about the steps needed to achieve each goal’s intent.

### GROWTH MANAGEMENT

#### GOAL 1.1

**Focus growth to achieve a balanced mix and arrangement of land uses that support economic vitality, community health and equity, and transit access.**

#### URBAN CENTER LAND USES

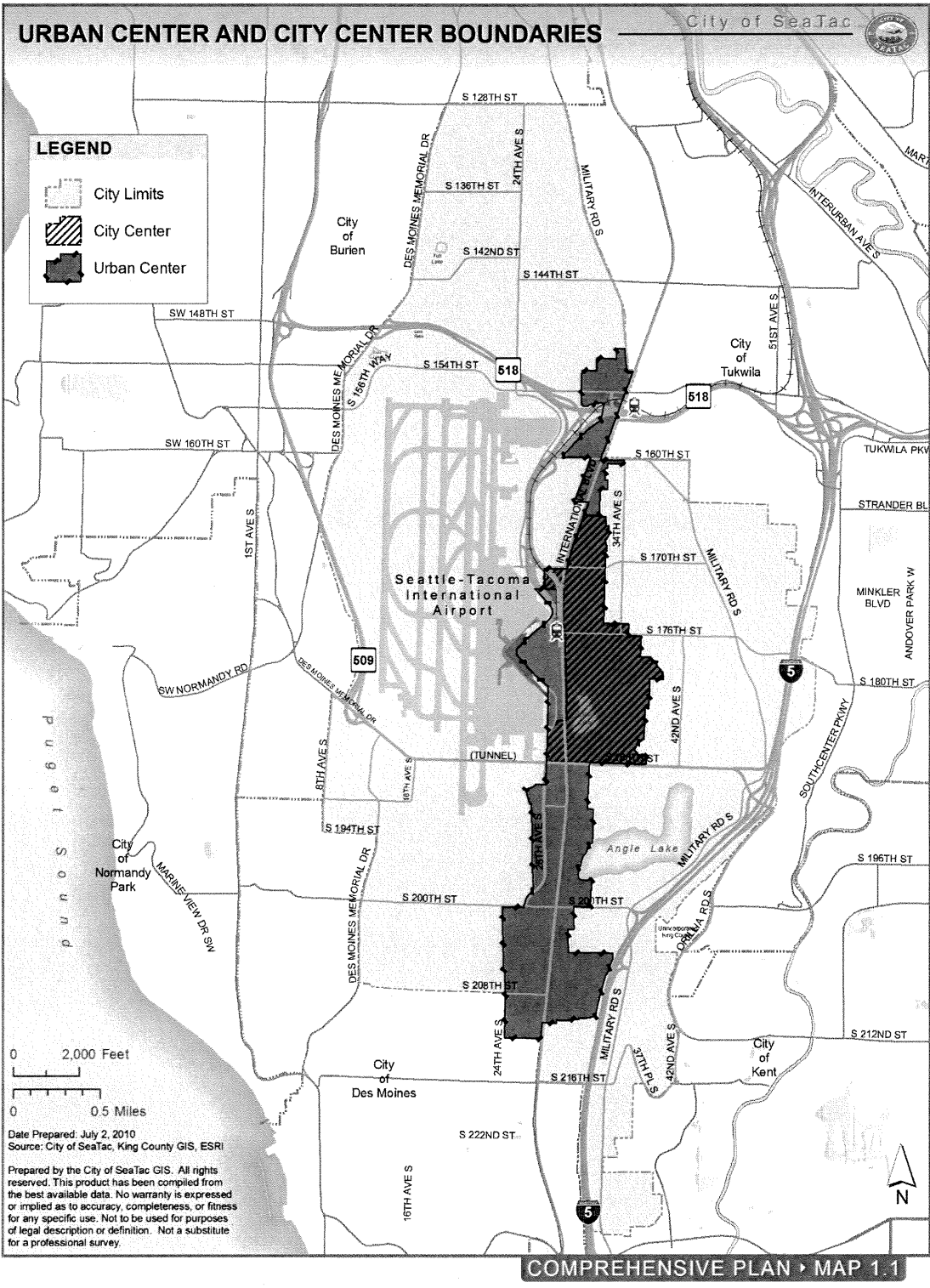
##### Policy 1.1A

Implement the City Center, South 154<sup>th</sup> Street Station Area, and Angle Lake Station Area Plans to focus the majority of SeaTac’s commercial and residential growth and redevelopment into three distinct neighborhood centers within SeaTac’s designated Urban Center

##### Discussion:

A portion of SeaTac is designated an “Urban Center” under the King County Countywide Planning Policies and a “Regional Growth Center” under the Puget Sound Regional Council’s Vision 2040. The City Center, South 154<sup>th</sup> Street Station Area, and Angle Lake Station Area plans support compact development around three Link light rail stations within the Urban Center to maximize residents’ and businesses’ access to the region via public transit. Implementation of these plans would transform the International Boulevard corridor from a linear commercial form into three distinct and complete neighborhoods, accommodating new residential and employment growth. The higher employment and residential densities would result in an inviting and vibrant urban environment, while preserving the City’s stable residential areas from inappropriate higher density development.





(Note: Need new Map which should elegantly & cleanly show urban center, 1/2 mile "transit communities" general areas and subarea plan boundaries-S 154<sup>th</sup> Station Area, City Center and Angle Lake Station Area.)

**Policy 1.1B**

Encourage moderate and high density residential development within the Urban Center, especially within the City Center and station areas.

**Discussion:** An urban center accommodates residents and employees in a mix of uses and structures. Moderate and high density residential uses are appropriate within an urban center, where residents can walk or ride transit to work, and take advantage of the employment and activities within the center.

**Policy 1.1C**

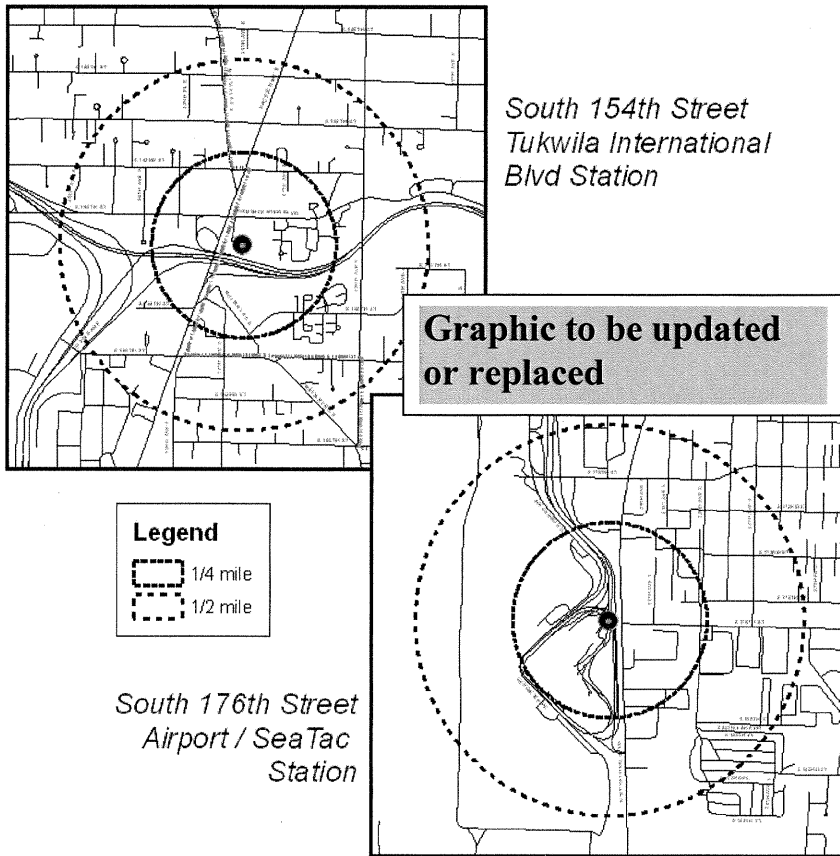
Promote development that reduces block sizes in the Urban Center, particularly in the City Center and the Station Areas, and provides a network of connected local streets to facilitate pedestrian circulation and transit accessibility.

**Discussion:** The physical layout of the Urban Center, including its street and sidewalk network, block size and configuration, is perhaps the most crucial determinant of its pedestrian and transit accessibility. A dense network of connected streets provides the pedestrian with direct, safe, and interesting routes between destinations. Development should add new streets to reduce the average block size station areas from the current 11.4 acres to blocks three to six acres in size.

**Policy 1.1D**

Encourage retail development within SeaTac's Urban Center and especially within the City Center and station areas.

**Discussion:** Most of the commercial development on International Boulevard consists of non-retail businesses, such as hotels, restaurants, park 'n fly lots, and offices and a few auto-oriented retail establishments (e.g., used car sales). Sea-Tac International Airport provides a large, relatively untapped market for retail activity in the City of SeaTac. There were more than 26 million passengers traveling through the Airport terminal in 2003, with the annual volume increasing to 39 million passengers/year in 2020. This market could be tapped, especially if travelers could conveniently access shopping areas.



Callout box:  
It is commonly held that one-quarter to one-half mile is a comfortable walking distance. Figure 1.1 shows the one-quarter mile and one-half mile distances from the Airport/S. 176th Street and S. 154th Street light rail stations.

## GENERAL GROWTH

### Policy 1.1E

Promote efficient use of land by requiring development of the appropriate type and density for each zone.

**Discussion:** The Growth Management Act requires each city to accommodate its fair share of forecast growth. In King County this fair share is called a “growth target.” To accommodate SeaTac’s growth target, minimum densities should be required in higher density zones.

### Policy 1.1F

Require new lots in all low density residential zones to achieve the zoned density through measures such as allowing reduced road standards and specifying building placement so as not to preclude future land division.

### Policy 1.1G

Ensure that the future uses of Highline School District unused/unoccupied properties are compatible with adjacent neighborhoods and land uses.

**Discussion:** A few of Highline School District’s sites, such as Riverton Heights Elementary School, Glacier High School, Boulevard Park Elementary School, and Maywood Elementary School, are no longer occupied or used by the school district. These sites present unique opportunities for neighborhood redevelopment projects through the rehabilitation of buildings and/or recreational facilities. Redevelopment of some of these facilities would enhance neighborhood character and provide additional space for private or public business endeavors.

**Policy 1.1H**

Amend zoning to achieve the vision illustrated on the City’s Land Use Plan Map in accordance with the adopted criteria below.

**Discussion:** The Comprehensive Plan envisions the eventual rezoning of many areas of the City, concurrent with public and private infrastructure development, market demand, and neighborhood compatibility. The Land Use Plan Map on page X represents the outcome of this process over a 20-year horizon. Properties which are not zoned consistent with the Land Use Plan Map designations should be rezoned when the following criteria are satisfied:

- (1) Market demand is sufficient for blocks of land to be developed;
- (2) Infrastructure improvements are planned concurrently to serve the proposed development; and
- (3) The surrounding neighborhood is compatible with the planned land use.

Property owners are encouraged to propose rezoning properties when, in their opinion, demand for such zoned property exists or will soon exist. Proposed zoning changes must satisfy the criteria listed above and be consistent with the Land Use Plan Map designations. However, piecemeal rezoning of an area, on a lot-by-lot basis, could be detrimental to the public health, safety and welfare. Such proposals should be postponed until such time as the proposed zoning change area includes enough properties to fully realize the intent of this Plan.

**Callout Box:**

Transit communities are generally considered the land within a half mile walking distance from the three light rail stations serving SeaTac. In some cases this land may extend beyond the Subarea boundaries. Developing transit communities implements the Council-endorsed Growing Transit Communities Compact.

# HEALTHY, EQUITABLE, AND CONNECTED COMMUNITIES

**Goal 1.2:**

**Create walkable, compact, transit-oriented communities with a range of transportation, employment, housing, and recreation choices, and access to goods and services.**

## ACCESS TO TRANSPORTATION CHOICES

**Policy 1.2A**

Establish land use patterns that promote walking, bicycling and using transit to access goods, services, education, employment and recreation.

**Policy 1.2B:**

Promote residential and employment densities in transit communities to

**Callout box:**

See related policies in the Transportation Element regarding multi-modal transportation options.

provide current and future residents with greater access to transportation, housing, and economic opportunities.

## ACCESS TO HEALTHY FOODS

### Policy 1.2A

Incorporate consideration of physical health and well-being into local decision-making by locating, designing and operating public facilities and services in a manner that supports creation of community gardens on public open space in accessible locations throughout SeaTac.

### Policy 1.2B

Support, policy, systems, and environmental changes that result in increased access to healthy foods

### Policy 1.2C

Provide opportunities for shops, and services, recreation, and access to healthy food sources within walking or bicycling distance of homes, work places, and other gathering places

### Policy 1.2D

Support the creation of community gardens on public open space in accessible locations throughout SeaTac.

## ACCESS TO NEIGHBORHOOD SERVICES

### Policy 1.2E

Encourage neighborhood scale commercial development in appropriate locations outside of the Urban Center to serve needs of residents.

**Discussion:** Although it is appropriate to direct most of the City's commercial growth to the Urban Center, there is also a need to serve the residential areas with neighborhood-scale commercial services. Small, neighborhood-scale commercial areas would provide residents with services and shopping opportunities close to home, which can reduce auto trips and help build community by providing opportunities for neighbors to meet.

### Policy 1.2F

Promote and incentivize developments in commercial designations with retail and service-oriented businesses on the ground floor or on the same site to serve employees, residents, and visitors.

**Discussion:** A mixed use building/site has a mix of different uses within one structure or a given site, such as retail uses on the first floor with office and/or residential on the upper floors. This type of development promotes a more pedestrian-friendly environment and might encourage more resident-oriented businesses to locate in SeaTac. Ground floor activities

Callout box: See the Urban Center section for related policies.
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should serve the daily needs of employees, residents, and visitors to provide the opportunity for a car-free lifestyle. These may include convenience shopping, specialty shops and restaurants.

**Policy 1.2G**

Allow commercial uses on the ground floors of residential buildings that serve neighborhood needs.

**Discussion:** Examples of neighborhood-serving ground floor commercial uses include small grocery markets, hardware stores, bakeries, day care centers, dry cleaning, doctor's offices, hair salons, and coffee shops.

**Policy 1.2H**

Encourage the development of small, "resident-oriented" businesses in SeaTac.

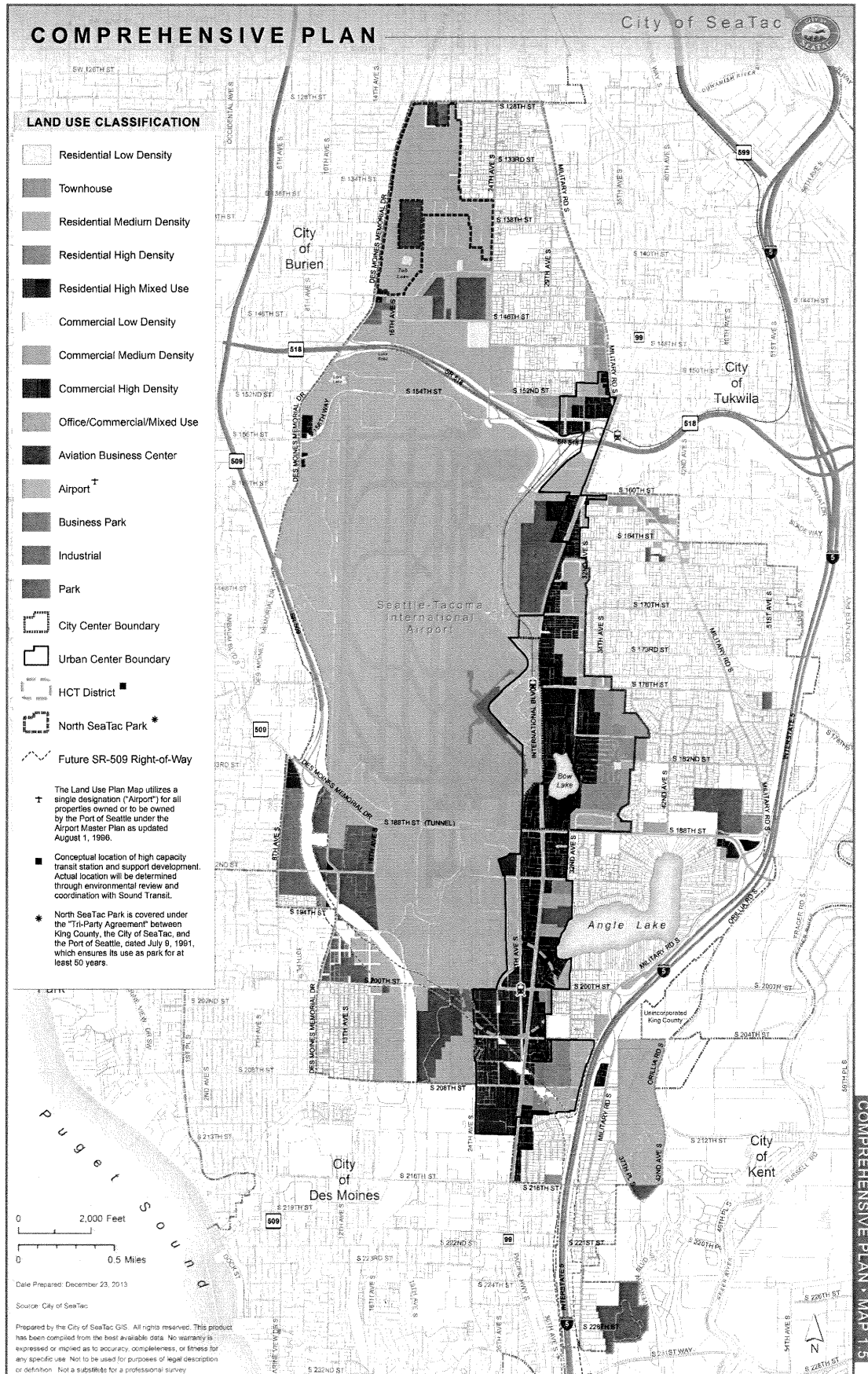
**Discussion:** While there are a large number of commercial businesses in SeaTac, many of them provide services that are primarily oriented to Airport-related visitors and daytime employees. In order to provide services needed by City residents, there should be a strong effort to allow and encourage businesses that also cater to residents' needs. Examples of such businesses include, but are not limited to, hardware stores, bakeries, small grocery markets, bookstores, day care centers, restaurants and cafes. These types of services also help to make the City more livable for families.

