



## City Ordinances Archive

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**ORDINANCE NO. 03-1001**

AN ORDINANCE of the City Council of the City of SeaTac, Washington declaring public use and necessity for land and property to be condemned as required for the International Boulevard Phase IV Improvement Project, and authorizing payment therefore from the City's 307-Transportation CIP Fund.

**WHEREAS**, the City has been involved in improving International Boulevard (SR 99) and is now prepared to begin Phase IV which will consist of reconstruction of the Boulevard from South 200<sup>th</sup> Street southward to South 216<sup>th</sup> Street, specifically to include widening the boulevard from five to six lanes with landscaped median, curbs, gutters, sidewalks, storm drainage, conversion of utilities to underground, utility lines, street lighting, and signalization, paving and consolidation of driveways; and

**WHEREAS**, certain lands and properties must be acquired in order to provide the necessary rights-of-way for construction and operation of the aforesaid improvements; and

**WHEREAS**, efforts shall soon commence to acquire the property necessary for this public use by negotiation and agreement; and

**WHEREAS**, in the event that negotiated acquisition is not fully successful well in advance of the anticipated commencement of construction, it is essential that the City be prepared to initiate condemnation proceedings; and

**WHEREAS**, payment of just compensation and costs of litigation should be made from the City's 307-Transportation Capital Improvement Program (CIP) Fund;

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

Section 1. Acquisition of the properties identified and legally described on Exhibit "A" and generally located on the drawing attached as Exhibit "B", which are incorporated herein by this reference, is necessary to the public use for the City's International Boulevard Phase IV Project.

Section 2. The City's Legal Department is hereby authorized to commence condemnation proceedings, pursuant to law.

Section 3. Compensation to be paid to the owners of the aforesaid property, and costs of litigation, shall be paid from the City's 307-Transportation CIP Fund.

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

Section 5. This Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 14th day of January, 2002, and signed in authentication thereof on this 14th day of January, 2002.

**CITY OF SEATAC**

Kathy Gehring-Waters, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

[Effective Date: ]

[Phase IV I.B. Project]

**ORDINANCE NO. 03-1002**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2002 Annual City Budget for Fire Department wages.

**WHEREAS**, the City Council has considered and approved a labor contract between the City and International Association of Fire Fighters (IAFF) Local #2919 for the years 2001 through 2003; and

**WHEREAS**, approval of this contract necessitates payment of salary and benefit increases for the years 2001 and 2002; and

**WHEREAS**, the 2002 Annual Budget as adopted by the City Council appropriated these costs in the Non-Departmental portion of the General Fund budget;

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

Section 1. The 2002 Annual City Budget shall be amended to transfer \$300,000 from Non-Departmental to the Fire Department budget in the General Fund.

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

**ADOPTED** this 14th day of January, 2003, and signed in authentication thereof on this 14th day of January, 2003.

**CITY OF SEATAC**

Kathy Gehring-Waters, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert McAdams, City Attorney

[Effective Date: \_\_\_\_\_]

**ORDINANCE NO 03-1003**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to ad valorem property taxes, repealing City of SeaTac Ordinance #02-1048, setting the amount to be levied in 2003 by taxation on the assessed valuation of the property of the City, and setting the levy rate for the year 2003.

**WHEREAS**, State law, RCW 35A.33.135, requires the City Council to consider the City's total anticipated financial requirements for the ensuing fiscal year, and to determine and fix, by ordinance, the amount to be levied by ad valorem taxes; and

**WHEREAS**, RCW 84.52.020 requires that, upon fixing of the amount to be so levied, the City Clerk shall certify the same to the Clerk of the King County Council; and

**WHEREAS**, RCW 84.55.120, as amended in 1997 by Referendum 47, requires a statement of any increased tax in terms of both dollar revenue and percentage change from the previous year; and

**WHEREAS**, the SeaTac City Council adopted Ordinance #02-1048 Tentatively establishing the 2003 property tax levy since assessed valuations had not yet been certified by the King County Assessor; and

**WHEREAS**, the King County Assessor, as ex officio assessor for the City pursuant to RCW 35A.84.020, has now certified the assessed valuation of all taxable property situated within the boundaries of the City at \$3,153,263,602;

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

**SECTION 1. Ordinance #02-1048 is Repealed.**

City of SeaTac Ordinance #02-1048, tentatively establishing the 2003 property tax levy, is hereby repealed.

**SECTION 2. Levy Rate Fixed.**

The regular ad valorem levy for collection during the fiscal year of 2003 is hereby set at \$2.88 per thousand dollars of assessed value of all taxable property situated within the boundaries of the City.

**SECTION 3. Estimated Amount to be Collected by Ad Valorem Taxation.**

The amount of revenue to be collected by the City in the fiscal year 2003 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$9,075,811. This levy amount is determined as follows:

2002 Actual Tax Levy \$ 8,517,073

2002 Limit Factor \$ 8,788,916 (3.19% increase over 2002)

x Limit Factor for 2003 1.00%

2003 Base Tax Levy \$ 8,876,805 (4.22% increase over 2002)

+ levy on new construction 184,626

+ Relevy for prior year refunds 14,380

Total 2003 Tax Levy \$ **9,075,811**

**SECTION 3. Effective Date.**

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

**ADOPTED** this 14th day of January, 2003, and signed in authentication thereof on this 14th day of January, 2003.

**CITY OF SEATAC**

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Kathy Gehring-Waters, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Robert L. McAdams, City Attorney

[Effective Date: \_\_\_\_\_]

**ORDINANCE NO. 03-1004**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2003 Annual City Budget for a FEMA Grant awarded to the Fire Department.

**WHEREAS**, the SeaTac City Council has reviewed agenda bill #2271 submitted by the Fire Department and authorize the acceptance of a Federal Emergency Management Agency (FEMA) grant for mobile data computers; and

**WHEREAS**, the grant provides for 90% funding of the cost of this equipment, committing the City to 10% of the cost; and

**WHEREAS**, the 10% funding commitment requires an amendment to the City's 2003 Annual City Budget;

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

Section 1. The 2003 Annual City Budget shall be amended to increase the total General Fund revenues by \$75,510.

Section 2. The 2003 Annual City Budget shall be amended to increase the total Fire Department expenditures in the General Fund by \$83,900.

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

**ADOPTED** this 14<sup>th</sup> day of February, 2003, and signed in authentication thereof on this 14<sup>th</sup> day of February, 2003.

**CITY OF SEATAC**

Kathy Gehring-Waters, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

[Effective Date: \_\_\_\_\_]

**ORDINANCE NO. 03-1005**

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

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

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

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

**WHEREAS**, the Council has approved, and the union members have ratified, a collective bargaining agreement which provides a cost of living allowance for the year 2003 to the said represented employees; and

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

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

Section 1. The salary ranges within the Classification and Compensation Plan for the various positions of the non-represented employees of the City shall be increased by the amount of 1.35 percent over current levels as a cost of living allowance equal to 90% of the CPI-W for Seattle-Tacoma-Bremerton, to be effective as of January 1, 2003.

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

Section 3. Non-represented employees' share of the medical insurance premium shall remain at the same dollar amount as established in the year 2002.

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

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

**ADOPTED** this 14th day of February, 2003, and signed in authentication thereof on this 14th day of February, 2003.

**CITY OF SEATAC**

Joe Brennan, Deputy Mayor



ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

[Effective Date: ]

[COLA non-represented]

**ORDINANCE NO. 03-1006**

AN ORDINANCE of the City Council of the City of SeaTac, Washington vacating a portion of 28<sup>th</sup> Avenue South being north of South 188<sup>th</sup> and abutted on both sides by Port of Seattle property.

**WHEREAS**, the Port of Seattle has requested vacation of certain portion of the City street and right-of-way of 28<sup>th</sup> Avenue South (also known as Air Cargo Road), as shown on the map attached as Exhibit "B" to this Ordinance; and

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

**WHEREAS**, RCW 35.79.010 authorizes the City Council to initiate street vacation by resolution setting a public hearing which was, in this case, established by Resolution No. 01-006 fixing the public hearing for May 22, 2000, to be followed by Council action; and

**WHEREAS**, no apparent municipal use of the said right-of-way continues to exist, but the Port has reason to convert this portion of the right-of-way to airport related purposes; and

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

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

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

Section 1. Vacation of Rights-of-Way. The portion of the right-of-way of 28<sup>th</sup> Avenue South legally described on Exhibit A to this Ordinance, and depicted on the map marked Exhibit B to this Ordinance, within the City of SeaTac, is hereby vacated, subject to payment pursuant to Section 3, below.

Section 2. Reservation of Easements. Notwithstanding Section 1 of this Ordinance, all existing utility easements located within the said portion of the right-of-way of 28<sup>th</sup> Avenue South are reserved until release by the Grantees thereof.

Section 3. Compensation Required. The Port of Seattle, which is the sole abutting landowner on both sides of the aforesaid right-of-way shall compensate the City in an amount equal to the full appraised value of the total area so vacated, pursuant to law, together with a \$500.00 processing fee, which has been determined to be the total sum of \$287,740.00.

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

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

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

**ADOPTED** this 11th day of February, 2003, and signed in authentication thereof on this 11th day of February, 2003.

**CITY OF SEATAC**

Joe Brennan, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Robert L. McAdams, City Attorney

[Effective Date: ] [28<sup>th</sup> Ave. Street Vacation]

**ORDINANCE NO. 03-1007**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending certain chapters of Title 13 of the SeaTac Municipal Code to replace the Board of Appeals system with the Hearing Examiner system for appeals related to building and construction.

**WHEREAS**, The City has, pursuant to its municipal authority, adopted certain codes as adopted and amended by the State of Washington, as the building codes of the City; and,

**WHEREAS**, the building official is responsible for enforcement and interpretation of these codes; and,

**WHEREAS**, it is in the public's interest to provide a process to appeal decisions and interpretations of the building official; and,

**WHEREAS**, these appeals are currently heard by a four-member appointed Board of Appeals, and,

**WHEREAS**, the existing Board of Appeals has been difficult to maintain because of the unavailability of volunteer members; and,

**WHEREAS**, the existing Board of Appeals has been difficult to schedule because it requires the coordination of four members' schedules; and,

**WHEREAS**, the City has a hearing examiner system in place that processes other types of appeals; and,

**WHEREAS**, the hearing examiner system would eliminate the need to maintain and coordinate a board of appeals; and,

**WHEREAS**, the board of appeals process referenced in Title 13 of the SeaTac Municipal Code should be replaced with the hearing examiner system set forth in Chapter 1.20 of the SeaTac Municipal Code;

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

Section 1. Section 13.06.030 of the SeaTac Municipal Code is hereby amended to read as follows:

**13.06.030 Permit Fees Adopted Amendments and Exceptions.**

A. Table 1-A of the 1997 Edition of the Uniform Building Code is not adopted and the table of fees set forth at Appendix A to this chapter is hereby adopted, and all references to Table 1-A within the said Uniform Building Code shall be deemed to be references to Appendix A, subject to the following:

1. Appendix A shall apply to permits for the installation of fuel storage tanks, fuel tank piping and vapor extraction systems. In addition to the permit fee, a plan review fee of sixty-five percent (65%) of the permit fee shall be required.
2. The permit fee for the removal of a fuel storage tank (FST) system, other than a farm or residential FST of capacity less than one thousand one hundred (1,100) gallons, shall be two hundred fifty dollars (\$250.00) for the first tank and one hundred dollars (\$100.00) for each additional tank if inspected at the same time.
3. The permit fee for installing a moved residential structure, including new or relocated manufactured homes and mobile homes, onto a new site shall be two hundred fifty dollars (\$250.00), which will include plan review.

4. The permit fee for the re-roofing of a single-family residential structure shall be forty-five dollars (\$45.00).
5. The minimum fee for the demolition of a building more than five hundred (500) square feet in area shall be one hundred fifty dollars (\$150.00). Buildings five hundred (500) square feet and smaller shall be charged a flat fee of fifty dollars (\$50.00).
6. Appendix A shall not apply to signs. The permit fees for signs shall be according to Appendix B.
7. For the purpose of determining permit fees, buildings shall be assigned a minimum valuation based upon Table 1-C.
8. Permits issued under the provisions of this chapter for new single-family residential construction, additions, remodels, carports and garages and other structures associated with single-family uses shall expire one (1) year from the date of issue. A six (6) month extension may be granted by the building official. The fee for renewal, beyond the extension that may be granted, shall be equal to one-half the original building permit fee.
9. Commercial building permits shall expire two (2) years from the date of issue.
10. Other fees, including, but not limited to, plan review, drainage plan review, and inspections, shall be as set forth in the City schedule of license fees, permit fees, and other fees and charges adopted by resolution.

B. A new Table 1-B, establishing fire sprinkler fees, is added to Chapter 1 of the Uniform Building Code, as follows:

**TABLE 1-B**

**FIRE SPRINKLER PERMIT FEE SCHEDULE**

**SINGLE-FAMILY DWELLINGS**

New single-family dwelling \$175.00  
 Addition to existing system \$110.00

**MULTIFAMILY AND COMMERCIAL**

Contract amount:

\$250 or less	\$45.00
251 – 1,000	\$45 plus 4% of cost over \$250
1,001 – 5,000	\$75 plus 1.5% of cost over \$1,000

5,001 – 50,000	\$135 plus 1.4% of cost over \$5,000
50,001 – 250,000	\$765 plus 1% of cost over \$50,000
250,001 – 1,000,000	\$2,765 plus .8% of cost over \$250,000
1,000,001 and up	\$8,765 plus .4% of cost over \$1,000,000

Plan review for fire sprinkler permits shall be computed at 50% of the permit fee as based on the contract amount.

Plan review for revisions or modifications	\$50/hr.
Inspection or plan review not specified elsewhere	\$50/hr.

C. A new Table 1-C, establishing minimum valuation for buildings for the purposes of calculating permit fees, is established as follows:

**TABLE 1-C**

**BUILDING VALUATION**

The determination of value or valuation under any of the provisions of this code shall be made by the Building Official. For the purposes of determining the Value to be used in computing the building permit fees and building plan review fees, building valuation shall be based on the most recent "Building Valuation Data" as printed in the Building Standards magazine, published by the International Conference of Building Officials, or the actual value of the work, whichever is higher. In addition to the regional modifier, the valuation may be reduced by the following multipliers:

1. Residential additions	.70
2. Residential remodels	.30
3. Residential decks	.20
4. Commercial tenant improvements	.30

D. Addition to Section 403.7 of the Uniform Building Code. There is hereby added to the Uniform Building Code an additional requirement under Section 403.7 to read as follows:

4. All elevator shafts shall be pressurized with a supply of air from the outdoors to a minimum of 0.15 inch of water column in a fire alarm mode.

E. Amendment of Section 403.1 of the Uniform Building Code. Section 403.1 the Uniform Building Code is hereby amended to read as follows:

403.1 Scope. This section applies to all Group B office buildings and Group R, Division 1 Occupancies, each having floors used for human occupancy located more than 65 feet above the lowest level of fire department vehicle access. Such buildings shall be of Type 1 or 2 - F.R. construction and shall be provided with an approved automatic sprinkler system in accordance with Section 403.2.

F. Section 904.2.1 of the Uniform Building Code is hereby amended to read as follows:

Section 904.2.1 Where Required. An automatic fire extinguishing system shall be installed in the occupancies and locations as set forth in this section. In addition to the requirements of the Uniform Building Code and the Uniform Fire Code, current editions, there is hereby established a minimum requirement for the installation of fire sprinkler systems. All structures shall have a fire sprinkler system installed, which meets or exceeds all of the parameters contained within the Municipal Code, Uniform Building Code and the Uniform Fire Code when the gross floor area is 6,000 square feet or more. For purposes of determining gross floor area, the installation of area separation walls will not be considered as creating separate buildings.

1. It is provided however that existing structures and structures undergoing remodeling or improvement are exempt from the provisions of this subsection (F), provided:

- a. There is no increase in floor area, or
- b. The area to be improved does not exceed 50% of the total floor area including mezzanines, or
- c. There is no change of occupancy or use, and
- d. A fire alarm system, meeting all applicable requirements for the occupancy, is installed.

2. It is further provided that the following new and existing structures are exempt from the provisions of this subsection (F):

- a. Single-family residential structures.
- b. Portions of structures used as open parking garages, as defined in the Uniform Building Code, when there are no other occupancies above the garage and any structures adjacent to the garage are separated by an assumed property line as required by the Uniform Building Code.

G. Amendment of Section 904.2.9 of the Uniform Building Code. Section 904.2.9 of the Uniform Building Code is hereby amended to read as follows:

Group R, Division 1 Occupancies. An automatic sprinkler system shall be installed throughout apartment houses three or more levels in height or containing 5 or more dwelling units, in congregate residences three or more stories in height and having an occupant load of 50 or more and in hotels three or more levels in height or containing 10 or more guest rooms. Residential or quick-response standard sprinklers shall be used in the dwelling units and guest room portions of the building. The sprinkler system shall comply with the requirements of Uniform Building Code Standard Numbers 9-1 and 9-3.

H. Section 1003.3.3.3 of the Uniform Building Code is hereby adopted as contained therein and the amended Section 1003.3.3.3 of the Washington State Building Code is not adopted.

I. Section 1806.3 of the Uniform Building Code is hereby amended to read as follows:

**Bearing Walls.** Bearing walls shall be supported on masonry or concrete foundations or piles or other approved foundation system which shall be of sufficient size to support all loads. Where a design is not provided, the minimum foundation requirements for stud bearing walls shall be as set forth in Table 18-1-C and Table 18-1-D, unless expansive soils of a severity to cause differential movement are known to exist.

**EXCEPTIONS:**

1. A one-story wood or metal frame building not used for human occupancy and not over 400 square feet (37.2 M2) in floor area may be constructed with walls supported on a wood foundation plate when approved by the building official.

2. The support of buildings by posts embedded in earth shall be designed as specified in Section 1806.8. Wood posts or poles embedded in earth shall be pressure treated with an approved preservative. Steel posts or poles shall be protected as specified in Section 1807.9.

J. A new Table 18-1-D establishing minimum reinforcement requirements for Group R-3 and U-1 foundations as an alternate to an engineered design, is added to Chapter 18 of the Uniform Building Code, as follows:

**Table No. 18-1-D Prescriptive Foundation Design for Residential R-3 and U-1**

Note: Foundation walls must not be subjected to more than 30 PCF equivalent fluid pressure (well drained soil) nor surcharge.

Material Type <sup>8</sup>	Wall Height <sup>2,6</sup>	Min. Wall Thickness	Sill Plate Anchorage <sup>4,5</sup>	Required Reinforcing <sup>3</sup>	
				Vertical	Horizontal
Hollow unit masonry support at top by floor system and at bottom by slab <sup>1</sup>	4' or less	8"	" x 10" A.B. at 6" O.C.	#4 @ 4' O.C.	#4 Bond beam @ top, 2-#4 @ footing
	Over 4'	Not allowed unless an engineered design is submitted and approved			
Concrete under wood cripple wall and supported by slab <sup>7</sup>	3' or less	6"	" x 10" A.B. at 6" O.C.	#4 @ 18" O.C.	#4 @ top and 2-#4 at footing
	4' or less	8"	" x 10" A.B. at 6" O.C.	#4 @ 16" O.C.	#4 @ top and 2-#4 at footing
	Over 4'	Not allowed unless an engineered design is submitted and approved			
Concrete supported at top by floor system and at bottom by slab <sup>1</sup>	9' or less	8"	" x 10" A.B. at 6" O.C.	#4 @ 16" O.C. <sup>4,6</sup>	#4 @ top 16" O.C. and 2-#4 at footing
	Over 9'	Not allowed unless an engineered design is submitted and approved			

1. Where there is no slab at bottom of wall as in a crawl space, maximum



unbalanced backfill shall be 30" unless an alternate design is approved.

2. The floor diaphragm shall be completed before backfilling or the foundations wall sufficiently braced to prevent damage by the backfill.

3. This table is not intended to prevent temperature and shrinkage cracks. Reinforcing steel shall be placed within the inside half of the wall and not closer than 3/4" clear from the inside face of the wall. Concrete against earth shall be spaced a minimum of 3" from the soil.

4. Solid block first two joist spaces adjacent to anchor bolts where floor joists are parallel to the wall.

5. There shall be a minimum of two (2) anchor bolts per foundation (sill) plate with one bolt located within twelve (12) inches of each end of each foundation (sill) plate. Foundation plates and sills shall be the kind of wood specified in Section 2317.4.

6. Wall height is measured as the vertical distance from the top of the footing to the top of the concrete wall.

7. If the slab is eliminated, a special design is required regardless of the backfill height.

8. Minimum 4" perforated footing drains are required at all footings. All roof drains must be tight-lined to a public drainage system or an approved on-site system through smooth nonperforated drain-line. The footing drains may connect into the roof drain-line downhill from the last roof drain connection and where the invert elevation of the roof-drain line is 2" lower than the invert of the footing drain. The roof drain-line size must be increased one pipe size where the footing drains connect into it.

K. Section 1922.10.3 of the Uniform Building Code is hereby amended to read as follows:

Seismic Zones 2, 3, and 4. Structural plain concrete members are not permitted in buildings located in Seismic Zones 2, 3, and 4.

EXCEPTIONS:

1. Footings for buildings of Group R, Division 3 or Group U, Division I Occupancy constructed in accordance with Table 18-1-C and Table 18-1-D.

2. Nonstructural slabs supported directly on the ground or by approved structural systems.

L. All references to the Board of Appeals shall be deemed to refer to the Hearing Examiner system of Chapter 1.20 of the SeaTac Municipal Code. The hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of this code.

## Appendix A – Building Permit Fees

<b>Total Valuation</b>	<b>Permit Fee</b>
\$1.00 to \$500.00	\$50.00
\$501.00 to \$2,000	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$1,000, or fraction thereof, to and including \$2,000; however, no fee shall be less than \$50.00
\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
Over \$1,000,000	\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside the normal business hours (minimum 2 hours) \$75.00 per hour <sup>1</sup>	
2. Reinspection fees assessed under provisions of Section 305.8 \$50.00 per hour <sup>1</sup>	
3. Inspections for which no fee is specifically indicated (minimum 1 hour) \$50.00 per hour <sup>1</sup>	
4. Additional plan review required by changes, additions or revisions to plans (minimum 1 hour) \$50.00 per hour <sup>1</sup>	
5. For use of outside consultants for plan checking and inspections, or both Actual Cost <sup>2</sup>	

<sup>1</sup>Or the total hourly cost to the City, whichever is greatest.

<sup>2</sup>Actual costs include administrative and overhead costs.

## Appendix B – Sign Permit Fees

<b>Valuation</b>	<b>Permit Fee</b>
\$250.00 or less	\$45.00
\$251.00 to \$1,000	\$45.00 plus 4% of cost over \$250.00

\$1,001 to \$5,000	\$75.00 plus 1.5% of cost over \$1,000
\$5,001 to \$50,000	\$135.00 plus 1.4% of cost over \$5,000
\$50,001 to \$250,000	\$765.00 plus 1% of cost over \$50,000
\$250,001 to \$1,000,000	\$2,765 plus .8% of cost over \$250,000
\$1,000,001 and up	\$8,765 plus .4% of cost over \$1,000,000

The plan review for the original submittal is included in the permit fee. The plan review for revisions or modifications is seventy-five dollars (\$75.00) per hour.

Section 2. Chapter 13.08 of the SeaTac Municipal Code is hereby amended to read as follows:

### **13.08.030 Amendments and exceptions to the mechanical code.**

A. Table 3A of the Uniform Mechanical Code is excepted from the Code adopted in this chapter. Instead, the following mechanical permit fee schedule is adopted:

#### **MECHANICAL PERMIT FEE SCHEDULE**

##### **SINGLE-FAMILY DWELLINGS**

New single-family dwelling*	\$150.00
New installation* (existing dwelling with no existing ducting or venting)	150.00

##### **ADDITIONS AND REMODELS TO SINGLE-FAMILY DWELLINGS**

Each new or replaced appliance*	\$50.00
More than two new or replaced appliances*	\$150.00
Gas piping (no equipment or appliances)	45.00
*Gas piping included under these permits.	

##### **MULTIFAMILY AND COMMERCIAL**

Valuation amount:	
\$250 or less	\$45.00
251 – 1,000	\$45 plus 4% of cost over \$250
1,001 – 5,000	\$75 plus 1.5% of cost over \$1,000
5,001 – 50,000	\$135 plus 1.4% of cost over \$5,000

50,001 – 250,000	\$765 plus 1% of cost over \$50,000
250,001 – 1,000,000	\$2,765 plus .8% of cost over \$250,000
1,000,001 and up	\$8,765 plus .4% of cost over \$1,000,000

Permit costs include the normal plan review associated with the application.

Plan review for revisions or modifications	\$50/hr.
Inspection or plan review not specified elsewhere	\$50/hr.

B. All references to the Board of Appeals shall be deemed to refer to the Hearing Examiner system of Chapter 1.20 of the SeaTac Municipal Code. The hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of this code.

Section 4. Section 13.40.010 of Chapter 13.40 of the SeaTac Municipal Code is amended to read as follows:

#### **13.40.010 Uniform Code for the Abatement of Dangerous Buildings**

The 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings, as published by the International Conference of Building Officials, is adopted with the following exceptions:

A. References to the board of appeals shall be deemed to refer to the hearing examiner system of Chapter 1.20 of the SeaTac Municipal Code.

B. The appeal process and procedures in Chapter 5 and Chapter 6 of the Uniform Code for the Abatement of Dangerous Buildings shall be replaced with those described in Chapter 1.20 of the SeaTac Municipal Code.

Section 5. Section 13.45.010 of Chapter 13.45 of the SeaTac Municipal Code is amended to read as follows:

#### **13.45.010 Uniform Housing Code**

The 1997 Edition of the Uniform Housing as published by the International Conference of Building Officials, is adopted with the following exceptions:

A. References to the board of appeals shall be deemed to refer to the hearing examiner system of Chapter 1.20 of the SeaTac Municipal Code.

B. The appeal process and procedures in Chapter 12 and Chapter 13 of the Uniform Housing Code shall be replaced with those described in Chapter 1.20 of the SeaTac Municipal Code.

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

**ADOPTED** this 28th day of February, 2003, and signed in authentication thereof on this 28th day of February, 2003.

**CITY OF SEATAC**

\_\_\_\_\_

Joe Brennan, Deputy Mayor

ATTEST:

\_\_\_\_\_

Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_

Robert L. McAdams, City Attorney

[Effective Date]

-  
-  
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Ordinance Replacing The Board Of Appeals With The Hearing Examiner

Name of Document

**ORDINANCE NO. ~~03-1008~~**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to the City Zoning Code, amending Section 15.13.080 to modify fence dimensional standards, provide a maximum time a fence may be under construction and providing design standards for fences on principal arterials. ~~relating to the City's Zoning Code in regard to definition of lot area, siting of batch plants, landscaping and parking requirements, security wire on fences, and stacking of parking spaces, and amending Sections 15.10.370, 15.10.360, 15.10.625, 15.12.020, 15.13.110 B070, 15.14.040, 15.14.130, 15.15.030, and 15.15.110 B and adding new Sections 15.14.125, 15.15.100 J, 15.13.020 D, 15.14.060, 15.15.030, of the SeaTac Municipal Code, and creating new Sections 15.10.078.1, 15.13.093 and 15.15.085 15.15.100 K, of the SeaTac Municipal Code.~~

WHEREAS, ~~since~~ the Growth Management Act requires regular review and update of development regulations which implement the City's Comprehensive Plan~~adoption of the initial zoning code of the City of SeaTac, the City has adopted a city-wide comprehensive plan pursuant to the Growth Management Act, and has further amended the zoning code by subsequent ordinances;~~ and;

WHEREAS, regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City~~in order to better meet the needs of the City and to provide development regulations which are responsive to the needs of the City, the zoning code requires periodic review and amendment;~~ and;

WHEREAS, in connection with the reviewing of the zZoning eCode, certain development regulations have been identified as requiring classifications, land uses and standards have been identified as needing definition, clarity, amendment or addition and greater clarity; and;

WHEREAS, the Planning Commission has reviewed the aforesaid development regulations, has held a public hearing for the purpose of the City of SeaTac has completed a thorough review of the zoning code, and has held public hearings for the purposes of soliciting public comment in regarding to zZoning eCode changes, and has recommended certain amendments and additions to the Council~~changes to the City Council for amendment of the City's zoning code;~~

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

~~Section 1. Section 15.13102.360 of the SeaTac Municipal Code is hereby amended to read as follows:~~

~~**3215.160.360 Kennel:**~~

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

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

~~**15.16.625 Street, Private:**~~

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

are not part of an easement, tract, or street, ~~for ingress and egress shall not be considered a street.~~

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

~~\* See Chapter 15.13 for additional development standards:~~

- ~~(1) Accessory living quarters permitted with the following restrictions (Ref. 15.10.016):~~
  - ~~A. No more than 45% of the total square footage in the main dwelling unit;~~
  - ~~B. Must be contained within the primary dwelling or significantly attached to the primary dwelling;~~
  - ~~C. Primary dwelling must be owner-occupied;~~
  - ~~D. Kitchen permitted as component.~~
- ~~(2) Standards for Bed & Breakfast:~~
  - ~~A. Number of guests limited to six (6), with no more than three (3) bedrooms;~~
  - ~~B. Parking area for three (3) non-resident vehicles, and screened;~~
  - ~~C. Proof of King County Health Department approval;~~
  - ~~D. Breakfast is only meal served for paying guest.~~
- ~~(3) Standards for Transitional Housing:~~
  - ~~A. No more than five (5) non-support people;~~
  - ~~B. No more than two (2) support people;~~
  - ~~C. Parking area to be screened and not visible from public streets;~~
  - ~~D. House shall maintain residential character with no outward change of appearance beyond upgrades.~~
- ~~(4) A park outside established or proposed mobile home park zone is permitted after approval through the CUP process.~~
- ~~(5) Limited to 1,000 gsf and a 20 foot height limit (highest point);~~
- ~~(6) See Section 15.17 for standards and limitations.~~
- ~~(7) Efficiency Unit permitted within primary dwelling, not exceeding 25% of gross square feet of dwelling.~~
- ~~(8) Ground floor uses must be retail service or commercial uses as described in 15.13.107.~~
- ~~(9) See definition in Chapter 15.26.015 for additional development standards.~~
- ~~(10) For new development and redevelopment residential projects that are located in the UH-UCR zone, at least 50 percent of the building's ground floor shall be a retail, service, or commercial use as described in 15.13.107.~~
- ~~(10) Only on property owned by the Port of Seattle or within the area bounded by S. 188th St. to the north, S. 192nd St. to the south, 28th Ave. S. to the east, and 24th Ave. S., as extended, to the west.~~
- ~~(12) Domestic Animals allowed. See Definition 15.10.180.~~

~~Section 412. Section 15.103.137010 B. of the SeaTac Municipal Code d. is hereby amended to add read as the followings:~~

~~**15.10.370 Lot Area.**~~

~~The total horizontal area within the boundary lines of a lot including access easements; however, the area contained in tracts or panhandles shall not be included in the lot area of a lot within for any plats containing more than over two lots. In addition, the area of any easements over one or more servient lots in favor of a dominant lot for the purpose of granting the owner of the dominant lot rights of personal use, possession and occupancy which are typically attributes of ownership, shall not be included in the lot area of any servient lot.~~

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

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

- ~~1. Maximum Front Yard Setback. The following maximum setback standard will apply to properties zoned CB-C, O/CM and UH-UCR:~~
  - ~~a. In addition to the minimum front yard setback specified in Section 15.13.010, a maximum front yard setback of ten feet (10') shall be applied to new development and major redevelopment. A maximum front yard setback of ten feet (10') shall mean that the edge of the primary building shall be located no further than ten feet (10') from the property line.~~
  - ~~b. If a building is on a corner lot and abuts more than two streets, the maximum front yard setback will apply to two streets only; the setback will apply to the two streets with the highest roadway classification as defined by the SeaTac Comprehensive Plan. If three or more streets have the same roadway classification, then the property owner shall select the two streets to which the~~

maximum front yard setback shall be applied.