**Policy 1.2I**

Allow home occupations in residential areas if they meet the City of SeaTac's Zoning Code requirements for such business operations.

**Discussion:** Home occupations allow small businesses to operate in a cost-effective manner. These types of businesses can be compatible within residential neighborhoods, if the operation has a small number of employees, is incidental to the residence's primary use as a dwelling unit, and has no negative traffic or environmental impacts associated with it.







## CITYWIDE LAND USES

The geographic interpretation of Goal 1.1 is depicted on SeaTac’s Land Use Plan Map (see Map 1.5 in the Land Use Element). Its land use designations fall under the following broad categories:

- Residential
- Commercial
- Manufacturing/Industrial/Business Park/Airport
- Park/Other

### RESIDENTIAL LAND USE

#### GOAL 1.3

**To achieve a mix of housing types, while maintaining healthy residential neighborhoods and guiding new housing development into appropriate areas.**

#### RESIDENTIAL LOW DENSITY

##### Policy 1.3A

Maintain a Residential Low Density land use designation with corresponding single family zoning classifications. Densities in the Residential Low Density designation are described in terms of minimum lot sizes: 5,000 square feet minimum (8.7 dwelling units per acre), 7,200 square feet minimum (6.1 dwelling units per acre), 9,000 square feet (4.8 dwelling units per acre) and 15,000 square feet (2.9 dwelling units per acre). The purpose of this designation is to stabilize and protect existing single family residential neighborhoods, and foster an environment that provides high quality housing, diversity and affordability.

The lower densities (9,000 and 15,000 square feet minimum lot sizes) are a legacy of unincorporated King County zoning, were established to provide larger lots to be served by septic systems where sanitary sewer service was not available, and should only be allowed in the areas where they currently exist, and should be rezoned to appropriate higher single family densities when sanitary sewer service is available.

Accessory units (sometimes called “mother-in-law units”) will be allowed in single family designations in order to provide additional housing opportunities and income sources for homeowners.

Callout Box See Table x.x in the Land Use Background report for how the Zoning Classifications correspond to the Land Use Designations.
--

Single family areas will be served by bus and a growing network of sidewalks and bicycle facilities. Open space will be provided within subdivisions, in neighborhood and community parks, and through shared use of school playfields.

The single family designations will be buffered from higher intensity uses by landscaping/buffering and “transitional” residential uses, including townhouses and small scale, residentially oriented, mixed use development. This will promote the stabilization and enhancement of single family neighborhoods.

## **TOWNHOUSE**

### **Policy 1.3B**

Maintain a Townhouse land use designation and corresponding zoning classification as a higher density (12 – 24 dwelling units per acre) alternative to a single family home with many characteristics of single family development, intended to foster a sense of community. Those characteristics include a good relationship to the street, unobtrusive parking arrangements, requirements for open space to be used by residents, attention to detail in building design, and minimum site size requirements to minimize neighborhood fragmentation. Heights will be limited to three stories. These development characteristics are intended to result in a building type that has single-family characteristics at densities that support transit ridership and nearby commercial activities.

Townhouse designated areas are also intended to serve as buffers between adjacent Residential – Low Density areas and more intensely developed higher density residential or commercial/mixed use areas, so are appropriate for those locations, such as at the edges of station areas or the City Center.

Townhouse development should be allowed in the Townhouse and UM-1800 and UM-2400 Zones

## **RESIDENTIAL – MEDIUM DENSITY**

### **Policy 1.3C**

Maintain a Residential Medium Density land use designation and corresponding zoning classifications for residential areas with a higher density than single family or medium density alternatives while maintaining a desirable living environment. Ideally, they provide a transition between lower density and higher density areas, so are most appropriate in these transition areas, or where topography creates a natural transition to a lower or higher density area, such as the hillside on the City’s southeast edge. Densities should be 12 to 18 dwelling units per acre but unlike Townhouse, in a more traditional apartment form. Building heights should be limited to three or four stories, with possible height bonuses through a conditional use or administrative review process, or

Callout box:  
Purposeful design and placement of buildings, landscape, and open spaces will strengthen the characteristics of these land use designations. See the Community Image and Open Space Elements for these related policies.

incentive program. In Residential Medium Density areas, a range of different types of open space should be provided, from decks and balconies to small yards and pocket parks. Parking should be integrated into the site plan to reduce its visual impact. Where possible, alleys should be used to separate service access and parking from the street frontage.

## **RESIDENTIAL – HIGH DENSITY**

### **Policy 1.3D**

Maintain a Residential High Density land use designation and corresponding zoning classifications to provide a higher density living option in a multi-family building form at densities ranging from 24 to 48 dwelling units per acre. Ideally Residential – High Density areas provide a transition between lower density and higher density areas. In some cases Residential – High Density uses may be located adjacent to Residential – Low Density areas, but in these cases additional buffering, building setbacks or upper story stepbacks should be required. Building heights will be limited to four or five stories, with possible height bonuses through a conditional use or administrative review process, or incentive program. Some mixed-use residential-commercial buildings containing services like dry cleaning, doctor’s offices, hair salons, coffee shops and video stores may also be allowed at specific sites. Careful attention should be given to the amount and type of commercial uses to ensure project feasibility and maximize the positive impacts of these business uses in residential areas. In Residential – High Density areas, a range of different types of open space should be provided, from decks and balconies, to small yards and pocket parks. Parking should be integrated into the site plan to reduce its visual impact. Where possible, alleys should be used to separate service access and parking from the street frontage.

## **RESIDENTIAL HIGH – MIXED USE**

### **Policy 1.3E**

Maintain a residential high density mixed use land use designation and a corresponding zoning classification in appropriate locations to promote the development of a high density residential area that complements the high density commercial area. As such, the residential high mixed use designation should be located adjacent to commercial high density areas to provide a transition to other residential areas, ideally residential high density areas, or along principal arterials in the Urban Center. Together, these areas will form the core of SeaTac’s Urban Center with residential high-mixed use areas in both station areas and in the City Center.

Heights should be limited only by FAA requirements, and building setbacks should be minimal. Public open space should be provided in neighborhood pocket parks and plazas. Private open space will be provided through terraces,

courtyards, and private balconies. In this designation, commercial uses will be allowed on the first floors of buildings. Although, since the residential high-mixed use designation is intended primarily for residential use, such commercial activities should be primarily oriented toward serving the needs of the residents.

## **COMMERCIAL LAND USE**

### **GOAL 1.4**

**Serve the needs of the City's residents, businesses, and visitors through appropriate commercial land uses.**

#### **Policy 1.4A**

Concentrate commercial uses in specific locations to provide services and protect existing residential areas.

**Discussion:** It is important that an adequate supply of commercial land is available to accommodate SeaTac's expected employment growth. It is also crucial, though, that the City's new commercial businesses be located in appropriate areas that would not be detrimental to SeaTac's residential neighborhoods.

#### **Policy 1.4B**

Protect designated land uses from the negative impacts of "adult entertainment" establishments.

**Discussion:** To limit the negative impacts of adult entertainment businesses while allowing the required "reasonable opportunity" to operate, regulate these establishments protect sensitive land uses, such as schools; parks; public libraries; day care facilities; community/teen centers; churches, cemeteries and other religious facilities or institutions; residential and lodging uses, and property zoned for residential uses; other adult entertainment uses; and property used for any services to children and/or youth during operational hours.

## **COMMERCIAL LOW DENSITY**

#### **Policy 1.4C**

Maintain a Commercial Low Density land use designation and a corresponding zoning classification to promote the development of commercial areas outside of the Urban Center to provide convenient daily shopping and some services for a limited service area. They are intended to enhance low to medium density residential neighborhoods by locating goods and services within a convenient distance for residents. Commercial low Density areas may also serve as a neighborhood hub for bus or other transit options.

## **OFFICE/COMMERCIAL/MIXED USE**

### **Policy 1.4D**

Maintain an Office/Commercial/Mixed Use land use designation and corresponding zoning classification to provide a mixed use, medium density type of development that is more residential in character than commercial. This designation is appropriate as a transition area between lower density areas and higher density commercial or residential areas. Most retail and commercial uses should be allowed only in the mixed use context, with lower building height limits in the two to three story range.

## **COMMERCIAL MEDIUM DENSITY**

### **Policy 1.4E**

Maintain a Commercial Medium Density land use designation and corresponding zoning classification to provide a medium density commercial area that is more commercially than residentially oriented. Building heights should be four to seven stories with additional stories allowed through a bonus system. Typical activities should include office buildings, smaller hotels and restaurants, and relatively dense retail developments. Developers will be encouraged to mix uses, either within an individual building or within different buildings on a multiple building site. Mid-rise apartments (4-5 stories) or mixed, residential/commercial developments could be built within this area. Structured parking will be encouraged. As with the high intensity designation, developers will be encouraged to locate surface parking in a way that allows for redevelopment as structured parking becomes feasible.

## **COMMERCIAL HIGH DENSITY**

### **Policy 1.4F**

Maintain a Commercial High Density land use designation and corresponding zoning classification to provide for the highest concentration of commercial development. The building heights in this area should be limited only by FAA height limits. Activities within this designation should include hotels, office towers and high density housing. Retail and service-oriented businesses will be encouraged to locate within the first floors of large scale, multi-story developments. Some of these commercial activities would be oriented toward employees, providing them with convenience shopping, restaurants and places to complete daily errands without having to drive. Other commercial activities such as specialty shops, and movie theaters could be oriented to serve City residents and travelers staying at hotels. Some opportunities may also exist for convention center activities which this designation would support. For non-commercial-parking businesses structured parking should be encouraged as land values make this feasible. In the interim, while surface parking is still

Callout box:  
See the Transportation Element to see related policies on connecting to local and regional transit and providing non-motorized travel options. Also see related policies in the Healthy, Equitable, and Connected Communities section.

necessary, new developments should orient their site plans to allow for redeveloping the surface parking at a later date. For new commercial parking businesses structured parking should be required in the City Center and station areas. Non-parking uses should be required on the ground floors of parking structures in the City Center and station areas, to provide access to goods and services and to activate the street. New developments should provide public open space as part of the project. The City should also work to provide small pocket parks. The SeaTac/Airport Station area will include bus and paratransit service at the plaza to provide a high level of convenient multi-modal transit service. Sound Transit's two stations will provide an efficient transit link to the rest of the region. The Personal Rapid Transit (PRT, or similar system providing a similar function) system could eventually link development within these areas to the Airport and other large developments.

## **AVIATION BUSINESS CENTER**

### **Policy 1.4G**

Maintain an Aviation Business Center (ABC) land use designation and corresponding zoning classification. The Aviation Business Center is intended to support a major commercial center with high concentrations of customers, visitors, employees, and pedestrian activity to create a quality development area in which people can work, shop and access child care. This area will also encourage businesses oriented to the Airport and compatible with Airport operations. This designation will encourage flexible development programs to improve the design, character, and quality of new development, facilitate the provision of streets and utilities, and preserve natural and scenic features. With the coming of the Angle lake Light rail Station in 2016, the northern part of the ABC area (north of the SR 509 Extension right-of-way) will focus on a pedestrian orientation and Transit Oriented Development.

### **Policy 1.4B**

Encourage the development of Airport-compatible activities in the Aviation Business Center (ABC) area.

**Discussion:** The ABC district was created in 1991 to encourage a wide mix of Airport-related businesses in an area southeast of Seattle-Tacoma International Airport. This district will provide needed space for Airport-related activities, which play a key role in the City's economy. The land uses within the ABC district are intended to be compatible with Airport operations.

## **MANUFACTURING/INDUSTRIAL/BUSINESS PARK LAND USE**

### **GOAL 1.5**

**Provide an appropriate level of manufacturing, industrial and business park land uses within the City.**

**Policy 1.5A**

Concentrate industrial/manufacturing/business park uses in specific and appropriate locations to provide services and protect existing residential and other commercial areas.

**Discussion:** Industrial and manufacturing establishments provide jobs for SeaTac residents and tax revenues for the City but are not always compatible with other land uses. To enjoy the benefits and minimize the adverse impacts of industrial and manufacturing establishments, the City of SeaTac should encourage the development of “clean, light manufacturing” and business park land uses with minimal environmental and land use impacts in this designation. Examples include high technology business firms, Airport-related warehousing, and light manufacturing that do not use toxic substances or emit pollutants..

**Policy 1.5B**

Discourage inappropriate, heavy manufacturing businesses from locating in SeaTac, excluding Airport-sited uses.

**Discussion:** The development of new “heavy industrial” land uses, with their negative environmental impacts, are not appropriate for the City of SeaTac.

**BUSINESS PARK**

**Policy 1.5C**

Maintain a Business Park land use designation and corresponding zoning classification to provide for non-polluting business, such as biotechnology, light manufacturing, electronics, computer technology or communications equipment manufacturing businesses. Warehousing and distribution operations are also appropriate businesses here. Land uses with significant impacts would be expressly prohibited.

This designation should provide substantial buffering when adjacent to residential low density uses or zones, and is most appropriately located with other warehousing, manufacturing or light industrial uses.

**INDUSTRIAL**

**Policy 1.5H**

Maintain an Industrial land use designation and corresponding zoning classification to provide for industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling, storage, warehousing and heavy trucking.

## AIRPORT

**Callout box:**

Continued partnership with the Port of Seattle can enhance the character and economic function of the Urban Center growth area.

### Policy 1.5D

Maintain an Airport land use designation and corresponding zoning classifications to provide for the Seattle-Tacoma International Airport and high intensity Airport-related facilities and activities. Per the Interlocal Agreement between the City and the Port of Seattle (ILA), the Land Use Plan Map utilizes a single designation (“Airport”) for all properties owned or to be owned by the Port of Seattle under the Airport Master Plan, as amended. To the extent the ILA establishes development standards as defined in RCW 36.70B.170 et seq., the ILA also constitutes a “development agreement.”

The Airport designation establishes two corresponding zones that provide for Airport-related facilities and activities associated with Seattle-Tacoma International Airport that are related to either “Aviation Operations” or “Aviation Commercial” uses. As such the Airport land use designation covers a wide range of uses, unlike the City’s other land use designations, so some attention is given to the corresponding zones here.

The **Aviation Operations** zone applies to all activities and uses related specifically to the functioning of the airport itself.

The **Aviation Commercial** zone applies to other properties the Port around the airport proper. This zone should accommodate a wide variety of uses, which may be appropriate in some locations and not in others. Uses like warehousing and distribution, light manufacturing should be located where similar uses are located in other zones, such as Business Park, and should provide similar landscaping and buffering. Commercial uses, such as hotels, offices or retail uses should be located where similar uses are located in other zones, and should feature similar development characteristics, such as relationship to the street, building design, pedestrian facilities and parking location and design.

### Policy 1.5E

Encourage land uses adjacent to Sea-Tac International Airport that are compatible with Airport operations.

**Discussion:** The Federal Aviation Administration’s standards (under the Part 150 Program) identify compatible land uses for areas immediately adjacent to an airport. Improving land use compatibility in areas near the Airport enables the City to take better advantage of the job and tax revenue benefits of the Airport, maintain and enhance the Airport’s role as an essential public facility, and help reduce the negative impacts to City residents. Some appropriate land uses near airports include open space and passive park land, parking, transportation-related activities, and some manufacturing or business park uses. Multi-family housing that is constructed to meet the applicable noise standards and designed to recognize noise issues may be appropriate for areas within the 65 DNL area (see Map 1.3). Single family residential use, on the other hand, is an example of a land use type that is not generally recommended for such areas. Uses that are essential to the aviation function of an airport, including necessary support facilities, are considered elements of an airport as an Essential Public Facility (EPF), as

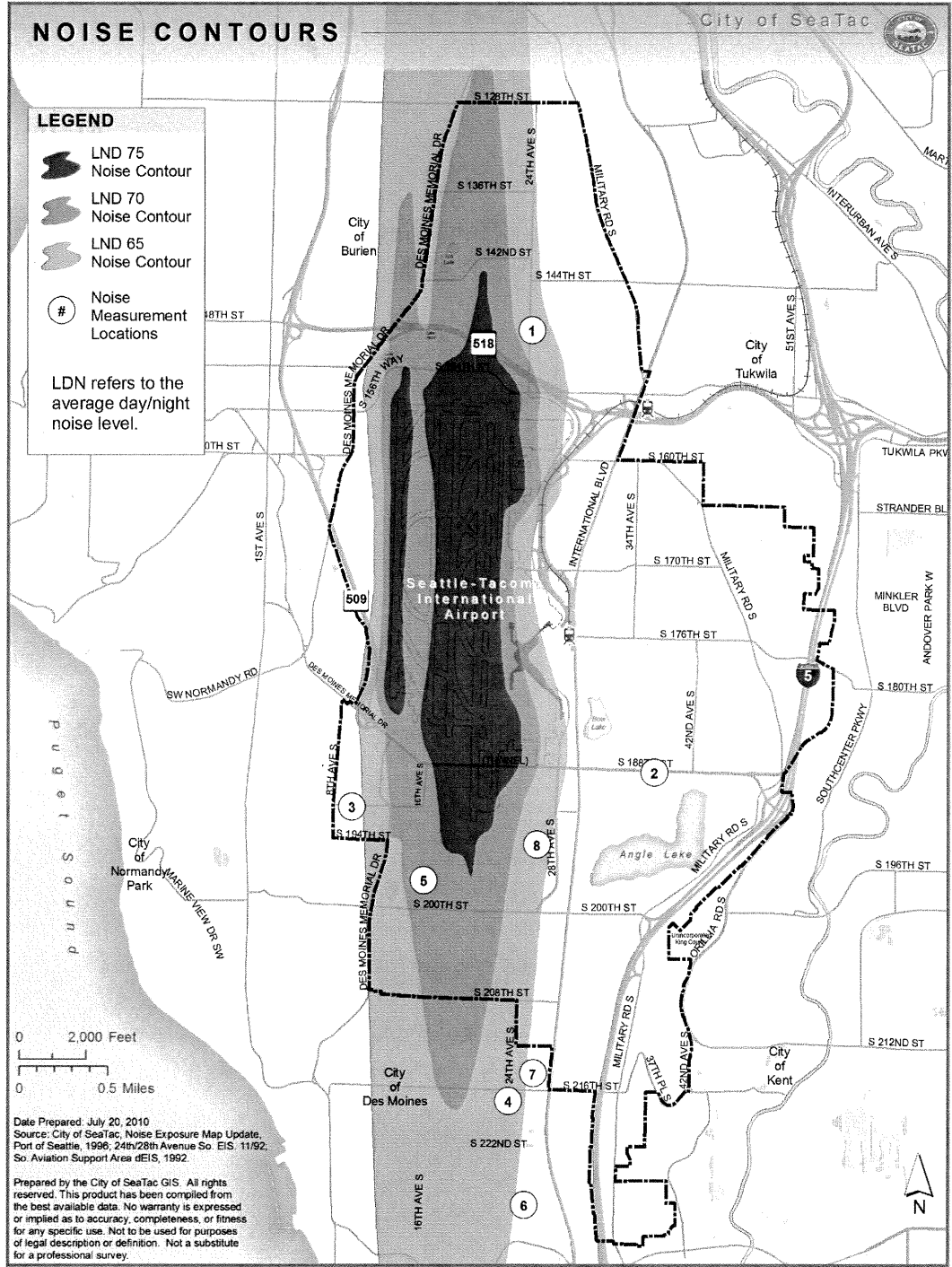


addressed in Goal 1.7, and are subject to provisions of the Interlocal Agreement between the City and the Port of Seattle for Seattle-Tacoma International Airport. These land uses are addressed under the Recommended Implementation Strategies section.