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

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

- ~~i. Auto sales/rentals, and other outdoor sales;~~
- ~~ii. Car washes;~~
- ~~iii. Communications facilities;~~
- ~~iv. Utility substations;~~
- ~~v. Auto service stations; and~~
- ~~vi. Site designs, approved by the City Manager or designee, that are intended to enhance pedestrian convenience and activity; and~~
- ~~vii. Toll Booths~~

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

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

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

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

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

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

~~Section 523. Section 15.12.070 F of the SeaTac Municipal Code is hereby amended to read as follows: A new subsection J is hereby added to Section 15.14.040 of the SeaTac Municipal Code, to read as follows:~~

~~**15.12.070 Manufacturing Uses:**~~

<del><b>ZONES:</b></del>	<del><b>UM - Urban Medium Density</b></del>	<del><b>I - Industrial/Manufacturing</b></del>	<del>:</del>
<del><b>P - Park</b></del>	<del><b>UH - Urban High Density</b></del>	<del><b>O/CM - Office/Commercial Medium</b></del>	<del>:</del>
<del><b>AU - Airport Use</b></del>	<del><b>NB - Neighborhood Business</b></del>	<del><b>BP - Business Park</b></del>	<del>:</del>
<del><b>MHP - Mobile Home Park</b></del>	<del><b>CB - Community Business</b></del>	<del>:</del>	<del>:</del>
<del><b>UL - Urban Low Density</b></del>	<del><b>ABC - Aviation Business Center</b></del>	<del>:</del>	<del>:</del>



P- Permitted Use; C - Conditional Use Permit

USE #	LAND USE	ZONES												
		P	AU	MHP	EL	EM	EH	NE	CB	ABC	I	O/CM	BP	
<b>MANUFACTURING USES</b>														
130	Food Processing	:	P(2)	:	:	:	:	P	P*	:	P	C*	C*	
131	Winery/Brewery	:	P(1-4)	:	:	:	:	:	P*	P*(1)	P	P*(1)	C*	
132	Textile Mill	:	:	:	:	:	:	:	C*	:	P	:	:	
133	Apparel/Textile Products	:	C(3)	:	:	:	:	:	C*	:	P	:	:	
134	Wood Products	:	C(3)	:	C(5)	:	:	:	:	:	P	:	C*	
135	Furniture/Fixtures	:	C(3)	:	:	:	:	:	:	:	P	:	P*	
136	Paper Products	:	C(3)	:	:	:	:	:	:	:	P	:	:	
137	Printing/Publishing	:	C(3)	:	:	:	:	:	P*	C*	P	:	C*	
138	Chemical/Petroleum	:	C(2)	:	:	:	:	:	:	:	P	:	:	
138.5	Biomedical Product Facility	:	C(2)	:	:	:	:	:	:	P	P	:	P*	
139	Rubber/Plastic/Leather/ Mineral Products	:	:	:	:	:	:	:	:	:	P	:	:	
140	Primary Metal Industry	:	:	:	:	:	:	:	:	:	P	:	:	
141	Fabricated Metal Products	:	C(2)	:	:	:	:	:	:	:	P	:	:	
142	Commercial/Industrial Machinery	:	C(2)	:	:	:	:	:	:	:	P	:	:	
143	Computer/Office Equipment	:	C(2)	:	:	:	:	:	:	C*	P	:	P*	
144	Electronic Assembly	:	C(2)	:	:	:	:	:	:	C*	P	:	P*	
145	Aerospace Equipment	:	P(2)	:	:	:	:	:	:	:	C	:	P*	
146	Misc. Light Manufacturing	:	P(2)	:	:	:	:	:	:	:	P	:	P*	
147	Tire Retreading	:	:	:	:	:	:	:	:	:	P	:	:	
148	Recycling Products	:	:	:	:	:	:	:	:	:	C	:	:	
149	Towing Operation	:	C	:	:	:	:	:	:	:	C	:	:	
150	Auto Wrecking	:	:	:	:	:	:	:	:	:	C	:	:	
151	Self-Service Storage	:	C	:	:	:	:	:	P*	C*	P	:	P*	
152	Off-Site Hazardous Waste Treatment & Storage Facility	:	C(2)	:	:	:	:	:	:	:	C	:	:	
153	Batch Plants	:	:	:	:	:	:	:	:	:	C	:	:	

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

- (0) Microbrewery with retail section.
- (0) Only on property owned by the Port of Seattle.
- (0) Within established "Free Trade" zone (see Section 15.12.090).
- (0) Inside airport terminal facilities.
- (0) With a minimum lot size of five (5) acres.

**15.14.040E General Landscape Requirements:**

FE, except as provided in Section 13.50.030 (swimming pool fence requirements), or in Section 15.31.040 (wireless telecommunication facilities) (For swimming pool fence requirements, see Section 13.50.030 of the SeaTac Municipal Code, Ord. No. 94-1024, Effective 7/28/94.)

Section 3. Sub-Section D of Section 15.13.020 D of the SeaTac Municipal Code is hereby amended to read as follows:

D. Lot area shall be the total horizontal area contained within the boundaries of a lot calculated pursuant to Section 15.10.370, but all subdivisions and short plats shall maintain required front, side and rear setbacks from any access easement. However, any short plat with of only two lots shall not be required to meet the side yard setbacks from approved access easements.

Section 1. Sub-section F of Section 15.13.080 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.13.080 Setbacks – Projections Allowed**

F. Within residential zone classifications, any fence in the front yard of the lot shall be limited to four (4) feet in height, except as provided for in 15.13.080 F.1e. and 15.13.080 2. This limit shall

also apply to side yard fences within the first twenty (20) feet from the front property line (see Figures 15.13.080k and j1). Fences along all other side property lines and along rear property lines shall be limited to six (6) feet in height, except as provided in SMC 13.50.030 (swimming pool fence requirements), or in SMC 15.31.040 (wireless telecommunications facilities). The height limit of a fence along property boundaries is to be measured from existing or finished grade, whichever is the lowest grade on the property boundary.

1. Fence height limits may be exceeded only under the following conditions:

- a. When a side or rear yard fence is to be built along a sloping grade, the maximum six (6) foot height may be averaged in stepped segments to allow the fence to follow the natural rise and fall of the slope. However, under no circumstances shall any portion of the fence exceed eight (8) feet above finished grade (see Figure 15.13.080e).



**Figure 15.13.080e**  
**FENCE HEIGHT ON A SLOPING GRADE**

- b. When a front yard fence is to be built along a sloping grade the maximum four (4) foot height may be averaged in stepped segments to allow the fence to follow the natural rise and fall of the slope. However, under no circumstances shall any portion of the fence exceed six (6) feet above finished grade.

- c. When a property owner raises the existing grade of a sloping residential lot through the construction of a bulkhead or retaining wall and the addition of fill ~~then~~ the height of such bulkhead or wall shall not exceed six (6) feet above existing grade. If a new fence is to be placed on top of such a bulkhead or wall, the maximum combined height of the bulkhead or retaining wall and fence shall be as follows: ~~and the fence is limited to nine and one-half (9 1/2)-feet~~ (see Figure 15.13.080fg).

- i. On side and rear yards – nine and one half (9 ½) feet.  
ii. On front yards – six (6) feet.

Fences on retaining walls where the combined height of the retaining wall and fence exceeds nine and one half (9 ½) feet or six (6) feet in

the front yard, shall be constructed of plastic or metal of open design, providing clear visibility through the fence (for example, see Figure 15.13.080f).

**Figure 15.13.080f**





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Figure 15.13.080fg

Text Box:



d. When a bulkhead or retaining wall is used to stabilize an excavation into existing grade on a sloping site, then the height of any such structure is limited to six (6) feet above finished grade, providing, however, that if additional wall height is necessary to retain the fill, then maximum height shall be

as established through a grading permit. Any new fence to be placed above a bulkhead or retaining wall permitted to exceed six (6) feet must be set back three (3) feet from the bulkhead or retaining wall along all property lines, and be limited to four (4) feet in height above the top of the bulkhead or retaining wall (see Figure 15.13.080gh). A fence up to six (6) feet may be allowed provided it is constructed of plastic or metal of open design, providing clear visibility through the fence.. The three (3) foot setback area between the bulkhead or retaining wall and a fence shall be landscaped to at least the minimum standard established in SMC 15.14.040(E).



Figure 15.13.080gh

e. Single-family and multi-family dwelling units may have fences to a height of six (6) feet when fronting on a major principal arterial/highway. A minimum of one (1) foot of the top of the fence shall be constructed in a manner to allow pedestrian and vehicular traffic to see through the fence, (for example, lattice work [Figure 15.13.080i]). Such fences may be stepped as provided in subsection (F)(1)(a) of this section. In all cases, the fence shall have an adequate setback in

order to maintain sight distance requirements established in SMC 15.13.100.\*

Figure 15.13.080i

Text Box:



2. Architectural features (such as trellises and lattice panels) may be added to the top of a permitted fence in the front, side and rear yard setback as long as the following standards are met:
  - a. An architectural feature (such as a trellis or lattice panel), which is no more than twelve (12) inches in height, may be added above the maximum height limit of the fences as specified in this subsection as long as there remains at least ~~six (6)~~ ten (10) inches of open space above the top of the fence.
  - b. Supports for the architectural feature placed on top of the fence shall be spaced no closer than three (3) feet on centers.
  - c. The overall height of the fence, including any architectural features, shall not exceed eight (8) feet in height above finished grade in side yards not closer than twenty (20) feet from the front property line and rear yard and six (6) feet in the front yard (see Figure 15.13.080hi).
  - d. Upon approval of the Director of Planning and Community Development or his designee, a solid clear panel may be placed in the opening between the top of the fence and the bottom of the trellis.
3. ~~Wrought iron fences~~ Plastic or metal fences providing clear visibility through the fence shall be allowed to a height of six feet in a front yard and eight feet in a side yard.

—  
Figure 15.13.080hj



4. A single archway or arbor is permitted within the front yard, as a pedestrian entrance, to a maximum height of eight (8) feet and a maximum width of five (5) feet.
5. The construction of all fences and trellis's shall be completed within six (6) months from the start of the fence construction.



Figure 15.13.080ik

Figure 15.13.080jl

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~~Section 2. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor by April 18, 2003.~~

~~**15.13.020 Measurement Methods**~~

~~D. Lot area shall be the total horizontal area contained within the boundaries of a lot calculated pursuant to Section 15.10.370, but all subdivisions and short plats shall maintain required front, side and rear setbacks from any access easement. However, any short plat with two lots shall not be required to meet the side yard setback from approved access easements.~~

~~Section 4. Section 15.14.040 of the SeaTac Municipal Code is hereby amended to read as follows:~~

~~**15.14.040 General Landscape Requirements.**~~

~~A. Deciduous trees shall have a diameter (caliper) of at least two (2) inches measured four (4) feet above the ground at the time of planting.~~

~~B. Evergreen (broadleaf or conifer) trees shall be at least eight (8) feet in height measured from treetop to the ground at the time of planting.~~

~~C. In Type I and II landscaping, trees shall be staggered in two (2) or more rows when the width of the landscape strip is twenty (20) feet or greater.~~

~~D. Shrubs shall be at least twenty four (24) inches high or wide at the time of planting and shall be a minimum two (2) gallon rootball size.~~

~~E. Groundcovers shall be planted and spaced to result in total coverage of the landscape strip within one (1) year. Groundcovers shall be planted at a maximum of twenty four (24) inches on center or as approved by the City.~~

~~F. Grass may be used as groundcover in Type III and IV landscape strips.~~

~~G. If fences, hedges or other architectural designs are used along street frontage, they shall be placed inward of the landscape strip. Openings shall be provided to accommodate pedestrian circulation requirements.~~

~~H. Berms shall not exceed a slope of three (3) horizontal feet to one (1) vertical foot (3:1).~~

~~I. Landscape requirements for all uses established through a conditional use permit or a special use permit shall be determined during the applicable review process.~~

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

~~K. Required landscape areas shall not exceed a slope of six (6) horizontal feet to one (1) vertical foot (6:1), unless otherwise approved by the Director of Planning and Community Development.~~

~~L. The area of required landscaping shall not be graded unless approved by the Department of Planning and Community Development.~~

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

~~Section 64. Section 15.14.130 of the SeaTac Municipal Code is hereby amended to read as follows:  
Section 5. Section 15.14.060 of the SeaTac Municipal Code is hereby amended to read as follows:~~

~~**15.14.060 Landscaping Standards for Manufacturing Uses:**~~

<del>USE #</del>	<del>LAND USE</del>	<del>STREET FRONTAGE (Type/Width)</del>	<del>BUILDING FACADE IF &gt;30 FT. HIGH OR 50 FT. WIDE (Type/Width)</del>	<del>SIDE/REAR BUFFER FOR NON-COMPATIBLE USES (Type/Width)</del>	<del>PARKING LOT LANDSCAPE STANDARDS APPLICABLE*</del>	
<del>MANUFACTURING</del>						
<del>I30</del>	<del>Food Processing</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>I31</del>	<del>Winery/Brewery</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>I32</del>	<del>Textile Mill</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>I33</del>	<del>Apparel/Textile Products</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>I34</del>	<del>Wood Products</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/10 ft. (RES)</del>	<del>Yes</del>
<del>I35</del>	<del>Furniture/Fixtures</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/10 ft. (RES)</del>	<del>Yes</del>
<del>I36</del>	<del>Paper Products</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/10 ft. (RES)</del>	<del>Yes</del>
<del>I37</del>	<del>Printing/Publishing</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/10 ft. (RES)</del>	<del>Yes</del>
<del>I38</del>	<del>Chemical/ Petroleum Products</del>	<del>I/10 ft.</del>	<del>III/5 ft.</del>	<del>I/10 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>I38.5</del>	<del>Biomedical Product Facility</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>I39</del>	<del>Rubber/Plastic/ Leather/Mineral Products</del>	<del>I/10 ft.</del>	<del>III/5 ft.</del>	<del>I/10 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>I40</del>	<del>Primary Metal Industry</del>	<del>I/10 ft.</del>	<del>III/5 ft.</del>	<del>I/10 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>I41</del>	<del>Fabricated Metal Products</del>	<del>I/10 ft.</del>	<del>III/5 ft.</del>	<del>I/10 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>I42</del>	<del>Commercial/ Industrial Machinery</del>	<del>H/10 ft.</del>	<del>IV/5 ft.</del>	<del>H/10 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>I43</del>	<del>Computer/Office Equipment</del>	<del>H/10 ft.</del>	<del>IV/5 ft.</del>	<del>III/5 ft.</del>	<del>H/10 ft. (RES)</del>	<del>Yes</del>
<del>I44</del>	<del>Electronic Assembly</del>	<del>H/10 ft.</del>	<del>IV/5 ft.</del>	<del>III/5 ft.</del>	<del>H/10 ft. (RES)</del>	<del>Yes</del>
<del>I45</del>	<del>Aerospace Equipment</del>	<del>H/10 ft.</del>	<del>IV/5 ft.</del>	<del>III/5 ft.</del>	<del>H/10 ft. (RES)</del>	<del>Yes</del>
<del>I46</del>	<del>Misc. Light Manufacturing</del>	<del>H/10 ft.</del>	<del>IV/5 ft.</del>	<del>H/10 ft.</del>	<del>I/10 ft. (RES)</del>	<del>Yes</del>
<del>I47</del>	<del>Tire Retreading</del>	<del>I/20 ft.</del>	<del>IV/5 ft.</del>	<del>I/10 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>I48</del>	<del>Recycling Products</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>I/5 ft.</del>	<del>I/10 ft. (RES)</del>	<del>Yes</del>
<del>I49</del>	<del>Fowling Operation</del>	<del>H/10 ft.</del>	<del>=</del>	<del>I/5 ft.</del>	<del>I/10 ft. (RES)</del>	<del>=</del>

150	Auto Wrecking	H/10 ft.	=	I/5 ft.	I/1020 ft.(RES)	=
151	Self-Service Storage	IV/10ft.	IV/5 ft.	H/5 ft.	I/10 ft.(RES)	=
152	Off-site Hazardous Waste Treatment & Storage Facility	IV/10ft.	IV/5ft.	H/5ft.	I/1020ft.(RES)	Yes
153	Batch Plant	I/20ft.	IV/5ft.	I/20ft.	I/35ft.(RES)	Yes

\*See SMC 15.14.090

(RES) Adjacent to single-family or multifamily uses for buffering purposes:

Section 6. ~~Section 15.15.030 of the SeaTac Municipal Code is hereby amended to read as follows:~~

~~**15.15.030 Parking Space Requirements for Manufacturing Uses.**~~

USE #	LAND USE	MINIMUM SPACES REQUIRED
<b>MANUFACTURING USES</b>		
130	Food Processing	1 per employee, plus 1 per 500 sf of building
131	Winery/Brewery	1 per employee, plus 1 per 40 sf of tasting area
132	Textile Mill	1 per employee, plus 1 per 500 sf of building
133	Apparel/Textile Products	1 per employee, plus 1 per 500 sf of building
134	Wood Products	1 per employee, plus 1 per 500 sf of building
135	Furniture/Fixtures	1 per employee, plus 1 per 500 sf of building
136	Paper Products	1 per employee, plus 1 per 500 sf of building
137	Printing/Publishing	1 per employee, plus 1 per 500 sf of building
138	Chemical/Petroleum Products	1 per employee, plus 1 per 500 sf of building
138.5	Biomedical Product Facility	1 per 500 sf of gross floor area, plus one (1) space per employee
139	Rubber/Plastic/Leather/Mineral Products	1 per employee, plus 1 per 500 sf of building
140	Primary Metal Industry	1 per employee, plus 1 per 500 sf of building
141	Fabricated Metal Products	1 per employee, plus 1 per 500 sf of building
142	Commercial/Industrial Machinery	1 per employee, plus 1 per 500 sf of building
143	Computer/Office Equipment	1 per employee, plus 1 per 500 sf of building
144	Electronic Assembly	1 per employee, plus 1 per 500 sf of building
145	Aerospace Equipment	1 per employee, plus 1 per 500 sf of building
146	Misc. Light Manufacturing	1 per employee, plus 1 per 500 sf of building
147	Tire Retreading	1 per employee, plus 1 per 500 sf of building
148	Recycling Products	1 per 1000 sf or 1 per employee, whichever is greater
149	Towing Operation	1 per employee (designated)
150	Auto Wrecking	1 per employee (designated), plus 3 for customers
151	Self-Service Storage	1 per employee (designated), plus 3 for customers
152	Off-Site Hazardous Waste Treatment and Storage Facility	1 per employee, plus 1 per 500 sf of building
153	Batch Plant	1 per employee, plus 1 per 500 sf of building

Section 11. ~~A new Section 15.10.078.05 is hereby added to the SeaTac Municipal Code to read as follows:~~ read as follows:

~~**15.10.078.05 Batch Plant.**~~

~~The storage of component materials for manufacturing asphalt, cement, or concrete, but not including any structure or facilities used in the manufacturing process the manufacturing process.~~

~~Section 12. A new Section 15.10.107 is hereby added to the SeaTac Municipal Code to~~



~~Section 132. A new Section 15.13.093 is hereby added to the SeaTac Municipal Code to read as follows: \_\_\_\_\_ read as follows:~~

~~:-~~

~~**15.13.093 - Barbed, Razor, or Other Security Wire on Fences:**~~

~~:-~~

~~Barbed wire, razor wire, concertina wire, or similar security wire is prohibited on fences within the residential zones.~~

~~:-~~

~~Section 143. A new Section 15.15.085 is hereby added to the SeaTac Municipal Code to read as follows: \_\_\_\_\_ read as follows:~~

~~:-~~

~~**15.15.085 - Stacking Spaces For Parking:**~~

~~A. \_\_\_\_\_ Stacking spaces for "vehicle parking" or for " auto rental/sales" uses may be allowed upon approval of the Director of Planning and Community Development, provided, that the area utilized for stacking spaces conforms with the parking lot landscaping requirements of SMC 15.14.090. Stacking of required off-street parking spaces shall not be allowed for employee or customer parking. Stacking aisle widths shall be a minimum of nine (9) feet.~~

~~:-~~

~~1. \_\_\_\_\_ B. Stacking spaces vehicle parking or may be allowed through the use of valet parking, upon approval of a "Valet Parking Plan", by the Director of Planning and Community Development. The area of the lot utilized for stacking spaces shall conform with the parking lot landscaping requirements of SMC 15.14.090. Stacking aisle widths shall be a minimum of nine (9) feet. Valet Parking pP:..~~

~~1. \_\_\_\_\_ A detailed description of the valet parking system's operation; and...~~

~~:-~~

~~Section 15. Section 16.03.040 of the SeaTac Municipal Code is hereby amended to read as follows:~~

~~:-~~

~~**15.14.130 Street Landscaping:**~~

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

~~:-~~

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

~~:-~~

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

~~:-~~

~~**15.15.110 Off-Street Parking Construction Standards:**~~

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

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

~~**15.14.125 Street Frontage Landscaping**~~

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

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

~~**15.15.100 Off-Street Parking Plan Design Standards:**~~

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

~~Section 112. A new Subsection 15.15.100 K. is hereby added to Section 15.15.100 of the SeaTac Municipal Code, to read as follows:~~

~~**15.15.100 Off-Street Parking Plan Design Standards:**~~

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

~~Section 120Section 164. This Ordinance shall be in full force and effect thirty (30) days after passage.~~

~~ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 19978, and signed in authentication thereof on this \_\_\_\_\_ day of \_\_\_\_\_, 19978.~~

~~CITY OF SEATAC~~

~~Don DeHanTerry Anderson, Mayor~~

ATTEST:

~~Judith L. Cary, City Clerk~~

Approved as to Form:

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-

~~Robert L. McAdams, City Attorney~~ Section 3. Resolution 02-022 and the moratorium on certain fence construction imposed thereby are repealed.

Section 4. This Ordinance shall be in full force and effect thirty (30) days after passage.

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**ADOPTED** this 18th day of March, 2003, and signed in authentication thereof on this 18th day of March, 2003.

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**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

**ATTEST:**

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\_\_\_\_\_  
Judith L. Cary, City Clerk

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Approved as to Form:

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\_\_\_\_\_  
Robert L. McAdams, City Attorney

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[Effective Date \_\_\_\_\_]

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**ORDINANCE NO. 03-1009**

AN ORDINANCE of the City Council of the City of SeaTac, Washington authorizing the award of a contract for construction of the Parks and Public Works Maintenance Facility and amending the 2003 Annual City Budget to provide Funding.

**WHEREAS**, the Council has reviewed the bid tabulation resulting from the call for bids to construct the City's new joint Parks and Public Works Maintenance Facility and has found Commercial Structures, Inc. to be the lowest responsible bidder for both site work and building of the structure; and

**WHEREAS**, the low bid exceeded the architect's estimated cost of construction and, therefore, the preliminary budget appropriation must be increased by an additional \$921,402 to provide funding and contingency for construction of the facility; and

**WHEREAS**, amendment to the City's 2003 Annual Budget is required to provide the additional appropriation for the project and to transfer monies from several City Funds to the Municipal Facilities CIP Fund;

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

Section 1. The contract for site work and construction of the joint Parks and Public Works Maintenance Facility is hereby awarded to the lowest responsible bidder, Commercial Structures Inc., in the bid amount of \$3,342,448.91 and the City Manager is authorized to execute all documents necessary to effectuate the construction contract.

Section 2. The 2003 Annual City Budget shall be amended to increase the total General Fund expenditures by \$441,816 (BARS 001.000.99.597.29.00.000).

Section 3. The 2003 Annual City Budget shall be amended to increase the total Arterial Street Fund expenditures by \$39,432 (BARS 102.000.15.597.44.000.000).

Section 4. The 2003 Annual City Budget shall be amended to increase the total Surface Water Management (SWM) Utility Fund expenditures by \$240,154 (BARS 403.000.25.597.45.00.000).

Section 5. The 2003 Annual City Budget shall be amended to increase the total SWM CIP Fund expenditures by \$200,000 (BARS 406.000.28.597.46.00.000).

Section 6. The 2003 Annual City Budget shall be amended to increase the total Municipal Facilities CIP Fund revenue by \$921,402 (BARS 306.397.43. 44, 45 and 46).

Section 7. The 2003 Annual City Budget shall be amended to increase the total Municipal Facilities CIP Fund expenditures by \$921,402 (BARS 306.000.36.595.40.62.072).

Section 8. This Ordinance shall not be codified in the SeaTac Municipal Code.

Section 9 Section 1 of this Ordinance shall be in full force and effect thirty (30) days after passage. Sections 2 through 7 of the Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

**ADOPTED** this 18th day of March, 2003, and signed in authentication thereof on this 18th day of March, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney

[Effective Date: \_\_\_\_\_]

[Annual Budget]

**ORDINANCE NO. 03-1010**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2003 Annual City Budget to include 2002 Budget Carryovers.

**WHEREAS**, certain expenditures were included in the 2002 Annual City Budget which were not initiated or completed during the 2002 fiscal year; and

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

**WHEREAS**, City staff recommend that the remaining expenditures be made in 2003;

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

**ORDAIN as follows:**

Section 1. The 2003 Annual City Budget shall be amended to increase the total General Fund revenues by \$13,457 and General Fund expenditures by \$241,403.

Section 2. The 2003 Annual City Budget shall be amended to increase the total Arterial Street Fund expenditures by \$19,951.

Section 3. The 2003 Annual City Budget shall be amended to increase the total Hotel/Motel Tax Fund expenditures by \$29,858.

Section 4. The 2003 Annual City Budget shall be amended to increase the total Municipal Facilities CIP Fund expenditures by \$600,000.

Section 5. The 2003 Annual City Budget shall be amended to increase the total Transportation CIP Fund revenues by \$1,466,729 and expenditures by \$2,079,274.

Section 6. The 2003 Annual City Budget shall be amended to increase the total Surface Water Management (SWM) Construction Fund expenditures by \$89,326.

Section 7. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

**ADOPTED** this 25th day of March, 2003, and signed in authentication thereof on this 25th day of March, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

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Robert L. McAdams, City Attorney

[Effective Date: \_\_\_\_\_]

[2003 Budget Amendment for 2002 carryovers]

**ORDINANCE NO. 03-1011**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2003 Annual City Budget for Salary and Benefit Increases.

**WHEREAS**, the 2003 Annual Budget appropriated salary and benefits at 2002 levels since neither bargaining unit had a contract in place; and

**WHEREAS**, the City Council has now ratified contracts for 2003 with both bargaining units and adopted Ordinance #03-1005 providing cost of living allowances for non-represented employees; and

**WHEREAS**, the 2003 Annual Budget requires modification to reflect the cost of 2003 salary and benefit increases;

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

Section 1. The 2003 Annual City Budget shall be amended to transfer expenditure authority from the General Fund/Non-Departmental section to individual General Fund departments totaling \$502,611, but having no impact on the total General Fund expenditures.

Section 2. The 2003 Annual City Budget shall be amended to increase the total City Street Fund expenditures by \$5,640.

Section 3. The 2003 Annual City Budget shall be amended to increase the total Arterial Street Fund expenditures by \$11,800.

Section 4. The 2003 Annual City Budget shall be amended to increase the total Hotel/Motel Tax Fund expenditures by \$1,475.

Section 5. The 2003 Annual City Budget shall be amended to increase the total Transportation CIP Fund expenditures by \$17,820.

Section 6. The 2003 Annual City Budget shall be amended to increase the total Surface Water Management Utility Fund expenditures by \$15,200.

Section 7. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

**ADOPTED** this 25th day of March, 2003, and signed in authentication thereof on this 25th day of March, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:



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Judith L. Cary, City Clerk

Approved as to Form:

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Robert L. McAdams, City Attorney  
[Effective Date: \_\_\_\_\_]

[2003 Budget Amendment for Salaries and Benefits]

**ORDINANCE NO. 03-1012**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending the ambulance operator regulations of Chapter 5.50 of the SeaTac Municipal Code to remove references to the South Communications Center or “South Com” and to replace those references with the term “Fire Department Dispatch Center”.

**WHEREAS**, the City no longer contracts with the South Communications Center (“South Com”) for emergency dispatch fire services; and

**WHEREAS**, since January 1, 2002, the City has contracted with the Valley Communications Center (“Valley Com”) for emergency dispatch fire services; and

**WHEREAS**, it is appropriate to remove references to the South Communications Center or “South Com” from the ambulance operator regulations of Chapter 5.50 of the Municipal Code; and

**WHEREAS**, although it is anticipated that “Valley Com” will continue to provide dispatch services into the foreseeable future, it is appropriate to use the generic language “Fire Department Dispatch Center” so as to alleviate the need for any future changes to the Municipal Code in event of any change in dispatch services;

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

Section 1. Subsection G of Section 5.50.020 of the SeaTac Municipal Code is hereby amended to read as follows:

G. “Dispatch” means the designation and direction by the ~~South Communication (South-Com) dispatch-center~~ Fire Department Dispatch Center of an emergency response unit to a service location.

Section 2. Section 5.50.120 of the SeaTac Municipal Code is hereby amended to read as follows:

**5.50.120 Standards of operation.**

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

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

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

C. For each ambulance available to respond to dispatches to locations within the City, the ambulance operator shall provide not less than two ambulance attendants currently certified as Emergency Medical Technicians (EMTs). The certificate of EMT status shall be in possession of each such ambulance attendant while on duty. Unless specifically requested, no ALS ambulances shall respond to locations within the City.

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

1. Ninety percent (90%) of all responses by an ambulance operator to dispatches of ~~South-Com~~ the Fire Department Dispatch Center to locations within the boundaries of the City shall not exceed a maximum of ten (10) minutes under code red and fourteen (14) minutes under code yellow.

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

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

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

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

I. The ambulance operator may continue to respond to private calls for transportation not generated through the 911 system or ~~South-Com~~ the Fire Department Dispatch Center. However, if the private call reports an incident which is of an emergency medical nature, the ambulance operator shall promptly advise ~~South-Com~~ the Fire Department Dispatch Center for dispatch of Fire Department aid units.

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

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

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

M. The ambulance vehicles utilized by ambulance operators pursuant to this section must be a color or color combination different than color schemes reserved for aid vehicles. The color schemes reserved for the exclusive use by aid vehicles shall be red or primarily red with white tops or striping.

Section 3. Section 5.50.140 of the SeaTac Municipal Code is hereby amended to read as follows:

**5.50.140 Denial, suspension, or removal from rotation list.**

An application of an ambulance operator may be denied, or any agreement suspended, or revoked for any of the following reasons:

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

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

C. Failure to meet the response time standards set forth at SMC 5.50.120.

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

E. Failure to respond to a dispatch from ~~South-Com~~ the Fire Department Dispatch Center unless the ambulance operator can document the nonavailability of any ambulance located within a reasonable distance from the City.

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

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

H. Unauthorized use of, or monitoring of, the Fire Department's radio channels for monetary gains, or responding to the scene of an emergency medical incident without having been dispatched by

~~South-Com~~the Fire Department Dispatch Center or the Fire Official.

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

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

Section 4. Section 5.50.150 of the SeaTac Municipal Code is hereby amended to read as follows:

**5.50.150 Standby services.**

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

Section 5. This Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 8<sup>th</sup> day of April, 2003, and signed in authentication thereof on this 8<sup>th</sup> day of April, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney

[Effective Date: \_\_\_\_\_][Chapter 5.50 Amendments: Remove References to South Com]

**ORDINANCE NO. 03-1013**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2002 Annual City Budget for an interfund loan funding the City Hall project.

**WHEREAS**, the 2002 Annual City Budget was amended by the City Council on October 8, 2002, appropriating \$989,829 for improvements to remodel the Police Department area of the new City Hall; and

**WHEREAS**, this budget amendment noted that the improvements would be funded by increasing an interfund loan from the Port ILA Fund; and

**WHEREAS**, the amendment inadvertently omitted the budgetary adjustment to estimated resources for the interfund loan receipts;

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

Section 1. The 2002 Annual City Budget shall be amended to increase the estimated resources of the Municipal Facilities CIP Fund by \$989,829 for interfund loan receipts.

Section 2. The 2002 Annual City Budget shall be amended to increase the estimated expenditures of the Port ILA Fund by \$989,829 for an interfund loan to the Municipal Facilities CIP Fund for the police department remodel.

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

**ADOPTED** this 13th day of May, 2003, and signed in authentication thereof on this 13th day of May, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney  
[Effective Date: \_\_\_\_\_]

**ORDINANCE NO. 03-1014**

AN ORDINANCE of the City Council of the City of SeaTac, Washington relating to adult entertainment and amending the time, place, and manner restrictions of SMC 5.40.160, .170, and .230 as to location of entertainers when nude or semi-nude, as to location of gratuity receptacles, as to distance between entertainers and patrons, and as to hours of operation.

**WHEREAS**, the Council finds it appropriate to impose time, place, and manner restrictions on adult entertainment businesses which are equivalent to those of many nearby cities as to location of nude and semi-nude performances, minimum distance between entertainers and patrons, and as to hours of operation; and

**WHEREAS**, the Council finds that such uniformity in, and establishment of, the said time, place, and manner restrictions will assist in prevention of those secondary effects and concerns recited at Section 5.40.020 of the SeaTac Municipal Code;

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

Section 1. Subsection A of Section 5.40.160 of the SeaTac Municipal Code is hereby amended to read as follows:

A. Separation of Sexually-Oriented Live Entertainment Performance Area. The portion of adult cabaret, adult theater or any other premises in which sexually-oriented live entertainment is performed shall be ~~either:~~

~~1. A stage or platform, visible to all members of the public at the premises, at least twenty-four (24) inches in elevation above the level of the patron seating areas, and shall be separated by a distance of at least ~~six ten (610)~~ feet from all areas of the premises to which patrons have access. A continuous railing at least three (3) feet in height, at all points, shall be attached to the floor and located at least ~~six ten (610)~~ feet from all points of the sexually-oriented live entertainment performance area shall separate the performance area and the patron areas; or~~

~~2. A private table stage comprised of seating, beverage tray, and entertainment surface. The beverage tray shall be no more than thirty-eight (38) inches from the floor and the performance surface shall be no less than fifty (50) inches above the floor level. Additionally, the outermost edge of the entertainment surface shall be separated from the outermost edge of the beverage tray by no less than twenty-four (24) inches measured horizontally. The stage or platform shall be visible from the entrance of the establishment and from a manager's station or usual place of duty and shall not be blocked or obscured by any curtain, door, wall or other enclosure any other obstruction whatsoever.~~

Section 2. Subsection A of Section 5.40.170 of the SeaTac Municipal Code is hereby amended to read as follows:

A. Standards for Patrons, Employees and Entertainers. The following standards of conduct must be adhered to by patrons, entertainers and/or employees of adult cabarets at all times live performances are provided:

1. No employee or entertainer shall be unclothed or in less than opaque and complete attire, costume or clothing so as to expose to view any portion of female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva or genitals, except in the performance areas described in SMC

## 5.40.160(A).

2. An employee or entertainer mingling with the public may not be unclothed or in less than opaque and complete attire, costume, or clothing as described in subsection (A)(1) of this section.
3. An employee or entertainer mingling with a member of the public may not conduct a dance, performance, or exhibition in or about the nonperformance area of the live adult entertainment establishment unless that dance, performance, or exhibition is performed at a distance of at least ~~six~~ ten (~~6~~10) feet from the member of the public for whom the dance, performance, or exhibition is performed. The distance of ~~six~~ ten (~~6~~10) feet is measured from the torso of the dancer to the torso of the member of the public.
4. No patron or customer shall go into or upon the sexually-oriented live performance areas described in SMC 5.40.160(A).
5. No member of the public, employee or entertainer or patron shall allow, encourage, or knowingly permit any person upon the premises to touch, caress, or fondle the breasts, buttocks, anus, pubic area, or genitals of themselves or another.
6. An employee or entertainer may not caress, fondle, or erotically touch a member of the public or another employee. An employee may not encourage or permit a member of the public to caress, fondle, or erotically touch that employee. A member of the public may not caress, fondle or erotically touch an employee or entertainer.
7. No employee or entertainer shall perform acts of or acts which simulate sexual intercourse, masturbation, bestiality, sodomy, oral copulation, flagellation, or any sexual acts the performance of which are prohibited by law.
8. No employee or entertainer shall use artificial devices or inanimate objects to depict any of the prohibited activities described in this subsection.
9. No entertainer shall be visible from any public place outside the premises during the actual or apparent hours of his/her employment or performance on the premises.
10. No tip or gratuity or other payment offered to or accepted by an adult entertainer may be offered or accepted prior to any performance, dance or exhibition provided by the entertainer. No entertainer performing in the performance area shall be permitted to accept any form of gratuity or other payment offered directly to the entertainer by any patron. Any gratuity or other payment offered to any entertainer performing upon any stage area or platform must be placed ~~upon the stage or platform~~ separation rail, or in the case of private table stages, placed directly upon the table stage surface into one or more receptacles provided for receipt of gratuities by the adult entertainment establishment, which receptacles shall be located no closer than ten (10) feet to the performance stage or platform. Any gratuity or tip or other payment offered to any adult entertainer conducting any performance, dance or exhibition in or about the nonstage area of the adult entertainment establishment shall be placed into the same or separate a receptacles provided for receipt of gratuities by the adult entertainment establishment or provided through a manger on duty on the premises, located as stated above.
11. It is unlawful for any entertainer, employee, manager, or waitperson to perform more than one (1) such function at an adult cabaret on the same business day.
12. Except as provided in subsection (A)(10) of this section, no customer or patron of an adult cabaret shall give to an entertainer, either directly or indirectly, or otherwise provide an entertainer with, a gratuity or other payment, except an initial entrance fee or similar fee set out by the premises.

13. Entertainers are required to use separate restroom facilities.

14. At least one (1) sign on ~~each private table or adjacent to the stage or platform~~, in English, twelve (12) point print or larger, shall be conspicuously displayed stating the following:

CITY OF SEATAC

ENTERTAINMENT REGULATIONS:

- (a) Entertainers may not extend any portion of their body beyond the edge of the performance stage;
- (b) Touching or any physical contact is prohibited and may lead to arrest of patron and/or entertainer;
- (c) Entertainers are not permitted to accept tips or gratuities or other payments directly from patrons. All tips or gratuities or other payments must be placed ~~upon the stage surface, railing, or placed in common~~ into a receptacle provided for that purpose.

15. At least two (2) additional signs, readable from at least twenty (20) feet distance, shall be posted in the premises. One (1) shall be posted conspicuously at the entrance to the establishment, and the other shall be conspicuously placed within the entertainer's dressing room. These signs shall state the following:

THE ADULT CABARET OR

ADULT THEATER IS REGULATED BY THE CITY OF SEATAC.

ENTERTAINERS ARE:

- (a) Not permitted to engage in any type of sexual conduct;
- (b) Not permitted to appear semi-nude or nude except on stage;
- (c) Entertainers are not permitted to accept tips or gratuities or other payments directly from patrons. All tips or gratuities or other payments must be placed ~~upon the stage surface, railing, or placed in common~~ into a receptacle provided for that purpose.
- (d) Touching between patrons and entertainers is prohibited and may lead to arrest of patron and/or entertainer.

16. There must be at least one (1) employee not an entertainer on duty and situated in any public area at all times that any patron, member or customer is present inside the premises.

17. Doors to areas on the premises which are available for use by persons other than the owner, manager, operator or their agents or employees may not be locked during business hours.

18. No person may operate or maintain any warning system or device, of any nature or kind, for the purpose of warning or aiding and abetting the warning of patrons, members, customers or any other persons that police officers or health, fire or building inspectors are approaching or have entered the premises.

Section 3. Section 5.40.230 of the SeaTac Municipal Code is hereby amended to read as follows:

**5.40.230 Hours of operation.**

It is unlawful for any sexually-oriented business premises, except adult motels, to be conducted, operated, or otherwise open to the public between the hours of ~~4:00~~ 2:00 a.m. and ~~11:00~~ 10:00 a.m.



Section 4. This Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 13th day of May, 2003, and signed in authentication thereof on this 13th day of May, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney

[Effective Date: \_\_\_\_\_]

[Adult Entertainment Hours Amendment]

**ORDINANCE NO. 03-1015**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2003 Annual City Budget for Reimbursement of Permitting Fees paid by the Port of Seattle.

**WHEREAS**, the City of SeaTac collected permitting fees from the Port of Seattle in 2000; and

**WHEREAS**, the City Council subsequent to those payments relinquished permitting responsibility for construction-related permitting on many Port projects; and

**WHEREAS**, City procedures provide that eighty percent (80%) of fees may be reimbursed for project permits that are cancelled, provided that no City review has been completed;

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

Section 1. The 2003 Annual City Budget shall be amended to increase General Fund expenditures by \$123,230 to reimburse the Port of Seattle for permitting fees paid in 2000.

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

**ADOPTED** this 27<sup>th</sup> day of May, 2003, and signed in authentication thereof on this 27<sup>th</sup> day of May, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney  
[Effective Date: \_\_\_\_\_]

[2003 Budget Amendment for Port permitting fees]

**ORDINANCE NO. 03-1016**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 15.10.375 and 15.10.631, and adding new Sections 15.10.639.05, 15.13.040, 15.13.042, and 15.13.044 to the City Zoning Code establishing regulations regarding the location of residential tent structures within residential zones.

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

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

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

**WHEREAS**, the use of residential tent structures has increased within the City; and

**WHEREAS**, the City's existing zoning regulations do not adequately address or regulate the residential tent structures; and

**WHEREAS**, the City desires to allow for residential tent structures but with certain restrictions to ensure compatibility with other development regulations; and

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

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

Section 1. Section 15.10.375 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.10.375 Lot Coverage**

That percentage of the lot area covered by all buildings including accessory buildings and uses and residential tent structures as defined under SMC 15.10.639.05, excluding driveway and outside parking areas. Coverage is

determined by measuring from a horizontal plane from the building footprint as set forth in the UBC.

Section 2. Section 15.10.631 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.10.631 Structure**

Anything which is built or constructed (above or below grade), an edifice of building of any kind, or any piece of work artificially built-up or composed of parts joined together in some definite manner, excluding benches, statuary, utility boxes/lights, light poles, minor utility apertures, planter boxes less than forty-two (42 inches), ~~and~~ fences seventy-two (72) inches or under in height, and residential tent structures.

Section 3. A new Section 15.10.639.03 is hereby added to the SeaTac Municipal Code, to read as follows:

**15.10.639.05 Tent Structure, Residential**

Figure 15.10.639.05a

Text Box:



A canopy, not exceeding 400 square feet, or a tent, not exceeding 200 square feet, consisting of a metal or plastic frame, covered with canvass or other similar material, used in a residential zone. A canopy is defined as an enclosure or shelter which is open without sidewalls or drops on 75 percent or more of the perimeter (See Figure 15.10.639.05a). A tent is defined as an enclosure or shelter with 25 percent or greater sidewalls or drops on its perimeter (See Figure 15.10.639.05b). A canopy greater than 400 square feet or a tent greater than 200 square feet shall be regarded as an accessory structure and shall be subject to all Building and Fire Codes and yard setback requirements.

Figure 15.10.639.05b

Text Box:



Section 4. A new Section 15.13.040 is hereby added to the SeaTac Municipal Code, to read as follows:

**15.13.040 Yard Setbacks for Residential Tent Structures**

- A. Residential tent structures are allowed anywhere within the rear yard setback and are allowed to intrude up to two (2) feet into the side yard setback.
- B. No residential tent structure is allowed in the front yard setback.

Section 5. A new Section 15.13.042 is hereby added to the SeaTac Municipal Code, to read as follows:

**15.13.042 Canopy Tent Structures in the Front Yard**

- A. One (1) canopy tent structure, as defined under SMC 15.10.639.05 is allowed in the front yard between the front foundation wall of the house and 20 foot front yard setback line (See Figure 15.13.042a), subject to the following criteria:
  - 1. The location of existing structures or lot configuration prohibits the location of a canopy structure within the side and rear yards of the property. No tents as defined under SMC 15.10.639.05 are allowed in the front yard; and
  - 2. The property owner receives the permission of the adjacent property owners prior to the installation of the canopy structure.
- B. On lots with frontage on two (2) or more public streets, only one (1) canopy tent structure shall be allowed, regardless of the number street frontages. The property owner may choose the front yard where the canopy tent structure is located, subject to the requirements of SMC 15.13.042 A.

Figure 15.13.042a

Text Box:



- C. For the purpose of this section, an adjacent property owner is defined as the legal property owner of property immediately adjacent on either side of the property where the canopy structure is proposed and property located

across a public right-of-way from the property where the canopy structure is proposed (See Figure 15.13.042b)

Figure 15.13.042b

Text Box:



Section 6. A new Section 15.13.044 is hereby added to the SeaTac Municipal Code, to read as follows:

**15.13.044 Residential Tent Structures – Maximum Height, Number, Building Lot Coverage, Maintenance, Anchoring, and Parking Surface**

- A. The maximum height for a residential tent structure shall be fifteen (15) feet.
- B. There shall be a maximum of three (3) residential tent structures allowed on a parcel of property. If two (2) or more adjacent parcels of properties are in common ownership, no more than three (3) residential tent structures shall be allowed for the combined lots. Canopies must be separated from other canopies by at least 25 feet if their aggregate floor area is 400 square feet or greater. Tents must be separated from other tents by at least 25 feet if their aggregate floor area is 200 square feet or greater and shall conform to all Fire and Building Codes.
- C. Residential tent structures shall not be a stand-alone structure on a parcel of property. A primary structure (single-family residence) shall also be located on a parcel of property where residential tent structure/s are located.
- D. All structures, including residential tent structures, shall not exceed the allowable building lot coverage for the parcel of property as defined under SMC 15.10.375 and 15.13.010.
- E. All residential tent structures shall be white or other subdued color or substantially match the appearance of the primary structure on the property. All residential tent structures shall maintain an appearance of newness. No residential tent structure shall be blue. Residential tent structures that do not maintain an appearance of newness shall be removed from the property.
- F. All residential tent structures shall be installed and anchored pursuant to the manufacturer's instructions.
- G. Vehicle access to a residential tent structure and the area underneath a residential tent

structure shall have an improved surface as defined under 15.15.180 B. of the SMC. Residential tent structures used for single-family off-street vehicle parking shall conform with the maximum single-family vehicle off-street parking area requirements under 15.15.180 of the SMC.

- H. Residential tent structures may be used only for the storage of motor vehicles, recreational vehicles, or boats.
- I. All residential tent structures shall be constructed of approved fire retardant materials.

Section 7. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor by June 6, 2003.

Section 8. This Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 27th day of May, 2003, and signed in authentication thereof on this 27th day of May, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_

Robert L. McAdams, City Attorney

[Effective Date \_\_\_\_\_]



**ORDINANCE NO. 03-1017**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the City Zoning Code to define and regulate opiate substitution treatment facilities.

**WHEREAS**, recent changes to state law place responsibility for the siting of opiate substitution treatment facilities under the jurisdiction of the Department of Social and Health Services rather than County legislative authority; and

**WHEREAS**, the Department of Social and Health Services must site such facilities in accordance with City land use ordinances; and

**WHEREAS**, opiate substitution treatment facilities are not currently defined or otherwise addressed by the City's Zoning Code, and

**WHEREAS**, opiate substitution treatment facilities are considered essential public facilities under state law; and

**WHEREAS**, opiate substitution treatment facilities are likely to have impacts affecting the City's residents; and

**WHEREAS**, it is therefore appropriate and necessary to define and classify opiate substitution treatment facilities and provide corresponding regulations;

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

**ORDAIN as follows:**

Section 1. Section 15.10.155 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.10.155 Convalescent Center/Nursing Home**

Residential facilities offering twenty-four (24) hour skilled nursing care for patients who are recovering from an illness, or receiving care for chronic conditions, mental or physical disabilities, terminal illness, or alcohol or drug detoxification. Care may include in-patient administration of medicine, preparation of special diets, bedside nursing care, and treatment by a physician or psychiatrist. Out-patient care is limited to prior patients only, and excludes any opiate substitution treatment.

Section 2. Section 15.10.249 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.10.249 Essential Public Facility**

A facility providing public services, or publicly funded services that is difficult to site or expand and which meets any of the following criteria: meets the Growth Management Act definition of an essential public facility (EPF), at RCW 36.70A.200, as now existing or hereafter amended, is on the State, King County or City list of essential public facilities, serves a significant portion of the County or region, or is part of a County-wide or multi-County service system, and is difficult to site or expand. Essential public facilities include, but are not limited to, the following: 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 telecommunications 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, including opiate substitution treatment facilities.

Section 3. Section 15.12.040 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.040 General, Educational, Health Services Uses

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

P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES													
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T	
	GENERAL USES														
041	Wireless Telecommunications Facility (**)	C/P(6)	C/P(6)	C/P(6)	C/P(6)	C/P*(6)	P/C(7)	P/C*(7)	P/C*(7)	P/C(7)	P/C*(7)	P/C*(7)	P/C*(7)	C/P*(6)	
042	Communications Facility			Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-C*	Mr.-P Mjr.-C	Mr.-P Mjr.-P*	Mr.-P Mjr.-P*	Mr.-P Mjr.-P	P*	P*	P*	Mr.-P Mjr.-C*	
043	Dry Cleaner					P*(1,2)	P	P*	P*(1)		P*(2)	P*(2)	P*(2)	P*(2)	
044	Auto Repair						C	P*		P					
045	Auto Service						P	P*	P*(1)	P					
046	Funeral Home/ Crematory	C					P	P*	P*(1)	P	P*(2)				
047	Veterinary Clinic						P	P*	P*(1)	P	P*(2)		C*		
048	Kennel						P	P*							
049	Day Care I			P(3,5)	P(3,5)	P*(3,5)	P(3,5)		P*(1,3,5)		P*(2,3,5)	P*(3,5)	P*(2,3,5)	P*(2,3,5)	
050	Day Care II			C(3)	P(3)	P*(3)	P(3)	P*(3)	P*(3)		P*(2,3)		P*(2,3)	P*(2,3)	
051	General Repair						P	P*	P*(1)	P	P*(2)				
	EDUCATIONAL USES														
055	Elementary – Jr. High			C	C	C*			C*						
056	High School			C	C	C*	P	C*	C*						
057	Vocational School						C	P*	C*	C	P*(2)	C*	P*(2)		
058	Specialized Instruction School			P/C(4)	P/C(4)	P/C*(4)	P	P*	P*	P	P*(2)	C*	P*(2)		
059	College/University			C	C	C*		P*	P*		P*	C*	P*(2)		
	HEALTH SERVICES USES														
062	Office/Outpatient Clinic					P*	P	P*	P*	P	P*	P*	P*		
064	Hospital						P	P*	P*		C*	P*			
065	Medical/Dental Lab					C*	P	P*	P*	P	P*	P*	P*	P*(2)	
066	Miscellaneous Health						P	P*	P*		C*	C*	C*		
067	Opiate Substitution Treatment Facility	-	-	-	-	-	-	-	-	C(8)	-	C(8)	-	-	

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

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

- (1) Accessory to primary use not to exceed twenty percent (20%) of primary square footage.
- (2) Permitted as a part of a mixed use development.
- (3) Day Care I: DSHS license required.  
Day Care II: DSHS license required/SEPA review required.
- (4) Limited to three (3) students per day except as allowed within old school facilities subject to a Conditional Use Permit.
- (5) Except as provided pursuant to SMC [15.10.166](#) for family day care.
- (6) WTFs in low intensity zones are permitted uses if they are microcells or are located on water towers or school buildings higher than thirty (30) feet; WTFs in low intensity zones are conditional uses in all other cases, requiring a minor CUP if located on a utility pole or on an existing WTF support structure, and a major CUP if located on a new WTF support structure or an existing building. See SMC [15.31.030](#).
- (7) WTFs in high intensity zones are permitted uses if they are microcells, or are located on an existing WTF support structure, water tower, school building higher than thirty (30) feet in height, or existing other building. WTFs in high intensity zones located on utility poles, or on a new WTF support structure require a minor CUP. See SMC [15.31.030](#).
- (8) Subject to the CUP-EPF siting process (SMC 15.22.035).

**Section 4. Section 15.35.130 of the SeaTac Municipal Code is hereby amended to read as follows:**

15.35.130 General, Educational, Health Services Uses

ZONES:

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

P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES										
		P	UM	UH	UH-UCR	NB	CB-C	ABC	I	O/CM	O/C/MU	T
	GENERAL USES											
041	Wireless Telecommunications Facility	C/P(6)	C/P(6)	C/P(6)	C/P(6)	P	P	P	P	P	P	C/P(6)
042	Communications Facility		Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-P	Mr.-P Mjr.-P	Mr.-P Mjr.-P	P	P	Mr.-P Mjr.-C
043	Dry Cleaner			P(1,2)	P(2)	P	P	P(1)		P(2)	P(2)	P(2)
044	Auto Repair					C	P		P			
045	Auto Service					P	P	P(1)	P			
046	Funeral Home/Crematory	C				P	P(1)	P(1)	P	P(2)		
047	Veterinary Clinic				P(2)	P	P	P(1)	P	P(2)	C	
048	Kennel					P	P(1)		P			
049	Day Care I		P(3,5)	P(3,5)	P(3,5)	P(3,5)		P(1,3, 5)		P(2,3,5)	P(2,3,5)	P(2,3,5)
050	Day Care II		P(3)	P(3)	P(3)	P(3)	P(3)	P(3)		P(2,3)	P(2,3)	P(2,3)
051	General Repair					P	P(1)	P(1)	P	P(2)		
	EDUCATIONAL USES											

055	Elementary – Jr. High		C	C	C			C				
056	High School		C	C	C	P	C	C				
057	Vocational School					C	P	C	C	P(2)	P(2)	
058	Specialized Instruction School		P(4)	P(4)	P	P	P	P	P	P(2)	P(2)	
059	College/University		C	C	C		P	P		P	P(2)	
	HEALTH SERVICES USES											
062	Office/Outpatient Clinic			P	P	P	P	P	P	P	P	
064	Hospital					P	P	P		C		
065	Medical/Dental Lab			C	C	P	P	P	P	P	P	P(2)
066	Miscellaneous Health				C	P	P	P		C	C	
067	Opiate Substitution Treatment Facility	-	-	-	-	-	-	-	C(7)	-	-	-

- (1) Accessory to a primary use not to exceed twenty percent (20%) of primary square footage.
- (2) Permitted as a part of a mixed use development.
- (3) Day Care I: DSHS license required.  
Day Care II: DSHS license required/SEPA review required.
- (4) Limited to three (3) students per day.
- (5) Except as provided pursuant to SMC [15.10.166](#) for family day care (Ord. No. 94-1030, Effective 8/11/94).
- (6) WTFs are permitted uses if located on water towers, school buildings higher than thirty (30) feet, or utility poles; WTFs are conditional uses in all other cases.
- (7) Subject to the CUP-EPF siting process (SMC 15.22.035).

**Section 5. Section 15.14.060 of the SeaTac Municipal Code is hereby amended to read as follows:**

**15.14.060 Landscaping Standards for General, Educational and Health Services Uses**

USE #	LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF > 30 FT. HIGH OR 50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NON-COMPATIBLE USES (Type/Width)	PARKING LOT STANDARDS APPLICABLE*
	GENERAL USES					
041	Wireless Telecommunications Facility	II/10 ft. I/10 ft.**	-	II/5 ft. I/10 ft.**	II/10 ft. (RES./PARK)	-
042	Communications Facility	II/10 ft.	-	-	-	-
043	Dry Cleaner	IV/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
044	Auto Repair	II/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
045	Auto Service	II/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
046	Funeral Home/Crematory	IV/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
047	Veterinary Clinic	IV/10 ft.	IV/5 ft.	II/5 ft.	-	-
048	Kennel	IV/10 ft.	IV/5 ft.	II/5 ft.	I/10 ft. (SF)	-
049	Day Care I	-	-	-	-	-
050	Day Care II	IV/10 ft.	IV/5 ft.	II/5 ft.	-	Yes
051	General Repair	II/10 ft.	IV/5 ft.	II/5 ft.	I/10 ft. (SF)	-
	EDUCATIONAL USES					
055	Elementary – Jr.	IV/10 ft.	IV/5 ft.	IV/5 ft.	-	Yes

	High					
056	High School	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
057	Vocational School	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
058	Specialized Instruction School	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
059	College/University	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
	HEALTH SERVICES USES					
062	Office/Outpatient Clinic	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft.	Yes
064	Hospital	II/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft.	Yes
065	Medical/Dental Lab	II/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft.	Yes
066	Miscellaneous Health	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft.	Yes
067	Opiate Substitution Treatment Facility	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft.	Yes

\* See SMC [15.14.090](#).

\*\* Type II landscaping applies in high intensity zones. Type I landscaping applies in low intensity zones. See SMC [15.31.040](#).

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

(RES./PARK) Adjacent to residential or park zones for buffering purposes. See SMC [15.14.057](#).

## Section 6. Section 15.15.030 of the SeaTac Municipal Code is hereby amended to read as follows:

### 15.15.030 Parking Space Requirements for General, Educational and Health Services Uses

USE #	LAND USE	MINIMUM SPACES REQUIRED
	GENERAL SERVICES USES	
042	Communications Facility	1 per 250 sf
043	Dry Cleaner	1 per 250 sf of building
044	Auto Repair	2 spaces per service bay
045	Auto Service	4 spaces, plus 6 stacking spaces
046	Funeral Home/Crematory	1 per 40 sf of chapel area, plus 1 per employee
047	Veterinary Clinic	1 per 300 sf of building area
048	Kennel	1 space per 12 animal enclosures 1 space per 250 sf of retail sales area 2 spaces for a dwelling unit
049	Day Care I	2 per facility, plus 1 per employee
050	Day Care II	2 per facility (minimum), plus 1 per employee, and 1 load/unload space per every 10 children
051	General Repair	1 per 250 sf of building
	EDUCATIONAL USES	
055	Elementary – Jr. High	1 per 50 students, 1 per faculty member
056	High School	1 per 35 students, 1 per faculty member
057	Vocational School	1 per employee, 1 per 10 students
058	Specialized Instruction School	1 per employee, 1 per 2 students
059	College/University	1 per employee, 0.7 per student
	HEALTH SERVICES USES	
062	Office/Clinic (Outpatient)	1 per 275 sf of building

064	Hospital	1 per bed plu 5 per each 2 employees
065	Medical/Dental Lab	1 per 300 sf of building
066	Miscellaneous Health	1 per 300 sf of building
067	Opiate Substitution Treatment Facility	1 per 275 sf of building, unless modified by a parking plan as part of the CUP-EPF process.

Section 8. A new section 15.10.435.05 is hereby added to the SeaTac Municipal Code, to read as follows:

**15.10.435.05 Opiate Substitution Treatment Facility**

A facility designed to dispense an opiate substitute drug approved by the Federal Drug Administration for the treatment of opiate addiction.

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

Section 10. A copy of this Ordinance shall be forwarded to the Department of Community, Trade and Economic Development of the State of Washington.

**ADOPTED** this 27<sup>th</sup> day of May, 2003, and signed in authentication thereof on this 27<sup>th</sup> day of May, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney

[Effective Date: \_\_\_\_\_ ]

g:/group/planning/holly/admin/Draft Ordinance Opiate Substitution

**ORDINANCE NO. 03-1018**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2003 Annual City Budget for Reimbursement of Community Development Block Grant (CDBG) Funds.

**WHEREAS**, the City of SeaTac received Community Development Block Grant (CDBG) funds in 2000 and 2001; and

**WHEREAS**, the State Auditor's Office issued an audit finding indicating that certain personnel costs billed to the grant were not appropriately documented; and

**WHEREAS**, King County, as Administrator for the CDBG Grant from the U.S. Department of Housing and Urban Development, has now provided written notice requiring repayment of the questioned costs, totaling \$33,955;

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

Section 1. The 2003 Annual City Budget shall be amended to increase General Fund expenditures by \$33,955 to reimburse King County for grant funds received in prior years that have been deemed to be insufficiently documented.

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

**ADOPTED** this 10th day of June, 2003, and signed in authentication thereof on this 10th day of June, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney  
[Effective Date: \_\_\_\_\_]

[2003 Budget Amendment for CDBG funds],

**ORDINANCE NO. 03-1019**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending and repealing certain sections of Chapter 2.35 of the SeaTac Municipal Code related to Civil Service.

**WHEREAS**, the City Council has established a Civil Service Commission by Ordinance No. 90-1038; and

**WHEREAS**, the Civil Service Commission has promulgated rules to accomplish its intended purpose; and

**WHEREAS**, many sections of Ordinance No. 90-1038 are duplicative of the Civil Service rules and thereby redundant; and

**WHEREAS**, references in Ordinance No. 90-1038 to a municipal police department are not applicable;

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

Section 1. Section 2.35.010 of the SeaTac Municipal Code is hereby amended to read as follows:

**2.35.010 Definitions.**

As used in this chapter, the following terms shall have the meanings described below:

A. "Appointing authority" shall mean the City Manager, or the Fire Chief ~~or Police Chief~~, if so designated by the City Manager to have authority for the appointment of persons to positions in the City Fire Department ~~or Police Department~~.

B. "~~Full-time paid~~ employee" means an employee of the City Fire Department ~~or Police Department~~ who is permanently employed for not less than thirty-five (35) hours per week and is regularly paid by the City.

Section 2. Section 2.35.020 of the SeaTac Municipal Code is hereby amended to read as follows:

**2.35.020 Classified civil service system established.**

There is hereby established a classified civil service system to substantially accomplish the purposes of Chapter 41.08 RCW, as to covered employees of the Municipal Fire Department, ~~and of Chapter 41.12 RCW, as to covered employees of the Municipal Police Department~~. All appointments and promotions of covered employees shall be made solely upon merit, efficiency and fitness ascertained by ~~open~~ competitive examination and impartial investigation, and no such employee shall be reinstated in or transferred, suspended or discharged from any position or employment contrary to the civil service system set forth herein.

Section 3. Section 2.35.030 of the SeaTac Municipal Code is hereby amended to read as follows:

**2.35.030 Covered employees.**

All full-time employees who are commissioned officers or firefighters of the City's Fire Department, except the Fire Chief ~~and Assistant Fire Chief~~, shall be covered by and included within the classified civil service.