### **Policy 1.5F**

Work with the Port of Seattle to implement the ILA.

**Discussion:** The City of SeaTac and Port of Seattle entered into the ILA to establish a mutually satisfactory process and set of development standards for Port projects and mitigation for the Airport Master Plan. The ILA establishes a basis for working toward compatibility between City and Airport land uses.



## PARKS AND OPEN SPACE LAND USE

### GOAL 1.6

**Provide an adequate amount of accessible parks, recreational land, and open space throughout the City.**

#### Policy 1.6A

Maintain a Park land use designation and corresponding zoning classification to provide for park and open space areas to be used for outdoor passive and active recreation uses, conservation and protection of municipal watersheds, wildlife corridors and habitats.

Essential Public Facilities

Callout box:  
See the Open Space Element for related policies.

## ESSENTIAL PUBLIC FACILITIES

### GOAL 1.7

**Accommodate essential public facilities in alignment with this Plan's goals and policies.**

#### Policy 1.7A

Administer a process consistent with the GMA and the Countywide Planning Policies to identify and site essential public facilities (EPF).

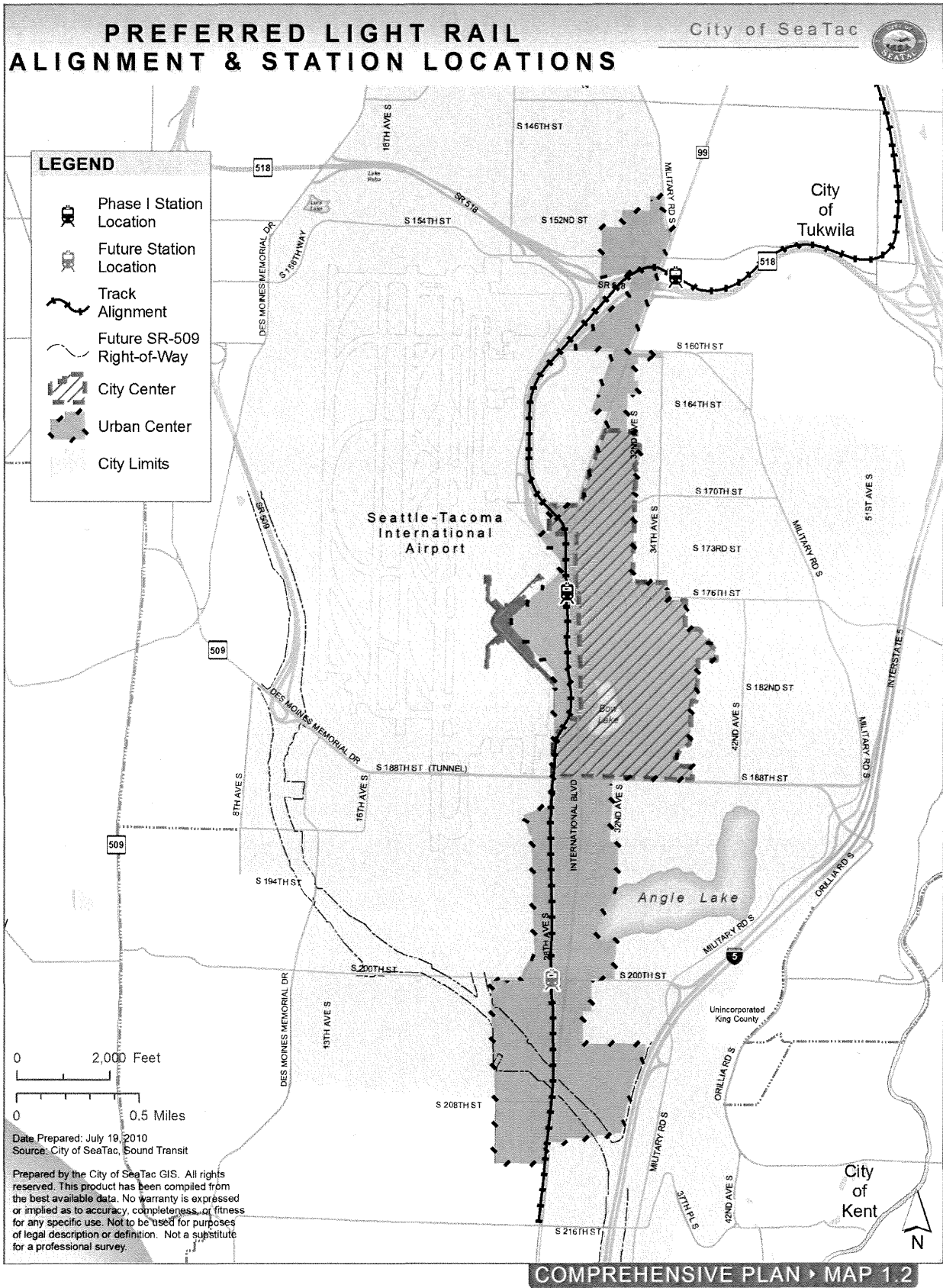
**Discussion:** SeaTac allows the siting of EPFs provided that any such EPF must be consistent with the City's goals and policies. SeaTac EPFs include, but are not limited to: airports; State and local correction facilities; State educational facilities; State and regional transportation facilities; landfills; solid waste handling facilities; sewage treatment facilities; major communication facilities and antennas (excluding wireless telecommunication facilities); and in-patient facilities, such as group homes (excluding those facilities covered by the Washington Housing Policy Act), mental health facilities, Secure Community Transition Facilities (SCTF), and substance abuse facilities. Differing levels of review and City involvement will be applied to different types of EPFs. SeaTac's EPF siting administrative process is outlined in the "implementation strategies" section and described in the Land Use Background Report.**Policy 1.7B**

Partner with Sound Transit to implement light rail transit facilities consistent with the City's preferred route/alignment as shown on Map 1.2.

**Discussion:** From the Angle Lake Station, the City's preferred alignment runs along the west side of 28th Ave. S, and along the west side of International Boulevard (SR 99) within the City of SeaTac to the City's boundary at S. 216th St.

#### Callout box:

The Washington Growth Management Act (GMA) requires that city comprehensive plans include a process for identifying and siting essential public facilities. The GMA defines essential public facilities as being "those facilities that are typically difficult to site..." King County's Comprehensive Plan defines an essential public facility as a facility that either: (a) meets the GMA's definition of an essential public facility; (b) is on a State, County or local community list of essential public facilities; (c) serves a significant portion of the County or metropolitan region or is part of a Countywide service system; or (d) is difficult to site or expand. While the GMA authorizes municipalities to have some input into the siting process, it does not grant cities the right to prohibit essential public facilities. In fact, the Act states that "no local comprehensive plan or development regulations may preclude the siting of essential public facilities."



# CITY OF SEATAC

## PUBLIC COMMENT NOTICE

NOTICE IS HEREBY GIVEN THAT THE SEATAC CITY COUNCIL WILL SEEK PUBLIC COMMENT ON **SEPTEMBER 9, 2014** AT 6:30 PM AT THE SEATAC CITY HALL COUNCIL CHAMBERS, 4800 SOUTH 188<sup>TH</sup> STREET. THE CITY COUNCIL IS CONSIDERING TAKING A COLLECTIVE POSITION ON THE BALLOT MEASURE IDENTIFIED BELOW, THAT WILL BE PRESENTED TO THE ELECTORATE DURING THE GENERAL ELECTION ON NOVEMBER 4, 2014.

### **Highline School District Proposition No. 1—Bonds to Construct New Schools and Replace and Renovate Deteriorating Schools.**

The Board of Directors of Highline School District No. 401 adopted Resolution No. 06-14, concerning a proposition to relieve overcrowding and replace deteriorating, outdated schools. This proposition would authorize the District to rebuild Highline High School, construct two new middle schools, construct a new Des Moines Elementary School at Zenith, make critical improvements at Evergreen and Tyee Campuses, and make District-wide health, safety, security, arts, technology, and other capital improvements; issue no more than \$385,065,156 of general obligation bonds maturing within 21 years; and levy annual excess property taxes to repay the bonds, all as provided in Resolution No. 06-14. Should this proposition be: Approved [ ] Rejected [ ];

**Any and all interested persons are invited to be present to voice approval, disapproval or opinions on whether the City Council should take a collective position on this ballot measure.**

*Note: RCW 42.17A.555 prohibits the use of city facilities to assist in promotion of or opposition to any ballot proposition. However, RCW 42.17A.555(1) allows the City Council to adopt a Resolution in support of or opposition to a ballot proposition if certain mandatory procedural steps are taken, including providing notice that the Council will discuss taking a collective position regarding the ballot measure, and providing an opportunity for public comment prior to Council action, with persons wishing to express an opposing view being afforded an approximate equal opportunity to speak. The purpose of this notice is to comply with the provisions of RCW 42.17A.555.*

**SeaTac City Council**  
**REQUEST FOR COUNCIL ACTION**

Department Prepared by: Legal

Agenda Bill #: 3619

**TITLE:** A Resolution expressing the City Council's support for Highline School District Proposition No. 1--Bonds to Construct New Schools and Replace and Renovate Deteriorating Schools, to be presented to the electorate on November 4, 2014.

<i>August 14, 2014</i>	
___ Ordinance <input checked="" type="checkbox"/> Resolution   ___ Motion   ___ Info. Only   ___ Other	
<b>Date Council Action Requested:</b>	<u>RCM 09/09/2014</u>
<b>Ord/Res Exhibits:</b>	_____
<b>Review Dates:</b>	<u>CSS 08/12/2014</u>
<b>Prepared By:</b>	<u>Mark S. Johnsen, Senior Assistant City Attorney</u> <i>MSP</i>
<b>Director:</b>	<u>Mary Mirante Barolo</u> City Attorney: <u>Mary Mirante Barolo</u> <i>MMB</i>
<b>Finance:</b>	<u>N/A</u> BARS #: <u>N/A</u>
<b>City Manager:</b>	<u>Todd B.</u> Applicable Fund Name: <u>N/A</u>

**SUMMARY:** Highline School District Proposition No. 1 will be presented to the electorate on November 4, 2014. The attached Resolution, as presented, expresses the Council collective decision to support Proposition No. 1.

**DISCUSSION / ANALYSIS / ISSUES:** Highline School District Proposition No. 1 is a bond measure with a stated purpose of relieving overcrowding and replacing deteriorating, outdated schools within the District. The proceeds from the bond measure will rebuild Highline High School, construct two new middle schools, construct a new Des Moines Elementary School at the Zenith site, make improvements at the Evergreen and Tye Campuses, and make District-wide health, safety, security, arts, technology, and other capital improvements. The ballot title and description for the proposition is as follows:

**Highline School District Proposition No. 1—Bonds to Construct New Schools and Replace and Renovate Deteriorating Schools.**

The Board of Directors of Highline School District No. 401 adopted Resolution No. 06-14, concerning a proposition to relieve overcrowding and replace deteriorating, outdated schools. This proposition would authorize the District to rebuild Highline High School, construct two new middle schools, construct a new Des Moines Elementary School at Zenith, make critical improvements at Evergreen and Tye Campuses, and make District-wide health, safety, security, arts, technology, and other capital improvements; issue no more than \$385,065,156 of general obligation bonds maturing within 21 years; and levy annual excess property taxes to repay the bonds, all as provided in Resolution No. 06-14. Should this proposition be: Approved [ ] Rejected [ ];

RCW 42.17A.555 prohibits the use of city facilities to assist in promotion of or opposition to any ballot proposition. However, RCW 42.17A.555 (1) allows the Council to adopt a Resolution in support of or opposition to a ballot proposition if certain mandatory procedural steps are taken, including providing notice that the Council will discuss taking a collective position regarding the ballot measure, and providing an opportunity for public comment prior to Council action with persons wishing to express an opposing view being afforded an approximate equal opportunity to speak. Therefore, public comments will be solicited for the September 9, 2014 Council Meeting.

**RECOMMENDATION(S):** No staff recommendation is made as this is solely a Council decision.

**FISCAL IMPACT:** Adoption of the Resolution will not have a fiscal impact to the City.

**ALTERNATIVE(S):**

- 1) Do not adopt the proposed Resolution;
- 2) Adopt a Resolution in opposition to Proposition No. 1.

**ATTACHMENTS:**

- 1) Copy of Highline School District Board Resolution 06-14.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION of the City Council of the City of SeaTac, Washington expressing the City Council's support of Highline School District Proposition No. 1—Bonds to Construct New Schools and Replace and Renovate Deteriorating Schools, to be presented to the electorate on November 4, 2014.

**WHEREAS**, Highline School District Proposition No. 1 will be presented to the voters in the Highline School District at the special election on November 4, 2014, with the following official Ballot Title and Description:

Highline School District Proposition No. 1—Bonds to Construct New Schools and Replace and Renovate Deteriorating Schools.

The Board of Directors of Highline School District No. 401 adopted Resolution No. 06-14, concerning a proposition to relieve overcrowding and replace deteriorating, outdated schools. This proposition would authorize the District to rebuild Highline High School, construct two new middle schools, construct a new Des Moines Elementary School at Zenith, make critical improvements at Evergreen and Tyee Campuses, and make District-wide health, safety, security, arts, technology, and other capital improvements; issue no more than \$385,065,156 of general obligation bonds maturing within 21 years; and levy annual excess property taxes to repay the bonds, all as provided in Resolution No. 06-14. Should this proposition be: Approved [ ] Rejected [ ]; and

**WHEREAS**, in accordance with RCW 42.17A.555, notice to comment was published and posted; and

**WHEREAS**, public statements and comments were received by the Council; and

**WHEREAS**, the Council finds that an expression of support for Highline School District Proposition No. 1 is appropriate;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:**



1. The City Council of the City of SeaTac expresses its support for Highline School District Proposition No. 1, which will be presented to the electorate on November 4, 2014.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014 and signed in authentication thereof on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

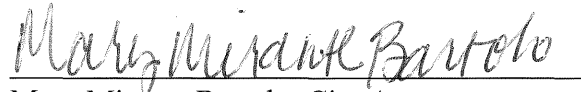
**CITY OF SEATAC**

\_\_\_\_\_  
Mia Gregerson, Mayor

ATTEST:

\_\_\_\_\_  
Kristina Gregg, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
Mary Mirante Bartolo, City Attorney

[Resolution regarding HSD Prop 1]

HIGHLINE SCHOOL DISTRICT NO. 401  
KING COUNTY, WASHINGTON  
(HIGHLINE PUBLIC SCHOOLS)

BONDS TO CONSTRUCT NEW SCHOOLS AND REPLACE  
AND RENOVATE DETERIORATING SCHOOLS

RESOLUTION NO. 06-14

A RESOLUTION of the Board of Directors of Highline School District No. 401, King County, Washington, providing for the submission to the voters of the District at a special election to be held on November 4, 2014, in conjunction with the State General election to be held on the same date, of a proposition authorizing the District to issue general obligation bonds in the principal amount of no more than \$385,065,156, for the purpose of paying costs of rebuilding Highline High School, constructing two new middle schools, constructing a new Des Moines Elementary School at Zenith, making critical improvements at the Evergreen and Tyee Campuses, and making District-wide health, safety, security, arts, technology, and other capital improvements, the principal of and interest on such bonds to be payable from annual excess property tax levies; designating the District's Chief of Staff and Finance and bond counsel to receive notice of the ballot title from the Director of Records and Elections of King County, Washington; authorizing a request for a Certificate of Eligibility from the State Treasurer pursuant to chapter 39.98 RCW; designating the Secretary to the Board and/or the District's Chief of Staff and Finance as the District officials authorized to file with the State Treasurer, on behalf of the District, the request for a Certificate of Eligibility; and providing for other matters properly related thereto, all as more particularly set forth herein.