Section 4. Section 2.35.040 of the SeaTac Municipal Code is hereby amended to read as follows:

**2.35.040 Public Safety Civil Service Commission – Created.**

There is hereby created a Public Safety Civil Service Commission composed of three (3) persons to be appointed by the City Manager to exercise the powers and perform the duties established by this chapter and by state law as set forth in Chapter 41.08 RCW. The members of the Commission shall devote due time and attention to the performance of the duties imposed upon the Commission, but shall hold regular meetings not less than once



per month. The Commissioners shall, immediately after appointment, elect one (1) Commissioner as Chairperson. Two (2) members of the Commission shall constitute a quorum and the concurring votes of any two (2) members shall be sufficient for the decision of all matters and the transaction of all business to be decided or transacted by the Commission. The members of the Commission shall serve without compensation.

Section 5. Section 2.35.060 of the SeaTac Municipal Code is hereby amended to read as follows:

**2.35.060 Public Safety Civil Service Commission – Term of office of Commissioners.**

The first three (3) members of the Public Safety Civil Service Commission shall be appointed to terms as follows: one (1) to serve for a period of two (2) years from the date of appointment, or until appointment of a successor member, whichever is later; one (1) to serve for a period of four (4) years from the date of appointment, or until appointment of a successor member, whichever is later; and one (1) to serve for a period of six (6) years from the date of appointment, or until appointment of a successor member, whichever is later. Thereafter, the term of office of each Commissioner shall be for ~~six~~ four (6 4) years, or until appointment of a successor member, whichever is later. In event of resignation or removal of a Commissioner during his or her term of office, the City Manager shall appoint a new member to serve during the remaining term of the resigned or removed Commissioner. It is provided, however, that if there has been a difficulty in filling appointments to City boards, commissions or advisory committees established by the City Council, and if a member of the Public Safety Civil Service Commission applies to serve on another such board, commission or advisory committee, prior to appointment of the member to the other board, commission or committee, the member shall indicate which of the two (2) board(s), commission(s) or committee(s) shall be the member's "first" and "second" preferences. Thereafter, the member's appointment and/or membership on the board, commission or committee of "second preference" shall be conditional, so that the Mayor and City Council may replace the conditional member with another regular member, as other qualified applicants request membership on the "second preference" board, commission or advisory committee. In the event of the extended excused absence or disability of a member, the City Manager may appoint a member pro tempore to serve during the absence or disability; provided, that such pro tempore appointments or re-appointments shall be for a period of time not to exceed eight (8) months, with any appointments, re-appointments or extensions of appointments thereafter being reviewed and considered by the City Manager.

Section 6. Section 2.35.090 of the SeaTac Municipal Code is hereby amended to read as follows:

**2.35.090 Public Safety Civil Service Commission – Duties.**

The duties and responsibilities of the Public Safety Civil Service Commission shall be as follows:

A. To make suitable rules and regulations not inconsistent with the provisions of this chapter. Such rules and regulations shall provide in detail the manner in which examinations may be made, and the manner in which appointments, promotions, transfers, reinstatements, demotions, suspensions and discharges shall be made, and may also provide for any other matters connected with the general subject of personnel administration of covered employees, and which may be considered desirable to further carry out the general purposes of this chapter, or which may be found to be in the interest of good personnel administration. Such rules and regulations may be changed from time to time. Copies of the rules and regulations, and any amendments thereof, shall be made available for free public distribution.

B. All tests shall be practical, and shall consist only of subjects which will fairly determine the capacity of persons examined to perform duties of the position to which appointment is to be made, and may include tests of physical fitness and/or of manual skill.

C. The rules and regulations adopted by the Commission shall provide for a credit ~~of ten percent~~ in accordance with state law in favor of all applicants for appointment under civil service, who, in time of war, or in any expedition of the armed forces of the United States, have served in and been honorably discharged from the armed forces of the United States, including the Army, Navy and Marine Corps and the American Red Cross. These credits apply to entrance examinations only.

D. The Commission shall make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of this chapter, and the rules and regulations prescribed hereunder; inspect all institutions, departments, offices, places, positions and employments affected by this chapter, and ascertain whether this chapter and all such rules and regulations are being obeyed. Such investigations may be made by the Commission, the Secretary and Chief Examiner, or by any Commissioner designated by the Commission for that purpose. The Commission shall make like investigation on petition of a citizen, duly verified, stating that

irregularities or abuses exist, or setting forth in concise language, in writing, the necessity for such investigation. In the course of such investigation the Commission or designated Commissioner, or Secretary and Chief Examiner, shall have the power to administer oaths, subpoena and require the attendance of witnesses and the production by them of books, papers, documents and accounts appertaining to the investigation and also to cause the deposition of witnesses residing within or without the State to be taken in the manner prescribed by law for the like depositions in civil actions in the superior court; and the oaths administered hereunder and the subpoenas issued hereunder shall have the same force and effect as the oaths administered by a superior court judge in his judicial capacity. The failure upon the part of any person so subpoenaed to comply with the provisions hereof shall be deemed a violation of City ordinance and shall be punishable by imprisonment in jail for a term not longer than thirty (30) days, by a fine of more than one hundred dollars (\$100.00), or both such imprisonment and fine.

E. All hearings and investigations before the Commission, designated Commissioner, or Secretary and Chief Examiner, shall be governed by this chapter and by rules of practice and procedure to be adopted by the Commission, and in the conduct thereof neither the Commission, the designated Commissioner, nor the Secretary and Chief Examiner shall be bound by the technical rules of evidence. No informality in any proceedings or hearing, or in the manner of taking testimony shall invalidate any order, decision, rule or regulation made, approved or confirmed by the Commission; provided, however, that no order, decision, rule or regulations made by any designated Commissioner conducting any hearing or investigation alone shall be of any force or effect whatsoever unless and until concurred in by at least one of the other two members.

F. To hear and determine appeals or complaints respecting the personnel administration of covered employees, appeals upon the allocation of positions, the rejection of an examination, and such other matters as may be referred to the Commission.

G. Establish and maintain in card or other suitable form a roster of officers and employees.

H. Provide for, formulate and hold competitive tests to determine the relative qualifications of persons who seek employment in any class or position and as a result thereof establish eligible lists of the various classes of positions, and to provide that persons laid off because of curtailment of expenditures, reduction in force, and for like causes, head the list in the order of their seniority, to the end that they shall be the first to be reemployed.

I. When a vacant position is to be filled, the Commission shall certify to the appointing authority, on written request, ~~the names of the three persons highest on the eligible~~ an eligibilty list for the class. The Commission shall make provision in its rules for provisional or temporary appointments to be utilized when there is no eligible list applicable to the vacant position. ~~Such temporary or provisional appointment shall not exceed a period of four months in duration, but may be extended for an additional four months if, for any reason, it cannot be determined at the expiration of the initial appointment that the position filled by temporary or provisional appointment can otherwise be filled: such as in the instance of a vacancy due to an employee being on LEOFF disability, or for other good cause which in the discretion of the Commission warrants additional extension of such provisional or temporary appointment.~~

J. Keep such records as may be necessary for the proper administration of this chapter.

Section 7. Sections 2.35.130, 2.35.140, 2.35.150, 2.35.160, 2.35.170, 2.35.180, 2.35.190, 2.35.200, and 2.35.210 of the SeaTac Municipal Code are hereby repealed.

Section 8. This Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 10th day of June, 2003, and signed in authentication thereof on this 10th day of June, 2003.

## CITY OF SEATAC

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Robert L. McAdams, City Attorney

[Effective Date: 07/10/03]

[Chapter 2.35 Civil Service Amd]

**ORDINANCE NO. 03-1020**

AN ORDINANCE of the City Council of the City of SeaTac, Washington repealing Title 16 of the SeaTac Municipal Code related to development review procedures and adopting a new Title 16A entitled Development Review Code, and amending other related sections of the Municipal Code to provide for consistency with the new development regulations and to update appeal procedures.

**WHEREAS**, the State Legislature has adopted requirements for Cities regarding review procedures for development applications; and

**WHEREAS**, the City Council adopted a Development Review Code, Title 16, of the SeaTac Municipal Code pursuant to state law under Ordinance 96-1008; and

**WHEREAS**, reorganization and updates to the Development Review Code will clarify, simplify, and streamline the review procedures for the staff and the public; and

**WHEREAS**, it is appropriate to amend related code sections based upon the new Development Review Code to ensure consistency throughout the Municipal Code; and

**WHEREAS**, certain code sections regarding appeals should be amended to comply with the Land Use Petition Act, RCW 36.70C;

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

Section 1. Title 16 of the SeaTac Municipal Code is hereby repealed.

Section 2. There is hereby added a new Title 16A to the SeaTac Municipal Code as set forth in Exhibit A.

Section 3. Section 1.15.060 of the SeaTac Municipal Code is hereby amended to read as follows:

**1.15.160 Appeals.**

A. Any person aggrieved by the notice and order may appeal to the City Hearing Examiner. Such appeals shall be filed with the City Clerk, only on forms provided by the City Clerk, within fourteen days of the date of the Notice and Order together with the required filing fee.

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

B-C. The appeal hearing shall be electronically recorded and the Hearing Examiner shall have such rule-making and other powers necessary for conduct of the hearing as are specified by ordinance. The appeal hearing shall be conducted within a reasonable time after receipt of the request for appeal. Written notice of the time and place of the hearing shall be given at least thirty (30) days prior to the date of the hearing to every appealing party, to the Code Enforcement Officer, and to other interested persons who have requested in writing that they be so notified. The Code Enforcement Officer may submit a report and other evidence indicating the basis for the enforcement order.

D. Each party shall have the following rights, among others:

1. To call and examine witnesses on any matter relevant to the issues of the hearing;
2. To introduce documentary physical evidence;
3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

4. To produce rebuttal evidence;
  5. To represent himself or herself or to be represented by an attorney at law.
- E. Following review of the evidence submitted, the Hearing Examiner shall make written findings and conclusions, and shall affirm or modify the order previously issued if it is found that a violation occurred. The Hearing Examiner shall reverse the order if it is found that no violation occurred. The written decision of the Hearing Examiner shall be provided to all the parties. The decision is final unless appealed pursuant to SMC 15.22.065 (G).
- E. Whenever possible, the appeal shall be combined with any other appeal from enforcement actions relating to the same subject matter and falling within the jurisdiction of the Hearing Examiner.

Section 4. Section 1.20.110 of the SeaTac Municipal Code is hereby amended to read as follows:

**1.20.110 Decisions of the Examiner which are final.**

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

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

Section 5. Section 1.20.130 of the SeaTac Municipal Code is hereby amended to read as follows:

**1.20.130 Public hearing.**

- A. Before rendering a decision on any application, the Examiner shall hold at least one public hearing which shall be electronically recorded. For applications subject to Council action, the public hearing by the Examiner shall constitute a hearing by the Council.
- B. Whenever a project requires more than one permit or approval, the Examiner shall order a consolidation of and conduct the required public hearings to avoid unnecessary costs or delays. Decisions of the Examiner to order and conduct consolidated hearings shall be final in all cases.

Section 6. A new Section 1.20.135 of the SeaTac Municipal Code is hereby added to read as follows:

**1.20.135 Appeal hearing.**

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

Section 7. Section 1.20.140 of the SeaTac Municipal Code is hereby amended to read as follows:

**1.20.140 Procedural notice requirements.**

Unless otherwise provided by ordinance, the City Manager, or designee shall cause notice of the time and place of public hearings or to be mailed to all persons of record at least fourteen (14) calendar days prior to the scheduled hearing. Notice of appeal hearings shall be given to the appellant at least thirty (30) days prior to the hearing. Additional notice shall be given as provided in the ordinance governing the particular type of application or appeal. Public hearings may be continued or reopened by the Examiner with written notice to all persons of record at least fourteen (14) calendar days prior to the rescheduled hearing. Public hearings may be continued by the Examiner without additional written notice provided the continuance is made during open session to a specific date, time, and location.

Section 8. Section 1.20.150 of the SeaTac Municipal Code is hereby amended to read as follows:

**1.20.150 Planning Department report.**

When an application or appeal has been set for hearing, the planning department shall coordinate and assemble the reviews of other departments and governmental agencies having an interest in the subject application or appeal and shall prepare a report summarizing the factors involved and the department findings and recommendation or decision. At least fourteen (14) days prior to the scheduled hearing, the report shall be filed with the Examiner and copies thereof shall be mailed to all persons of record who have not previously received said materials.

Section 9. Section 1.20.140 of the SeaTac Municipal Code is hereby amended to read as follows:

**1.20.220 Appeal to Examiner – Notice and content and supplemental information.**

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

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

Section 10. Section 1.20.230 of the SeaTac Municipal Code is hereby amended to read as follows:

**1.20.230 Appeal to Council – Notice.**

Decisions by the Examiner on cases subject to Council action may be appealed to the Council by an aggrieved party by filing a notice of appeal with the City Clerk within fourteen (14) calendar days of the Examiner's written decision, together with a filing fee in the amount of fifty dollars (\$50.00) or in such other amount as may be specified by resolution of the City Council. If no appeal is filed within fourteen (14) calendar days, the Examiner's decision shall be considered as final and conclusive.

Section 11. Section 1.20.240 of the SeaTac Municipal Code is hereby amended to read as follows:

**1.20.240 Appeal to Council – Content.**

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

Section 12. Section 1.20.280 of the SeaTac Municipal Code is hereby amended to read as follows:

**1.20.280 Review of final decisions.**

- A. Decisions of the Council shall be final and conclusive unless appealed pursuant to SMC 15.22.065(G), provided, no development or related action may occur during said twenty-day, or thirty-day for plat approvals, appeal period.
- B. Decisions of the Examiner in cases identified in Section 1.20.110 shall be final and conclusive, unless, appealed pursuant to SMC 15.22.065(G), provided no development or related action may occur during said appeal period.
- C. Notwithstanding the foregoing provisions of this section, final decisions of the Council relating to matters governed by the State Shorelines Management Act shall be appealed to the State Shorelines Hearing Board as specified in the said Act.

Section 13. Section 13.30.160 of the SeaTac Municipal Code is hereby amended to read as follows:

**13.30.160 Time Limitation on Appeals**

A written notice of appeal identifying the grounds for appeal must be filed with the City Clerk within ~~fourteen~~ (14) ten (10) days of the date of issuance of the final threshold determination of significance, final determination of nonsignificance, or final EIS.

- A. An appellant intending to offer additional written documentation in support of its position must file any such material with the City Clerk's office within fourteen (14) days of filing the initial appeal. Documents not so filed with the City clerk's office shall not be admitted at the time of the hearing.
- B. Any party, other than the appellant, wishing to submit written documentation either in support of, or in opposition to, the appeal shall file any written material with the City Clerk's office within ten (10) days of publication of the public hearing notice.

Section 14. Section 13.30.250 of the SeaTac Municipal Code is hereby amended to read as follows:

**13.30.250 Superior Court Review – Limitations for Appeal**

The decision of the hearing Examiner on appeal from a threshold determination may be appealed only to Superior Court in conjunction with an appeal of the underlying action in accordance with RCW 43.21C.075, the State Environmental Policy Act. Any such appeal must be brought within the timelines specified in RCW 36.70C.040.

Section 15. Section 15.05.040 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.05.040 Requirement of Code Conformity**

- A. No use or structure shall be established, substituted, expanded, constructed, altered, moved, maintained, or otherwise changed except in conformance with the code.
  - 1. Permits Required. To ensure that code requirements are met, any action that establishes or changes a use or structure, or alters site conditions such as landscaping or parking, shall be subject to review through submittal of an application for a permit for such action in accordance with the Requirements of SMC Title 16.

2. Site Plan Review.

- a.) Building permits, Grading permits, and, other applicable non-Planning permits requiring compliance with zoning code standards shall be reviewed through a Planning Department site plan review to ensure compliance with the requirements of this code.
- b.) In the event that no other permit application applies to the review of an action requiring zoning code compliance, a "site plan review" permit shall be obtained from the Department of Planning and Community Development. The requirements for the site plan review permit are outlined in an application form available from the Department. The site plan review shall be a Type I permit, unless deemed by the Director of Planning and Community to warrant Type II review with public notification.

3. Notwithstanding subsections 1 and 2 of this section, the following actions are exempt from any permit requirements, although they must still meet the requirements of the code:

- a.) Construction of an accessory building of less than 120 square feet;
- b.) Fences of 6 feet or less in height;
- c.) The cutting of one or more trees by the owner of a single family property on which is an existing single family home, unless such trees are in a steep slope, wetland, or other sensitive area, or sensitive area buffer, or unless such trees are required to be retained by covenants on the property. B. Creation of, or changes to, lot lines shall conform with the use provisions, dimensional and other standards, and procedures of the code and SMC Title [14](#), Subdivisions.
- C. All land uses and development authorized by the code shall comply with all other regulations and requirements of the code or any other local, state or federal agency that has jurisdiction over land uses and development. Where a difference exists between the code and other regulations, the more restrictive requirements shall apply.
- D. Where more than one (1) part of the code applies to the same aspect of a proposed use or development, the more restrictive requirements shall apply.

Section 16. Section 15.22.010 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.22.010 Purpose**

The Purposes of this chapter are to allow for consistent evaluation of land use applications and any other quasi-judicial matters considered by the Hearing Examiner pursuant to the applicable ordinances and authority. This chapter also details decision criteria for Administrative Variances and Minor Conditional Use Permits rendered by the City Manager or designee.

The criteria in this chapter are intended to protect nearby properties from the possible effects of land use requests subject to discretionary land use permits by;

- A. Providing clear criteria on which to base a decision;
- B. Recognizing the effects of unique circumstances upon the development potential of a property;
- C. Avoiding the granting of special privileges;
- D. Avoiding development which may be unnecessarily detrimental to neighboring properties;
- E. Requiring that the design, scope and intensity of development is in keeping with the physical aspects of a site and adopted land use policies for the area; and



- F. Providing criteria which emphasize protection of the general character of neighborhoods.

Section 16. Section 15.22.020 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.22.020 Variance**

- A. A variance is a request for an exception to the development standards of the code because of special circumstances (i.e., size, shape, topography of lot, conflict with Growth Management Policies) when the strict application of the code deprives such property of privileges enjoyed by other similar properties. A variance ~~is granted through the public hearing process; the Hearing Examiner may be granted a variance~~ when a hardship is proven. A variance cannot be used for relief from types of uses permitted within zone classifications.
- B. The applicant must show that the proposed development issue requiring a variance meets all of the following criteria for approval ~~by the Hearing Examiner~~, except as specified in subsection (~~CD~~) of this section:
1. There are exceptional circumstances applicable to the property;
  2. The variance is necessary to protect a property right possessed by others;
  3. The variance will not harm the public welfare of adjacent properties;
  4. There is no reasonable alternative that will allow a reasonable use of the land or building;
  5. The special circumstances and conditions do not result from the actions of the applicant;
  6. The requested variance will not create a use not generally permitted within the zone classification in which the subject property is located;
  7. The variance is the minimum necessary to grant relief to the applicant.
- ~~C. The requested variance is decided by the City's Hearing Examiner through a public hearing process, except in cases where the requested change involves less than 10% variance to a standard. In these cases, the variance may be decided by the City manager or designee, provided the following criteria are met in addition to those in Subsection B of this section:~~
- ~~1. The variance does not reasonably involve a life/safety issue nor does it reasonably involve damage to or loss of property of any person or entity.~~
  - ~~2. The person or entity requesting the requirements change shall agree to waive all rights to pursue a variance or other process to seek an alternative to the requirements of the City Code; provided, that if no change in the requirements of the City Code is granted to such person or entity, the person or entity would be entitled to pursue a variance or other available procedure in the normal course.~~
- ~~DE.~~ A variance from the height limitations specified in SMC 15.31.040(B) may be granted by the hearing examiner only in situations where all of the following criteria are met. These criteria shall apply in lieu of those specified in subsection (B) of this section.
1. The specified height limit would have the effect of precluding the provision of commercial wireless communication service;
  2. The variance is necessary to protect a property right possessed by others;
  3. The variance will not harm the public welfare of adjacent properties;

4. The requested variance will not create a use not generally permitted within the zone classification in which the subject property is located;
5. The variance is the minimum necessary to grant relief to the applicant;
6. Any request for a variance from height limits shall include a written report that specifies:
  - a. The necessity of the site to provide the communication coverage required by the applicant; and
  - b. The necessity of the requested height as the minimum necessary to provide the communication coverage required by the applicant; and
  - c. An assessment of all possible alternatives that could meet the service provider's system coverage requirements. The alternatives assessment shall include alternative sites, alternative antenna types, and any other mechanism that could make the additional height unnecessary in terms of meeting the service provider's system coverage needs

Section 17. Section 15.22.030 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.22.030 Conditional Use Permit (CUP)**

- A. A major conditional use permit (CUP) is a permit granted by the Hearing Examiner or by the City Manager or designee, which sets special conditions regarding a use in a zone where the use is not permitted outright due to the nature of impacts created by the use.
- ~~B. A minor conditional use permit may be granted by the City Manager, or designee to allow the expansion of an existing legal conditional use or to allow permitting of a wireless telecommunications facility pursuant to the criteria set forth in subsection E of this section .~~
- C. The CUP process is a means of imposing special conditions and requirements on development, so that the compatibility of uses shall be maintained considering other existing and potential uses within the general area where the conditional use is proposed. Conditions imposed on a CUP will reasonably assure that a nuisance or hazard to life or property will not occur. The CUP process is not a means to reduce the requirements of a zone classification where the conditional use is proposed.
- D. The applicant must show that the proposed development satisfies all of the following criteria for approval by the Hearing Examiner or City Manager, or designee:
  1. The proposed use is listed as a conditional use under the zone classification use charts, Chapter 15.12 SMC;
  2. The site is adequate in size and shape for the proposed project and the use conforms to the general character of the neighborhood;
  3. The unique character of topography, arterial streets and adjacent land use complement the proposed conditional use;
  4. The conditional use would not be detrimental to surrounding land use;
  5. Modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this code;
  6. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
  7. The conditional use will be supported by adequate public facilities or services, and will not adversely affect public services to the surrounding area unless conditions can be established to

mitigate adverse impacts.

- E. A minor conditional use permit may be granted by the City Manager only in the following situations:
1. To allow the expansion of an existing, legal conditional use which has previously been permitted within the zone classification, provided the requested expansion of the existing conditional use is either:
    - a. No greater than twenty percent (20%) of the gross floor area or gross area of the existing conditional use; and
    - b. Exempt from environmental review under the State Environmental Policy Act (SEPA);
  2. To allow location of a WTF on a utility pole or add one WTF to an existing support structure established as a conditional use, subject to the requirements set forth in Chapter 15.31 SMC,
  3. Site a new support structure for all WTF's within the high intensity zones, subject to the
- The minor conditional use must conform to the criteria as set forth in SMC 15.22.030 and all other requirements of this code.

Section 18. Section 15.22.065 of the SeaTac Municipal Code is hereby amended to read as follows:

#### **15.22.065 Appeal Process**

- A. Appeal to the Hearing Examiner – Notice and Content. All notice of appeal regarding any decision being appealed to the Hearing Examiner shall be filed with the City Clerk, only on a form provided by the City Clerk, within fourteen (14) days of the date of the decision together with a filing fee in the amount specified in the City's schedule of fees or in such other amount as may be specified by resolution of the City Council. All notices of appeal shall state with specificity the decision being appealed and the reasons why the appealed decision should be reversed or modified.
- B. Appeal to City Council – Notice. Decisions by the Hearing Examiner on cases subject to City Council action may be appealed to the City Council by a person with standing by filing a notice of appeal with the City Clerk within fourteen (14) days of the date the Hearing Examiner's written decision is mailed, together with a filing fee in the amount specified in the City's schedule of fees or in such other amount as may be specified by resolution of the City Council.
- C. Appeal Briefs. If a notice of appeal has been filed, the appellant shall file any supplemental written arguments within twenty-one (21) days of filing the appeal.
- D. Appeal to City Council – Consideration. Consideration by the City Council of the appeal shall be based upon the record of the Hearing Examiner's public hearing and upon written appeal statements based upon the record; provided the City Council may allow parties a period of time for oral argument based on the record. The Hearing Examiner may conduct a conference with all parties to the appeal for the purpose of clarifying or attempting to resolve certain issues on appeal; provided such conference shall be informal and shall not be part of the public record.

If, after consideration of the record, written appeal statements and any oral argument, City Council may:

1. Affirm the decision of the Hearing Examiner;
2. Determine that an error in fact or procedure may exist or additional information or clarification is desired. The City Council shall then remand the matter back to the Hearing Examiner; or
3. Determine that the recommendation of the Hearing Examiner is based on an error in judgement or conclusion. The City Council may then modify or reverse the decision of the Hearing Examiner

with appropriate findings of fact, conclusions of laws and decision.

- E. Appeal to City Council – City Council Action. The City Council shall take final action by ordinance or resolution on a Hearing Examiner’s recommendation on area zoning or on any appeal of a Hearing Examiner’s decision, and when so doing, the City Council shall make and enter findings of fact and conclusions from the record which support its action. Said findings and conclusions shall set forth and demonstrate the manner in which the action is consistent with, carries out, and helps implement objectives and goals of the Comprehensive Plan, the Zoning Code, the Subdivision Code and other official laws, policies and objectives of the City. The City Council may adopt as its own all or portions of the Hearing Examiner’s findings and conclusions.
- F. Reconsideration of Final Action. The City Council may reconsider any action after it has become final if:
1. The action was based in whole or in part on erroneous facts or information;
  2. The action, when taken, failed to comply with existing laws or regulations applicable thereto; or
  3. An error or procedure occurred which prevented consideration of the interests of persons directly affected by the action.
- G. Review of Final Decisions.
1. Land use decisions of the City Council shall be final and conclusive unless appealed to the King County Superior Court within twenty-one (21) days by filing a land use petition meeting the requirements set forth in RCW 36.70C. All other final decisions of the City Council shall be final and conclusive unless a petition for review is filed with the King County Superior Court within thirty (30) days.
  2. Land use decisions of the Hearing Examiner shall be final and conclusive, unless appealed to the King County Superior Court within twenty-one (21) days by filing a land use petition meeting the requirements set forth in RCW 36.70C. All other final decisions of the Hearing Examiner shall be final and conclusive unless a petition for review is filed with the King County Superior Court within Thirty (30) days.
  3. Notwithstanding the foregoing provisions of this section, final decisions of the City Council relating to matters governed by the State Shorelines Management Act shall be appealed to the State Shorelines Hearing Board as specified in the said Act.

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

Section 20. A copy of this Ordinance shall be sent to the Department of Community, Trade and Economic Development.

**ADOPTED** this 10<sup>th</sup> day of June, 2003, and signed in authentication thereof on this 10<sup>th</sup> day of June, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Julie Elsensohn, Assistant City Attorney

**ORDINANCE NO. 03-1021**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Chapter 15.31.040 of the City Zoning Code to adopt interim development standards for wireless telecommunications facilities.

**WHEREAS**, the City Council is concerned that existing development regulations and design standards governing wireless telecommunication facilities are not sufficient to protect the public interest regarding the City's aesthetic character; and

**WHEREAS**, in order to safeguard the public interest regarding aesthetic character, to protect the public welfare, and to ensure compatibility with adjacent land uses, interim development standards should be established for the public good; and

**WHEREAS**, the City anticipates receiving a number of permit applications to site WTFs which would be vested under existing regulations and result in facilities incompatible with surrounding development; and

**WHEREAS**, the Comprehensive Plan supports implementing standards to minimize adverse aesthetic impacts from utility facilities (Policy 5.3B); and

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

**WHEREAS**, adopting interim standards allows time for City staff and the Planning Commission to research and formulate permanent development standards that reflect input from industry representatives and the public;

**WHEREAS**, RCW 35A.63.220 and RCW 36.70A.390 permit the City Council to adopt an interim zoning ordinance, subject to a public hearing within sixty (60) days of the date of adoption of any such interim zoning ordinance, and further subject to findings of fact justifying the interim zoning ordinance at either the time of adoption or following conclusion of the public hearing; and

**WHEREAS**, the City Council deems it to be in the best interest of the public welfare to provide for interim development standards governing wireless telecommunication facilities;

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

**Section 1.** Section 15.31.040 of the SeaTac Municipal Code is hereby amended to read as follows:

15.31.040 General Siting Approach and Development Standards

A. General Siting Approach. Generally, collocation on existing support structures or other existing

structures is encouraged. Further, attachment of antenna(s) to existing nonresidential structures primarily within high intensity zones, as listed below, is preferable to new freestanding support structures.

New support structures will be allowed only when there is no feasible alternative. SMC [15.31.030\(B\)\(3\)](#) sets forth the procedures by which the existence of feasible alternatives will be determined. The preferred order for the location of new support structures is:

1. I and BP zones;
  2. ABC, CB, CB-C, O/CM, O/C/MU and NB zones;
  3. UH and UM zones;
  4. UL, MHP, T and P zones.
- B. Development Standards.**
1. **High Intensity Zones.** Subject to the following development standards, WTFs are permitted in the following high intensity zones: I, BP, ABC, CB, CB-C, and O/CM Location of WTFs on some structures in the high intensity zones is subject to the conditional use permit process as stated in SMC [15.31.030\(A\)](#).
    - a. **Collocation.** Collocation is encouraged. No additional setback or landscaping standards are required for WTFs collocating on existing support structures.
      - i. The maximum number of platforms on any support structure shall be four (4).
      - ii. The number of WTFs allowed on existing structures is not limited, except that not more than one (1) WTF shall be allowed on a utility pole.
      - iii. Each service provider shall be limited to an equipment shelter installation not to exceed two hundred fifty (250) square feet in area at each WTF site. An equipment shelter installation may be comprised of a single structure, or several cabinets or similar components.
    - c. **Locating on Utility Poles.** WTFs locating on utility poles shall either meet the definition of a microcell, or conform to the following:
      - i. Only tubular and whip antennas may be mounted on utility poles.
      - ii. The utility pole at the proposed location may be replaced with a taller pole for the purpose of accommodating the WTF; provided that:
        - (a) No utility pole, including the wireless antenna, shall exceed a height of 55 feet measured from the base of the pole.
      - (b) Utility poles used to mount a WTF must be tapered and shall measure no more than twenty (20) inches in diameter at the base and shall taper to fourteen (14) inches or less in diameter at the top of the pole.
      - iii. A tubular antenna may be mounted as an extension on top of an existing utility pole. A tubular antenna mounted on top of a utility pole shall not exceed fourteen (14) inches in diameter and eight (8) feet in height;
      - v. A whip antenna may be mounted as an extension on top of an existing utility pole. A whip antenna mounted on top of a utility pole shall not exceed fifteen (15) feet in length, and shall be enclosed within a cylinder no more than fifteen (15) feet in height and

fourteen (14) inches in diameter, that is painted or treated to match the existing pole;

- vi. Where an existing utility pole is replaced to accommodate a WTF, the WTF, cylinder cover and supporting utility pole shall be painted or treated to simulate natural wood grain;
  - vii. Exceptions to subsection 'vi' above may be authorized in writing by the Director of Planning and Community Development to preserve the existing aesthetic character of a zone or subarea;
  - vii. Where a WTF is added to an existing utility poles, the WTF and cylinder cover shall be painted or treated to match the color and texture of the utility pole;
  - viii. The visual effect of the WTF on all other aspects of the appearance of the utility pole shall be minimized to the greatest extent possible;
  - ix. The use of a utility pole for the siting of a WTF shall be considered secondary to the primary function of the utility pole. If the primary function of a utility pole serving as a host site for a WTF becomes unnecessary and any City, State, or Federal regulation requires its removal, the utility pole shall not be retained for the sole purpose of accommodating the WTF;
  - x. Equipment cabinet(s) for WTFs located on utility poles shall be located underground, unless an existing building other than a single-family residence is available to accommodate the equipment cabinet(s), or vegetation sufficient to screen the cabinet(s) exists at the site;
  - xi. In all cases where a utility pole is replaced for the purpose of accommodating a WTF installation, the cables and other wiring necessary for the WTF shall be routed inside the pole.
- c. Height. The height of WTFs collocated on existing structures shall not exceed twenty (20) feet above the existing structure; provided, that the height shall not exceed applicable FAA limitations.

The height of new support structures shall be limited to eighty (80) feet. This height may be increased to one hundred (100) feet if the support structure is designed to accommodate collocation by another wireless telecommunications service provider.

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

- d. Setbacks. For new support structures, the required setbacks shall be measured from the base of the support structure or from the edge of the equipment shelter, whichever is closer to the property line. The minimum setbacks shall be as follows:
- i. Front: Ten (10) feet;
  - ii. Side: Five (5) feet;
  - iii. Rear: Five (5) feet.

The setbacks shall be a minimum of twenty (20) feet on the sides adjacent to P, UL, UM, UH, MHP or T zones. For new WTFs located on existing buildings, the WTF shall be allowed to project into the setback; provided, that such projection does not exceed twenty-four (24) inches.



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

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

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

2. Low Intensity Zones. Low intensity zones include only the UL, UM, UH, MHP, O/C/MU, NB, T, and P zones. Subject to the following development standards, WTFs are allowed in the low intensity zones. Location of WTFs on some structures in the low intensity zones is subject to the conditional use permit process as stated in SMC [15.31.030\(A\)](#).

- a. Collocation. Collocation or locating on an existing structure is required, except where technical or other limitations preclude it, as documented by a report described in SMC [15.31.030\(B\)\(3\)\(c\)](#).
- i. The maximum number of platforms on any existing support structure shall be two (2), except where the Planning Director determines that a lower number is needed to protect the character of the existing neighborhood.
- ii. The number of WTFs located on existing structures is not limited, except that not more than one (1) WTF shall be allowed on a utility pole.
- iii. Each service provider shall be limited to an equipment shelter installation not to exceed two hundred fifty (250) square feet in area at each WTF site. An equipment shelter installation may be comprised of a single structure, or several cabinets or similar components.
- b. New support structures, as defined under SMC 15.10.635, shall not be located in low-intensity zones.

Existing support structures already located in the low-intensity zone shall be considered legal nonconforming structures; however, modifications may be made to the existing support structure, including structural upgrades to the structure, provided that:

- i. The structure height is not increased;
- ii. WTFs collocated on an existing support structure shall not exceed the height of that support structure;
- iii. No more than 2 platforms are located on the monopole;
- iv. Adverse visual impacts of the structure on adjacent properties are not increased, as determined by the Director of Planning and Community Development.
- c. Locating on Utility Poles. WTFs locating on utility poles shall either meet the definition of a microcell or conform to the following:
- i. Only tubular and whip antennas may be mounted on utility poles.
- ii. The utility pole at the proposed location may be replaced with a taller pole for the purpose of accommodating the

WTF; provided that, .

(a) No utility pole, including the wireless antenna, shall exceed a height of 45 feet measured from the base of the pole.

(b) Utility poles used to mount a WTF must be tapered and shall measure no more than twenty (20) inches in diameter at the base and shall taper to fourteen (14) inches or less in diameter at the top of the pole.

iv. A tubular antenna may be mounted as an extension on top of an existing utility pole. A tubular antenna mounted on top of a utility pole shall not exceed fourteen (14) inches in diameter and eight (8) feet in height;

v. A whip antenna may be mounted as an extension on top of an existing utility pole. A whip antenna mounted on top of a utility pole shall not exceed fifteen (15) feet in length, fourteen (14) inches in diameter, and shall be enclosed within a cylinder no more than fifteen (15) feet in height and fourteen (14) inches in diameter at the base, that is painted or treated to match the existing pole;

vi. All WTFs, cylinder covers, and supporting utility poles shall be painted or treated to simulate natural wood grain;

vii. Exceptions to subsection 'vi' above may be authorized in writing by the Director of Planning and Community Development to preserve the existing aesthetic character of a zone or subarea;

viii. The cylinder cover added to existing utility poles and the WTF shall be painted or treated to match the color and texture of the utility pole;

ix. The visual effect of the WTF on all other aspects of the appearance of the utility pole shall be minimized to the greatest extent possible;

x. The use of a utility pole for the siting of a WTF shall be considered secondary to the primary function of the utility pole. If the primary function of a utility pole serving as a host site for a WTF becomes unnecessary and any City, State, or Federal regulation requires its removal, the utility pole shall not be retained for the sole purpose of accommodating the WTF;

xi. Equipment cabinet(s) for WTFs located on utility poles shall be located underground, unless an existing building other than a single-family residence is available to accommodate the equipment cabinet(s), or vegetation sufficient to screen the cabinet(s) exists at the site;

xii. In all cases where a utility pole is replaced for the purpose of accommodating a WTF installation, the cables and other wiring necessary for the WTF shall be routed through the inside of the pole.

c. Height. The height of WTFs located on existing structures shall not exceed fifteen (15) feet above the existing structure; provided, that the height shall not exceed applicable FAA height limitations.

d. Setbacks. For new support structures, the required setbacks shall be measured from the base of the support structure or from the edge of the equipment shelter, whichever is closer to the property line. The setbacks shall be a minimum of twenty (20) feet on all sides. For collocated WTFs, or WTFs located on an existing structure, there are no additional setback requirements.

- e. Landscaping. For new support structures, the street frontage landscaping shall be Type I, ten (10) feet, on all sides. In all cases, the landscaping shall be located on the outside of any fence that is used.

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

3. General Development Standards. All WTFs in all zones shall be subject to the following development standards:

- a. Fencing. Fences are not required, but shall be subject to a maximum height of ten (10) feet. The maximum fence height shall include any barbed wire or similar material, if used at the top of the fence. Fences may be constructed of any standard fencing material. All fencing shall be located inside of any required landscaping.
- b. Lighting. Only lighting required by FAA regulations, as documented by a letter from that agency, is allowed on support structures or antennae. Where lighting is required by FAA regulations, the light source shall be hooded or directed to shield adjacent properties, except where prohibited by FAA regulations.
- c. Noise. WTFs shall meet all existing noise standards as per SMC [15.18.020](#). In addition, noise levels shall not exceed ambient noise levels when measured at the property boundaries except in designated emergencies or for emergency generator testing. During generator testing, noise levels shall not exceed five (5) dBA above ambient noise levels when measured at the property boundaries. Generator testing is allowed only between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday.
- d. Aesthetics. Support structures shall be painted a color that best allows them to blend into the surroundings. The use of grays, blues and greens will often be appropriate. However, each case shall be evaluated individually, and approval of the Planning Director shall be obtained.

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

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

- e. Abandonment. Any WTF that is abandoned shall be reported immediately to the Director of Planning and Community Development by the service provider. The service provider shall include documentation of the date that use of the WTF was discontinued. The service provider shall remove the abandoned WTF and restore the aboveground site features to their pre-existing condition within six (6) months of the abandonment, unless another service provider commits to using the site/facility as specified below. If the abandoned WTF is not removed and the site restored within the specified time frame, the City may conduct the removal and/or restoration at the service provider's expense.

If there are two (2) or more users of a single WTF, then this provision shall not become effective until all users cease using the WTF. If another service provider has committed to

continue the use of the discontinued WTF, an extension of up to three (3) months beyond the six (6) month removal deadline may be granted provided that:

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

Section 2. These standards are adopted on an interim basis pursuant to RCW 36.70A.390 for a period of six (6) months from the effective date of this ordinance.

Section 3. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council shall cause appropriate notice to be given and shall hold a public hearing on the matter of this ordinance not later than sixty (60) days after adoption hereof, and shall then make findings of fact justifying the same.

Section 4. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 5. The Ordinance shall be deemed a public emergency ordinance and shall be effective immediately upon passage.

**ADOPTED** this 24th day of June, 2003 and signed in authentication thereof on this 24th day of June, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney

[Effective Date: 06/24/03]

[An Ordinance Adopting Interim Design Standards for Wireless Telecommunications Facilities]



**ORDINANCE NO. 03-1022**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 15.10.180, 15.12.015, 15.13.115, Section 15.28.060 B of the City Zoning Code and adding a new Section 15.21.057 to the City Zoning Code to increase the number of domestic animals allowed, to provide criteria for replacement of legal ~~nonconforming~~ nonconforming horses, and to change the criteria to apply for a Horse Overlay Zoning District.~~AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to the City's Zoning Code in regard to definition of lot area, siting of batch plants, landscaping and parking requirements, security wire on fences, and stacking of parking spaces, and amending Sections 15.10.370, 15.10.360, 15.10.625, 15.12.020, 15.13.110 B070., 15.14.040, 15.14.130, 15.15.030, and 15.15.110 B and adding new Sections 15.14.125, 15.15.100 J., 15.13.020 D, 15.14.040, 15.14.060, 15.15.030, of the SeaTac Municipal Code, and creating new Sections 15.10.078.1, 15.13.093 and 15.15.085 15.15.100 K. of the SeaTac Municipal Code.~~

**WHEREAS,** ~~since~~ the Growth Management Act requires regular review and update of development regulations which implement the City's Comprehensive Plan~~adoption of the initial zoning code of the City of SeaTac, the City has adopted a city-wide comprehensive plan pursuant to the Growth Management Act, and has further amended the zoning code by subsequent ordinances;~~ and;

**WHEREAS,** regular review and update of the Zoning Code ensures that development regulations are responsive to the needs of the City~~in order to better meet the needs of the City and to provide development regulations which are responsive to the needs of the City, the zoning code requires periodic review and amendment;~~ and;

**WHEREAS,** in connection with the reviewing of the zZoning eCode, certain development regulations related to domestic animals and horses have been identified as requiring~~classifications, land uses and standards have been identified as needing~~ definition, clarity, amendment or addition~~and greater clarity;~~ and

**WHEREAS,** the Planning Commission has reviewed the aforesaid development regulations, has held a public hearing for the purpose of the City of SeaTac has completed a thorough review of the zoning code, and has held public hearings for the purposes of soliciting public comment in regarding to zZoning eCode changes, and has recommended certain amendments and additions to the Council~~changes to the City Council for amendment of the City's zoning code;~~

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

~~Section 1. Section 15.13102.360 of the SeaTac Municipal Code is hereby amended to read as follows:~~

**3215.160.360 Kennel:**

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

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

**~~15.16.625 Street, Private:~~**

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

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

~~\* See Chapter 15.13 for additional development standards:~~

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

- ~~A. No more than 45% of the total square footage in the main dwelling unit;~~
- ~~B. Must be contained within the primary dwelling or significantly attached to the primary dwelling;~~
- ~~C. Primary dwelling must be owner-occupied;~~
- ~~D. Kitchen permitted as component.~~

~~(2) Standards for Bed & Breakfast:~~

- ~~A. Number of guests limited to six (6), with no more than three (3) bedrooms;~~
- ~~B. Parking area for three (3) non-resident vehicles, and screened;~~
- ~~C. Proof of King County Health Department approval;~~
- ~~D. Breakfast is only meal served for paying guest.~~

~~(3) Standards for Transitional Housing:~~

- ~~A. No more than five (5) non-support people;~~
- ~~B. No more than two (2) support people;~~
- ~~C. Parking area to be screened and not visible from public streets;~~
- ~~D. House shall maintain residential character with no outward change of appearance beyond upgrades.~~

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

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

~~(6) See Section 15.17 for standards and limitations:~~

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

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

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

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

~~(10) Only on property owned by the Port of Seattle or within the area bounded by S. 188th St. to the north, S. 192nd St. to the south, 28th Ave. S. to the east, and 24th Ave. S., as extended, to the west:~~

~~(12) Domestic Animals allowed: See Definition 15.10.180:~~

~~Section 412. Section 15.103.137010 B. of the SeaTac Municipal Code d. is hereby amended to add read as the followings:~~

**~~15.10.370 Lot Area:~~**

~~The total horizontal area within the boundary lines of a lot, including access easements; however, the area contained in tracts or panhandles shall not be included in the lot area of a lot within for any plats containing more than over two lots. In addition, further, the area of any easements over one or more servient lots in favor of a dominant lot for the purpose of granting the owner of the dominant lot rights of personal use, possession and occupancy which are typically attributes of ownership, shall not be included in the lot area of any servient lot.~~

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

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

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

~~a. In addition to the minimum front yard setback specified in Section 15.13.010, a maximum front yard setback of ten feet (10') shall be applied to new development and major~~

redevelopment. A maximum front yard setback of ten feet (10') shall mean that the edge of the primary building shall be located no further than ten feet (10') from the property line.

- ~~b. If a building is on a corner lot and abuts more than two streets, the maximum front yard setback will apply to two streets only; the setback will apply to the two streets with the highest roadway classification as defined by the SeaTac Comprehensive Plan. If three or more streets have the same roadway classification, then the property owner shall select the two streets to which the maximum front yard setback shall be applied.~~
- ~~c. For through lots, the maximum front yard setback requirements shall apply to the street with the highest roadway classification as defined by the SeaTac Comprehensive Plan. If both streets have the same roadway classification, then the property owner shall determine the location of the front yard.~~
- ~~d. Exceptions to the maximum building setback shall be granted for:
 
  - ~~i. Auto sales/rentals, and other outdoor sales;~~
  - ~~ii. Car washes;~~
  - ~~iii. Communications facilities;~~
  - ~~iv. Utility substations;~~
  - ~~v. Auto service stations; and~~
  - ~~vi. Site designs, approved by the City Manager or designee, that are intended to enhance pedestrian convenience and activity; and~~
  - ~~vii. Toll Booths~~~~

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

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

- ~~i. 50% of the amount of landscaping normally required along the street frontage shall be placed into plazas, roof-top gardens, and other pedestrian amenities (such as restrooms) accessible to the public during business hours. Additionally, street trees shall be planted within the public right-of-way in locations and amounts to be determined by the City Manager or designee.~~
- ~~ii. A percentage of the street frontage landscaping requirements will be waived for placing parking underground. Excluding the requirement for street trees, up to a maximum of 80% of the alternative landscaping will be waived, on a percentage-by-percentage basis, for placing parking underground (e.g., placing 75% of the site's required parking underground would meet 75% of the square footage portion of the alternative landscaping requirement.)~~

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

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

~~Section 523. Section 15.12.070 F of the SeaTac Municipal Code is hereby amended to read as follows: A~~



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

**15.12.070 Manufacturing Uses:**

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

USE #	LAND USE	ZONES													
		P	AU	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP		
<b>MANUFACTURING USES</b>															
130	Food Processing		P(2)							P	P*		P	C	C
131	Winery/Brewery		P(1,4)								P*	P*(1)	P	P*(1)	C
132	Textile Mill										C*		P		
133	Apparel/Textile Products		C(3)								C*		P		
134	Wood Products		C(3)		C(5)								P		C
135	Furniture/Fixtures		C(3)										P		C
136	Paper Products		C(3)										P		
137	Printing/Publishing		C(3)								P*	C*	P		C
138	Chemical/Petroleum		C(2)										P		
138.5	Biomedical Product Facility		C(2)									P	P		C
139	Rubber/Plastic/Leather/ Mineral Products												P		
140	Primary Metal Industry												P		
141	Fabricated Metal Products		C(2)										P		
142	Commercial/Industrial Machinery		C(2)										P		
143	Computer/Office Equipment		C(2)									C*	P		C
144	Electronic Assembly		C(2)									C*	P		C
145	Aerospace Equipment		P(2)										C		C
146	Misc. Light Manufacturing		P(2)										P		C
147	Tire Retreading												P		
148	Recycling Products												C		
149	Towing Operation		C										C		
150	Auto Wrecking												C		
151	Self-Service Storage		C									P*	C*	P	C
152	Off-Site Hazardous Waste Treatment & Storage Facility		C(2)										C		
153	Batch Plants												C		

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

- (0) Microbrewery with retail section;
- (0) Only on property owned by the Port of Seattle;
- (0) Within established "Free Trade" zone (see Section 15.12.090);
- (0) Inside airport terminal facilities;
- (0) With a minimum lot size of five (5) acres.

**15.14.040E General Landscape Requirements:**

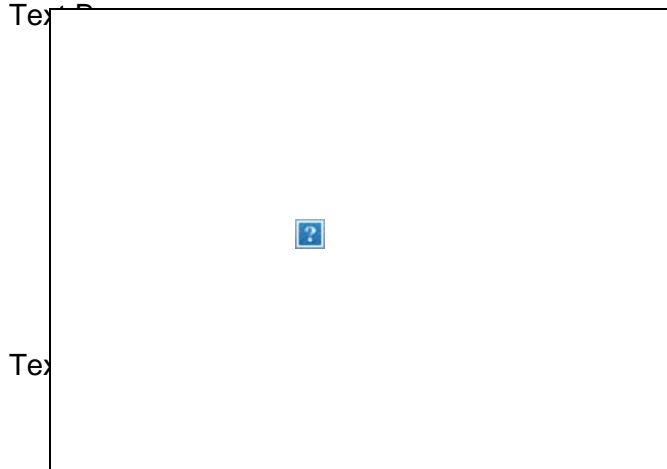
FE, except as provided in Section 13.50.030 (swimming pool fence requirements), or in Section 15.31.040 (wireless telecommunication facilities) (For swimming pool fence requirements, see Section 13.50.030 of the SeaTac Municipal Code, Ord. No. 94-1024, Effective 7/28/94.)

Section 3. Sub-Section D of Section 15.13.020 D of the SeaTac Municipal Code is hereby amended to read as follows:

**D.** Lot area shall be the total horizontal area contained within the boundaries of a lot, calculated pursuant to Section 15.10.370, but all subdivisions and short plats shall maintain required front, side and rear setbacks from any access easement.

However, any short plat with of only two lots shall not be required to meet the side yard setbacks from approved access easements.

Section 1. Section 15.10.180 of the SeaTac Municipal Code is hereby amended to read as follows:



**15.10.180 Domestic Animals**

Dogs, cats, birds, snakes, and small rodents, (limited to a total of not more than three [3] outside animals)-rabbits, goats, pygmy goats, pot-bellied pigs, pigs, chickens (including roosters), miniature horses not exceeding 40 pounds, and ducks and other fowl, which can be and are continually kept or raised in a

home or on a lot. Animals not considered to be domestic animals include, but are not limited to, the following: horses, cows, goats, swine, donkeys, fowl, and any endangered or exotic species of animals. The number of inside or outside domestic animals shall be limited as shown in Table 15.12.015a.

Section 2. Section 15.12.015 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.12.015 Domestic Animals - Limitations**

Domestic animals as defined and limited at in SMC 15.10.180 are permitted outright in all zone classifications within the City. The number of inside or outside animals allowed is listed below.

**A. Inside Animals:**

1. The number of cats kept inside, and birds, snakes, and small rodents, kept in aquariums, terrariums, cages, or other similar containers shall not be limited unless the property meets the definition of a "kennel" under SMC 15.10.360 or is limited by health codes.
2. All other domestic animals kept inside shall be limited to not more than five (5) total domestic animals, in an allowed combination of the animals listed in Table 15.12.015a. Miniature horses shall not be allowed as an inside animal. Except for the domestic animals listed in 15.12.015 A. 1., the total number and type of inside animals allowed shall not exceed the number of animals that are allowed outdoors (for example, a property owner could not have five pot-bellied pigs indoors. Only one or two would be allowed indoors based on lot size. No pot-bellied pigs would be allowed indoors on lots of less than 15,001 sq. ft.).

**B. Outside Animals:** The number of outside animals shall be limited based on lot size as defined in Table 15.10.180a.

Table 15.12.015a

	<u>Lot Size</u>			
	<u>Less Than 7,200 sq. ft.</u>	<u>7,200 – 15,000 sq. ft.</u>	<u>15,001 to 30,000 sq. ft.</u>	<u>30,000+ sq. ft.</u>
<u>Total Number of Outside Animals Allowed</u>	<u>5*</u>	<u>6*</u>	<u>7*</u>	<u>8*</u>
<u>Cats</u>	<u>3</u>	<u>3</u>	<u>4</u>	<u>5</u>
<u>Dogs</u>	<u>3</u>	<u>3</u>	<u>4</u>	<u>5</u>
<u>Rabbits</u>	<u>5**</u>	<u>5**</u>	<u>5**</u>	<u>5**</u>
<u>Goats-Pygmy Goats</u>	<u>1**</u>	<u>2**</u>	<u>3**</u>	<u>4**</u>
<u>Sheep</u>	<u>1**</u>	<u>2**</u>	<u>3**</u>	<u>3**</u>
<u>Pigs/Pot-bellied pigs</u>	<u>0**</u>	<u>0**</u>	<u>1**</u>	<u>2**</u>
<u>Chickens (Including roosters)</u>	<u>5**</u>	<u>5**</u>	<u>5**</u>	<u>5**</u>
<u>Ducks</u>	<u>5**</u>	<u>5**</u>	<u>5**</u>	<u>5**</u>
<u>Other Fowl</u>	<u>0</u>	<u>0</u>	<u>1**</u>	<u>2**</u>
<u>Miniature Horses</u>	<u>0</u>	<u>0</u>	<u>1**/***</u>	<u>2**/***</u>

\* This denotes the total number of outside animals allowed. This total may be any combination of the above listed animals (for example three [3] dogs, one [1] goat, and one [1] sheep).

\*\* This is the total number of this animal type that are allowed as part of the total number of animals allowed based on lot size (For example, three sheep would not be allowed on a lot of less than 15,001 square feet). All animals and fowl shall be kept in a confined area and maintained. Any covered structure used to house any outside animal shall conform to all yard setback requirements. No confinement area shall be located within a critical (sensitive) area or their buffers.

\*\*\* Not exceeding 40 pounds at full maturity.

**C. Animals that are kept indoors, but are allowed outside for more than one (1) hour per day, shall be defined as an outdoor animal.**

**Section 3. Section 15.13.115 of the SeaTac Municipal Code is hereby amended to read as follows:**

**15.13.115 Horse, Equine Animal Regulations**

**A. Applicability**

1. Any horse or equine animals in existence at the date of the adoption of this code (or areas annexed into the City) shall be permitted to remain under the authority of a legal nonconforming use as specified under SMC 15.21.057. Any new horses shall be permitted with the approval of a special district overlay as noted in Chapter 15.28 SMC.
2. All horses and equine animal locations and facilities (existing/proposed) shall be reviewed and approved by the City Manager or Code Enforcement Officer or designee to ensure compliance with the herein adopted health standards, pursuant to the standards established in Chapter 15.28 SMC under special district overlay rules.

**Section 4. Sub-section B of Section 15.28.060 of the SeaTac Municipal Code is hereby amended to read as follows:**

**15.28.060 B Special District Overlay – Horse Suburban District**

Minimum Requirements for New Horse/Equine Animals.

1. A special district overlay must be proposed and approved through the rezone process, encompassing no less than four two (4 2) property owners with contiguous parcels or a single property owner with a minimum lot size of 30,000 square feet;
2. A maximum of two (2) horse/equine animals per ten thousand (10,000) square feet of lot area within approved special district overlay zones; and
3. Any horse/equine animals above two (2) shall require an additional ten thousand (10,000) square feet per animal.

Section 5. A new Section 15.21.057 is hereby added to the SeaTac Municipal Code, to read as follows:

**15.21.057 Nonconformance – Uses of Land, Horses/Equine Animals**

Any horse/equine animals legally located on property on the effective date of the Zoning Code or amendment thereto, shall be allowed to remain on the property, provided that the horse/equine animal is kept in a clean and safe environment and shall be subject to the following provisions.

- A. Should a legal nonconforming horse/equine animal be removed from a parcel of property for a period of more than six (6) months, that cessation shall constitute prima facie evidence of the intent to abandon the use of the property for horses/equine animals.
- B. Should a legal nonconforming horse/equine animal expire/pass away, another horse/equine animal may be moved to the property to replace the expired horse/equine animal provided that the new horse/equine animal is moved onto the property within six (6) months.
- C. Should legal nonconforming horse/equine animals produce progeny, the progeny may be allowed on the property up to a maximum of nine (9) months from the date of birth.

Section 6. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor by July 18, 2003.

**15.13.020 Measurement Methods**

~~D. Lot area shall be the total horizontal area contained within the boundaries of a lot, calculated pursuant to Section 15.10.370, but all subdivisions and short plats shall maintain required front, side and rear setbacks from any access easement. However, any short plat with two lots shall not be required to meet the side yard setback from approved access easements.~~

~~Section 4. Section 15.14.040 of the SeaTac Municipal Code is hereby amended to read as follows:~~

**15.14.040 General Landscape Requirements:**

- ~~A. Deciduous trees shall have a diameter (caliper) of at least two (2) inches measured four (4) feet above the ground at the time of planting.~~
- ~~B. Evergreen (broadleaf or conifer) trees shall be at least eight (8) feet in height measured from treetop to the ground at the time of planting.~~
- ~~C. In Type I and II landscaping, trees shall be staggered in two (2) or more rows when the width of the landscape strip is twenty (20) feet or greater.~~
- ~~D. Shrubs shall be at least twenty four (24) inches high or wide at the time of planting and shall be a minimum two (2) gallon rootball size.~~
- ~~E. Groundcovers shall be planted and spaced to result in total coverage of the landscape strip within one (1) year. Groundcovers shall be planted at a maximum of~~

~~twenty-four (24) inches on center or as approved by the City.~~

~~F. Grass may be used as groundcover in Type III and IV landscape strips.~~

~~G. If fences, hedges or other architectural designs are used along street frontage, they shall be placed inward of the landscape strip. Openings shall be provided to accommodate pedestrian circulation requirements.~~

~~H. Berms shall not exceed a slope of three (3) horizontal feet to one (1) vertical foot (3:1).~~

~~I. Landscape requirements for all uses established through a conditional use permit or a special use permit shall be determined during the applicable review process.~~

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

~~K. Required landscape areas shall not exceed a slope of six (6) horizontal feet to one (1) vertical foot (6:1), unless otherwise approved by the Director of Planning and Community Development.~~

~~L. The area of required landscaping shall not be graded unless approved by the Department of Planning and Community Development.~~

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

~~Section 64. Section 15.14.130 of the SeaTac Municipal Code is hereby amended to read as follows:  
Section 5. Section 15.14.060 of the SeaTac Municipal Code is hereby amended to read as follows:~~

~~**15.14.060 Landscaping Standards for Manufacturing Uses.**~~

<del>USE #</del>	<del>LAND USE</del>	<del>STREET FRONTAGE (Type/Width)</del>	<del>BUILDING FACADE IF ≥30-FT. HIGH OR ≥50-FT. WIDE (Type/Width)</del>	<del>SIDE/REAR BUFFER FOR NON-COMPATIBLE USES (Type/Width)</del>	<del>PARKING LOT LANDSCAPE STANDARDS APPLICABLE*</del>	
<del>MANUFACTURING</del>						
<del>130</del>	<del>Food Processing</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>131</del>	<del>Winery/Brewery</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>132</del>	<del>Textile Mill</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>133</del>	<del>Apparel/Textile Products</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>134</del>	<del>Wood Products</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/10 ft. (RES)</del>	<del>Yes</del>
<del>135</del>	<del>Furniture/Fixtures</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/10 ft. (RES)</del>	<del>Yes</del>
<del>136</del>	<del>Paper Products</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/10 ft. (RES)</del>	<del>Yes</del>
<del>137</del>	<del>Printing/Publishing</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/10 ft. (RES)</del>	<del>Yes</del>
<del>138</del>	<del>Chemical/Petroleum Products</del>	<del>I/10 ft.</del>	<del>III/5 ft.</del>	<del>I/10 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>138.5</del>	<del>Biomedical Product Facility</del>	<del>H/20 ft.</del>	<del>IV/5 ft.</del>	<del>H/5 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>139</del>	<del>Rubber/Plastic/Leather/Mineral Products</del>	<del>I/10 ft.</del>	<del>III/5 ft.</del>	<del>I/10 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>
<del>140</del>	<del>Primary Metal Industry</del>	<del>I/10 ft.</del>	<del>III/5 ft.</del>	<del>I/10 ft.</del>	<del>I/20 ft. (RES)</del>	<del>Yes</del>

141	Fabricated Metal Products	I/10 ft.	III/5 ft.	I/10 ft.	I/20 ft. (RES)	Yes
142	Commercial/Industrial Machinery	H/10 ft.	IV/5 ft.	H/10 ft.	I/20 ft. (RES)	Yes
143	Computer/Office Equipment	H/10 ft.	IV/5 ft.	III/5 ft.	H/10 ft. (RES)	Yes
144	Electronic Assembly	H/10 ft.	IV/5 ft.	III/5 ft.	H/10 ft. (RES)	Yes
145	Aerospace Equipment	H/10 ft.	IV/5 ft.	III/5 ft.	H/10 ft. (RES)	Yes
146	Misc. Light Manufacturing	H/10 ft.	IV/5 ft.	H/10 ft.	I/10 ft. (RES)	Yes
147	Tire Retreading	I/20 ft.	IV/5 ft.	I/10 ft.	I/20 ft. (RES)	Yes
148	Recycling Products	H/20 ft.	IV/5 ft.	I/5 ft.	I/10 ft. (RES)	Yes
149	Towing Operation	H/10 ft.	=	I/5 ft.	I/10 ft. (RES)	=
150	Auto Wrecking	H/10 ft.	=	I/5 ft.	I/1020 ft. (RES)	=
151	Self-Service Storage	IV/10 ft.	IV/5 ft.	H/5 ft.	I/10 ft. (RES)	=
152	Off-site Hazardous Waste Treatment & Storage Facility	IV/10 ft.	IV/5 ft.	H/5 ft.	I/1020 ft. (RES)	Yes
153	Batch Plant	I/20 ft.	IV/5 ft.	I/20 ft.	I/35 ft. (RES)	Yes

\*See SMC 15.14.090

(RES) Adjacent to single-family or multifamily uses for buffering purposes:

:-

Section 6. Section 15.15.030 of the SeaTac Municipal Code is hereby amended to read as follows:

:-

**15.15.030 Parking Space Requirements for Manufacturing Uses.**

:-

USE #	LAND USE	MINIMUM SPACES REQUIRED
<b>MANUFACTURING USES</b>		
130	Food Processing	1 per employee, plus 1 per 500 sf of building
131	Winery/Brewery	1 per employee, plus 1 per 40 sf of tasting area
132	Textile Mill	1 per employee, plus 1 per 500 sf of building
133	Apparel/Textile Products	1 per employee, plus 1 per 500 sf of building
134	Wood Products	1 per employee, plus 1 per 500 sf of building
135	Furniture/Fixtures	1 per employee, plus 1 per 500 sf of building
136	Paper Products	1 per employee, plus 1 per 500 sf of building
137	Printing/Publishing	1 per employee, plus 1 per 500 sf of building
138	Chemical/Petroleum Products	1 per employee, plus 1 per 500 sf of building
138.5	Biomedical Product Facility	1 per 500 sf of gross floor area, plus one (1) space per employee
139	Rubber/Plastic/Leather/Mineral Products	1 per employee, plus 1 per 500 sf of building
140	Primary Metal Industry	1 per employee, plus 1 per 500 sf of building
141	Fabricated Metal Products	1 per employee, plus 1 per 500 sf of building
142	Commercial/Industrial Machinery	1 per employee, plus 1 per 500 sf of building
143	Computer/Office Equipment	1 per employee, plus 1 per 500 sf of building
144	Electronic Assembly	1 per employee, plus 1 per 500 sf of building
145	Aerospace Equipment	1 per employee, plus 1 per 500 sf of building
146	Misc. Light Manufacturing	1 per employee, plus 1 per 500 sf of building
147	Tire Retreading	1 per employee, plus 1 per 500 sf of building
148	Recycling Products	1 per 1000 sf or 1 per employee, whichever is greater
149	Towing Operation	1 per employee (designated)
150	Auto Wrecking	1 per employee (designated), plus 3 for customers
151	Self-Service Storage	1 per employee (designated), plus 3 for customers
152	Off-Site Hazardous Waste Treatment and Storage Facility	1 per employee, plus 1 per 500 sf of building
153	Batch Plant	1 per employee, plus 1 per 500 sf of building

~~Section 11. A new Section 15.10.078.05 is hereby added to the SeaTac Municipal Code to read as follows: read as follows:~~

~~**15.10.078.05 Batch Plant.**~~

~~The storage of component materials for manufacturing asphalt, cement, or concrete, but not including any structure or facilities used in the manufacturing process the manufacturing process.~~

~~Section 12. A new Section 15.10.107 is hereby added to the SeaTac Municipal Code to~~

~~Section 132. A new Section 15.13.093 is hereby added to the SeaTac Municipal Code to read as follows: read as follows:~~

~~**15.13.093 - Barbed, Razor, or Other Security Wire on Fences.**~~

~~Barbed wire, razor wire, concertina wire, or similar security wire is prohibited on fences within the residential zones.~~

~~Section 143. A new Section 15.15.085 is hereby added to the SeaTac Municipal Code to read as follows: read as follows:~~

~~**15.15.085 - Stacking Spaces For Parking.**~~

~~A. Stacking spaces for "vehicle parking" or for "auto rental/sales" uses may be allowed upon approval of the Director of Planning and Community Development, provided, that the area utilized for stacking spaces conforms with the parking lot landscaping requirements of SMC 15.14.090. Stacking of required off-street parking spaces shall not be allowed for employee or customer parking. Stacking aisle widths shall be a minimum of nine (9) feet.~~

~~f. B. Stacking spaces vehicle parking or may be allowed through the use of valet parking, upon approval of a "Valet Parking Plan", by the Director of Planning and Community Development. The area of the lot utilized for stacking spaces shall conform with the parking lot landscaping requirements of SMC 15.14.090. Stacking aisle widths shall be a minimum of nine (9) feet. Valet Parking pP:::~~

~~f. A detailed description of the valet parking system's operation; and...~~

~~Section 15. Section 16.03.040 of the SeaTac Municipal Code is hereby amended to read as follows:~~

~~**15.14.130 Street Landscaping.**~~

~~Street trees, shrubs, and/or groundcover shall be planted along the property frontage within City right-of-way adjacent to the subject property. The type and location of plantings shall be determined by the City Manager or designee. Street trees shall be planted on a maximum of thirty (30) feet on center and to be a minimum 2 2 inch caliper upon planting. Upon review and approval by the City Manager or designee, street landscaping and street frontage landscaping may be combined and be variable widths,~~

no less than five (5) feet, provided the total required amount of the street landscaping and street frontage landscaping is located on-site.