ADOPTED: JUNE 4, 2014

*This document prepared by:*

*FOSTER PEPPER PLLC  
1111 Third Avenue, Suite 3400  
Seattle, Washington 98101  
(206) 447-5339*

ATTACHMENT 1

HIGHLINE SCHOOL DISTRICT NO. 401  
KING COUNTY, WASHINGTON  
(HIGHLINE PUBLIC SCHOOLS)

RESOLUTION NO. 06-14

A RESOLUTION of the Board of Directors of Highline School District No. 401, King County, Washington, providing for the submission to the voters of the District at a special election to be held on November 4, 2014, in conjunction with the State General election to be held on the same date, of a proposition authorizing the District to issue general obligation bonds in the principal amount of no more than \$385,065,156, for the purpose of paying costs of rebuilding Highline High School, constructing two new middle schools, constructing a new Des Moines Elementary School at Zenith, making critical improvements at the Evergreen and Tyee Campuses, and making District-wide health, safety, security, arts, technology, and other capital improvements, the principal of and interest on such bonds to be payable from annual excess property tax levies; designating the District's Chief of Staff and Finance and bond counsel to receive notice of the ballot title from the Director of Records and Elections of King County, Washington; authorizing a request for a Certificate of Eligibility from the State Treasurer pursuant to chapter 39.98 RCW; designating the Secretary to the Board and/or the District's Chief of Staff and Finance as the District officials authorized to file with the State Treasurer, on behalf of the District, the request for a Certificate of Eligibility; and providing for other matters properly related thereto, all as more particularly set forth herein.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF HIGHLINE SCHOOL DISTRICT NO. 401, KING COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Highline School District No. 401, King County, Washington (the "District"), takes note of the following facts and hereby makes the following findings and determinations:

(a) Overcrowding, deteriorating and educationally outdated infrastructure and schools, and the needs of our educational programs require that the District rebuild Highline High School, construct two new middle schools, construct a new Des Moines Elementary School at Zenith, make critical improvements at the Evergreen and Tyee Campuses, and make District-wide health, safety, security, arts, technology, and other capital improvements, all as more particularly defined and described in Section 2 herein (collectively, the "Projects"). The Projects are urgently required to correct the existing conditions.

(b) The District lacks sufficient money with which to pay costs of the Projects.

(c) To pay costs of the Projects, it is necessary and advisable that the District issue and sell unlimited tax general obligation bonds in the principal amount of no more than \$385,065,156 (the "Bonds"), or such lesser maximum amount as may be legally issued under the laws governing the limitation of indebtedness or required to carry out and accomplish the Projects.

(d) The District is authorized pursuant to Article VII, Section 2(b) of the Washington Constitution and laws of the State of Washington, including Revised Code of Washington ("RCW") 28A.530.010, RCW 28A.530.020, RCW 39.36.050 and RCW 84.52.056, to submit to the District's voters at a special election, for their approval or rejection, the proposition of whether the District shall issue the Bonds to pay costs of the Projects and levy annual excess property taxes to pay and retire the Bonds.

(e) The best interests of the District's students and other inhabitants require the District to carry out and accomplish the Projects as hereinafter provided.

Section 2. Description of Projects. The Projects to be paid for with proceeds of the Bonds, including interest earnings thereon ("Bond Proceeds"), are more particularly defined and described as follows:

(a) Rebuild Highline High School at or near the existing site, which shall include, but not be limited to, modernizing the Performing Arts Center, all as deemed necessary and advisable by the Board.

(b) Construct a new middle school at the Manhattan site, or other site to be determined by the Board, all as deemed necessary and advisable by the Board.

(c) Construct a new middle school at the Glacier site, or other site to be determined by the Board, all as deemed necessary and advisable by the Board.

(d) Construct a new Des Moines Elementary School at the Zenith site, all as deemed necessary and advisable by the Board.

(e) Make critical improvements at the Evergreen High School Campus and Tyee High School Campus, including, but not limited to: (1) acquiring, constructing and installing new and/or repair existing roofing systems; (2) acquiring, constructing, installing, renovating and equipping science and other educational portable classrooms; (3) upgrading and/or improving HVAC, mechanical, electrical, plumbing and window systems; (4) making energy efficiency improvements; (5) improving parking and interior and exterior finishes; (6) constructing a new multipurpose field at the Evergreen High School Campus; (7) making health, safety, security and infrastructure improvements; and (8) making other critical improvements, all as deemed necessary and advisable by the Board.

(f) Make District-wide health, safety, security, arts, technology, and other capital improvements, including, but not limited to: (1) relocating Big Picture School and other alternative educational programs to facilities and sites to be determined by the Board; (2) renovating Olympic Junior High, Salmon Creek and Sunnysdale Schools; (3) making critical improvements identified in the *Highline School District No. 401 Study and Survey, A Comprehensive Report of Existing School Facilities*, dated October 2008, as updated May 2013, prepared by Integrus Architecture, as further supplemented by District Facilities Services Staff, and not otherwise completed as provided herein, which are incorporated herein by this reference; (4) making arts improvements, including, but not limited to: (i) making infrastructure, lighting, technology and storage improvements; and (ii) acquiring and installing musical instruments and other major equipment for visual and performing arts programs; (5) making District-wide technology system improvements to enhance student

learning, including, but not limited to: (i) acquiring, constructing and installing District-wide mobile/wireless classroom technology systems, equipment, infrastructure, hardware and wiring, and providing initial support implementation and hardware for use of instructional technology; and (ii) acquiring and installing new District-wide software tools, classroom software, web-based tools for on-line learning, virtual course modules, instructional software for science, technology, engineering and math, and providing related training necessary to install and implement such software, tools and modules; and (6) making other District-wide health, safety, security, arts, technology, and other capital improvements, all as deemed necessary and advisable by the Board. The foregoing technology system improvements shall be part of the District's integrated technology systems and facilities.

(g) Acquire, construct and install all necessary furniture, equipment, apparatus, accessories, fixtures and appurtenances in the foregoing, all as deemed necessary and advisable by the Board.

(h) Pay incidental costs incurred in connection with carrying out and accomplishing the Projects described above pursuant to RCW 39.46.070. Such incidental costs shall be deemed part of the Projects and shall include, but not be limited to: (1) costs related to the issuance, sale and delivery of the Bonds; (2) payments for fiscal and legal expenses; (3) costs of obtaining ratings and bond insurance; (4) costs of printing, advertising, establishing and funding accounts; (5) payment of interest due on the Bonds for up to six months after completion of construction; (6) necessary and related engineering, architectural, planning, consulting, inspection, permitting and testing costs; (7) administrative and relocation expenses; (8) site acquisition and improvement costs; (9) demolition costs; (10) costs related to demolition and/or deconstruction of existing school facilities to recycle, reclaim and repurpose such school facilities and/or building materials; (11) costs of on-site and off-site utilities and road improvements; and (12) costs of other similar activities or purposes, all as deemed necessary and advisable by the Board. The Projects, or any portion or portions thereof, shall be acquired or made insofar as is practicable with available Bond Proceeds, together with any other money of the District legally available therefor, and in such order of time as shall be deemed necessary and advisable by the Board. Subject to Section 6 of this resolution, the Board shall allocate the Bond Proceeds, together with any other money of the District legally available therefor, between the various parts of the Projects so as to accomplish, as near as may be, all of the Projects. The Board shall determine the exact order, extent and specifications for the Projects. The Projects are to be more fully described in the plans and specifications to be filed with the District.

Section 3. Calling of Election. The Director of Records and Elections of King County, Washington, as *ex officio* Supervisor of Elections (the "Auditor"), is requested to call and conduct a special election in the District, in the manner provided by law, to be held therein on November 4, 2014, in conjunction with the State General election to be held on the same date, for the purpose of submitting to the District's voters, for their approval or rejection, the proposition of whether the District shall issue the Bonds to pay costs of the Projects and levy annual excess property taxes to pay and retire the Bonds.

If the proposition is approved by the requisite number of voters, the District will be authorized to issue, sell and deliver the Bonds in the manner described in this resolution, spend the Bond Proceeds to pay costs of the Projects, and levy annual excess property taxes to pay and retire the Bonds. The Bond Proceeds shall be used, either with or without additional money now

available or hereafter available to the District, for capital purposes only, as permitted by law, which shall not include the replacement of equipment.

Section 4. Authorization to Issue the Bonds. The Bonds authorized may be issued as a single issue, as a part of a combined issue with other authorized bonds, or in more than one series, all as deemed necessary and advisable by the Board and as permitted by law. Further, the Bonds may be issued, as deemed necessary and advisable by the Board, as taxable bonds, tax-exempt bonds and/or any other type of tax credit bonds that are now or in the future may be authorized under applicable state and federal law, including, but not limited to, "build America bonds" or "qualified tax credit bonds" within the meaning of Section 54A(d)(1) of the Internal Revenue Code of 1986, as amended (the "Code") (generically, "Tax Credit Bonds").

Each series of the Bonds shall be issued as fully registered bonds; shall bear interest payable as permitted by law; shall mature within 21 years from the date of issuance of such series of the Bonds (but may mature at an earlier date or dates as fixed by the Board); shall be paid by annual property tax levies sufficient in amount to pay both principal and interest when due, which annual property tax levies shall be made in excess of regular property tax levies without limitation as to rate or amount but only in amounts sufficient to meet such payments of principal and interest as they come due; and shall be issued and sold in such manner, at such times and in such amounts as shall be required for the purpose for which each series of the Bonds are to be issued, all as deemed necessary and advisable by the Board and as permitted by law. The life of the Projects to be financed with the Bond Proceeds shall exceed the term of the respective series of Bonds that finance such Projects. The Board hereby authorizes and directs the Secretary to the Board (the "Secretary") and/or the District's Chief of Staff and Finance (the "Chief of Staff and Finance") to determine for each series of Bonds whether such series should be sold by negotiated or competitive sale, and with respect to such series of Bonds that are to be sold by competitive sale, to: (a) specify a date and time of sale of such Bonds; (b) give notice of that sale; (c) determine any bid requirements and criteria for determining the award of the bid; (d) provide for the use of an electronic bidding mechanism if the Secretary and/or Chief of Staff and Finance deems electronic bidding to be beneficial to the District; and (e) specify other matters in his or her determination necessary, appropriate or desirable to carry out the sale of the Bonds. Notwithstanding the foregoing, the amount, date, denominations, interest rates, payment dates, final maturity, redemption rights, price, and other terms and conditions of the Bonds (or parameters with respect thereto) shall be hereafter fixed by one or more resolutions of the Board authorizing the issuance, sale and delivery of such series of Bonds, which resolutions may delegate to a District officer or employee the authority to fix any of the foregoing, all as deemed necessary and advisable by the Board and as permitted by law.

Pending the issuance of any series of the Bonds, the District may issue short-term obligations pursuant to chapter 39.50 RCW (which may be issued as Tax Credit Bonds, if permitted under applicable law) to pay for any portion of the costs of the Projects. Such obligations may be paid or refunded with the Bond Proceeds.

If the District receives voter approval to issue the Bonds in the manner described in this resolution, the Board authorizes and directs the Secretary and/or the Chief of Staff and Finance to: (a) review and "deem final" (within the meaning of Rule 15c2-12 of the Securities and Exchange Commission), if necessary and upon such official's satisfaction, any preliminary

official statement prepared in connection with the sale of each series of the Bonds by the District; (b) authorize the “deemed final” preliminary official statement to be distributed prior to the date any underwriter or purchaser bids for, purchases, offers or sells each series of the Bonds; and (c) acknowledge in writing any action taken pursuant to clauses (a) and (b) of this paragraph.

Section 5. Intent to Reimburse. The Board declares that to the extent, prior to the date the Bonds, or other bonds or obligations (which includes the Bonds, or other bonds or obligations issued as tax-exempt bonds and/or Tax Credit Bonds) are issued to pay costs of the Projects, the District shall make capital expenditures for the Projects from money that is not (and is not reasonably expected to be) reserved, allocated on a long-term basis or otherwise set aside by the District under its existing and reasonably foreseeable budgetary and financial circumstances to pay costs of the Projects, those capital expenditures are intended to be reimbursed out of the Bond Proceeds, or proceeds of other bonds or obligations, issued in an amount not to exceed the principal amount of the Bonds provided by this resolution.

Section 6. Sufficiency of Bond Proceeds. If Bond Proceeds are more than sufficient to carry out and accomplish the Projects (the “Excess Bond Proceeds”), and state or local circumstances require, the District may use the Excess Bond Proceeds to: (a) acquire, construct, install, equip and make other capital improvements to the District’s facilities; or (b) retire and/or defease a portion of the Bonds or other outstanding bonds of the District, all as the Board may determine by resolution, after holding a public hearing thereon pursuant to RCW 28A.530.020. In the event that the Bond Proceeds, together with any other money of the District legally available therefor, are insufficient to carry out and accomplish all of the Projects, the District shall use the Bond Proceeds and other available money for paying the cost of that portion of the Projects that is deemed by the Board most necessary and in the best interest of the District.

Section 7. Use of State Financing Assistance. It is anticipated that the District may receive some money from the State of Washington as state financing assistance under chapter 28A.525 RCW with respect to the Projects (the “State Financing Assistance”). The State Financing Assistance shall be used, when and in such amounts as it may become available, to carry out and accomplish the Projects. If the State Financing Assistance is more than sufficient to carry out and accomplish the Projects (the “Excess State Financing Assistance”), the District shall use the Excess State Financing Assistance to carry out and accomplish any other capital improvements identified in the District’s 6-year Capital Facilities Improvement Plan, and not otherwise completed as provided herein, which are incorporated herein by this reference (collectively referred to herein as the “Excess State Financing Assistance Improvements”). The provisions of Section 2(g) and (h) of this resolution are incorporated herein by this reference and made a part of the Excess State Financing Assistance Improvements.

If the Excess State Financing Assistance is more than sufficient to carry out and accomplish the Excess State Financing Assistance Improvements (the “Remaining Excess State Financing Assistance”), and state or local circumstances require, the District may use the Remaining Excess State Financing Assistance to: (a) acquire, construct, install, equip and make other capital improvements to the District’s facilities; (b) retire and/or defease a portion of the Bonds or other outstanding bonds of the District; or (c) provide for other purposes, all as the Board may determine by resolution, after holding a public hearing thereon pursuant to RCW 28A.530.020.

Section 8. Alteration of Expenditures. If the Board shall subsequently determine that state or local circumstances, including, but not limited to, changed conditions or needs, regulatory considerations or incompatible development, should cause any alteration to the Projects or the Excess State Financing Assistance Improvements, the District shall not be required to accomplish the Projects or the Excess State Financing Assistance Improvements, and may apply the Bond Proceeds, State Financing Assistance or Excess State Financing Assistance (or any portion thereof) to: (a) other portions of the Projects or the Excess State Financing Assistance Improvements; (b) acquire, construct, install, equip and make other capital improvements to the District's facilities; or (c) retire and/or defease a portion of the Bonds or other outstanding bonds of the District, all as the Board may determine by resolution after holding a public hearing thereon pursuant to RCW 28A.530.020.

Section 9. Form of Ballot Title. Pursuant to RCW 29A.36.071, the King County Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION 1

HIGHLINE SCHOOL DISTRICT NO. 401  
(HIGHLINE PUBLIC SCHOOLS)

BONDS TO CONSTRUCT NEW SCHOOLS AND REPLACE  
AND RENOVATE DETERIORATING SCHOOLS

The Board of Directors of Highline School District No. 401 adopted Resolution No. 06-14, concerning a proposition to relieve overcrowding and replace deteriorating, outdated schools. This proposition would authorize the District to rebuild Highline High School, construct two new middle schools, construct a new Des Moines Elementary School at Zenith, make critical improvements at Evergreen and Tyee Campuses, and make District-wide health, safety, security, arts, technology, and other capital improvements; issue no more than \$385,065,156 of general obligation bonds maturing within 21 years; and levy annual excess property taxes to repay the bonds, all as provided in Resolution No. 06-14. Should this proposition be:

Approved .....

Rejected .....

Section 10. Authorization to Deliver Resolution to Auditor and Perform Other Necessary Duties. The Secretary or her designee is directed to: (a) present a certified copy of this resolution to the Auditor no later than August 5, 2014; and (b) perform such other duties as are necessary or required by law to submit to the District's voters at the aforesaid special election, for their approval or rejection, the proposition of whether the District shall issue the Bonds to pay costs of the Projects and levy annual excess property taxes to pay and retire the Bonds.

Section 11. Notices Relating to Ballot Title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates the (a) Chief of Staff and Finance (Duggan Harman), telephone: 206.631.3078; fax: 206.433.2351; email:



duggan.harman@highlineschools.org; and (b) bond counsel, Foster Pepper PLLC (Jim McNeill), telephone: 206.447.5339; fax 800.533.2284; email: mcnej@foster.com, as the individuals to whom the Auditor shall provide such notice. The Secretary is authorized to approve changes to the ballot title, if any, deemed necessary by the Auditor or the King County Prosecuting Attorney.

Section 12. Authorization of Local Voters' Pamphlet. The preparation and distribution of information on the ballot title for inclusion in a local voters' pamphlet and/or online voters' guide (the "Pamphlet") is hereby authorized. The Pamphlet shall include, if applicable, an explanatory statement and statements in favor of and in opposition to the ballot title. The preparation of explanatory statement, the appointment of pro/con committees and the preparation of statements in favor of and in opposition to the ballot title shall be in accordance with chapter 29A.32 RCW and the rules and guidelines of the Auditor, as applicable.

Section 13. Authorization to Request Participation in Washington State School District Credit Enhancement Program Authorized. The Board hereby finds and determines that, if the District receives voter approval to issue the Bonds in the manner described in this resolution, it will be in the best interests of the District's taxpayers to request the State of Washington's guaranty for payment of the Bonds under chapter 39.98 RCW, the Washington State School District Credit Enhancement Program. Accordingly, the Board hereby requests the State Treasurer to issue a Certificate of Eligibility to the District pledging the full faith, credit, and taxing power of the State of Washington to guarantee the payment, when due, of the principal of and interest on the Bonds pursuant to chapter 39.98 RCW and the rules promulgated thereunder by the State Finance Committee. The Board designates the Secretary and/or the Chief of Staff and Finance as the District officials authorized to file with the State Treasurer, on behalf of the District, the request for a Certificate of Eligibility.