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

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

~~**15.15.110 Off-Street Parking Construction Standards:**~~

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

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

~~**15.14.125 Street Frontage Landscaping**~~

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

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

~~**15.15.100 Off-Street Parking Plan Design Standards:**~~

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

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

~~**15.15.100 Off-Street Parking Plan Design Standards:**~~

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

~~Section 120Section 164. — This Ordinance shall be in full force and effect thirty (30) days after passage.~~





[Effective Date \_\_\_\_\_]

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G:\GROUP\PLANNING\JACK\ORD\2003\DOMESTIC ANIMALS-HORSES ORD 7-1-03

**ORDINANCE NO. 03-1023**

AN ORDINANCE of the City Council of the City of SeaTac repealing Chapter 13.40, the Uniform Code for the Abatement of Dangerous Buildings, and Chapter 13.45, the Uniform Housing Code, and adding a new Chapter to the Municipal Code to adopt and amend the International Property Maintenance Code.

**WHEREAS**, the City Council has adopted, by Ordinance 92-1033, the Uniform Code for the Abatement of Dangerous Buildings and the Uniform Housing Code in order to create minimum standards for housing and property maintenance; and,

**WHEREAS**, these codes have not been published or updated since 1997 but have been replaced by the International Property Maintenance Code, as published by the International Code Council; and,

**WHEREAS**, the International Property Maintenance Code merges the provisions of the prior Uniform Codes related to dangerous buildings and housing in order to provide greater uniformity and eliminate conflicts: and,

**WHEREAS**, the International Property Maintenance Code contains minimum provisions related to vacant buildings and land; and,

**WHEREAS**, the City Council finds that vacant and abandoned buildings and land can reduce the value of neighboring property and can invite criminal activity; and,

**WHEREAS**, it is the City Council's desire to regulate vacant buildings beyond the provisions of the International Property Maintenance Code to provide standards for appearance and safety;

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

Section 1. Chapter 13.40 of the SeaTac Municipal Code is hereby repealed.

Section 2. Chapter 13.45 of the SeaTac Municipal Code is hereby repealed.

Section 3. There is hereby added a new Chapter 13.43 to Title 13 of the SeaTac Municipal Code to read as follows:

**Chapter 13.43**

**PROPERTY MAINTENANCE CODE**

**Sections:**

**13.43.010 International Property Maintenance Code**

**13.43.020 Copy on file**

**13.43.010 International Property Maintenance Code**

The 2003 Edition of the International Property Maintenance Code, as published by the International Code Council is adopted with the following exceptions:

A. References to the board of appeals in section 111 shall be deemed to refer to the hearing examiner system of Chapter 1.20 of the SeaTac Municipal Code.

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

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

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

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

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

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

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

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

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

**313.4 Fire Safety.**

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

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

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

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

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

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

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

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

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

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

**313.9.1 Restoration of Service.** If water, electricity or gas service has been terminated or

disconnected pursuant to Section 313.9, no one except the utility may take any action to restore the service, including an owner or other private party requesting restoration of service until written notification is given by the code official that service may be restored.

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

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

- 1) extended use of non-architectural panels
- 2) extended use of temporary security fencing
- 3) extended time before the demolition of a building is required
- 4) for substandard conditions to exist for a specific period of time, provided the building is secured in an approved manner.

When considering a Plan of Action, the building official shall take into consideration the magnitude of the violation and the impact to the neighborhood.

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

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

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

#### **13.43.020 Copy on file**

At least (1) one copy of the adopted edition of the International Property Maintenance Code shall be on file in the office of the City Clerk.

Section 4. This Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 22nd day of July, 2003, and signed in authentication thereof on this 22nd day of July, 2003.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Robert L. McAdams, City Attorney

[Effective Date \_\_\_\_\_]

- Ordinance Adopting The International Property Maintenance Code.

Name of Document

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**ORDINANCE NO. 03-1024**

AN ORDINANCE of the City Council of the City of SeaTac amending Chapter 13.10 of the SeaTac Municipal Code to update the Electrical Code by adopting the 2002 edition of the National Electrical Code and adopting recent amendments to Chapter 19.28 RCW.

**WHEREAS**, the City Council has previously adopted by reference certain sections of Chapter 19.28 RCW related to electricians and electrical installations; and

**WHEREAS**, the City Council has previously adopted the National Electrical Code, 1999 Edition; and

**WHEREAS**, the State Legislature re-codified many sections of Chapter 19.28 RCW previously adopted by the City Council; and

**WHEREAS**, the National Electrical Code was updated in 2002; and

**WHEREAS**, Chapter 19.28 RCW refers to the National Electrical Code and associated codes and regulations approved by the National Fire Protection Association, as modified by the Department of Labor and Industries' rules and regulations pertaining to electricians and electrical installations in furtherance of safety to life and property, as constituting approved methods of construction; and

**WHEREAS**, the City Council finds it appropriate to update the City's Electrical Code, to adopt the 2002 edition of National Electrical Code and the re-codified and amended sections of Chapter 19.28 RCW; and,

**WHEREAS**, the current electrical permit fee schedule has not been updated in more than twelve years: and,

**WHEREAS**, the City Council finds it appropriate to increase fees in order to recover the costs of the electrical inspection program:

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

**ORDAIN as follows:**

Section 1. Chapter 13.10.of the SeaTac Municipal Code is hereby amended to read as follows:

Sections:

13.10.010 Adoption of the National Electrical Code.

13.10.020 Electricians and electrical installations.

~~13.10.025 Exemptions from licensing and certification requirements.~~

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

13.10.040 ~~Certification of competency for journeyman electricians~~ Amusement rides.

13.10.050 Fee schedule.

13.10.060 Enforcement.

**13.10.010 Adoption of the National Electrical Code.**

A. The National Electrical Code, 1999 Edition, together with appendices B and C thereto, and amendments thereto and subsequent editions thereof, as published by the National Fire Protection Association, 2002 edition of the National Electrical Code (NFPA 70 - 2002) including Annex A, B, and C, but excluding Article 80; is hereby adopted by reference, with the exception of provisions regarding fees, which shall be governed by SeaTac Municipal Code Section 13.10.050 of this Chapter.

B. Pursuant to an interlocal agreement entered into by and between the City and the Port of Seattle, pursuant to Resolution No. 00-022 and Port Resolution No. 3445, respectively, effective January 1, 2000, and commencing through September 4, 2007, the City recognizes concurrent authority of the Port to administer, implement, and enforce the National Electrical Code recited in subsection (A) of this section and relinquishes any and all jurisdiction, including but not limited to that set forth in RCW 19.28.070, over development projects on Port-owned property within the City which are for airport uses, as that term is defined in the September 4, 1997, interlocal agreement between the City and the Port. In the event the State of Washington or the Director of Department of Labor & Industries does not grant power to, or acknowledge power of, the Port of Seattle to enforce the provisions of Chapter 19.28 RCW, or conduct electrical inspections thereunder, the City defers to the inspection authority of the Director of Labor & Industries as to all matters involving such Port projects on Port property.

### **13.10.020 Electricians and electrical installations.**

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

19.28.005	Definitions:
19.28.010	Electrical wiring requirements – General – Exceptions:
19.28.070	Enforcement – State electrical inspectors – Qualifications – Salaries and expenses:
19.28.120	License required – General or specialty licenses – Fees – Application – Bond – Cash deposit in lieu of bond:
19.28.125	Electrical contractors – Designee of firm to take administrator's examination – Certificate duration, renewal, nontransferable – Administrator's duties:
19.28.180	Licensee's bond – Action on – Priorities – Cash deposit, payment from:
19.28.190	Actions – Local permits – Proof of insurance:
19.28.200	Licensing – Exemptions:
19.28.210	Inspections – Notice to repair and change – Disconnection – Entry – Concealment – Connection to utility – Permits, fees:
19.28.250	Inspection reports:
19.28.260	Nonconforming installations – Disputes – Reference to board:
19.28.300	Board – Request for rulings – Fee – Costs:
19.28.340	Liability for injury or damage:
19.28.350	Violations of RCW 19.28.010 through 19.28.360 – Schedule of penalties – Appeal:
19.28.360	RCW 19.28.210 inapplicable in certain cities and towns, electricity supply agency service areas, and rights-of- way of State highways:
19.28.370	RCW 19.28.010 through 19.28.380 inapplicable to telegraph or telephone companies exercising certain functions:
19.28.390	Devices for diagnosis or treatment of disease or injury –



## Compliance with chapter.

<del>19.28.510</del>	<del>Certificate of competency required – Electrical training certificate – Fee.</del>
<del>19.28.600</del>	<del>Powers and duties of director – Administration of RCW 19.28.510 through 19.28.620 by the department.</del>
<del>19.28.620</del>	<del>Violations of RCW 19.28.510 through 19.28.620 –</del>
<del>Schedule of penalties – Appeal.</del>	

**13.10.025 Exemptions from licensing and certification requirements.**

A. Nothing in RCW 19.28.510 through 19.28.620, as adopted by reference at Section 13.10.020 of this chapter, shall be construed to require that a person obtain a license or a certified electrician in order to do electrical work at his or her residence or farm or on other property owned by him or her unless the electrical work is on the construction of a new building intended for rent, sale, or lease. However, if the construction is of a new residential building with up to four (4) units intended for rent, sale, or lease, the owner may receive an exemption from the requirement to obtain a license or use a certified electrician if he or she provides a signed affidavit to the Department stating that he or she will be performing the work and will occupy one of the units as his or her principal residence. The owner shall apply to the Department for this exemption and may only receive an exemption once every twenty-four (24) months. It is intended that the owner receiving this exemption shall occupy the unit as his or her principal residence for twenty-four (24) months after completion of the units. Nothing in RCW 19.28.510 through 19.28.620, as adopted by reference, shall be intended to derogate from or dispense with the requirements of any valid electrical code enacted by the City pursuant to RCW 19.28.010(3), except that the holder of a certificate of competency shall not be required to demonstrate any additional proof of competency or obtain any other license or pay any fee in order to engage in the electrical construction trade. RCW 19.28.510 through 19.28.620, as adopted by reference, shall not apply to common carriers subject to Part I of the Interstate Commerce Act, nor to their officers and employees. Nothing in RCW 19.28.510 through 19.28.620, as adopted by reference, shall be deemed to apply to the installation or maintenance of telephone, telegraph, radio, or television wires and equipment; nor to any electrical utility or its employees in the installation, repair, and maintenance of electrical wiring, circuits, and equipment by or for the utility, or comprising a part of its plants, lines or systems. The licensing provisions, as adopted by reference, of RCW 19.28.510 through 19.28.620 shall not apply to:

1. Persons making electrical installations on their own property or to regularly employed employees working on premises owned by their employer, unless the electrical work is on the construction of a new building intended for rent, sale, or lease; or
2. Employees of an employer while the employer is performing utility type work of the nature described in RCW 19.28.200, as adopted by reference, so long as such employees have registered in the State of Washington with or graduated from a State-approved outside lineman apprenticeship course that is recognized by the Department of Labor and Industries and that qualifies a person to perform such work.

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

**13.10.030 Safety standards – Installing electric wires and equipment – Administrative rules.**

Those additional codes, manuals and reference works referred to and the regulations contained in Chapter 296-46B WAC as now in effect, and as may subsequently be amended, updated, or issued as new editions, pursuant to RCW 19.28.060 031, are hereby adopted by reference to establish safety standards in installing electric wires and equipment and to provide administrative rules, with the exception of the inspection fees of WAC 296-46B-910 905 and the permit fees of WAC 296-46B-900.

**13.10.040 Certification of competency for journeyman electricians:**

Chapter 296-401 WAC as now in effect, and as may subsequently be amended, is adopted by reference to provide for certification of competency for journeyman electricians.

**13.10.040 Amusement rides.**

A. Chapter 67.42 RCW as now in effect, and as may subsequently be amended, is adopted by reference to establish regulations pertaining to amusement rides, with the exception of the fees of RCW 67.42.060. The term "Department" shall mean the City Department of Public Works, and "Director" shall mean the Director of the Department of Public Works, unless otherwise indicated by the context.

B. Those additional codes, manuals and reference works referred to and the regulations contained in Chapter 296-403A WAC as now in effect, and as may subsequently be amended, updated, or issued as new editions, pursuant to RCW 67.42.050, are hereby adopted by reference to establish safety standards in installing and operating amusement rides and to provide administrative rules, with the exception of the fees of WAC 296-403A-150.

**13.10.050 Fee schedule.**

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

**NEW SINGLE FAMILY DWELLINGS**

New single family dwelling	<del>\$70.00</del> <u>140</u>
Garages, pools, spas and outbuildings	<del>50.00</del> <u>75</u>
Low voltage systems	<del>45.00</del> <u>55</u>

**SINGLE FAMILY REMODEL AND SERVICE CHANGES**

<u>Service changes or alteration (no added/altered circuits)</u>	<u>\$75</u>
<u>Service change with added/altered circuits</u>	<u>\$75 + \$10 each added circuit (maximum permit fee \$140)</u>
<u>Circuits added/altered without service change (includes up to 5 circuits)</u>	<u>\$50</u>
<u>More than 5 Circuits added/altered without service change</u>	<u>\$50 + \$7 each additional circuit (maximum permit fee \$90)</u>
<u>Meter/mast repair</u>	<u>\$65</u>
<u>Adding or extending 0—5 circuits</u>	<u>\$50.00</u>
<u>Adding or extending 6 or more circuits</u>	<u>70.00</u>
<u>Noise remedy modification permit</u>	<u><del>65.00</del> <u>\$90</u></u>
<u>Low voltage systems</u>	<u><del>45.00</del> <u>\$55</u></u>

**MULTIFAMILY AND COMMERCIAL (including low voltage)**

**(Plan review is included in the permit fee)**

Valuation	Permit Fee
\$250 or less	<del>\$45</del> <u>\$54</u>
251 – 1,000	<del>45</del> <u>54</u> plus 4% of cost over 250
1,001 – 5,000	<del>75</del> <u>84</u> plus <del>1.5%</del> <u>2%</u> of cost over 1,000
5,001 – 50,000	<del>135</del> <u>164</u> plus <del>1.4%</del> <u>1.64%</u> of cost over 5,000
50,001 – 250,000	<del>765</del> <u>902</u> plus <del>1%</del> <u>1.2%</u> of cost over 50,000
250,001 – 1,000,000	<del>2,765</del> <u>3,302</u> plus .8% of cost over 250,000
<del>one million and up</del> <u>Over 1,000,000</u>	<del>8,765</del> <u>9,677</u> plus .4% of cost over one million

**Plan Review Fee** – In addition to the permit fee, when plan review is required, including fire alarm

systems, a plan review fee must be paid at the time of permit application, equal to 20% of the permit fee.

~~Low voltage system fees shall be computed based on the valuation amount and said fee shall be 50% of the fee outlined in the above schedule. Fire alarm permits shall be subject to a plan review fee of \$50.00 per hour, in addition to the above permit fee.~~

#### MISCELLANEOUS

Electrical safety inspection	\$115.00
Temporary service (residential)	<del>50.00</del> <u>\$54</u>
Mobile/ <u>manufactured</u> home service	<del>50.00</del> <u>\$80</u>
Carnivals	
Base fee	<del>65.00</del> <u>\$75</u>
Each concession	10.00
Inspection or plan review not specified elsewhere	<del>50.00/hr</del> <u>\$65/hr</u>

Work covered without inspection or work not ready at the time of inspection may be charged a trip fee at the hourly rate listed above.

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

**13.10.060 Enforcement.** In addition to any and all rights of inspection, access and enforcement contained in the National Electrical Code and the statutes and regulations adopted by this chapter, the City is authorized to enforce all provisions of this chapter pursuant to Chapter 1.15, as it presently exists, and as it may be subsequently amended.

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

**ADOPTED** this 22nd day of July, 2003, and signed in authentication thereof on this 22nd day of July, 2003.

#### CITY OF SEATAC

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney

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

Adoption of the 2002 National Electrical Code

Name of Document

**ORDINANCE NO. 03-1025**

AN ORDINANCE of the City Council of the City of SeaTac, Washington providing for waiver of off-site improvements, under specified circumstances, in regard to public school buildings.

**WHEREAS**, the City Council has thoroughly reviewed the site plan for the new Madrona Elementary School, together with the Conditional Use Permit (CUP) approved by the City Hearing Examiner; and

**WHEREAS**, the consensus of the Council is that off-site frontage improvements on South 202<sup>nd</sup> Street are not justified by potential usage, are opposed by all residents on the block, and the lack of such improvements will not compromise safety; and

**WHEREAS**, the Hearing Examiner was constrained to require such frontage improvements inasmuch as no exception is provided in Chapter 13.35 of the SeaTac Municipal Code; and

**WHEREAS**, the Highline School District is prepared to submit a revised site plan for the purpose of eliminating the requirement for the said frontage improvements on South 202<sup>nd</sup> Street, and the Council is desirous of providing the Hearing Examiner with a means of waiving that requirement; and

**WHEREAS**, due to the fact that the School District has submitted its application for a building permit, which is currently being processed, and the District is prepared to commence construction, it is necessary that a means of waiving the off-site improvements on South 202<sup>nd</sup> Street be immediately available to the Hearing Examiner so as to effect a potential savings of public funds in the possible sum of \$200,000, which sum can be diverted by the District to more appropriate capital uses;

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

Section 1. A new Section is hereby added to Chapter 13.35 of the SeaTac Municipal Code, to read as follows:

**13.35.015 School projects.**

When a public school building is to be constructed or substantially altered, and the project is subject to a major conditional use permit (CUP) pursuant to Section 15.22.030 of the SeaTac Municipal Code, the requirement to construct off-site street paving, curbs and gutters, planting strips, and sidewalks within any right-of-way, or any portion of a right-of-way, may be waived, but only upon petition or written consent of all owners of residential properties, if any, abutting the said right-of-way or portion thereof, and when such improvements are deemed by the City Hearing Examiner to be without significant current and future use for vehicular and pedestrian traffic, and that safety will not be jeopardized by the lack of such improvements.

Section 2. **Effective Date.** Based upon the facts set forth in the foregoing recital paragraphs, unanimously the Council finds that an emergency exists such that this Ordinance shall be immediately effective for the support of

the Highline School District, an existing public institution.

**ADOPTED** this 22nd day of July, 2003, and signed in authentication thereof on this 22nd day of July, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney

[Effective Date: \_\_\_\_\_]

[Section 13.35.015 School Projects]

**ORDINANCE NO. 03-1026**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending SMC 15.16 of the City's Sign Code to extend the amortization period for nonconforming signs.

**WHEREAS**, the City adopted its original sign code by Ordinance No. 92-1041; and

**WHEREAS**, Ordinance No. 92-1041 included a sign amortization program for nonconforming signs and which established a deadline for nonconforming signs to be brought into compliance with the city's sign standards; and

**WHEREAS**, there has been a judicial decision that local jurisdictions are governed by the Scenic Vistas Act (Chapter 47.42. RCW) which requires monetary compensation for removal of nonconforming signs along primary state highways and interstates; and

**WHEREAS**, this decision has significant financial and administrative implications for implementation of the sign amortization program; and

**WHEREAS**, the City needs additional time to fully assess the potential financial and programmatic implications;

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

**ORDAIN as follows:**

Section 1. Section 15.16.120 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.16.120 Nonconforming Signs**

- A. General. To ease the economic impact of this code on businesses with substantial investment in signs in existence on the date of original adoption of this code, this section provides for a period of continued use of a nonconforming sign in its existing state. During this period, it is expected that the sign may be amortized on Federal income taxes; however, whether it may be so amortized shall not affect the application of this section. Similar treatment is accorded signs in areas annexed to the City after the code's enactment. All nonconforming signs in existence as of the date of original adoption of this code shall be brought into conformity with this code no later than December 15, 2006.
- B. Nonconforming Signs.
1. Notification of Nonconformity or Illegality. The Code Administrator shall, as soon as practical, survey the City for signs which do not conform to the requirements of this chapter. Upon determination that a sign is nonconforming or illegal, the Administrator shall use reasonable efforts to so notify, either personally or in writing, the sign user or owner of the sign and, where practical, the owner of the property on which the sign is located of the following; provided, that the business license of the business with which the sign is associated shall be presumed to be the sign user under this code:
    - a. The sign's nonconformity or illegality;

b. Whether the sign may be eligible for a nonconforming sign permit.

If the identity of the sign user, owner of the sign, or owner of the property on which the sign is located cannot be determined after reasonable inquiry, the notice may be affixed in a conspicuous place on the sign or on the business premises with which the sign is associated. A file shall be established in the department, and a copy of the notice and certification of posting shall be maintained for records.

2. Signs Eligible for Nonconforming Sign Permit. With the exceptions herein provided, any on-site primary sign located within the City limits on the date of adoption of this code, or located in areas annexed to the City thereafter, which does not conform with the provisions of this code, is eligible for characterization as a nonconforming sign provided it meets the following requirements:
  - a. The sign was covered by a sign permit on the date of adoption of this code, if one was required under applicable law; or
  - b. If no sign permit was required under applicable law for the sign in question, the sign was in all respects in compliance with applicable law on the date of adoption of this code.
3. Signs Not Eligible for Nonconforming Sign Permits. The following signs shall not be eligible for characterization as nonconforming signs:
  - a. Prohibited signs, as defined in SMC 15.16.110, except for signs which rotate, as defined in SMC 15.16.110(C).
  - b. Secondary signage not meeting the code specifications, except for informational and directional signs in compliance with the code at the time of adoption of this code.
  - c. All signs not eligible for characterization as a nonconforming sign shall be considered illegal.
4. Number of Nonconforming Signs Permitted. Each sign user within the City having existing nonconforming signs meeting the requirements of SMC 15.16.160 shall be permitted to designate only one (1) such sign as “nonconforming” for each street upon which the business premises fronts. Such designation shall be made in the application for a nonconforming sign permit.
5. Permit for Nonconforming Signs. A nonconforming sign permit is required for each nonconforming sign designated under SMC 15.16.160. The permit (certificate of zone compliance – CZC) shall be obtained by the sign user or the sign owner, or the owner of the property upon which the sign is located within sixty (60) days of notification by the City. The permit shall be issued and shall expire at the end of the applicable amortization period prescribed in subsection (D) of this section.

Applications for a nonconforming sign permit shall contain the name and address of the sign user, the sign owner, and the owner of the property upon which the sign is located and such other pertinent information as the Administrator may require to ensure compliance with the code, including proof of the date of installation of the sign.

A nonconforming sign for which no permit has been issued within the sixty (60) day period of notification shall within six (6) months be brought into compliance with the code or be removed. Failure to comply shall subject the sign user, owner or owner of the property on which the sign is located to penalties cited in Chapter 15.32 SMC.

6. Loss of Nonconforming Status. A nonconforming sign shall immediately lose its nonconforming status if:
  - a. The sign is altered in any way in structure or height which is not in compliance with the



standards of this chapter; or

- b. The sign is relocated to a position which is not in compliance with the standards of this chapter; or
- c. The sign is replaced; provided, that this replacement refers to structural replacement, not change of "copy," panel or lettering; or
- d. Any new primary sign is erected or placed in connection with the enterprise using the nonconforming sign; or
- e. No application for a nonconforming sign permit is filed by the sign user, sign owner, or owner of the property upon which the sign is located within sixty (60) days following notification by the City (subsection (B) of this section) that the sign is nonconforming and that a permit must be obtained; or
- f. The loss of legal nonconforming status takes place upon any change in land use or occupancy, or a change in business name, and the sign shall be brought into conformity. Such nonconforming signs shall, within ninety (90) days, be brought into conformity with this code or be removed.

Upon any of the above-referenced circumstances taking place, any permit or designation for what had been a nonconforming sign shall become void. The Administrator shall notify the sign user, sign owner or owner of the property upon which the sign is located of cancellation of the permit or designation and the sign shall immediately be brought into compliance with this chapter and a new permit secured or shall be removed.

- C. **Illegal Signs.** An illegal sign is any sign which does not comply with the requirements of this chapter within the City limits as they now or hereafter exist and which is not eligible for characterization as nonconforming under SMC 15.16.160
- D. **Amortization Period for Nonconforming Signs.** Nonconforming signs, as defined in subsection (B)(2) of this section, for which a nonconforming sign permit has been issued may remain in a nonconforming state until December 15, 2006. Thereafter, the sign shall be brought into conformity with this code or be removed; provided, however, that the amortization period established by this section may be used only so long as the sign retains its legal nonconforming status.
- E. **Nonconforming Sign Maintenance and Repair.** Nothing in this section shall relieve the owner or user of a nonconforming sign or owner of the property on which the nonconforming sign is located from the provisions of this code regarding safety, maintenance and repair of signs, nor from any provisions on prohibited signs, contained in SMC 15.16.110; provided, however, that any repainting, replacement of "copy," panels and/or lettering, cleaning, and other normal maintenance or repair of the sign or sign structure shall not modify the sign or structure in any way which is not in compliance with the requirements of this code, or the sign will lose its nonconforming status (SMC 15.16.120(B)(6)).
- F. **Subsequent Amendments to the Sign Code.** After the date of its initial adoption, if any subsequent amendments to the sign code cause a sign to become nonconforming, the Department of Planning and Community Development shall notify affected business owners and property owners of the new regulations by first class mail based upon active City business license records and King County property records.
  - 1. All illegal signs are subject to removal within ninety (90) days;
  - 2. All nonconforming signs are eligible for a nonconforming sign permit. The permit shall be applied

for by the business owner or property owner and issued by the Department. These signs shall be subject to a nine (9) year amortization period, after which the nonconforming permit will expire and the sign shall be brought into compliance with the code.

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

**ADOPTED** this 12<sup>th</sup> day of August 2003 and signed in authentication thereof on this 12<sup>th</sup> day of August, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney

[Effective Date: \_\_\_\_\_]

[Chapter 15.16 Sign Code Amortization Extension]

**ORDINANCE NO. 03-1027**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2003 Annual City Budget for Tenant Improvements and Brokerage Fees.

**WHEREAS**, the City Council has reviewed Agenda Bill #2367 presented by the Facilities Department; and

**WHEREAS**, the agenda bill provides for the payment of tenant improvements and brokerage fees related to the extension of a lease agreement for space at the City Hall facility; and

**WHEREAS**, the costs require an additional appropriation from the Building Management Fund;

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

Section 1. The 2003 Annual City Budget shall be amended to increase Building Management Fund expenditures by \$ 20,810 for tenant improvements (BARS 108.000.594.19.62.006) and by \$ 9,999 for brokerage fees (BARS 108.000.518.20.41.000).

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

**ADOPTED** this 23rd day of September, 2003, and signed in authentication thereof on this 23rd day of September, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Robert L. McAdams, City Attorney  
[Effective Date: \_\_\_\_\_]

[2003 Budget Amendment for Guardsmark TI and brokerage fees],

**ORDINANCE NO. 03-1028**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending certain sections of Chapter 9.25 of the SeaTac Municipal Code related to vehicle impounds for suspended drivers to provide for discretionary impounds and to provide limitations for early vehicle release.

**WHEREAS**, the City Council established a vehicle impound program for suspended drivers by Ordinance No. 00-1008; and

**WHEREAS**, Ordinance No. 00-1008 did not provide for any police officer discretion of whether or not to impound; and

**WHEREAS**, in certain situations the arresting officer determines that it is not appropriate to impound a motor vehicle; and

**WHEREAS**, the State Legislature, by Chapter 177, Section 2, Laws of 2003, amended the state impound statute to limit early vehicle release to only certain situations to avoid discriminatory application; and

**WHEREAS**, RCW 46.55.113 authorizes the City to adopt an ordinance allowing for the impounding of a vehicle when the driver of that vehicle is arrested for a violation of RCW 46.20.342;

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

Section 1. Section 9.25.020 of the SeaTac Municipal Code is hereby amended to read as follows:

**9.25.020 Impoundment authorized.**

A. When the driver of a motor vehicle is arrested for a violation of Driving While License Suspended (“DWLS”) in the third degree, as defined in RCW 46.20.342(1)(c), as now or hereafter amended, or if the driver is arrested for driving when his or her privilege to drive is suspended or revoked in any other state, the vehicle is subject to summary impoundment, at the discretion of a law enforcement officer.

B. When the driver of a motor vehicle is arrested for a violation of DWLS second degree, as defined in RCW 46.20.342(1)(b), as now or hereafter amended, the vehicle is subject to summary impoundment, at the discretion of a law enforcement officer. The period of impoundment shall be for thirty (30) days.

C. When the driver of a motor vehicle is arrested for a violation of DWLS first degree, as defined in RCW 46.20.342(1)(a), as now or hereafter amended, the vehicle is subject to summary impoundment, at the discretion of a law enforcement officer. The period of impoundment shall be for thirty (30) days.

D. When the driver of a commercial motor vehicle is arrested for violation of RCW 46.20.342, and the driver of the vehicle is not the owner, the police officer shall attempt in a reasonable and timely manner to contact the owner of the vehicle before the summary impoundment directed under this section. The police officer may release the vehicle to the owner if the owner is reasonably available, as long as the owner was not in the vehicle at the time of the stop and arrest, and the owner has not received a prior release under this subsection or RCW 46.55.120(1) (a) (ii).

Section 2: Section 9.25.050 of the SeaTac Municipal Code is hereby amended to read as follows:

### 9.25.050 Redemption of impounded vehicles.

Vehicles impounded pursuant to this chapter shall be redeemed only under the following circumstances, and pursuant to agreement between the City and the King County Sheriff's Office:

A. Only the registered owner, a person authorized by the registered owner, or one who has purchased the vehicle from the registered owner, who produces ownership or authorization and signs a receipt therefore, may redeem an impounded vehicle. A person redeeming a vehicle impounded pursuant to this chapter must, prior to redemption, establish that he or she has a valid driver's license and insurance.

B. Any person so redeeming a vehicle impounded under this chapter shall pay the tow truck operator for costs of impoundment (removal, towing, and storage) and the administrative fee prior to redeeming such vehicle. The tow truck operator shall accept payment as provided in RCW 46.55.120(1)(e), as now or hereafter amended. If the vehicle was impounded pursuant to this chapter and was being operated by the registered owner when it was impounded, it may not be released to any person until all penalties, fines, or forfeitures owed by the registered owner have been satisfied. A vehicle impounded pursuant to this chapter can be released only pursuant to written order from the King County Sheriff's Office or a court.

C. The King County Sheriff's Office shall assign an administrative hearings officer(s) to conduct post-impoundment hearings pursuant to this chapter. Any person seeking to redeem a vehicle impounded pursuant to this chapter has a right to a hearing before an administrative hearings officer to contest the validity of an impoundment or the amount of removal, towing and storage charges or administrative fee. Any request for a hearing shall be made in writing, on a form provided by the King County Sheriff's Office and signed by such person, and received by the King County Sheriff's Office within ten (10) days (including Saturdays, Sundays and holidays) of the latter of the date the notice of right of redemption and opportunity for hearing was mailed to the person or the date the notice was given to the person by the tow truck operator. Such hearing shall be provided as follows:

1. If all of the requirements to redeem the vehicle, including expiration of any period of impoundment under SMC [9.25.020](#) have been satisfied, then the impounded vehicle shall be released immediately and a hearing shall be held within ninety (90) days of the written request for hearing.

2. If all of the requirements to redeem the vehicle, including expiration of any period of impoundment under SMC [9.25.020](#), have not been satisfied, then the impounded vehicle shall not be released until after the hearing which shall be held within two (2) business days (excluding Saturdays, Sundays, and holidays) of the written request for hearing.

3. Any person seeking a hearing who has failed to request such hearing within the time specified in this section may petition the King County Sheriff's Office for an extension to file a request for hearing. Such extension shall only be granted upon the demonstration of good cause as to the reason(s) the request for hearing was not timely filed. For the purpose of this section, "good cause" shall be defined as circumstances beyond the control of the person seeking the hearing that prevented such person from filing a timely request for hearing. In the event such extension is granted, the person receiving such extension shall be granted a hearing in accordance with this chapter.

4. If a person fails to file a timely request for hearing and no extension to file such a request has been granted, the right to a hearing is waived, the impoundment and the associated costs of impoundment are deemed to be proper, and neither the City or County shall be liable for removal, towing and storage charges arising from the impoundment.

D. The SeaTac Police Chief, or designee, is authorized to release a vehicle impounded pursuant to this chapter prior to the expiration of any period of impoundment upon petition of the spouse or domestic partner of the registered owner of the vehicle, based on economic or personal hardship to such spouse or domestic partner resulting from the unavailability of the vehicle and, after consideration of the threat to public safety that may result from the release of the vehicle, including, but not limited to, the driver's criminal history, driving record, license status and access to the vehicle. If such release is authorized, the person redeeming the vehicle must satisfy the requirements of SMC 9.25.050(A) and (B), with the exception of payment of the penalties, fines, or forfeitures owed by the driver, and with the exception of the administrative fee.

E. The SeaTac Police Chief, or designee, is authorized to release a vehicle impounded pursuant to this chapter prior to the expiration of any period of impoundment upon the petition of the registered owner of the vehicle based upon economic or personal hardship or equity, provided the registered owner was not the operator of the vehicle at the time of the impound, the owner did not know that the operator's drivers license and/or driving privilege was suspended or revoked, and the owner has not received a prior release under this subsection. If such release is authorized, the registered owner must satisfy the requirements of SMC [9.25.025](#)(A) and (B), with the exception of the administrative fee, in order to redeem the vehicle.

F. In order to avoid discriminatory application, the SeaTac Police Chief, or designee, shall deny release in all circumstances without discretion, except as set forth in subsection D and E above.

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

**ADOPTED** this 14th day of October, 2003, and signed in authentication thereof on this 14th day of October, 2003.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Robert L. McAdams, City Attorney

[Effective Date: \_\_\_\_\_]

[Impoundment.SMC 9.25]

**ORDINANCE NO. 03-1029**

AN ORDINANCE of the City Council of the City of SeaTac, Washington repealing Chapter 8.25.200 of the SeaTac Municipal Code relating to false alarms, and adopting a new Chapter related to false alarms which imposes duties upon alarm system users, alarm businesses, and alarm system monitoring companies, proscribes penalties for excessive false alarms, and provides for administrative appeal for false alarm determinations.

**WHEREAS**, the City Council enacted Ordinance 90-1029, which adopted by reference King County Code 12.32, establishing crimes related to false alarms by electronic security devices; and

**WHEREAS**, King County Code 12.32 does not adequately address the responsibilities of alarm users, alarm businesses, and alarm system monitoring companies; and

**WHEREAS**, King County Code 12.32 requires that appeals of false alarm determinations and penalties be appealed to the King County District Court; and

**WHEREAS**, the City of SeaTac does not contract with the King County District Court to hear appeals of false alarm determinations; and

**WHEREAS**, encouraging alarm users, alarm businesses, and alarm monitoring companies to assume increased responsibility for the reliability and proper use of alarm systems will prevent unnecessary police emergency response, thereby protecting the emergency response capability of the City from misuse;

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

**ORDAIN as follows:**

Section 1. Section 8.05.200 of the SeaTac Municipal Code is hereby repealed.

Section 2. A new Chapter 8.20 is hereby added to the SeaTac Municipal Code to read as follows:

**Chapter 8.20**  
**ALARM SYSTEMS**

**Sections:**

8.20.010	Purpose.
8.20.020	Definitions.
8.20.030	Alarm system requirements.
8.20.040	Alarm user duties.
8.20.050	Alarm business duties.
8.20.060	Alarm system monitoring company duties.
8.20.070	False alarms.
8.20.080	Excessive false alarms - Penalties
8.20.090	No response to premises with excessive false alarms.
8.20.100	Administrative hearing.
8.20.110	Severability.

**8.20.010 Purpose.**

A. The purpose of this chapter is to encourage alarm users, alarm businesses, and alarm monitoring companies to assume increased responsibility for the mechanical/electrical reliability and proper use of alarm systems and to prevent unnecessary police emergency response to false alarms, thereby to protect the emergency response capability of the City from misuse.

B. The obligation of complying with this chapter and liability for failing to do so is placed on the parties responsible for owning, operating, monitoring or maintaining alarm systems.

### **8.20.020 Definitions.**

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Alarm business" means the business by an individual, partnership, corporation or other entity of selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing, moving or installing an alarm system or causing to be sold, leased, maintained, monitored, serviced, repaired, altered, replaced, moved or installed an alarm system in or on any building, structure or facility.

B. "Alarm dispatch request" means a notification to a law enforcement agency by an alarm business or another party that an alarm, either manual or automatic, has been activated at a particular alarm site.

C. "Alarm monitoring company" means an individual, partnership, corporation or other form of association that engages in the business of monitoring property, burglary, robbery or panic alarms and reporting activation of the alarm system to a law enforcement agency.

D. "Alarm site" means a single premises or location served by an alarm system or systems. Each tenancy, if served by a separate alarm system in a multi-tenant building or complex, is a separate alarm site.

E. "Alarm system" means any system, device or mechanism which, when activated, transmits a signal or message to a private alarm monitoring company or some other entity, or emits an audible or visible signal that can be heard or seen by persons outside the protected premises, or transmits a signal beyond the premises in some other fashion, to report a crime in-progress or other crisis situation requiring a police response. "Alarm system" does not include a fire alarm system, medical alert system or an alarm installed on a motor vehicle.

F. "Alarm user" means any person, firm, partnership, association, corporation, company or organization of any kind and which uses an alarm system at its alarm site.

G. "Department" means the City of SeaTac Police Department.

H. "Department's communication center" means the Department's dispatch center which receives requests for service for police and fire, including the communications center of the King County Sheriff's Office.

I. "False alarm" means the activation of any combination of burglary, robbery, panic or yard alarm when no crime is being committed or attempted on the premises. An alarm is presumed false if the law enforcement officers responding to the alarm site do not locate any evidence of an intrusion or commission of an unlawful act or emergency on the premises which might have caused the alarm to sound. However, "false alarm" does not include an alarm caused by extraordinary circumstances not reasonably subject to control by the alarm business operator or alarm user. An alarm dispatch request that is canceled by the alarm system monitoring company or the alarm system user before arrival of law enforcement officers to the alarm site is not a false alarm for the purposes of fine assessment or no-response status designation.

J. "Monitoring" means the process by which an alarm business receives signals from the alarm system and relays an alarm dispatch request to the proper jurisdiction for the purpose of summoning police response to the alarm site.

K. "No response" means that law enforcement officers may not be dispatched to investigate a report of an alarm dispatch request.

L. "Person" means a human being, business, corporation, partnership, or other business enterprise.

M. "Police Chief" means the Chief of the City of SeaTac Police Department.

N. "Police Department" means the City of SeaTac Police Department.

O. "Premises" means an area or building or a portion of an area or building protected by an alarm system.

P. "Sheriff" means the Sheriff of King County.

Q. "Verification" means an attempt by the alarm business, or its representative, to contact the alarm site by telephonic or other electronic means, with or without actual contact with an alarm system user or representative, before an alarm dispatch request is made.

### **8.20.030 Alarm system requirements.**

A. An alarm system may not have an alarm signal audible on the exterior of an alarm site that sounds longer than ten minutes after being activated. Nothing in this section shall limit the duration of a fire or other evacuation alarm during a bona fide emergency when the sound may assist in saving life or avoiding injury.

B. The installation or use of any electric, electronic or mechanical security device which gives automatic notice to the communications center of the Sheriff's Office, the Department, or the Department's Communication



Center is prohibited, except by federal, state or local government agencies acting with the permission of the Police Chief. This provision specifically includes devices utilizing the public telephone system.

C. Violation of this section is a misdemeanor.

#### **8.20.040 Alarm user duties.**

Every alarm user in the City of SeaTac:

A. Shall submit a contact card to be on file in the Department's communications center, a notice of the telephone numbers at which the person or persons authorized to enter the premises can be reached to respond;

B. Shall maintain the premises and the alarm system in a manner that will minimize or eliminate false alarms;

C. Shall make every reasonable effort to respond or cause a representative to respond to the alarm site within one hour when notified by the Department or law enforcement officers to deactivate a malfunctioning alarm system, to provide access to the premises or to provide security for the premises; and

D. Shall not manually activate an alarm for any reason other than an occurrence of an event for which the alarm system was intended to report.

E. Shall display upon the premises the street address at or near the front of the premises and at other places where access is available, such as from an alley or parking lot. The street address shall be clearly visible and readable from the exterior of the premises.

#### **8.20.050 Alarm business duties.**

Every alarm business engaging in business activities in the City of SeaTac shall:

A. Submit standard user form instructions to the Police Chief, which provides information to enable the alarm user to operate the alarm system at any time. If the Police Chief finds the instructions are incomplete, unclear, or inadequate, the Police Chief will require the alarm business to revise the instructions. Copies of any revised instructions created under this subsection shall be furnished to the alarm user.

B. Provide the Police Chief information about the nature of its alarm systems, including property alarms, burglary alarms, robbery alarms, and panic alarms, its method of monitoring, its program for preventing false alarms, and its method of disconnecting audible alarms.

C. Furnish the alarm user with standard user form instructions, as submitted to the Police Chief pursuant to subsection A of this section.

#### **8.20.060 Alarm system monitoring company duties.**

Every alarm system monitoring company engaging in business activities in the City of SeaTac shall:

A. Establish a process for alarm verification. The verification process shall not take more than five (5) minutes, calculated from the time that the alarm signal has been accepted by the alarm business monitoring the system, until a decision is made whether to call for a police dispatch. The means of verification may include one or more of the following:

1. The establishment of voice communication with an authorized person at or near the premises who will indicate whether or not the need for immediate police assistance or investigation exists;

2. A feature that permits the alarm system user or a person authorized by the user to send a special signal to the alarm system monitoring company from calling for a police dispatch;

3. The installation of a video system that provides the alarm system monitoring company, when the signal is received, with the ability to ascertain that activity is occurring which warrants immediate police assistance or investigation;

4. A confirmation that a signal reflects a need for immediate police assistance or investigation either by the alarm system user or a person at or near the premises before dispatching police; or

5. An alternate system that the Police Chief determines has, or is likely to have, a high degree of reliability.

B. Coordinate with the Department's communication center to develop a process to cancel an alarm dispatch that is consistent with the communication center's standard operating procedures.

C. Attempt to verify whether an actual crime is being committed at the alarm site and report the results of its verification attempt to the Department or the Department's communication center;

D. Request cancellation of an alarm dispatch request upon verifying no event has occurred that the alarm system was intended to report; and

E. Describe in plain language, other than a zone number, the specific location on the premises of the point of entry or unauthorized access.

#### **8.20.070 False alarms.**

A. It is unlawful for any alarm user, through error, omission or mechanical/electrical failure to cause a false alarm.

B. The Department shall notify the alarm user by first class mail of each false alarm, the fine, and the consequences of the failure to pay the fine. The Department shall also inform the alarm user of the right to appeal the validity of the false alarm determination, as provided in SMC 8.20.100.

C. If the fine imposed under this section has not been received by the City of SeaTac within fifteen (15) days of the date of notice, and there is no appeal pending on the validity of the false alarm, a \$25.00 late fee shall be assessed. The Department shall send the alarm user a notice of late fee by first class mail. If payment of the fine and late fee is not received within twenty (20) days of the date the notice of late fee was mailed, the Police Chief may initiate the no response process.

D. The Department shall issue notice of infraction to an alarm user following a violation of this section. The Department shall notify the SeaTac Department of Finance of the charges, fees and penalties that are to be collected. The SeaTac Department of Finance shall collect charges, fees and penalties not properly canceled and discharged.

#### **8.20.080 Excessive false alarms - Penalties.**

A. For a response to premises at which a false alarm has occurred, the person having or maintaining the alarm system shall within seven days notice to do so make a written report to the Department on forms prescribed by the Department setting forth the cause of the false alarm, the corrective action taken and such other information as the Department may require to determine the cause of the false alarm and corrective action necessary.

B. Penalties will be assessed by the Department for excessive false alarms according to the following schedule:

1. One or fewer false alarms in a consecutive six month period – no charge.
2. Two or more false alarms in a consecutive six month period - \$100.00 fine.
3. Late fee - \$25.00 fine.

#### **8.20.090 No response to premises with excessive false alarms.**

A. After the third false alarm in a six-month consecutive period, or the failure to pay any outstanding penalties imposed under this Chapter, the Department shall send a notification to the alarm user and the alarm monitoring company, if known, by first class mail, that contains the following information:

1. That the third false alarm has occurred, or that there is an unpaid penalty imposed under this Chapter; and
2. That if another false alarm occurs within the six month period, or if the outstanding penalty remains unpaid for twenty (20) days from the date of notice, the Department will not respond to any subsequent alarm activations without the approval of the Police Chief, or a visual verification.

B. 1. After the fourth false alarm within a consecutive sixth-month period, and after notice was sent to the alarm user as prescribed by subsection A of this section, the Department may not respond to subsequent alarms without approval of the Police Chief. If police response is suspended, the Police Chief shall send a notification of no-response status to:

- a. The Department's communication center;
- b. The alarm user, by first class mail; and
- c. The alarm user's alarm monitoring company, if known, by first class mail.

2. The notice must include the following:

- a. That the approval of the Police Chief for reinstatement may only be obtained by applying in writing for the reinstatement. The Police Chief may reinstate the alarm user upon a finding that reasonable effort has been made to correct the false alarms, which may include documentation from an alarm business, stating that the alarm system is operating properly and that the alarm user's agents are properly trained in the alarm system's operation, and full payment has been made for any outstanding penalties due to the City of SeaTac for false alarms. The City of SeaTac and the Department are not responsible for costs incurred by the alarm user to qualify for reinstatement;

- b. That the reinstated alarm users will incur penalties for any false alarm responses after reinstatement;

- c. That the alarm user has the right to contest the validity of a false alarm determination through an administrative appeal hearing as set forth in SMC 8.20.100;

- d. In the event that the no response process has been initiated solely due to nonpayment of penalties the Police Chief will reinstate the alarm user upon finding that all outstanding penalties have been paid; and

- e. Any application for reinstatement shall be done in writing, on forms prescribed by the Department.

C. The suspension of police response may begin no sooner than twenty (20) days after the notice of no-response status was sent by first class mail to the alarm user unless a written request for an appeal hearing has been filed in the required time period under this chapter.

D. The suspension of response under this Chapter shall apply only to burglary and property alarm systems and shall not apply to any robbery, panic, or duress alarms. However, all such alarms shall be construed in determining the total number of false alarms under this Chapter.

**8.20.100 Administrative appeal hearing.**

A. An alarm user may appeal the validity of a false alarm determination to the Police Chief. The appeal shall be in writing and shall be requested within ten days of the notice of violation received from the Department or Police Chief. Failure to contest the false alarm determination in the required time period results in a conclusive presumption for all purposes that the alarm was false.

B. If a hearing is requested, written notice of the time and place of the hearing shall be served on the user by the Police Chief, by first class mail, at least ten (10) days prior to the date of the hearing, which shall not be more than thirty (30) nor less than ten (10) days after the filing of the request for hearing.

C. The hearing shall be before the Police Chief or his/her designee. The alarm user and a representative of the Police Department shall have the right to present written and oral evidence. If the Police Chief or his/her designee determines that the false alarms alleged occurred, he/she will issue written findings waiving, expunging or entering the false alarm designation on an alarm user's record. If false alarm designations are entered on the alarm user's record, the Department and/or the City of SeaTac shall pursue the collection of the penalties. If the civil penalty is not found to be proper, then the alarm user shall bear no costs.

D. If a hearing is canceled more than ten days after its request, then a cancellation fee of \$25.00 must be paid in addition to the amount of any penalties imposed under this chapter.

E. The decision made by the Administrative Hearing Officer may be appealed to the King County District Court. The appeal must be filed within thirty (30) calendar days from the date of the decision of the Police Chief.

**8.20.110 Severability.**

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

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

**ADOPTED** this 14th day of October, 2003, and signed in authentication thereof on this 14th day of October, 2003.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Robert L. McAdams, City Attorney

[Effective Date: \_\_\_\_\_]

[False Alarms]

**ORDINANCE NO. 03-1030**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the SeaTac Municipal Code to accommodate changes to the SeaTac Planning Commission's Bylaws.

**WHEREAS**, the Planning Commission has proposed revisions to its bylaws, in order to update and provide clarity to the operating rules of the Commission and to make them consistent with the SeaTac Municipal Code (SMC); and

**WHEREAS**, two of the proposed bylaws revisions are not consistent with Chapter 2.15 of the SMC; and

**WHEREAS**, the Planning Commission believes that the first of the aforementioned two SMC revisions (Section 2.15.040) would enable the City Council to better address absence situations that might occur with the Planning Commission in the future; and

**WHEREAS**, the Planning Commission believes that the second of the aforementioned two SMC revisions first (Section 2.15.140) would provide more flexibility in the Commission in transmitting information to the City Council;

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

Section 1. Chapter 2.15 of the SeaTac Municipal Code is hereby amended to read as follows:

***Chapter 2.15***  
***PLANNING COMMISSION***

**Sections:**

**2.15.010 Agency created.**

**2.15.020 Membership.**

- 2.15.030 Appointment.**
- 2.15.040 Term of office.**
- 2.15.050 Rules of procedure.**
- 2.15.060 Compensation.**
- 2.15.070 Expenses.**
- 2.15.080 Conflicts of interest.**
- 2.15.090 Meetings.**
- 2.15.100 Joint meetings authorized.**
- 2.15.105 General duties.**
- 2.15.110 Comprehensive Plan.**
- 2.15.120 Development regulations.**
- 2.15.130 Research.**
- 2.15.135 Annual work plan.**
- 2.15.140 Summaries of public hearings.**

2.15.010 Agency created.

There is hereby created a planning agency to be known as “The Planning Commission of the City of SeaTac,” to serve in an advisory capacity to the City Council, and to serve at the pleasure of the Council. (Ord. 02-1008 § 1: Ord. 98-1024 § 2: Ord. 90-1047 § 1)

2.15.020 Membership.

There shall be five (5) members of the Planning Commission. Three (3) of the members shall be residents of the City. Two (2) of the members shall own, operate or be employed by business entities located within the City, but, if such candidates cannot be found, then the fourth and/or fifth member shall be residents of the City. (Ord. 02-1008 § 1: Ord. 98-1024 § 2: Ord. 90-1047 § 2)

2.15.030 Appointment.

The members of the Planning Commission shall be appointed by the Mayor, subject to confirmation by the City Council. (Ord. 02-1008 § 1: Ord. 98-1024 § 2: Ord. 90-1047 § 3)

2.15.040 Term of office.

Commencing upon expiration of the term of any member serving on the effective date of Ordinance No. 90-1047, the members of the Planning Commission shall serve at the pleasure of the City Council for a term of three (3) years, or until appointment of a successor member, whichever is later. If a member of the Planning Commission shall be absent, without prior notification and excuse, from three (3) consecutive regularly scheduled meetings of the Commission, the Chairperson shall report that fact and circumstances to the Mayor, who may declare the position held by that member vacant and a new member may be appointed in the manner set forth at SMC **2.15.030**. Absences from six (6) convened meetings by any Commission member, excused or unexcused, occurring within a twelve-month period, may likewise be grounds for removal. In the event of the extended excused absence or disability of a member, the Mayor, with concurrence of the City Council, may appoint a member pro tempore to serve during the absence or disability; provided, that any such pro tempore appointment shall be for a period of time not to exceed eight (8) months, unless extended by the Mayor, with

concurrence of the City Council. (Ord. 02-1008 § 1; Ord. 98-1024 § 2; Ord. 97-1006 § 2; Ord. 95-1027 § 1; Ord. 94-1044 § 1; Ord. 94-1033 § 1; Ord. 90-1047 § 4)

#### 2.15.050 Rules of procedure.

The Planning Commission shall elect its own Chairperson. A majority of the membership of the Planning Commission shall constitute a quorum for the transaction of business. Any action taken by a majority of the members present, when those present constitute a quorum, at any meeting of the Planning Commission shall be deemed to be the action of the Commission. The Planning Commission shall follow the latest edition of Robert's Rules of Order and, if desired, may submit to the City Council, for adoption, rules of procedure for the conduct of its business. (Ord. 02-1008 § 1; Ord. 98-1024 § 2; Ord. 94-1032 § 1; Ord. 90-1047 § 5)

#### 2.15.060 Compensation.

The members of the Planning Commission shall serve without compensation. (Ord. 02-1008 § 1; Ord. 98-1024 § 2; Ord. 90-1047 § 6)

#### 2.15.070 Expenses.

The City Council may appropriate funds within the budget of the Department of Planning and Community Development to provide for staff support and supplies for use of the Planning Commission as may be approved by the Director of the Department. The City shall provide to the Planning Commission adequate space and facilities and necessary supplies to facilitate the official business of the Commission. (Ord. 02-1008 § 1; Ord. 98-1024 § 2; Ord. 90-1047 § 7)

#### 2.15.080 Conflicts of interest.

If any member of the Planning Commission concludes that he or she has a conflict of interest or an appearance of fairness problem with respect to a matter pending before the Commission, that member shall disqualify himself or herself from participating in the deliberations and the decision-making process with respect to that matter. If the Mayor and City Manager conclude that a member has a conflict of interest or an appearance of fairness problem with respect to a matter pending before the Commission, that member shall be disqualified from participating in the deliberations and the decision-making process with respect to that matter. In either event, the Mayor may appoint, without necessity of confirmation by the City Council, a person to serve as an alternate on the Planning Commission in regard to that particular matter. (Ord. 02-1008 § 1; Ord. 98-1024 § 2; Ord. 90-1047 § 8)

#### 2.15.090 Meetings.

The Planning Commission shall hold such meetings as may be required for the completion of its responsibilities, but regular meetings shall be held not less than bimonthly unless there is no business to be considered by the Commission. The City Manager shall designate a City employee to act as staff liaison to the Planning Commission. The staff liaison shall produce, in cooperation with the Chair, an agenda for distribution to the Council and interested persons and entities not later than one (1) week prior to the next meeting of the Commission. The staff liaison shall attend each meeting of the Commission and shall take and publish minutes of each meeting and each public hearing. The staff liaison shall provide copies of the agenda, the published minutes of meetings and public hearings to each member of the Planning Commission and to each member of the City Council. Prior to any public hearing, the staff liaison person shall prepare and provide to the Commission a City staff report and all appropriate documentary

information. The membership of the Planning Commission may, if desired, request that a Councilmember act as the staff liaison person. (Ord. 02-1008 § 1: Ord. 98-1024 § 2: Ord. 95-1012 § 1: Ord. 90-1047 § 9)

#### 2.15.100 Joint meetings authorized.

The Planning Commission may hold joint meetings with one (1) or more City or County planning agencies and may engage in regional planning activities. (Ord. 02-1008 § 1: Ord. 98-1024 § 2: Ord. 90-1047 § 10)

#### 2.15.105 General duties.

The general duties of the Planning Commission shall be as set forth in the following language of the report on the Council's Task Force on Citizens Advisory Committees:

The Commission shall assist in providing additional information and work on projects assigned by the Council as the Council establishes policy for the City. It is important that the Commission maintains creditability and open communication with the Council in order to be of utmost assistance to the Council's decision-making process. The Council's function of establishing policy for the City can be greatly enhanced by quality advice presented from the Planning Commission in a manner that supports the Council's policies. (Ord. 02-1008 § 1: Ord. 98-1024 § 2)

#### 2.15.110 Comprehensive Plan.

The Planning Commission shall prepare the Comprehensive Plan for the City, in accordance with State law, specifically including the Growth Management Act, and shall recommend the same to the City Council for adoption. The Planning Commission may thereafter, from time to time, but not more frequently than once every year, recommend to the City Council such changes, amendments or additions to the Comprehensive Plan as may be deemed desirable. In preparing such recommendations, the Commission shall adhere to the City's Comprehensive Plan amendment procedures. If directed by the City Council, the Planning Commission shall prepare and recommend a Comprehensive Plan and/or proposed zoning regulations for territory which may be annexed, and hold public hearings on such plans and regulations. (Ord. 02-1008 § 1: Ord. 98-1024 § 2: Ord. 90-1047 § 11)

#### 2.15.120 Development regulations.

The Planning Commission shall recommend to the City Council such development regulations which may be deemed necessary, but which shall be consistent with and shall implement the Comprehensive Plan, to include the following:

- A. Amendments to the Environmental Code, Chapter [13.30 SMC](#);
- B. Amendments to the Subdivision Code, SMC Title [14](#);
- C. Amendments to the Zoning Code, SMC Title [15](#), or the Official Zoning Map;
- D. Individual or City-wide rezones initiated by the City;
- E. Amendments to the Development Review Code, SMC Title [16A](#);
- F. Hearing applications for special district overlays as area zoning is adopted in conjunction with amendments to the Comprehensive Plan, pursuant to SMC [15.28.070\(A\)](#);
- G. Holding of public hearings as required;
- H. Such other actions as may be requested or remanded by the City Council. (Ord. 02-1008 § 1: Ord. 98-1024 § 2: Ord. 90-1047 § 12)



### 2.15.130 Research.

The Planning Commission shall, with the assistance of the staff liaison and the City Manager, or designee, act as the research and fact finding agency of the City in regard to land uses, housing, capital facilities, utilities, transportation, and in regard to classification of lands as agriculture, forest, mineral lands, critical areas, wetlands and geologically hazardous areas. The Commission may undertake such surveys, analyses, research and reports as may be generally authorized or as may be specifically requested by the City Council. The Commission is specifically authorized to join with and cooperate with the planning agencies of other cities and counties, to include regional planning agencies, in furtherance of such research and planning. (Ord. 02-1008 § 1: Ord. 98-1024 § 2: Ord. 95-1012 § 1: Ord. 90-1047 § 13)

### 2.15.135 Annual work plan.

Annually, by July 15th of each year, to coincide with the City's preliminary budget review process, the Planning Commission shall submit to the City Council a work plan for the ensuing calendar year, together with a report on progress made in implementing the goals and requirements of State law and on the status of land use policies and procedures within the City, for the purpose of assisting the Council in establishing a budget to support the Commission, as follows:

- A. A description of all anticipated amendments to the Comprehensive Plan;
- B. Anticipated preparation of subarea plans;
- C. Area rezones;
- D. Adoption or amendment of development regulations together with public hearings;
- E. Any other studies and projects reasonably expected to be undertaken;
- F. Estimated hours of staff liaison time to prepare for those projects and to attend meetings;
- G. Any estimated direct expenses. (Ord. 02-1008 § 1: Ord. 98-1024 § 2)

### 2.15.140 Summaries of public hearings.

The Planning Commission shall provide to the City Council a written summary of every public hearing held by the Commission at a following study session or regular meeting of the City Council but not less than two weeks prior to the Council's action on the subject of the public hearing. If deemed necessary by the Planning Commission due to time factors, an oral summary report on a public hearing may be given within said two week time period to the City Council by a Planning Commission member or the Director of Planning and Community Development.

**PASSED** this 12<sup>th</sup> day of December, 2003 and signed in authentication thereof on this 12th day of December, 2003.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Robert L. McAdams, City Attorney

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**ORDINANCE NO. 03-1031**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 11.20.020 of the SeaTac Municipal Code to provide for payment by the City up to \$3,400 to defray the cost of each parcel of land required to connect services to newly undergrounded electric and communications facilities.