Section 14. Authorization to Request Authority to Issue Tax Credit Bonds. To the extent the Board deems it necessary and advisable to issue all or a portion of the Bonds as Tax Credit Bonds, the Board hereby (a) authorizes the District to request authorization from Office of the Superintendent of Public Instruction ("OSPI"), if applicable, to issue such Bonds as Tax Credit Bonds for the purpose of paying costs of the Projects, and (b) designates the Secretary and/or the Chief of Staff and Finance as the District officials authorized to prepare, sign and submit to OSPI the appropriate applications (or other required forms or documents) to issue the Tax Credit Bonds.

Section 15. General Authorization and Ratification. The Secretary, the Chief of Staff and Finance, the President of the Board, other appropriate officers of the District and bond counsel, Foster Pepper PLLC, are severally authorized and directed to take such actions and to execute such documents as in their judgment may be necessary or desirable to effectuate the provisions of this resolution. All actions taken prior to the effective date of this resolution in furtherance of and not inconsistent with the provisions of this resolution are hereby ratified and confirmed in all respects.

Section 16. Severability. If any provision of this resolution shall be declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this resolution and shall in no way affect the validity of

the other provisions of this resolution, of the Bonds or of the levy or collection of the taxes pledged to pay and retire the Bonds.

Section 17. Effective Date. This resolution shall become effective immediately upon its adoption.

ADOPTED by the Board of Directors of Highline School District No. 401, King County, Washington, at a regular open public meeting thereof, held this 4th day of June, 2014, the following Directors being present and voting in favor of the resolution.

HIGHLINE SCHOOL DISTRICT NO. 401  
KING COUNTY, WASHINGTON

\_\_\_\_\_  
Michael D. Spear, President and Director

\_\_\_\_\_  
Tyrone Curry Sr., Vice President and Director

\_\_\_\_\_  
Angelica Alvarez, Director

\_\_\_\_\_  
Bernie Dorsey, Director

\_\_\_\_\_  
Susan Goding, Director

ATTEST:

\_\_\_\_\_  
Susan A. Enfield, Ed.D  
Secretary to the Board of Directors

## **7. PRESENTATIONS:**

- **South King County Gay Pride Proclamation** *(total time: 5 minutes)*  
By: Mayor Mia Gregerson / South King County Pride Cofounder Wade Schwartz
- **Diaper Need Awareness Week Proclamation** *(total time: 5 minutes)*  
By: Mayor Mia Gregerson / Westside Baby Executive Director Nancy Woodland
- **National Day of Recovery Proclamation** *(total time: 5 minutes)*  
By: Mayor Mia Gregerson
- **King County Bar Association and Pro Bono Services** *(total time: 5 minutes)*  
By: King County Bar Association Housing Justice Project Managing Attorney Rory O'Sullivan
- **Puget Sound Energy/Hdromax Sewer Inspection Service** *(total time: 20 minutes/ presentation time: 10 minutes)*  
By: Hydromax USA, LLC Manager Kahana Ison
- **Council consideration and confirmation of the Mayoral re-appointments of Frank Welton, Cathy Heiberg, Caroline Curtis, and Jeffrey Bauknecht to the Hotel/Motel Tax Advisory Committee and Cheryl Forbes and Thomas Plante to the Library Advisory Committee** *(total time: 5 minutes)*  
By: Mayor Mia Gregerson



# MEMORANDUM

Date: September 5, 2014  
To: City of SeaTac Mayor and Council  
From: Kristina Gregg, City Clerk *KGG*  
Subject: Consideration and Confirmation of Appointments

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Please be advised that the Mayor has selected the following individual who she feels is best qualified to serve as members of the Hotel/Motel Tax Advisory Committee. The re-appointments are being presented at the September 9, 2014 Regular Council Meeting for your consideration and confirmation.

**Appointment:**

**Hotel/Motel Tax Advisory Committee:**

- Jeffrey Bauknecht to be reappointed for a term ending September 23, 2017
- Caroline Curtis to be reappointed for a term ending September 23, 2017
- Cathy Heiberg to be reappointed for a term ending September 23, 2017
- Frank Welton to be reappointed for a term ending September 23, 2017

**Library Advisory Committee:**

- Cheryl Forbes to be reappointed for a term ending August 25, 2017
- Thomas Plante to be reappointed for a term ending August 25, 2017

Attachment: Applications

Cc: Economic Development Manager Jeff Robinson, Administrative Assistant II Kacey Orlando



# City of SeaTac Hotel/Motel Tax Advisory Committee Application for Appointment

Applications are retained in the City Clerk's Office for one year from the date they are received.

Name: Jeff Bauknecht E-Mail: Jbauknecht@museumofflight.org

Address: 9404 East Marginal Way South, Seattle, WA 98108  
Street City State Zip Code

Home Phone: \_\_\_\_\_ Business Phone: 206.768.7198

Current Occupation: Grant Program Manager Employer: The Museum of Flight

Are you applying as a representative of:

A. A Business that collects the lodging tax on this advisory committee

Yes \_\_\_\_\_ No X

Or

B. An Organization involved in activities authorized to be funded by lodging tax revenues

Yes X No \_\_\_\_\_

Name the business or organization you are affiliated with: The Museum of Flight

Attach an additional page, if needed to respond to the following questions:

1. What are the reasons you wish to serve on this committee?

The Museum of Flight and the City of SeaTac have a long-standing working relationship dating back to former Mayor Frank Hanson. Serving on this committee provides the opportunity for both parties to stay fully informed about the many opportunities for collaborations that come up.

2. What expertise, experience or special interest do you bring to this position?

In addition to many years of working in the nonprofit industry, I have several years of experience working within the hospitality industry. I believe this combined experience provides me with a unique viewpoint from both sides of our efforts.

3. Do you have suggestions about activities to promote tourism in SeaTac?

No suggestions at this time

Are you available for daytime meetings? Yes

**\*Be advised, if you are selected for a committee you will be subject to a background investigation.**

**Citizen Advisory Committee applications are subject to public disclosure laws of the State of Washington (RCW 42.56), and if requested will be provided in its entirety.**

Signature:  Date: 8/25/14

Please return form to: City of SeaTac, City Clerk's Office, 4800 South 188<sup>th</sup> Street, SeaTac, WA 98188-8605

For more information about this committee contact Economic Development Manager  
Jeff Robinson at 206.973.4812 or [jrobinson@ci.seatac.wa.us](mailto:jrobinson@ci.seatac.wa.us).

Date Interviewed: \_\_\_\_\_ Date Appointed: \_\_\_\_\_ Background Check: Passed 7/21/11 Failed \_\_\_\_\_



# City of SeaTac

## Hotel/Motel Tax Advisory Committee

### Application for Appointment

*Applications are retained in the City Clerk's Office for one year from the date they are received.*

Name: Caroline Curtis CHA E-Mail: Curtis@hotelconcepts.us

Address: 10428 1<sup>st</sup> Ave SW Seattle WA 98146  
Street City State Zip Code

Home Phone: 206 241 5307 Business Phone: 206 674 6263

Current Occupation: VP of Operations Employer: BMI Hospitality Management

Are you applying as a representative of:

A. A Business that collects the lodging tax on this advisory committee  
 Yes  No

Or

B. An Organization involved in activities authorized to be funded by lodging tax revenues  
 Yes  No

Name the business or organization you are affiliated with: Fairfield Inn  
Holiday Inn Express + Suite SeaTac  
Hampton Inn + Suites Seattle SeaTac

*Attach an additional page, if needed to respond to the following questions:*

1. What are the reasons you wish to serve on this committee?  
As representative of 3 properties totaling 535 rooms I feel it is important to be involved in decisions regarding the funds we collect.

2. What expertise, experience or special interest do you bring to this position?  
I have been on the Committee since 2011

3. Do you have suggestions about activities to promote tourism in SeaTac?  
 \_\_\_\_\_  
 \_\_\_\_\_

Are you available for daytime meetings? Yes

**\*Be advised, if you are selected for a committee you will be subject to a background investigation. Citizen Advisory Committee applications are subject to public disclosure laws of the State of Washington (RCW 42.56), and if requested will be provided in its entirety.**

Signature: [Signature] Date: 8/20/14

Please return form to: City of SeaTac, City Clerk's Office, 4800 South 188<sup>th</sup> Street, SeaTac, WA 98188-8605

For more information about this committee contact Economic Development Manager  
 Jeff Robinson at 206.973.4812 or [jrobinson@ci.seatac.wa.us](mailto:jrobinson@ci.seatac.wa.us)

Date Interviewed: \_\_\_\_\_ Date Appointed: \_\_\_\_\_ Background Check: Passed  Failed



# City of SeaTac Hotel/Motel Tax Advisory Committee Application for Appointment

CITY OF SEATAC  
RECEIVED

AUG 27 2014

TIME: \_\_\_\_\_  
CITY CLERK'S OFFICE

Applications are retained in the City Clerk's Office for one year from the date they are received.

Name: Cathy R. Heiberg (Boysen) E-Mail: lcheiberg@msn.com  
Address: 810 58<sup>th</sup> Ave. N.E. Tacoma WA. 98422  
Street City State Zip Code

Home Phone: 253-927-0654 Business Phone: 253-927-0654

Current Occupation: Property Mgr. Employer: Boysen & Boysen LLC.

Are you applying as a "representative" of: self-employed

A. A Business that collects the lodging tax on this advisory committee  
Yes  No  Our lessee-tenants do. (Hotels)

Or

B. An Organization involved in activities authorized to be funded by lodging tax revenues  
Yes  No

Name the business or organization you are affiliated with: Boysen & Boysen LLC.

Attach an additional page, if needed to respond to the following questions:

①. What are the reasons you wish to serve on this committee?  
I am very interested in & work with Hoteliers in SeaTac. We own commercial real estate with Hotels on our property. I want to help promote tourism in SeaTac & help them (Hotels & City) prosper.

②. What expertise, experience or special interest do you bring to this position?  
Our family owns Commercial Real Estate in SeaTac. Three of our tenants on our property are Hotels (Hilton, Radisson, Red Lion). Also the high rise office buildings (SeaTac Office Bldg. - "old Kilroy named" & the Wally Park surface parking. My B.S. degree is from Foster Sch. of Business.

③. Do you have suggestions about activities to promote tourism in SeaTac? yes  
I have been attending these Committee Meetings for over 15 years & have served on this Committee most of these years. I enjoy participating & contributing with the many professional attendees.

Are you available for daytime meetings? Yes

**\*Be advised, if you are selected for a committee you will be subject to a background investigation. Citizen Advisory Committee applications are subject to public disclosure laws of the State of Washington (RCW 42.56), and if requested will be provided in its entirety.**

Signature: Cathy R. Heiberg Date: 8-25-14

Please return form to: City of SeaTac, City Clerk's Office, 4800 South 188<sup>th</sup> Street, SeaTac, WA 98188-8605

For more information about this committee contact Economic Development Manager  
Jeff Robinson at 206.973.4812 or [jrobinson@ci.seatac.wa.us](mailto:jrobinson@ci.seatac.wa.us).

Date Interviewed: \_\_\_\_\_ Date Appointed: \_\_\_\_\_ Background Check: Passed  Failed



# City of SeaTac

## Hotel/Motel Tax Advisory Committee

### Application for Appointment

Applications are retained in the City Clerk's Office for one year from the date they are received.

Name: Frank Walton E-Mail: Frank.Walton@hilton.com

Address: 18740 International Blvd SeaTac WA 98188  
Street City State Zip Code

Home Phone: 425-766-1837 Business Phone: 206-439-6100

Current Occupation: General Manager Employer: Hilton Worldwide

Are you applying as a representative of: (Doubletree / Hilton) SeaTac

- A. A Business that collects the lodging tax on this advisory committee  
 Yes  No
- Or
- B. An Organization involved in activities authorized to be funded by lodging tax revenues  
 Yes  No

Name the business or organization you are affiliated with: Doubletree / Hilton SeaTac

Attach an additional page, if needed to respond to the following questions:

1. What are the reasons you wish to serve on this committee?  
A Season lodging professional that can provide guidance & leadership for the purpose of promoting tourism
2. What expertise, experience or special interest do you bring to this position?  
40 years in the Hospitality / Lodging business
3. Do you have suggestions about activities to promote tourism in SeaTac?  
Yes - and have been active in working with the committee in the past

Are you available for daytime meetings? Yes

**\*Be advised, if you are selected for a committee you will be subject to a background investigation. Citizen Advisory Committee applications are subject to public disclosure laws of the State of Washington (RCW 42.56), and if requested will be provided in its entirety.**

Signature: [Signature] Date: 9/2/14

Please return form to: City of SeaTac, City Clerk's Office, 4800 South 188<sup>th</sup> Street, SeaTac, WA 98188-8605

For more information about this committee contact Economic Development Manager Jeff Robinson at 206.973.4812 or [jrobinson@ci.seatac.wa.us](mailto:jrobinson@ci.seatac.wa.us).

Date Interviewed: \_\_\_\_\_ Date Appointed: \_\_\_\_\_ Background Check: Passed \_\_\_\_\_ Failed \_\_\_\_\_





\*\*\*\*\*

**Human Services Advisory Committee, Library Advisory Committee or Planning Commission Applicants:**

Do you own or operate a business entity located within the City of SeaTac? Yes \_\_\_ No   
Are you employed by a business entity located within the City of SeaTac? Yes \_\_\_ No

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

\*\*\*\*\*

**Senior Citizen Advisory Committee Applicants:**

Are you at least fifty-five (55) years of age? Yes \_\_\_ No \_\_\_

\*\*\*\*\*

Please list the days/evenings/times that would be most convenient for you to come to City Hall for an interview: whenever

If recommended, by whom: \_\_\_\_\_

Please return this form to:

City of SeaTac  
City Clerk's Office  
4800 South 188<sup>th</sup> Street  
SeaTac, WA 98188-8605  
206.973.4660

**\*Be advised, if you are selected for a committee you will be subject to a background investigation.**

**Citizen Advisory Committee Applications are subject to public disclosure laws of the State of Washington (RCW.42.56), and if requested will be provided in its entirety.**

I hereby certify that this application contains no willful misrepresentations and that the information is true and correct to the best of my knowledge.

Signature: Cheryl Folsom Date: 7-15-2014

The City of SeaTac is an Equal Opportunity Employer

\*\*\*\*\*

**For office use only:**

Date Interviewed: 8/13/14 Committee: Library Advisory Committee

Date Appointed: \_\_\_\_\_

Date Interviewed: \_\_\_\_\_ Committee: \_\_\_\_\_

Date Appointed: \_\_\_\_\_

Date Interviewed: \_\_\_\_\_ Committee: \_\_\_\_\_

Date Appointed: \_\_\_\_\_

Background Check: \_\_\_\_\_ Passed \_\_\_\_\_ Failed \_\_\_\_\_ Date Passed/Failed: \_\_\_\_\_



# City of SeaTac Citizen Advisory Committee Application for Appointment

CITY OF SEATAC  
RECEIVED

MAY 23 2014

TIME: \_\_\_\_\_  
CITY CLERK'S OFFICE

Applications are retained in the City Clerk's Office for one year from the date they are received.

I wish to be considered for appointment to the following committee:

- Human Services Advisory Committee       Senior Citizen Advisory Committee (ages 55 and over)
- Library Advisory Committee                       Tree Board
- Planning Commission
- Other: \_\_\_\_\_

If interested in more than one committee, please indicate your order of preference by numbering (i.e. 1, 2, 3).

Name: Thomas Plante

Address: 18435 Military Rd S Phone: (425) 954-6015

City: Seattle State: WA Zip: 98188

E-mail Address: thomasp37@gmail.com

Are you a SeaTac resident? Yes  No

If student, please state grade: \_\_\_\_\_

Present Employer: Vessel Title Services

Address: 19019 International Blvd, #280 Phone: 206 286-8974

City: Seattle State: WA Zip: 98188

Date available for appointment to a committee: immediately

Can you attend: Evening meetings? Yes  No  Daytime meetings? Yes  No

Approximately how many hours each month can you devote to City business? 10+/asneeded

Attach an additional page, if needed for any of the following information:

Have you previously served or are you currently on one of the committees listed above? Yes  No

If yes, please explain: Current VP on Libr Advisory Committee (Active)

Professional and/or Community Activities: Board member for Sky Meadows Ranch and Country Club; Chair person for PSRA; currently serving and active SeaTac Police Volunteer

Please share your experiences/qualifications that relate to this committee and why you would like to be involved: I have worked in libraries & always had a love of libraries; I have been actively serving as a Library Advisory Committee member and would like to continue doing so. I like making a difference in my community

(continued on back side)

\*\*\*\*\*

**Human Services Advisory Committee, Library Advisory Committee or Planning Commission Applicants:**

Do you own or operate a business entity located within the City of SeaTac? Yes  No

Are you employed by a business entity located within the City of SeaTac? Yes  No

Business Name: Vessel Title Services LLC

Business Address: 19019 International Blvd, #270, Seattle, WA 98188

\*\*\*\*\*

**Senior Citizen Advisory Committee Applicants:**

Are you at least fifty-five (55) years of age? Yes  No

\*\*\*\*\*

Please list the days/evenings/times that would be most convenient for you to come to City Hall for an interview: preferably after 5pm any weekday; but flexible enough that I will try accommodate any time outside of that time.

If recommended, by whom: originally by Harlan Feinstein

Please return this form to:

City of SeaTac  
City Clerk's Office  
4800 South 188<sup>th</sup> Street  
SeaTac, WA 98188-8605  
206.973.4660

**\*Be advised, if you are selected for a committee you will be subject to a background investigation.**

**Citizen Advisory Committee Applications are subject to public disclosure laws of the State of Washington (RCW.42.56), and if requested will be provided in its entirety.**

I hereby certify that this application contains no willful misrepresentations and that the information is true and correct to the best of my knowledge.

Signature: [Signature] Date: 5/18/14

The City of SeaTac is an Equal Opportunity Employer

\*\*\*\*\*

**For office use only:**

Date Interviewed: 8/13/14 Committee: Library Advisory Committee

Date Appointed: \_\_\_\_\_

Date Interviewed: \_\_\_\_\_ Committee: \_\_\_\_\_

Date Appointed: \_\_\_\_\_

Date Interviewed: \_\_\_\_\_ Committee: \_\_\_\_\_

Date Appointed: \_\_\_\_\_

Background Check:  Passed  Failed Date Passed/Failed: 5/10/11

**PAYROLL/CLAIMS VOUCHERS WERE SENT  
ELECTRONICALLY TO THE CITY COUNCIL**

**A HARD COPY OF THE VOUCHERS  
CAN BE VIEWED IN THE CITY CLERK'S OFFICE**

**PAYROLL/CLAIMS VOUCHERS ARE ALSO  
AVAILABLE ON OUR CITY WEBSITE**

**[www.ci.seatac.wa.us](http://www.ci.seatac.wa.us)**

**Pre-approval or final approval of City Council and  
City Manager travel related expenses**

**Sep 9, 2014**

Pre-Approval:

Approval of Travel-related Expenses:

NLC, Nov 18-22, Austin Convention Center

Four Councilmembers budgeted to attend in the 2014 budget at estimate of \$2,801 each

<b>Name: Mia Gregerson</b>	<b>Expense</b>
Lodging	
Meals	
Transportation	
Registration	520
<b>Total</b>	<b>520</b>

<b>Name: Tony Anderson</b>	<b>Expense</b>
Lodging	
Meals	
Transportation	
Registration	520
<b>Total</b>	<b>520</b>

<b>Name: Barry Ladenburg</b>	<b>Expense</b>
Lodging	
Meals	
Transportation	
Registration	610
<b>Total</b>	<b>610</b>

<b>Name: Kathryn Campbell</b>	<b>Expense</b>
Lodging	
Meals	
Transportation	
Registration	610
<b>Total</b>	<b>610</b>

NLC Public Safety & Crime Prevention Steering Committee

Sep 18 – 20 Mesa, AZ

This meeting can be absorbed in this year's travel budget

<b>Name: Tony Anderson</b>	<b>Expense</b>
<b>Lodging</b>	
<b>Meals</b>	
<b>Transportation - airfare</b>	276.20
<b>Registration</b>	
<b>Total</b>	<b>276.20</b>

NLC Summer Policy Committee  
 Minneapolis, MN  
 July 23-26, 2014  
 Pre-approval: \$1,975 at 5/28 consent agenda

<b>Name: Mia Gregerson</b>	<b>Expense</b>
<b>Lodging</b>	480.63
<b>Meals</b>	45.81
<b>Transportation - taxis</b>	
<b>Registration</b>	
<b>Total</b>	<b>526.52</b>



# Grant Application and Acceptance Form

## Approval to Apply for a Grant

Department: Fire

Contact: City Manager Todd Cutts

Grantor: FEMA

Item Description: Portable Radio Replacement

BARS Revenue #:  
(federal, state, county, local)

Budgeted revenue for this grant: \$

Estimated grant revenue amount: \$ 154,944

City match amount: \$ 17,216

Council Resolution to Apply Required:  YES  NO

Pertinent information about the grant and how the funding will be used:

This grant will be utilized to replace the existing portable radios on SeaTac Fire Apparatus. These radios are obsolete, parts and support are no longer available. Portable radios are essential life safety equipment and must be 100% reliable.

These were scheduled to be replaced in 2014.

Attachments:

Department Head Approval:

Date: 8/5/14

City Manager Approval:

Date: 9/5/14



**Grant Acceptance**

Department Head Approval:

*[Signature]* Date: 8/5/14

Route to City Clerk's Office for placement on the 8/12/14 Council Meeting Consent Agenda if \$50,000 and above for final approval. The form will be signed by the City Manager following Council approval.

Council Resolution to Accept Grant Required

Grant is under \$50,000

City Manager Approval:

\_\_\_\_\_ Date: \_\_\_\_\_

# City of SeaTac

## Council Study Session Minutes Synopsis

June 25, 2013  
4:00 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Study Session (CSS) was called to order by Mayor Tony Anderson at 4:02 p.m.

**COUNCIL PRESENT:** Mayor Anthony (Tony) Anderson, Deputy Mayor (DM) Mia Gregerson, Councilmembers (CMs) Barry Ladenburg, Rick Forschler, Terry Anderson, Dave Bush, and Pam Fernald.

**STAFF PRESENT:** City Manager Todd Cutts, City Attorney Mary Mirante Bartolo, Administrative Assistant 2 Zenetta Young, Police Chief Lisa Mulligan, Assistant Fire Chief Jim Schneider, Police Administrative Captain Annette Louie, Economic Development (ED) Manager Jeff Robinson, Stormwater Compliance Manager Don Robinett, City Engineer Susan Sanderson, Development Review Manager Ali Shasti, Public Works (PW) Director Tom Gut, Community and Economic Development (CED) Director Joe Scorcio, Finance and Systems Director Aaron Antin, Planning Manager Steve Pilcher, and Executive Assistant Lesa Ellis.

**PUBLIC COMMENTS (related to the agenda items listed below):** Earl Gipson commented on the City's Fee schedule and strongly recommended lowering fees or keeping them at their current rates.

### PRESENTATIONS:

#### ● **Evaluation of Alternatives for the Federal Way Transit Extension from Sound Transit**

Sound Transit Federal Way Transit Extension Project Manager Cathal Ridge introduced Sound Transit Government Relations Coordinator Chelsea Levy. They presented an update on the level 2 alternatives analysis process.

Sound Transit was asked by the public to look at alternatives along I-5, SR 99, 24<sup>th</sup> Avenue South through Des Moines, and 30<sup>th</sup> Avenue South (alternative suggested by the City of Des Moines). Level 2 evaluations were conducted and several alternatives were eliminated from the Level 1 evaluation.

All level 2 alternatives have some measures in common. They all have the same ridership of approximately 23,000, same travel time of 14-15 minutes, and the population, employment, and household numbers are very similar for all alignment alternatives. The five alternatives were reviewed.

The alternative analysis phase is near completion. Public comment is being accepted through July 17. This information will be taken to the board in September along with the information received during the scoping period. The board will then identify what alternatives should be looked at in the draft Environmental Impact Statement (EIS). It is very important to receive public comment at this time. The draft EIS will be published late 2014 with another round of public comment. After that public comment period, the board would again identify the preferred alternative to be analyzed further in more detail in a final EIS. Overall timeline would be to start service in 2023.

An open house is scheduled for June 26 at Parkside Elementary from 5-7 p.m. Mr. Ridge and Ms. Levy encouraged everyone to submit comments before the end of the scoping period or to attend an open house.

Council discussion ensued regarding level 2 alternatives.

#### ● **Fee Schedule Analysis**

City Manager Cutts reported on the City's fee schedule, which Council directed staff to review and report back on their findings at the February 23, 2014 retreat. The City's fee schedule hasn't been updated in over 10 years. Staff felt City fees weren't commensurate with neighboring jurisdictions. Since February, staff has been conducting a fee analysis and developing methodology for assessing our current fees. Council agreed with staff that it was important the City's fees remain competitive with neighboring jurisdictions. Neighboring jurisdictions used for comparison were Burien, Des Moines, Kent, Tukwila, Federal Way, and Renton.

Staff conducted an analysis of the neighboring jurisdictions versus the City's current fees and confirmed that the City has not kept up with the current market. The more costs absorbed through the fees by those receiving the services, the less the cost will be absorbed by the overall tax payer in SeaTac.

The most noticeable changes were in CED. City staff also looked at opportunities for simplification and potential consolidation of some City fees rolling them together to make it easier for those applying for permits. Staff is continuing to look at reducing and eliminating some fees, to keep the City within that median.

*DM Gregerson arrived at this point in the meeting.*

## **PRESENTATIONS (Continued):**

### **Fee Schedule Analysis (Continued):**

Council discussion ensued regarding the fee schedule analysis.

Council directed staff to come back in the fall for further review of the fee schedule.

### **●Surface Water Plan**

Stormwater Compliance Manager Robinett gave an update on the National Pollutant Discharge Elimination System (NPDES) and background on surface water plan as well as the surface water utility.

Regarding the NPDES program and appeal, Council concurred to have the City participate in the appeal of the phase II permit. SeaTac is one of 23 cities and counties that are appealing the phase II permit. Currently, SeaTac is exploring topics for negotiation. Mr. Robinett discussed negotiation versus appeal and detailed the areas the City is appealing such as the Low Impact Development (LID) mandate.

The LID mandate will have significant economic impact to both the public and private sector as well as environmental impacts.

The surface water plan is a guide for the surface water utility and all its programs. It evaluates all of the City's existing programs, identifies future program needs based on community and infrastructure needs as well as the NPDES requirements. The plan makes recommendations on how to respond to identified needs. In addition, the surface water utility gives the City direction and sets the ground work for future surface water rate study. Staff plans to bring the surface water rate study before Council in fall of this year.

Mr. Robinett reviewed key issues identified in the plan: (1) asset management; (2) stormwater capital improvement program; and (3) NPDES permit requirements.

The Planning Commission (PC) had a briefing of the surface water plan and the following comments were received:

- Focus on the surface water plan. The PC wants staff to consult with other cities and counties that are already using LID in order for the City to learn from their experience. Concerns were also raised over future surface water rate increases and a request was made for staff to do what they can to utilize the timelines within the NPDES permit to keep these rates down.
- The pending NPDES development regulations. Mr. Robinett will be going back to the PC in September to discuss the impacts of the NPDES permit and how it affects development.
- Asked staff to evaluate potential use of economy of scale to encourage future development. They are essentially asking for the surface water utility or the City itself to evaluate creating stormwater neighborhood improvement projects.

Mr. Robinett will come back before Council on July 9 with a representative from Herrera Environmental to discuss details of the plan and their recommendations and again on July 23 with a motion for Council to accept the surface water plan. Surveys to gather input from the community regarding the surface water plan will be accepted until July 9.

Council discussion ensued regarding the Surface Water Plan

### **●Public Safety Statistics**

Police Chief Mulligan presented crime status report for month of May. She stated there was a rise in commercial burglaries and a drop in residential burglaries, which were high last month, as well as a slight rise in robberies and a reduction in gang activity that was reported. The Police department is really interested in the burglary issues in the City, officers are coordinating and talking with each other and really making an effort to patrol areas thought to be the problem areas. A couple arrests were made last month believed to be related to some of these crimes.

Chief Mulligan stated they will continue with last year's emphasis on education and enforcement plan for the 4<sup>th</sup> of July. Postcards have already been mailed to residents in the City reminding them of the fireworks event at Angle Lake and that fireworks are banned within the City.

Police Chief Mulligan commented on an arrest that was made, related to the commercial burglary problems. On June 16, two night shift officers received a call of a suspicious person loitering and disturbing the locks of Angle Lake Cyclery. The officers arrived in time to see this person inside the closed business. They caught the suspect running out of the building. He allegedly broke off the lock and removed items from the store. The suspect was arrested and placed in custody.

**PRESENTATIONS (Continued):**

● **2013 Justice Assistance Grant (JAG)**

Police Administrative Captain Annette Louie presented the 13 local Edward Byrne Memorial JAG. This is a regional grant administered by the Seattle Police Department (SPD). The initial allocation to the City is \$12,844. There is a 3% administration fee administered by the SPD, for a final allocation amount of \$12,458.68. The application opened this month with a deadline to the SPD of July 5 and to the Department of Justice (DOJ) by July 9. As required by the DOJ, staff has to present the grant at a public meeting to receive approval from Council to move forward with the application process. This is the same type of JAG grant applied for last year with SPD. There are no matching funds required. The funds will be used to purchase 3 Automated External Defibrillators (AED), which cost approximately \$1,100, and the remaining money will be used for annual training for active shooters with regards to overtime and back fill coverage.

6:03:07 PM Council concurred with approving staff to move forward with the JAG application process.

● **Regional Fire Authority Questions/Answers**

Mr. Cutts and Fire Chief Schneider presented a follow-up discussion from the June 21 Council retreat to give Council opportunity to bring back questions they had from the retreat. There were concerns regarding the City losing control and not having a vote on the board of the Kent Regional Fire Authority (RFA), transfer of equipment and assets, and dedicated representation at the Emergency Coordination Center (ECC).

Mr. Cutts stated that there is an advisory, non-voting, seat on the board. Assets are being sold to the Kent RFA. The City will be contributing to purchase of future assets each year and there is a clause within the plan which would also be inserted into to the Interlocal Agreement (ILA) where SeaTac could reverse out and buy back the assets from the Kent RFA using the same formula used in selling the assets to them.

There is accommodation in the plan for a Kent RFA staff member to staff the ECC in a leadership role. As part of the ILA SeaTac is going to get an Emergency Manager who would likely serve as the ECC coordinator. The draft ILA will be presented at the July 23 CSS for Council input.

**RECESSED:** Mayor A. Anderson recessed the meeting to an Executive Session to review the performance of a public employee at 6:18 p.m.

**EXECUTIVE SESSION: Review the Performance of a Public Employee (RCW 42.30.110 [1] [g])**

**RECONVENED:** Mayor A. Anderson reconvened the meeting at 6:29 p.m.

**ADJOURNED:** Mayor A. Anderson adjourned the meeting at 6:30 p.m.

# City of SeaTac

## Regular Council Meeting Minutes

April 8, 2014  
6:30 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Mia Gregerson at 6:30 p.m.

**COUNCIL PRESENT:** Mayor Mia Gregerson, Deputy Mayor (DM) Anthony (Tony) Anderson, Councilmembers (CMs) Barry Ladenburg, Kathryn Campbell, Terry Anderson, Dave Bush, and Pam Fernald.

**STAFF PRESENT:** City Manager Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Gwen Voelpel, Human Services (HS) Coordinator Colleen Brandt-Schluter, Police Chief Lisa Mulligan, Community and Economic Development (CED) Director Joe Scorcio, Economic Development (ED) Manager Jeff Robinson, Public Works (PW) Director Tom Gut, and Resource Conservation/Neighborhood Programs Coordinator Trudy Olson.

**FLAG SALUTE:** Mayor Gregerson led the Council, audience, and staff in the Pledge of Allegiance.

**PUBLIC COMMENTS:** Vicki Lockwood provided a follow up to comments she made at the last Council meeting regarding the Judge being appointed or elected. Staff responded to Ms. Lockwood and she appreciated the response. She stated she also spent some time observing the municipal court and realized that she was blaming the wrong person. The criminals go to the Regional Justice Center.

Tommy Ford showed pictures of neighbors with code enforcement issues. Mr. Ford stated that Code Enforcement says they can't do anything about the issues.

Janis Taylor also spoke regarding code enforcement concerns. She stated that penalties for repeat offenders are not tough enough.

### **PRESENTATIONS:**

●**Certificates of Appreciation to Misoon Kong for her service to the Hotel/Motel (H/M) Tax Advisory Committee, Abdiwali Mohamed for his service to the Community Building Committee (CBC), and Othman Heibe for his service to the Human Services Advisory Committee (HSAC)**

Mayor Gregerson announced that since the past members were unable to attend tonight's meeting their certificates will be mailed to them.

●**Council confirmation of Mayoral re-appointment of Joe Van as a member and appointment of Deborah Anderson as an alternate member of the Human Services Advisory Committee (HSAC), appointment of Tom Zett as a member of the Hotel/Motel (H/M) Tax Advisory Committee, and appointment of Robert Scully as a member of the Planning Commission (PC)**

DM A. Anderson announced that he would be abstaining from the vote of Deborah Anderson as an alternate member of the HSAC.

MOVED BY A. ANDERSON, SECONDED BY LADENBURG TO APPROVE THE RE-APPOINTMENT OF JOE VAN AS A MEMBER OF THE HUMAN SERVICES ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

MOVED BY FERNALD, SECONDED BY LADENBURG TO APPROVE APPOINTMENT OF DEBORAH ANDERSON AS AN ALTERNATE MEMBER OF THE HUMAN SERVICES ADVISORY COMMITTEE.\*

Council discussion ensued regarding a CM's spouse being appointed to an advisory committee.

\*MOTION CARRIED WITH FERNALD VOTING NO AND A. ANDERSON ABSTAINING.

MOVED BY A. ANDERSON, SECONDED BY CAMPBELL TO APPROVE THE APPOINTMENT OF TOM ZETT AS A MEMBER OF THE HOTEL/MOTEL TAX ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

MOVED BY A. ANDERSON, SECONDED BY LADENBURG TO APPROVE THE APPOINTMENT OF ROBERT SCULLY AS A MEMBER OF THE PLANNING COMMISSION.

MOTION CARRIED UNANIMOUSLY.

**PRESENTATIONS (Continued):**

**Council confirmation of Mayoral re-appointments/appointments (Continued):**

Mayor Gregerson presented the certificates to Robert Scully and Deborah Anderson. Joe Van and Tom Zett were unable to be in attendance at tonight's meeting so their certificates will be mailed to them.

● **Southwest Youth & Family New Futures**

Southwest Youth & Family Services Director of Strategic Partnerships Jenn Ramirez Robson introduced Executive Director Steve Daschle and a youth served by the program.

Ms. Robson stated that one year ago Southwest Youth & Family Services and New Futures merged. New Futures is a program under Southwest Youth & Family Services.

Mr. Daschle provided a background on Southwest Youth & Family Services. Their mission is to create communities in southwest Seattle and King County (KC) in which culturally and economically diverse families, youth, and children thrive and prosper. In partnership with families, schools and communities, they promote healthy family function, early childhood learning, student academic success, and youth development.

Ms. Robson reviewed services provided to SeaTac residents.

In 2013, they provided 510 SeaTac residents with services. 11,553 hours of tutoring were also provided as well as 16,807 hours of a variety of youth services.

● **Update on Transition to Recology CleanScapes**

Resource Conservation/Neighborhood Programs Coordinator Olson introduced Recology CleanScapes General Manager Dan Bridges, Group Government Relations and Community Engagement Manager Erika Melroy, Implementation Manager Quinn Schweizer, and Waste Zero Specialist Megan McCain. The transition began after the contract was signed in 2013 and is a long process.

Mr. Bridges thanked Council for choosing Recology as the City's solid waste and recycling contractor.

Ms. Schweizer discussed the implementation of SeaTac's transition. Open houses will be held in May with service beginning in June.

Recology CleanScapes will be opening their Highline store in mid-summer at the 5 Corners Shopping Center serving residents in SeaTac, Burien, and Des Moines. In addition to dropping off hard-to-dispose-of recyclable items, residents will be able to pay their bill, make service adjustments, and access waste reduction resources at the store.

Ms. Melroy discussed CleanScapes merger with Recology which allows them to augment and improve their services. The changes won't be as noticeable for the residents since they will begin service with the new logo. The company will remain local and is an employee owned company.

Recology CleanScapes is opening a Material Recovery Facility (MERF) that will be operational in May 2014.

Council discussion ensued regarding the transition.

**CONSENT AGENDA:**

● **Approval of claims vouchers** (check no. 106808 - 106941) in the amount of \$2,729,691.21 for the period ended April 4, 2014.

● **Approval of payroll vouchers** (check nos. 52121 - 52145) in the amount of \$355,588.31 for the period ended March 31, 2014.

● **Approval of payroll electronic fund transfers** (check nos. 80703 - 80842) in the amount of \$251,284.06 for the period ended March 31, 2014.

● **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$51,409.44 for the period ended March 31, 2014.

**Approval of Council Meeting Minutes:**

● **Special Council Meeting** held January 7, 2014

● **Council Study Session** held January 14, 2014

● **Special Council Meeting** held January 24, 2014

● **Regular Council Meeting** held March 25, 2014

**CONSENT AGENDA (Continued):**

**Agenda Items reviewed at the March 25, 2014 Council Study Session and recommended for placement on this Consent Agenda:**

**Agenda Bill #3589; Motion authorizing the City Manager to enter into a lease agreement with the Refugee Women's Alliance**

**Agenda Bill #3583; Resolution #14-008 amending the City Council Administrative Procedures regarding Format for Agendas for Council Meetings as it relates to the ratification of non-represented employee classification and/or compensation adjustments**

MOVED BY CAMPBELL, SECONDED BY A. ANDERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS (related to Unfinished Business and Action Item):** There were no public comments.

**UNFINISHED BUSINESS:** There was no Unfinished Business.

**NEW BUSINESS:** There was no New Business.

**CITY MANAGER'S COMMENTS:** City Manager Cutts commented on the following: (1) SeaTac Earth Day events - April 19 – Recycling event and Community Litter Cleanup; (2) April 23 – Arbor Day Tree Planting; (3) April 19 – 9 a.m., Easter Egg Hunt; and (4) he attended the Northwest City Manager's Association Conference where Tracy O'Rourke and he presented regarding the City's Align and Improve efforts.

**COMMITTEE UPDATES:** CM Ladenburg provided a Highline Forum update.

CM Campbell provided an updated from the South Correctional Entity (SCORE) Meeting.

CM Bush provided a Code Enforcement Task Force update.

**COUNCIL COMMENTS:** CM Ladenburg commented on the Code Enforcement issues heard tonight. The City is working to enhance the program.

CM Campbell commented on the following: (1) March 26 attended an event held by the South KC Human Services Group in Kent; (2) attending the Community Police Academy; (3) Highline Botanical Garden Foundation had a volunteer appreciation dinner and she received the runner-up volunteer of the year award; (4) ballots sent on April 2 and are due April 22; (5) April 3 - met with KC Representative Dave Upthegrove; and (6) April 8 - attended Port of Seattle (POS) hearing on quality jobs.

**ADJOURNED:**

MOVED BY GREGERSON, SECONDED BY LADENBURG TO ADJOURN THE MEETING AT 7:50 P.M.

MOTION CARRIED UNANIMOUSLY.

---

Mia Gregerson, Mayor

---

Kristina Gregg, City Clerk

# City of SeaTac

## Regular Council Meeting Minutes

May 27, 2014  
6:30 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Mia Gregerson at 6:29 p.m.

**COUNCIL PRESENT:** Mayor Mia Gregerson, Deputy Mayor (DM) Anthony (Tony) Anderson, Councilmembers (CMs) Barry Ladenburg, Kathryn Campbell, Terry Anderson, Dave Bush, and Pam Fernald.

**STAFF PRESENT:** City Manager Todd Cutts, City Attorney Mary Mirante Bartolo, Deputy City Clerk Zenetta Young, Assistant City Manager (ACM) Gwen Voepel, Community and Economic Development (CED) Director Joe Scorcio, Economic Development (ED) Manager Jeff Robinson, SeaTac Police Chief Lisa Mulligan, City Engineer Susan Sanderson, Assistant City Attorney Julia Yoon, Parks and Recreations (P&R) Director Kit Ledbetter, Planning Manager Steve Pilcher, and Senior Planner Al Torrico.

**FLAG SALUTE:** Mayor Gregerson led the Council, audience, and staff in the Pledge of Allegiance.

6:29:22 PM PUBLIC COMMENTS: There were no public comments.

### PRESENTATIONS:

• **Certificate of Appreciation to Hotel/Motel (H/M)Tax Advisory Committee member Scott Ostrander**

6:29:41 PM Mayor Gregerson read the certificate of appreciation, Mr. Ostrander was unable to be in attendance.

6:29:47 PM DM Anderson commented on Mr. Ostrander's service to the City.

### PRESENTATION – COUNCIL DIRECTION:

• **Report back from the Planning Commission (PC) on Recreational Marijuana Issue**

6:31:11 PM Planning Manager Pilcher and Senior Planner Torrico stated on May 20 City staff met with the PC to discuss marijuana businesses in order to help the PC come up with recommendations to Council. The PC did not evaluate the policy issues of allowing land use activity that is inconsistent with federal law. And if the Council does opt to amend City policy to allow marijuana businesses under I-502, the City will also need to review the SeaTac Municipal Code (SMC) to incorporate appropriate language.

PC recommendations are as follows:

- Does the commission recommend maintaining the current code? The City should go away from the “no change” option. Appropriate zoning and regulations would need to be determined for marijuana businesses. The PC also asked that Council explore possible revenue sources that would apply to marijuana businesses only to mitigate potential impact to the City.
- Should the City allow marijuana producers? Marijuana producers should be allowed within the City. As a land use, they should be limited to industrial or other appropriate zones within the City, should comply with liquor control board rules, and any additional City regulations that may come out of further discussions. There should not be a cap on the number of producers, allow the market to determine how many businesses would be allowed within the City.
- Should Marijuana processors be allowed within the City? Allow marijuana processors as a land use within the City.
- Should the City allow marijuana retailers? Not at this time. There are a lot of unknowns; there is no way to quantify the impact of businesses around the retail outlet. Recommend further study of impacts and not allow for a period of one year, from July 2014 to July 2015.
- The City should use a public input process to notify public of potential marijuana businesses with an opportunity for public comment.
- Medical marijuana and collective gardens should not be allowed within the City. Medical marijuana and collective gardens are considered illegal under state law. Appropriate language would need to be added to the SMC that would not allow those uses.

6:53:06 PM City Manager Cutts asked Council if they are interested in staff pursuing PC recommendations. If so, staff will continue to research and come back with recommendations. If not, another course of action will need to be explored.

Discussion ensued and Council recommended staff come back before Council for continued discussion at a future Council Study Session (CSS).



**CONSENT AGENDA:**

7:12:05 PM Council discussion ensued regarding the reading of the consent agenda. Council came to a unanimous decision to have only agenda items read from the consent agenda.

- **Approval of claims vouchers** (check no. 107307 - 107479) in the amount of \$1,233,913.67 for the period ended May 20, 2014.
- **Approval of payroll vouchers** (check nos. 52189 – 52211) in the amount of \$155,075.81 for the period ended May 15, 2014.
- **Approval of payroll electronic fund transfers** (check nos. 81120 - 81259) in the amount of \$265,505.30 for the period ended May 15, 2014.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$56,911.09 for the period ended May 15, 2014.
- **Pre-approval or final approval of City Council and City Manager travel related expenses** for the period ended May 22, 2014.

**Approval of Council Meeting Minutes:**

- **Council Study Session held May 13, 2014**
- **Regular Council Meeting held May 13, 2014**

**Agenda Items reviewed at the May 13, 2014 Council Study Session and recommended for placement on this Consent Agenda:**

**Agenda Bill #3581; A Motion authorizing the City Manager to enter into a new 3-year contract with Redflex Traffic Systems to continue providing automated traffic camera safety enforcement services to the City**

**Agenda Bill #3613; A Motion authorizing the City Manager to execute an Interlocal Agreement with Highline Water District for water main replacement in conjunction with the South 179<sup>th</sup> Street Sidewalk Project**

**Agenda Bill #3612; A Motion authorizing the City Manager to enter into a lease agreement in the SeaTac Center with Sandeep Sing Gunra**

**Agenda Bill #3600; A Motion rejecting the apparent low bid and authorizing the City Manager to execute a contract with the lowest responsible bidder for the new boat dock project at Angle Lake**

**Agenda Bill #3602; A Motion authorizing the City Manager to enter into an agreement with King County to accept Proposition 1 Park Levy Funds**

7:20:07 PM CM Fernald requested Agenda Bill #3581 be removed from the consent agenda to be discussed under Unfinished Business.

MOVED BY CAMPBELL, SECONDED BY LADENBURG TO ACCEPT THE CONSENT AGENDA AS PRESENTED WITH THE REMOVAL OF AGENDA BILL #3581.

MOTION CARRIED UNANIMOUSLY.

**PUBLIC COMMENTS (related to Unfinished Business and Action Item):** There were no public comments.

**UNFINISHED BUSINESS:**

**Agenda Bill #3581; A Motion authorizing the City Manager to enter into a new 3-year contract with Redflex Traffic Systems to continue providing automated traffic camera safety enforcement services to the City**

**Summary:** In October 2006, the City contracted with Redflex Traffic Systems to provide automated traffic safety camera enforcement services to the City. The current contract expires June 30, 2014. Currently, the City has three designated intersections enforced by the automated traffic camera systems for red-light violations at the following locations: South 188<sup>th</sup> Street and International Boulevard (IB); South 188<sup>th</sup> Street and Military Road South; and South 200<sup>th</sup> Street and IB.

Similar to the prior contract, the new contract is for a term of 3 years with the option for two 2-year extensions.

The Substantive Changes to the contract include:

- The new contract no longer contains a cost neutrality clause intended to temporarily ease the financial burden on the City in the event that our revenue did not cover our costs. This clause was removed at the recommendation of the City to ensure consistency with state law. In order to protect the City, a new "Termination for Convenience" clause was added. The prior contract had a very limited "Termination for Convenience" clause that

only applied for one year following installation of the Redflex equipment. The new “Termination for Convenience” clause applies through the entire term of the contract and allows the City to terminate without cause by 90-day written notice to Redflex.

- The cost for service has dropped from roughly \$178,720 per year to \$162,000 per year. The cost for each intersection with automated traffic safety enforcement cameras will be \$4,500 per month.

The cost will be \$162,000 per year. However, it is anticipated that the revenue received from the automated traffic safety enforcement program will cover these costs. Since 2007, the median amount of revenue received annually has been approximately \$275,000. In 2013, the City received approximately \$309,000 in revenue.

MOVED BY A. ANDERSON, SECONDED BY CAMPBELL TO PASS AGENDA BILL #3581.\*

Council discussion ensued regarding the necessity of Redflex.

\*MOTION CARRIED UNANIMOUSLY.

**NEW BUSINESS:**

7:25:01 PM MOVED BY CAMPBELL TO ENCOURAGE COUNCIL PARTICIPATION AND ENDORSEMENT OF NATIONAL NIGHT OUT AUGUST 5 BY WAY OF A RESOLUTION.

MOTION DIED DUE TO LACK OF A SECOND.

**CITY MANAGER'S COMMENTS:**

7:26:25 PM City Manager Cutts commented on the following: reminded everyone of the Angle Lake Station Area Workshop at Madronna Elementary on May 28, 6:30 – 8 p.m.

**COMMITTEE UPDATES:**

7:26:59 PM CM A. Anderson gave an update on the 509 coalition, stating the last meeting was not very encouraging. At the last legislative session there was no transportation revenue package passed; it was the desire of the majority coalition to hold off.

7:29:22 PM CM Ladenburg provided an update from the Policy Issues Committee (PIC) and the South County Area Transportation Board (SCATBd).

7:31:58 PM CM Campbell informed everyone the Code Compliance Workgroup had their first meeting.

**COUNCIL COMMENTS:**

7:32:27 PM CM Fernald commented on the Tukwila and SeaTac cooperative group which consists of three Councilmembers from each City, if anyone has a discussion item to bring forward please let her know.

7:33:09 PM CM Bush stated he would like to have an area in the City for a community garden and eventually have a farmers market.

7:34:13 PM CM A. Anderson stated (1) he attended the Vaisakhi celebration at the Showare Center; (2) ED students looked great and represented their schools well.

7:37:49 PM CM Campbell reminded everyone to mark their calendar for the June 14 garden tour in three cities.

7:39:04 PM CM Ladenburg stated (1) he enjoyed the marijuana issue discussion and agrees the City isn't ready to create an agenda item, and (2) during the transition period of garbage services to Cleanscapes, there is a customer service number for residents to call.

**ADJOURNED:**

MAYOR GREGERSON ADJOURNED THE MEETING AT 7:40 P.M. 7:40:21 PM

# City of SeaTac

## Regular Council Meeting Minutes

July 8, 2014  
6:30 PM

City Hall  
Council Chambers

**CALL TO ORDER:** The SeaTac City Council Regular Meeting was called to order by Mayor Mia Gregerson at 6:31 p.m.

**COUNCIL PRESENT:** Mayor Mia Gregerson, Deputy Mayor (DM) Anthony (Tony) Anderson, Councilmembers (CMs) Barry Ladenburg, Kathryn Campbell, Terry Anderson, Dave Bush, and Pam Fernald.

**STAFF PRESENT:** City Manager Todd Cutts, Senior Assistant City Attorney Mark Johnsen, City Clerk Kristina Gregg, Assistant City Manager (ACM) Gwen Voelpel, Court Clerk Donna Wood-Johnson, Senior Human Resources (HR) Analyst Stephanie Johnson, Parks & Recreation (P&R) Director Kit Ledbetter, and City Engineer Susan Sanderson.

**FLAG SALUTE:** Mayor Gregerson led the Council, audience, and staff in the Pledge of Allegiance.

**PUBLIC COMMENTS:** Barbara McMichael representing SoCoCulture commented on the following: (1) Highline Historical Society (HHS) is sponsoring a Waskowitz biggest tree contest; and (2) historical significance of Military Road. In October, the HHS will have a telegraph exhibit in the City Hall lobby display cases and, October 2 and 3, SoCoCulture will be sponsoring a telegraph demo in the City Hall lobby.

Clyde Hill, representing the Angle Lake Shore Club, presented the survey results regarding a proposal to bring outboard motor boat racing to Angle Lake. The majority of the responses received supported the idea as a trial event. He asked Council to continue working to see if it is an event that can happen.

Richard Jordan stated that the McMicken Heights area needs to be cleaned up by the City. The grass is growing tall and the area is being neglected.

### **PRESENTATIONS:**

#### **•Senior Services Meals on Wheels, Volunteer Transportation**

Senior Services Transportation Program Director Cindy Zwart stated their mission is to promote emotional and physical well being of seniors. SeaTac funding supports the volunteer transportation. In 2013, 4,760 miles were provided transporting seniors. As of the end of June 2014, Volunteer Transportation has already provided more than 4,000 miles.

Senior Services of King County (KC) Meals on Wheels Outreach Specialist Dale Hoover stated that the Meals on Wheels program has shown an increase of 22% from the year 2012 to 2013 for SeaTac. The meal count was 8,436 for 2012 with an increase to 10,268 for the year 2013. SeaTac provided \$10,000 in 2012 and \$11,000 in 2013.

Council discussion ensued regarding the Meals on Wheels program.

#### **•Race to the Top**

Race to the Top Project Director Jessica de Barros provided a grant overview. In 2012, South KC communities came together to apply for Race to the Top in support of the Road Map Project. The grant is \$40 million over four years from the US Department of Education. The focus of the grant is personalized learning in service of the Road Map Project goals (1) to close achievement gaps from cradle to college and (2) to double the number of students on track to graduate from college or earn a career credential by 2020.

She reviewed the 2017 target highlights, investments, and “Where we are today” for the three focus areas: Start Strong; Science, Technology, Engineering and Math (STEM) Strong; and Stay Strong.

Race to the Top Consortium accomplishments to date: awarded \$6.8 million in district-specific grants, districts now register kindergarten students on the same date, online math and science programs are in elementary and middle schools, the UW Dream Project Students Go to Work in 18 middle and high schools, and 25,000 students take SAT, PSAT, and ReditStep for free in schools.

The Highline School District (HSD) has been a leader for the region in committing to full-day kindergarten for all students, using online math and science tools, creating work-based learning experiences, and modeling partnerships.

She summarized some of the Race to the Top investments in the HSD to date, including STEM Academy grant (\$677,186), 9<sup>th</sup> Grade support grant (\$475,182), PreK-3<sup>rd</sup> Grade grant (\$207,542), and coaching.

**PRESENTATIONS (Continued):**

**Race to the Top (Continued):**

Ms. de Barros asked the Council to stay informed and help share the great news about how kids and families are being helped by the Road Map Project and Race to the Top.

Council discussion ensued regarding the Race to the Top program, Dream project students, testing, and businesses supporting the program.

**CONSENT AGENDA:**

- **Approval of claims vouchers** (check no. 107797 - 107931) in the amount of \$244,567.95 for the period ended July 3, 2014.
- **Approval of payroll vouchers** (check nos. 52257 – 52281) in the amount of \$367,040.66 for the period ended June 30, 2014.
- **Approval of payroll electronic fund transfers** (check nos. 81551 - 81701) in the amount of \$269,341.31 for the period ended June 30, 2014.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$55,647.48 for the period ended June 30, 2014.
- **Pre-approval or final approval of City Council and City Manager travel related expenses** for the period ended July 2, 2014.

**Approval of Council Meeting Minutes:**

- **Council Study Session and Regular Council Meetings held February 11, 2014**
- **Regular Council Meeting held February 25, 2014**
- **Council Study Session held March 11, 2014**
- **Council Study Session and Regular Council Meetings held June 26, 2014**

**Agenda Items reviewed at the June 24, 2014 Council Study Session and recommended for placement on this Consent Agenda:**

**Agenda Bill #3623; An Ordinance #14-1009 amending the SeaTac Municipal Code related to the Advisory Tree Board**

COUNCIL UNANIMOUSLY PASSED THE CONSENT AGENDA.

**PUBLIC COMMENTS (related to Unfinished Business):** There were no comments.

**UNFINISHED BUSINESS:** There was no Unfinished Business.

**NEW BUSINESS:** There was no New Business.

**CITY MANAGER'S COMMENTS:** City Manager Cutts commented on the following: (1) grant opportunities – 4Culture - \$7,500, and Seattle and KC Health Departments are applying for a federal grant to improve community health and are seeking a letter of support from the City. Council concurred to provide a letter of support to apply; and (2) Music in the Park Concert Series.

**COMMITTEE UPDATES:** CM Campbell provided an SR 509 meeting update.

CM Ladenburg provided a Public Issues Committee (PIC) Meeting update.

**COUNCIL COMMENTS:** Council commented on the 4<sup>th</sup> of July weekend and the carnival stating how successful the weekend was. They also thanked staff for their efforts.

CM Fernald commented on the following: (1) July 23 – 7 p.m., McMicken Heights Community Outreach Meeting at the Fire Station; and (2) 4<sup>th</sup> of July – less disruption.

DM A. Anderson commented on the Storm community practice

CM Campbell commented on the following: (1) attended South KC Human Services award luncheon, (2) July 25 – Highline Forum at airport, (3) thanked businesses that allowed parking in their lots during the 4<sup>th</sup> of July and carnival events, (4) July 25 – 7 p.m., Shakespeare in the Park, and (5) primary election ballots will be sent out by KC the 3<sup>rd</sup> week of July.

CM Ladenburg commented on the Storm community event and the 4<sup>th</sup> of July.

**COUNCIL COMMENTS (Continued):** Mayor Gregerson commented on the following: (1) attended the Kent Chamber of Commerce meeting, (2) questioned if the City would be providing cooling shelters during the hot weather, (3) and the City's vision is being supported through all of the City's events.

**ADJOURNED:**

MOVED BY GREGERSON, SECONDED BY A. ANDERSON TO ADJOURN THE MEETING AT 8:12 P.M.

MOTION CARRIED UNANIMOUSLY.

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Mia Gregerson, Mayor

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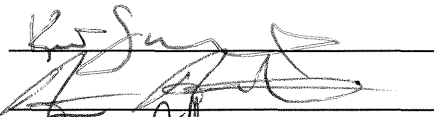
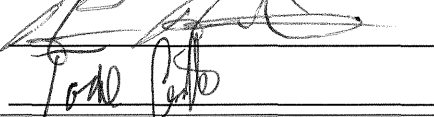
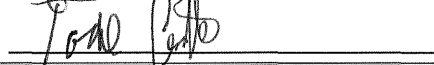
Kristina Gregg, City Clerk

**SeaTac City Council**  
**REQUEST FOR COUNCIL ACTION**

Department Prepared by: Parks

Agenda Bill #: **3625**

**TITLE:** A Motion authorizing the acceptance of the work for the replacement of the glazing in City Hall windows.

July 17, 2014	
___ Ordinance ___ Resolution <u>X</u> Motion ___ Info. Only ___ Other	
<b>Date Council Action Requested:</b> <u>RCM 09/09/14</u>	
<b>Ord/Res Exhibits:</b> _____	
<b>Review Dates:</b> <u>CSS 08/12/14</u>	
<b>Prepared By:</b> <u>Pat Patterson/Facilities Manager</u>	
<b>Director:</b> <u></u>	<b>City Attorney:</b> <u>Maryhiane Barolo</u>
<b>Finance:</b> <u></u>	<b>BARS #:</b> <u>301.000.04.594.19.62.001</u>
<b>City Manager:</b> <u></u>	<b>Applicable Fund Name:</b> <u>301 Municipal CIP Fund</u>

*Handwritten initials/signature*

**SUMMARY:** This Motion will allow for the closing out of the contract with Mike Werlech Construction for the window glass replacement in City Hall.

**DISCUSSION / ANALYSIS / ISSUES:** With the approval of agenda bill 3495 by Council in April of 2013, the City entered into a contract with Mike Werlech Construction for the replacement of the glass in the windows of City Hall. The project was scheduled to run for two years with the second and third floors being completed the Summer of 2013 and the first floor windows to be completed in the Spring of 2014. The project is now completed. Acceptance of the work will allow the City to release the 5% retainage being held.

**RECOMMENDATION(S):** It is recommended that the project be accepted.

**FISCAL IMPACT:** The total amount of the contract with sales tax is \$388,745.81. There were two deductive change orders in the amount of \$12,737.19 leaving a final contract amount of \$376,008.62. Of this amount, 25% or \$94,002.16 is being paid by a grant from the Washington State Department of Commerce. The total cost to the City for the work is \$282,006.47.

**ALTERNATIVE(S):**

- 1) Do not accept the work

**ATTACHMENT(S):**

None

**SeaTac City Council**  
**REQUEST FOR COUNCIL ACTION**

Department Prepared by: City Council

Agenda Bill #: 3633

**TITLE:** A Motion authorizing the Mayor to execute an amendment to the employee agreement between the City and City Manager Todd Cutts.

<i>August 7, 2014</i>	
___ Ordinance ___ Resolution <u>X</u> Motion ___ Info. Only ___ Other	
<b>Date Council Action Requested:</b>	<u>RCM 09/09/2014</u>
<b>Ord/Res Exhibits:</b>	_____
<b>Review Dates:</b>	<u>CSS 08/12/2014</u>
<b>Prepared By:</b>	<u>Mia Gregerson, Mayor</u>
<b>Director:</b>	<u>N/A</u>
<b>City Attorney:</b>	<u>Mary Mirante Barbo</u>
<b>Finance:</b>	<u>[Signature]</u>
<b>BARS #:</b>	<u>Various</u>
<b>City Manager:</b>	<u>Todd Cutts</u>
<b>Applicable Fund Name:</b>	<u>General Fund</u>

*MM*  
*KA*

**SUMMARY:** This Motion authorizes the Mayor to execute an amendment to the employee agreement between the City and City Manager Todd Cutts.

**DISCUSSION / ANALYSIS / ISSUES:** The City Council recently concluded the City Manager's evaluation. As the result of a successful evaluation, it is proposed that the City Manager's contract be amended.

There is one substantive change to the City Manager's existing contract. The City Manager's current contract provides for accrual of vacation leave based on the length of service, which is currently 18 days per year. It is proposed to increase the vacation accrual rate to 22 days per year. In addition to the substantive change, the proposed amendment also makes several housekeeping changes.

**RECOMMENDATION(S):** There is no staff recommendation as this is a City Council decision.

**FISCAL IMPACT:** The costs associated with the negotiated employment agreement will be budgeted and paid through various BARS numbers in the General Fund.

**ALTERNATIVE(S):** Do not carry the Motion.

**ATTACHMENTS:** Proposed Amended and Restated Employment Agreement.

# FIRST AMENDED AND RESTATED EMPLOYMENT AGREEMENT

CITY MANAGER

for the

CITY OF SEATAC

**THIS FIRST AMENDED AND RESTATED EMPLOYMENT AGREEMENT** is made and entered into effective the \_\_\_\_ day of \_\_\_\_\_, 2014, by and between the City of SeaTac, Washington, a municipal corporation of the State of Washington, hereinafter referred to as the “City”, acting by and through its City Council pursuant to RCW 35A.13.010, and Todd Cutts, hereinafter referred to as the “Employee”, for the purpose of effecting a permanent Employment Agreement by and between the City and the Employee on the following terms and conditions:

**SECTION 1. EMPLOYMENT:** The Employee has served in the capacity of ~~Interim~~ City Manager since ~~October, 2009~~ April, 2011. The City Council desires to continue the appointment of the Employee as City Manager pursuant to RCW 35A.13.010 and the Employee ~~hereby accepts~~ desires to continue his employment as the City Manager for the City.

**SECTION 2. DUTIES:** The Employee shall undertake and perform all of the functions and duties of the position of City Manager specified by ordinances and resolutions of the City and the laws of the State of Washington and shall perform such other appropriate duties as are assigned by the City Council. The Employee agrees to devote such time as may be necessary to perform the duties and responsibilities of the



position of the City Manager for the City of SeaTac, and the employment contemplated by this Agreement shall be on a full-time basis.

**SECTION 3. TERM:** This Agreement ~~shall be in full force and effect commencing on April 12, 2011 and~~ shall continue for an indefinite period pursuant to RCW 35A.13.130 and until terminated pursuant to Section 12, below.

**SECTION 4. COMPENSATION:** Commencing April 12, 2011, tThe City shall pay the Employee for his services a salary on the annual basis of One Hundred Forty-Four Thousand, Eighty-Three Dollars and Four cents (\$144,083.04) payable semi-monthly at the same time as other City employees are paid. The salary shall be adjusted annually by the amount of any COLA increase granted to non-represented employees.

**SECTION 5. PERFORMANCE REVIEWS:** The Employee shall receive a performance and compensation review at a time deemed appropriate by the City Council. However, at such times as circumstances warrant and either party so requests, a performance evaluation may be provided by the City Council.

**SECTION 6. RETIREMENT PLAN:**

A. The Employee shall continue his previous participation in the Washington Public Employees' Retirement System (PERS), the ICMA 401(a) Money Purchase Plan as a replacement for Social Security, and the ICMA 457 Deferred Compensation Plan. The City and the Employee shall, respectively, make the employer's and employee's contributions to the PERS and ICMA 401(a) Plans on the same basis as applicable to other employees of the City.

B. The Employee shall also be entitled to participate in any other supplemental retirement programs, deferred compensation programs, and health care funding programs available through the City for its employees.

C. Upon termination of employment, and pursuant to the Employee's request, the City shall transfer, pay-out, or otherwise distribute all of the aforesaid retirement, deferred compensation, or other funds, as allowed by law.

**SECTION 7. SICK LEAVE:** Employee shall retain his accrued sick leave balance and sick leave shall thereafter accrue at the same rate and on the same conditions as applicable to other Department Director employees of the City. The Employee shall be eligible to take sick leave anytime after it is earned. The Employee shall also be eligible for any sick leave cashout program offered to other non-represented employees upon termination of employment.

**SECTION 8. INSURANCE AND OTHER BENEFITS:** The Employee shall be entitled to additional employment benefits as follows:

- (A) The City shall provide the Employee with a term life insurance and survivors benefit policy pursuant to the City's current life insurance benefit available to regular full time employees of the City;
- (B) The City shall provide the Employee with an accidental death and disability (AD&D) policy in the maximum coverage amount allowable in accordance with the current AD&D benefits available to regular full time employees of the City;

- (C) The City shall provide the Employee and eligible dependents with medical, dental, orthodontia, and vision health insurance coverage in accordance with the benefits available to Department Director employees of the City;
- (D) Employee shall retain all accrued vacation leave and management time to date. The Employee shall accrue vacation leave at the rate of 22 calendar days per year, ~~based on his length of service with the City on the same schedule as other non-represented employees,~~ and to accrue management time on the same basis as applicable to Department Director employees of the City. One hundred percent (100%) of accumulated vacation time shall be paid in a lump sum to the Employee upon termination of employment, based upon the Employee's then-current rate of salary.
- (E) The City shall also provide the Employee with all other and future employee benefits provided to Department Director employees of the City.

**SECTION 9. MEMBERSHIPS:** The City shall budget for and pay the professional dues and subscriptions of the Employee for memberships in the International City Management Association (ICMA), Washington City Manager's Association (WCMA), and one other civic service organization, selected by the Employee, subject to approval of the City Council. The City shall consider and budget for subscriptions to, or purchase of, such professional publications as may be requested by the Employee and be deemed appropriate by the City Council.

**SECTION 10. TRAVEL, EXPENSES, AND PROFESSIONAL**

**DEVELOPMENT:**

A. The City shall budget for and pay the travel and related expenses of the Employee for official travel, meetings, and other functions related to official City business or professional development. This shall include, but is not limited to, the annual meetings of the ICMA, WCMA, the Association of Washington Cities, the National League of Cities, and such committees of those organizations on which the Employee serves as a member, PROVIDED that such travel and expenses shall be approved in advance pursuant to the City's Travel Policies and Procedures.

B. The City shall budget for and pay the travel, lodging, subsistence, and registration expenses of Employee for short courses, institutions and seminars that are necessary for professional development and for the good of the City, PROVIDED that attendance and the expenses therefore are approved in advance pursuant to any applicable policies. City Council approval must be obtained, in advance, for Employee's participation in any major program which would cause the Employee to be absent from the City for extended periods. The Employee agrees to inform the City Council, in advance, of all absences from the City for periods longer than forty-eight (48) hours, excluding weekends and holidays.

**SECTION 11. INDEMNIFICATION:** The City shall indemnify, insure, and hold the Employee harmless from any and all legal actions brought against the Employee arising out of the proper discharge of his duties while acting within the scope of his employment as City Manager. The City shall also pay Employee's legal fees incurred in

any such action which requires the Employee to be separately represented by legal counsel.

**SECTION 12. TERMINATION AND SEVERANCE PAY:**

A. The City Council shall have the right to remove the Employee from the position of City Manager pursuant to RCW 35A.13.130 and 140. If the Employee is removed from the position of City Manager when Employee is willing and able to perform the duties of City Manager, the City shall 1) pay to the Employee no later than 20 days from the date of separation from employment a lump sum severance payment equal to six (6) months of salary at Employee's then-current rate of salary and 2) pay six (6) months of (COBRA) premiums for medical, dental, orthodontia, and vision insurance for the Employee and any eligible dependents.

B. If the position of City Manager is eliminated due to the change from a "Council-Manager" form of government to a "Mayor-Council" form of government as allowed in RCW 35A, then this Employment Agreement shall be terminated upon the newly-elected Mayor taking office. In addition, the Employee shall be paid a severance of six (6) months salary if this Employment Agreement is terminated pursuant to this section unless: 1) the City Council creates the position of City Administrator; and 2) the newly elected Mayor appoints the Employee to the position of City Administrator within five (5) calendar days of taking office. In the event the Employee does not accept the position of City Administrator then the Employee shall not receive any severance. If the Employee accepts the City Administrator position he shall receive the value of all accrued benefits and original salary for a period of six (6) months pursuant to this Agreement. In the event the Employee finds other employment within this six (6) month

period, he shall give at least 60 days advance notice and forfeit any remaining severance pay upon leaving employment with the city.

C. If the Employee is appointed to the position of City Administrator pursuant to subsection B of this Section and the newly elected Mayor decides to terminate the Employee, then the City shall pay severance to the employee as follows:

i) no later than 20 days from the date of separation from employment a lump sum severance payment equal to six (6) months of salary at Employee's then-current rate of salary, less any salary earned by the Employee while serving in the position of City Administrator, and 2) pay six (6) months of (COBRA) premiums for medical, dental and vision insurance for the Employee and any eligible dependents, less any premiums for medical, dental and vision insurance paid by the City while the Employee served in the capacity as City Administrator.

D. Notwithstanding subsections A, B, or C of this Section, if the Employee is removed from his employment "for cause", no severance or COBRA premiums shall be paid by the City. For purposes of this Agreement, "for cause" means any act of dishonesty, embezzlement, theft, conviction of a felony or crime of moral turpitude.

E. If the Employee desires to voluntarily terminate employment and this Agreement, he shall provide to the City written notice not less than sixty (60) days prior to the effective date of termination. Notwithstanding subsections A, B, or C of this Section, upon voluntary termination by the Employee, no severance or COBRA premiums shall be paid by the City.

**SECTION 13. VEHICLE ALLOWANCE:** The City agrees to pay Employee a monthly automobile allowance of Four Hundred Dollars (\$400.00). The

Employee agrees to and shall be responsible for providing liability, property damage, and comprehensive insurance, and for the acquisition, operation, maintenance, repair, and replacement of an automobile used by him. The vehicle allowance is provided in lieu of the Employee using a City vehicle for transportation purposes related to City business. However, a City vehicle may be used by the Employee when transporting other City employees or officials on City business.

**SECTION 14. ENTIRE AGREEMENT:** This Agreement constitutes the entire agreement between the City and the Employee, and this Agreement shall not be amended or modified without the written concurrence of both parties.

**IN WITNESS WHEREOF** the parties hereto have signed this Agreement effective on the date and year set forth hereinabove.

**CITY OF SEATAC**

**EMPLOYEE**

By: \_\_\_\_\_  
Mia Gregerson, Mayor

\_\_\_\_\_  
Todd Cutts

Approved as to Form:

\_\_\_\_\_  
Mary Mirante Bartolo  
City Attorney