**WHEREAS**, SMC 11.20.020 presently grants the Council authority to determine by motion or resolution whether to assume and pay as part of the cost of a City road improvement project requiring undergrounding, all or a portion of the cost of undergrounding service connections from rights-of-way to the buildings, residences, or structures to be served; and

**WHEREAS**, the Council previously adopted Ordinance No. 98-1023 which required the City to subsidize the private property owners up to \$2,500 when conversion of overhead facilities to underground facilities are initiated by the City as part of a road improvement project; and

**WHEREAS**, City staff now seeks to increase the amount of reimbursement to the property owner from \$2,500 to \$3,400; and

**WHEREAS**, this increase is based upon two factors: (1) 2.3% inflation rate for 6 years which total \$370, and (2) Puget Sound Energy (PSE) residential connection charges have increased by an estimated \$530 through PSE Electric Tariff G – Schedule 85 for service lines, which is currently on file with the Washington Utilities and Transportation Commission (WUTC); and

**WHEREAS**, the Council now desires to amend SMC 11.20.020 to increase the payment by the City from \$2,500 to \$3,400 per parcel of property;

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

**ORDAIN as follows:**

Section 1. Section 11.20.020 of the SeaTac Municipal Code is hereby amended to read as follows:

**11.20.020 Cost.**

Except as provided in currently valid tariffs on file with the Washington State Utilities and Transportation Commission, ~~issued prior to December 26, 1996~~, which provide for greater responsibility for payment of undergrounding costs by the customer and/or the City ~~than is provided herein~~, the cost and expense of converting existing overhead facilities to underground, or installing new facilities underground, and connection from such facilities to buildings, residences and other structures, shall be borne by the serving utilities, or the owners or occupants of the real property served or persons applying

for such underground service. However, if the City determines that the public health, welfare, convenience and pedestrian and vehicular traffic safety in any street or road widening or relocation project requires conversion of existing overhead facilities to an underground installation, with connection to the buildings, residences and other structures served thereby, then in any such event, the utility or utilities affected shall provide such work ~~at its/their own cost and expense~~; provided, however, that in order for the utility or utilities ~~to be responsible for the costs of connecting~~ the underground services to buildings, residences and other structures to be served, each property owner shall convey and grant to the utility or utilities easements or licenses and permission to enter onto the property of such owner for the purpose of connecting such service; provided, further, that the City shall be required, to assume and pay, as part of the cost of the project, all or a portion of the cost of underground connection from rights-of-way to buildings, residences or structures to be served, but not to exceed the actual cost or the sum of ~~\$2,500~~\$3,400, whichever is less, for each parcel of property.

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

**ADOPTED** this 25th day of November, 2003, and signed in authentication thereof on this 25th day of November, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

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

[Effective Date: \_\_\_\_\_]

[Section 11.20.020 Cost - Amendment]

**ORDINANCE NO. 03-1032**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, adopting the Annual Budget for the year 2004 and appropriating funds for the estimated expenditures.

WHEREAS, State Law, Chapter 35A.33 RCW requires the City to adopt an annual budget and provides procedures for the filing of estimates, a preliminary budget, deliberations, a public hearing, and final fixing of the budget; and

WHEREAS, a preliminary budget for the fiscal year 2004 has been prepared and filed; a public hearing has been held for the purpose of fixing the final budget; and the City Council has deliberated and has made adjustments and changes deemed necessary and proper;

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

Section 1. The 2004 Annual Budget for the City of SeaTac, covering the period from January 1, 2004, through December 31, 2004, is hereby adopted by reference with appropriations in the amount of \$41,851,550.

Section 2. The budget sets forth totals of estimated appropriations for each separate fund, and the aggregate totals for all such funds. The said budget appropriation, in summary by fund and aggregate total of the City of SeaTac are as follows:

<u>Fund Number</u>	<u>Fund Name</u>	<u>Appropriations</u>
001	General	\$ 21,413,189
101	City Street	632,980
102	Arterial Street	3,944,760
106	Transit Planning	8,200
107	Hotel/Motel Tax	697,530
108	Building Management	185,000
201	LTGO Bond	429,530
202	Transportation Bond	864,850
203	Hotel/Motel Tax Bond	385,135
204	Special Assessment Debt	316,000
301	Capital Improvements Fund	330,786
303	Fire Equipment Capital Reserve	363,720

Ordinance No. \_\_\_\_\_  
(continued)

<u>Fund Number</u>	<u>Fund Name</u>	<u>Appropriations</u>
306	Municipal Facilities CIP	\$ 250,000
307	Transportation CIP	9,777,892
403	SWM Utility	1,481,878
406	SWM Construction	439,000
501	Equipment Rental	<u>331,100</u>

TOTAL ALL FUNDS                    **\$ 41,851,550**

Section 3. A complete copy of the final budget as adopted herein shall be transmitted to the Division of Municipal Corporations in the Office of the State Auditor, and to the Association of Washington Cities. One complete copy of the final budget as adopted herein shall be filed with the City Clerk and shall be available for use by the public.

-  
Section 4. This Ordinance shall be in full force and effect for the fiscal year 2004 five (5) days after passage and publication as required by law.  
-

ADOPTED this 25<sup>th</sup> day of November, 2003, and signed in authentication thereof on this 25<sup>th</sup> day of November, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to form:

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

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

**ORDINANCE NO. 03-1033**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending SeaTac Municipal Code amending sections 15.13.109, 15.14.030D, 15.14.120, 15.15.150, 15.19.210C, 15.19.420B, 15.19.430A, 15.35.345B, and adding a new section 15.35.947, and a new Title 17 to establish standards relating to Crime Prevention Through Environmental Design (CPTED).

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

**WHEREAS**, the City passed Resolution No. 99-001 authorizing the application and evaluation of Crime Prevention Through Environmental Design concepts and principles in the review and conditioning of development permits; and

**WHEREAS**, Resolution No. 99-001 directed staff of the Police Department and Department of Planning and Community Development to apply CPTED through the development review process, and work together to prepare proposals for Zoning Code amendments that create CPTED development regulations; and

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

**WHEREAS**, it is the intent of the Council that CPTED standards only apply to new development, additions, and significant redevelopment.

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

Section 1. Section 15.13.109 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.13.109 Special Design Standards for Gasoline/Service Stations**

All gasoline/service stations, with or without associated convenience food marts, shall conform with the following design standards.

**A. Building Security and Site Layout.**

1. All trash enclosures shall be within a clear line of sight and be visible from the cashier station, day or night.
2. All public phones shall be outgoing only, shall be visible from the cashier area and shall be located indoors. There shall be no outdoor locations for public phones.
3. Lighting shall meet the requirements of SMC Chapter 17.36, Gasoline/Service Station and Convenience Store Lighting.
4. There shall be alarm systems on all outside doors and enunciators on interior doors/entrances.

5. There shall be adequate lighting that does not create shadows.

6. There shall be clear lines of sight from inside and outside the store.

B. Landscaping. A twenty (20) foot, Type I landscape strip shall be required for all property lines adjacent to or across a public right-of-way from residential uses.

C. Access. Access to gasoline/service stations located on corner lots may be limited to “right-in, right-out only” if warranted by site conditions or traffic patterns based on the results of a traffic study. Site conditions or traffic patterns that may warrant right-in, right-out traffic movements include, but are not limited to:

1. Traffic volumes on adjacent rights-of-way that make left-hand turning movements a safety hazard; or
2. Left-hand turning movements from the station that interfere with the left-hand turning movements on adjacent public rights-of-ways.

Section 2. Subsection D of Section 15.14.030 of the SeaTac Municipal Code is hereby amended to read as follows:

D. Type IV Landscaping.

1. Type IV landscaping is “parking area landscaping” which provides shade and visual relief, and maintains clear sight lines within parking areas.
2. Type IV landscaping shall consist of:
  - a. Canopy-type deciduous trees or broadleaf evergreen trees, evergreen shrubs and a mix of evergreen and deciduous groundcovers planted in wells or strips;
  - b. Shrubs that do not exceed a height of three (3) feet in maturity;
  - c. Plantings contained in planting wells or strips having an area of at least one hundred (100) square feet and with narrowest dimensions of at least five (5) feet in width;
  - d. Planting wells or strips which each contain at least one (1) tree;
  - e. Groundcover; and
  - f. Street frontage landscaping can be located in front or behind the sidewalk.

Figure 15.14.030d. TYPE IV LANDSCAPING



Section 3. Section 15.14.090 of the SeaTac Municipal Code is hereby amended to read as follows:

#### **15.14.090 Landscaping of Surface Parking Areas**

A. At least ten percent (10%) of the interior parking area shall have landscaping when the total number exceeds twenty (20) parking stalls.

B. At least one (1) interior landscape island for every seven (7) parking stalls shall be provided to be reasonably distributed throughout the parking lot.



- C. At least one (1) tree must be provided in each landscape island.
- D. Permanent curbs and/or barriers shall be provided to protect the plantings from vehicle overhang.
- E. The perimeter of a parking lot shall be planted with five (5) foot landscaping buffers with Type III landscaping. Any abutting landscaped areas can be credited toward meeting this standard.
- F. Landscaping of surface parking lots within the City Center shall conform with SMC [15.35.840](#). Landscaping for surface parking lots associated with high capacity transit (HCT) shall conform with SMC [15.36.320](#).
- G. Parking lot landscaping in areas adjacent to a parking space shall not exceed two (2) feet in height within three (3) feet of the curb, to allow for car overhangs.

Section 4. Section 15.14.120 of the SeaTac Municipal Code is hereby amended to read as follows:

#### **15.14.120 Landscaping of Building Facades**

Type IV landscaping shall be planted along building facades, as noted in the landscape charts.

- A. The width of the street line perimeter landscaping may be reduced twenty-five percent (25%) if the area comprising the twenty-five percent (25%) is allocated to landscaping located adjacent to the street facing facade of the building(s) on a site. The landscaping shall be placed in a manner and consist of vegetation determined by the City Manager, or designee, to provide equal or greater screening from the street. The twenty-five percent (25%) allocation is in addition to the required building facade landscaping.
- B. Groundcover shall be a maximum of two (2) feet along building facades.
- C. Conifers shall not be used for facade landscaping.
- D. Deciduous trees can be placed at thirty (30) foot centers for facade landscaping on buildings with continuous windows.

Section 5. Section 15.15.150 of the SeaTac Municipal Code is hereby amended to read as follows:

#### **15.15.150 Parking Structure Design Standards**

A. Parking Structure Design. The following parking structure design standards shall apply to all parking structures located outside of the designated City Center and not associated with a high capacity transit (HCT) station. Design standards for parking structures within the City Center shall conform with the requirements of SMC [15.35.900](#). Design standards for parking structures associated with an HCT station shall conform with the requirements of SMC [15.36.400](#).

1. Parking decks should be flat where feasible. At a minimum, a majority of both the ground floor and top parking decks shall be required to be flat, as opposed to continuously ramping (see Figure 15.15.150a).
2. External elevator towers and stair wells shall be open to public view, or enclosed with transparent glazing.
3. Lighting shall meet the requirements of SMC Chapter 17.28, Parking Structure Lighting.

Figure 15.15.150a. PARKING DECKS

4. Parking structure top floor wall designs must conform to one or more of the following options:
  - a. Top Floor Wall with Architectural Focal Point. A top floor wall focal point refers to a prominent wall edge feature such as a glazed elevator and/or stair tower, or top floor line trellis structure.
  - b. Top Floor Wall Line Variation.
    - i. Projecting Cornice. Top floor wall line articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.
    - ii. Articulated Parapet. Top floor wall line parapets shall incorporate angled, curved or stepped detail elements.
5. Parking structures with building facades facing or visible from the public right-of-way (ROW) shall use one, or a combination of, the following design features:
  - a. The facade shall have the appearance of an office building or hotel use.
  - b. Design features that would mask the building as a parking structure.

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

**B. Parking Structure Character and Massing.** In addition to the standards contained in subsection (A) of this section, parking structure facades over one hundred fifty (150) feet in length shall incorporate vertical and/or horizontal variations in setback, material or fenestration design along the length of the applicable facade, in at least one or more of the following ways:

1. Vertical Facade Changes. Incorporation of intervals of architectural variation at least every eighty (80) feet over the length of the applicable facade (see Figure 15.15.150b), such as:
  - a. Varying the arrangement, proportioning and/or design of garage floor openings;
  - b. Incorporating changes in architectural materials; and/or
  - c. Projecting forward or recessing back portions or elements of the parking structure facade.

Figure 15.15.150b. VERTICAL FACADE CHANGES



2. Horizontal Facade Changes. Designed differentiation of the ground floor from upper floors, such as:
  - a. Stepping back the upper floors from the ground floor parking structure facade;
  - b. Changing materials between the parking structure base and upper floors; and/or
  - c. Including a continuous cornice line or pedestrian weather protection element between the ground floor and upper floors.

C. Minimizing Views Into the Parking Structure Interior. Facades of parking structures shall be designed without continuous horizontal parking floor openings.

1. For portions of parking structures without a pedestrian level retail/commercial use, the following building facade landscaping is required:
  - a. Five (5) foot wide facade landscape strip consisting of:
    - i. A mix of evergreen shrub groupings spaced no more than four (4) feet apart that do not exceed a height of six (6) feet at maturity;
    - ii. Ground cover; and
    - iii. Seasonal displays of flowering annual bedding plants.
2. Any portion of a parking structure ground floor with exposed parking areas adjacent to a public street shall minimize views into the parking structure interior through one or more of the following methods which are in addition to the above facade landscaping strip:
  - a. Decorative trellis work and/or screening as architectural elements on the parking structure facade, without compromising the open parking structure requirements of the Uniform Building Code (see example, Figure 15.15.150c); and/or
  - b. Glass window display cases incorporated into pedestrian walls built between two structural pillars. Glass window display cases shall be at least two feet deep, begin twelve (12) to thirty (30) inches above the finished grade of the sidewalk, and cover at least sixty percent (60%) of the area between two pillars.

The trellis work or window display cases may be waived if the proponent can demonstrate some other method to minimize views into the parking structure. Alternate methods shall be approved by the Director of Planning and Community Development.

Figure 15.15.150c.



3. Upon conversion of portions of a parking structure to a pedestrian retail/commercial use, the Director of Planning and Community Development may approve the removal of initially installed pedestrian screening material in order to allow maximum visibility and access to the converted portions of the parking structure.
4. In addition to the above, views into the upper floors of parking structures shall be minimized through one or more of the following methods:
  - a. The use of planters integrated into the upper floors of parking structure facade design (see example, Figure 15.15.150d);
  - b. Decorative trellis work and/or screening as architectural elements on the parking structure upper floor facades; and/or
  - c. Upper parking floors designed as a pattern of window-like openings on the parking structure facade (see Figures 15.15.150c and 15.15.150d).

Figure 15.15.150d.



#### D. Parking Floors Located Under or Within Buildings.

1. Parking located under or within buildings shall subordinate the garage entrance to the pedestrian entrance in terms of prominence on the street, location and design emphasis (see example, Figure 15.15.150e).

Figure 15.15.150e.



2. Parking at grade under a building shall be completely or wholly screened through any combination of walls, decorative grilles, or trellis work with landscaping (see example, Figure 15.15.150f).

Figure 15.15.150f.



Section 6. Subsection C of Section 15.19.210 of the SeaTac Municipal Code is hereby amended to read as follows:

C. Clear pedestrian paths separate from parking areas shall connect building entrances to sidewalks. Pedestrian paths shall be illuminated pursuant to SMC Chapter 17.40, Walkway, Bikeway and Park Lighting.

Section 7. Subsection B of Section 15.19.420 of the SeaTac Municipal Code is hereby amended to read as follows:

B. Lighting levels in surface parking lots shall conform to the standards in SMC 17.24, Parking Lot Lighting.

Section 8. Subsection A of Section 15.19.430 of the SeaTac Municipal Code is hereby amended to read as follows:

A. Lighting of Structured Parking.

Lighting levels in structured parking shall conform with the requirements of SMC 17.28, Parking Structure Lighting.

Section 9. Subsection B of Section 15.35.345 of the SeaTac Municipal Code is hereby amended to read as follows:

B. Exterior lighting shall be used to identify and distinguish the pedestrian walkway network from car or transit circulation. Along pedestrian circulation corridors, lighting standards shall be placed between pedestrian ways and public and/or private streets, driveways or parking areas. The level of lighting shall conform with the requirements of SMC Chapter 17.40, Walkway, Bikeway and Park Lighting.

Section 10. A new Section 15.35.947 is hereby added to the SeaTac Municipal Code, to read as follows:

**15.35.947                    Parking Structure Lighting**

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

Section 11. A new Title 17 is hereby added to the SeaTac Municipal Code, to read as follows:

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**Title 17**

**CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)**

**Chapters:**

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**17.04 CPTED Concepts**

**17.08 Purpose, Principles and Application**

**17.12 Definitions**

**17.16 Security Provisions**

**17.20 Exterior lighting**

**17.24 Surface Parking Lot Lighting**

**17.28 Parking Structure Lighting**

**17.32 Private Street Lighting**

**17.36 Gasoline/Service Station and Convenience Store Lighting**

**17.40 Walkway, Bikeway, and Park Lighting**

**17.44 Building Facade and Landscape Lighting**

**17.52 Interior Spaces**

**17.56 Landscaping**

**17.60 CPTED Standards Related to Natural Surveillance**

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**CHAPTER 17.04            CPTED CONCEPTS**

**Sections:****17.04.010 CPTED Overview**

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**17.04.010 CPTED Overview**

- A. Crime Prevention Through Environmental Design (“CPTED”) is the proper design and effective use of the built environment in order to reduce the fear and incidence of crime, and improve the quality of life.
- B. CPTED involves the design of a physical space so that it enhances the needs of the intended users. This emphasis on design and use deviates from the traditional “target hardening” approach to crime prevention.
- C. Owners, managers and community users have a joint responsibility to report to the police all suspicious activities and criminal occurrences; without this, the effectiveness of CPTED is minimized. Establishing and maintaining partnerships between the community and the City of SeaTac will create improvement in quality of life issues, make for a safer environment, and a more productive community.
- D. For CPTED to be successful, it must be understandable and practicable for the normal users of the space. The normal users are more familiar with the local area and have a vested interest (their own well-being) in ensuring their immediate environment operates properly. The “Three-D” approach to space assessment provides a simple guide for the normal users in determining the appropriateness of how their space is designed and used. The “Three-D” concept is based on the three functions or dimensions of human space:
  1. DESIGNATION: All human space has some designated purpose. How does the design support function? Is the use clear? Supported by signs?
  2. DEFINITION: All human space has social, cultural, legal or physical definitions that prescribe the desired and acceptable behaviors. Is it clear who owns or manages it?
  3. DESIGN: All human space is designed to support and encourage the desired behaviors.

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**CHAPTER 17.08 Purpose, Principles and Application**

- 17.08.010 Purpose**
  - 17.08.020 Application**
  - 17.08.030 CPTED Principles**
  - 17.08.040 Administration**
  - 17.08.050 Interpretation**
  - 17.08.060 Appeals and Variances**
- 

**17.08.010 Purpose**

The purpose of this Title shall be to create standards that address Crime Prevention Through Environmental Design (CPTED). The purpose of CPTED is the proper design and effective use of the built environment in order to reduce the fear and incidence of crime and to improve the quality of life.

**17.08.020 Application****A. [OPTION #1, Introductory Paragraph]**

Single family land uses are exempt from this Title. This Title shall apply to all other land use

categories. To reduce the potential for crime, it is recommended that CPTED standards are followed for single family residential uses to the greatest extent possible. If the standards contained in this Title conflict with any other provisions of the SeaTac Municipal Code, the stricter interpretation shall apply.

## **OR**

### **[OPTION #2, Introductory Paragraph]**

This Title shall apply to all land use categories. Land uses pertaining to single family residential shall be exempt from this Title except for SMC Chapter 17.16, Security provisions. To reduce the potential for crime, it is recommended that all CPTED standards are followed for single family residential uses to the greatest extent possible. If the standards contained in this Title conflict with any other provisions of the SeaTac Municipal Code, the stricter interpretation shall apply.

### **B. New Construction**

This Title shall only apply to all new construction, including buildings and site improvements.

### **C. Additions Increasing the Gross Floor Area**

If the redeveloped, replaced, or additions to construction cause the initial gross floor area (GFA) of the aggregate of buildings on that property to expand beyond eighty percent (80%) in any five year period, then the entire site, including all buildings, landscaping, and exterior lighting shall be subject to this Title, except for land uses covered by 17.08.020e.

### **D. Public/Private Parking Lots, Auto Rental/Sales Lots, and Similar Uses**

For public/private parking, auto rental/sales lots, and similar uses where the building occupies only a small portion of the land, as determined by the Director of Planning and Community Development, the following standard shall apply:

In any five year period, if changes are made to these parcels where the combined cost of development, construction, redevelopment, landscaping, and lighting changes exceeds 60 percent (60%) of the initial assessed value, the entire site, including all buildings, landscaping and lighting shall be subject to this Title.

### **E. Landscaping**

New plantings and changes to landscaping shall be subject to this Title.

### **F. Lighting**

1. Installation of new lighting fixtures shall be subject to this Title. Repair or replacement of existing lighting fixtures involving two or less lamps or luminaires is exempt from this title providing that no single lamp exceeds 150 watts.
2. The IESNA Lighting Handbook, 9<sup>th</sup> Edition, published by the Illuminating Engineering Society of North America in New York, is hereby adopted to this Title by reference.
3. Standards specified in this Title supercede the standards as specified by IESNA. When a standard is not specified within this Title, IESNA standards shall apply.

### **G. Special Holiday Lighting Exemption**

Holiday lighting during the months of November, December, and January shall be exempt from the provisions of this Title.



## 17.08.030 CPTED Principles

CPTED is supported by the following five overlapping principles that are applied to specific sites and situations.

### A. Territoriality

Territoriality is a design concept that clearly delineates private space from semi-public and public spaces and also creates a sense of ownership. Ownership thereby creates an environment where appearances of such strangers and intruders stand out and are more easily identified through:

1. The enhanced feeling of legitimate ownership by reinforcing existing natural surveillance and natural access control strategies with additional symbolic or social ones.
2. The design of space to allow for its continued use and intended purpose.
3. The use of pavement treatments, landscaping, art, signage, screening and fences define and outline ownership of space.

### B. Natural Surveillance

Natural surveillance is a design concept directed primarily at keeping intruders under observation. Provision of natural surveillance helps to create environments where there is sufficient opportunity for people engaged in their normal behavior to observe the space around them. Areas can be designed so they are more easily observed through:

1. Design and placement of physical features to maximize visibility. This may include: building orientation, windows, entrances and exits, parking lots, refuse containers, walkways, guard gates, landscape trees and shrubs, use of wrought iron fences or walls, signage and other physical obstructions.
2. Placement of persons or activities to maximize surveillance possibilities.
3. Minimum maintained lighting standards that provide for nighttime illumination of parking lots, walkways, entrances, exits, and related areas to promote a safe environment.

### C. Access Control

Access control is a design concept directed primarily at decreasing criminal accessibility. Provision of natural access control limits access and increases natural surveillance to restrict criminal intrusion, especially into areas where they will not be easily observed. Intruders are more readily recognized through:

1. The use of sidewalks, pavement, gates, lighting and landscaping to clearly guide the public to and from entrances and exits.
2. The use of gates, fences, walls, landscaping and lighting to prevent or discourage public access to or from dark or unmonitored areas.

### D. Activity Support

Activity support is the presence of activity planned for the space, and involves placing activity where the individuals engaged in an activity will become part of the natural surveillance system. Examples include:

1. Place safe activities in areas that will discourage would be offenders, to increase the natural surveillance of these activities and the perception of safety for normal users, and the perception of risk for offenders.
2. Place high-risk activities in safer locations to overcome the vulnerability of these activities by using natural surveillance and access control of the safe area.
3. Locate gathering areas in locations that provide for natural surveillance and access control or in locations away from the view of would-be offenders.

4. Improve the scheduling of space to allow for effective use and appropriate intensity of accepted behaviors.

E. Maintenance

Proper maintenance of landscaping, lighting treatment, and other features can facilitate the principles of CPTED. Functions include:

1. Proper maintenance of lighting fixtures to prescribed standards.
2. Landscaping which is maintained at prescribed standards.
3. Minimizing the conflicts between surveillance and landscaping as ground cover, shrubs and trees mature.

**17.08.040 Administration**

The City Manager or designee is responsible for the administration of this Title.

**17.08.050 Interpretation**

The City Manager or designee is responsible for the interpretation of this Title.

**17.08.060 Appeals and Variances**

Appeals and variances shall be in accordance with Title 16A of the SMC.

**17.08.070 Severability**

Should any section, subsection, paragraph, sentence, clause, or phrase of this Title be declared unconstitutional or invalid for any reason, by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Title.

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**Chapter 17.12 DEFINITIONS:**

**SECTIONS:**

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**17.12.010 Barrier Plant**

**17.12.015 Blank Wall**

**17.12.020 Brightness**

**17.12.025 Canopy**

**17.12.030 Color Rendition**

**17.12.040 Color Rendition Index**

**17.12.050 CPTED**

**17.12.060 CPTED section**

**17.12.070 Dwelling Unit**

**17.12.080 Footcandle**

**17.12.090 Gasoline/Service Station**

**17.12.100 Glare**

**17.12.105 Glare Shield**

**17.12.110 Gross Floor Area**  
**17.12.120 Horizontal Illuminance**  
**17.12.130 Identification Sign**  
**17.12.140 IESNA**  
**17.12.150 Illuminance**  
**17.12.153 Initial Assessed Value**  
**17.12.155 Initial Gross Floor Area**  
**17.12.160 Isofootcandle Line**  
**17.12.170 Lamp**  
**17.12.180 Landscaping or Landscaping Materials**  
**17.12.190 Lighting District**  
**17.12.200 Lumens**  
**17.12.210 Luminaire**  
**17.12.220 Mounting Height**  
**17.12.230 Non Residential**  
**17.12.240 Parking Structure**  
**17.12.250 Residential**  
**17.12.260 Shrub**  
**17.12.270 Single Family Residential Dwelling Unit**  
**17.12.280 Transitional Lighting**  
**17.12.290 Tree**  
**17.12.300 Uniform Building Security Code**  
**17.12.310 Uniformity Ratio**  
**17.12.320 Vertical Illuminance**  
**17.12.330 Walkway**  
**17.12.340 Zoning Code**

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**17.12.010 Barrier Plant**

A plant that consists of dense structure and/or foliage that is thorny or has needles that provide a formidable barrier which is difficult to penetrate.

**17.12.015 Blank Wall**

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

**17.12.020 Brightness**

Brightness is a subjective term used to describe perception of the amount of light that reaches our eyes.

**17.12.025 Canopy**

A freestanding structure affording protection from the elements to persons or property thereunder.

**17.12.030 Color Rendition**

A general expression for the ability of a light source to faithfully reproduce the colors seen in an object.

**17.12.050 CPTED**

CPTED means Crime Prevention Through Environmental Design. CPTED is the proper design and effective use of the built environment in order to reduce the fear and incidence of crime, and improve the quality of life.

**17.12.060 CPTED Section**

The division of the SeaTac Police Department and the division of the City's Department of Planning and Community Development that is responsible for reviewing and approving all plans submitted pursuant to this Title.

**17.12.070 Dwelling Unit**

Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation for not more than one (1) family.

**17.12.080 Footcandle (abbreviated "fc")**

A measure of light striking a surface one (1) square foot in area on which one (1) unit of light (lumen) is uniformly distributed.

**17.12.090 Gasoline/Service Station**

A gasoline and/ or service station with or without an associated convenience food mart.

**17.12.100 Glare**

The reflection of harsh, bright light, or the physical effect resulting from high luminance or insufficiently shielded light sources in the field of view.

**17.12.105 Glare Shield**

Shields of opaque or translucent materials shaped to reduce or eliminate the direct view of the lamp from outside the luminaire.

**17.12.110 Gross Floor Area**

The gross floor area is the area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The gross floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

**17.12.120 Horizontal Illuminance**

The measurement of light illuminating a horizontal surface at grade.

**17.12.130 Identification Sign**

A sign that includes as copy only the name of the business, place, organization, building or person it identifies.

**17.12.140 IESNA**

Standards for lighting and illumination are established by the Illuminating Engineering Society of North America. IESNA standards are summarized in the IESNA lighting handbook.

**17.12.145 IESNA Handbook**

IESNA Lighting Handbook, 9<sup>th</sup> edition, 2000, by the Illuminating Engineering Society of North America, New York, NY.

**17.12.150 Illuminance**

The concentration of light over a particular area, as measured in footcandles (fc) the number of lumens per square foot.

**17.12.153 Initial Assessed Value**

The value as assessed by King County at the time that the construction permit application is received.

**17.12.155 Initial Gross Floor Area**

The gross floor area, as measured at the time the construction permit application is received.

**17.12.160 Isofootcandle Line**

A line plotted on any appropriate set of coordinates to show all the points on a surface where the illuminance is the same. A series of such lines for various illuminance values is called an isofootcandle diagram.

**17.12.170 Lamp**

The manufactured light source, not the supporting fixture.

**17.12.180 Landscaping or Landscaping materials**

Any tree, shrub, groundcover, vine, or other organic and inorganic materials, or combination of any of these elements, placed on a site or exterior of a building to enhance appearance. Public art, water features, plazas, patios, decorative courtyards and lighting may also be considered landscape elements.

**17.12.190 Lighting District**

A consolidation of the zoning districts established under Title 15 into districts with distinct lighting standards as follows:

- A. **Lighting District 1** consists of the following districts: Industrial (I), Office/Commercial Medium (OCM), Office/Commercial/Mixed Use (O/C/MU), Neighborhood Business (NB), Community Business (CB), Business Park (BP), and Aviation Commercial (AVC).
- B. **Lighting District 2** shall consist of the area within the City Center boundary.
- C. **Lighting District 3** consists of the following higher density residential districts: UM-3600, UM-2400, UH-1800, UH-900, Mobile Home Park (MHP), and UH-UCR.
- D. **Lighting District 4** consists of the following low-density residential districts: UL-15000, UL-9600, UL-7200, and UL-5000.

**17.12.200 Lumens**

The measured quantity of light emitted by a lamp. Different wattages and type of bulbs emit different levels. For example a typical household incandescent 100 watt light bulb emits approximately 1700 lumens.

**17.12.210 Luminaire**

The complete lighting unit consisting of the lamp, its holder, and the reflectors and diffusers used distribute and focus the light.

**17.12.220 Mounting Height**

The vertical distance from the grade elevation of the surface being illuminated to the bottom of the lighting fixture (i.e., luminaire).

**17.12.230 Non-Residential**

Any uses or occupancies, which are not residential as defined in this section.

**17.12.250 Residential**

Uses or occupancies upon which one or more dwelling units are located.

**17.12.260 Shrub**

A woody plant having more than one (1) stem, each less than two (2) inches in diameter, a height of less than ten (10) feet, and an undefined crown.

**17.12.270 Single Family Residential Dwelling Unit**

Any building which contains no more than two (2) dwelling units. Including, but not limited to: single attached dwelling units, single detached dwelling units, duplexes, manufactured homes, mobile homes, and modular homes

**17.12.280 Transitional Lighting**

A gradual increase or decrease in footcandles of light going from one activity to another, minimizing glare or intrusive light.

**17.12.290 Tree**

A woody plant, which, at maturity, has one (1) well-defined trunk at least two (2) inches in diameter, a height of at least ten (10) feet, and a formed crown of foliage.

**17.12.300 Uniform Building Security Code (UBSC)**

Appendix Chapter Ten (10) of the Uniform Building Code that establishes minimum standards designed to make dwelling units resistant to unlawful entry.

**17.12.310 Uniformity Ratio**

In this context, uniformity ratio is a measure of the dispersion of light on an area. The ratio is measured either as average light level to minimum light level, or maximum light level to minimum light level. Close uniformity ratios help eliminate places to hide, give better depth perception, and a greater feeling of security to individuals in the area

**17.12.320 Vertical Illuminance**

A term used for measuring light illuminating a vertical surface. For the purposes of this Title, Vertical Illuminance will be measured at a height of five (5) feet.

**17.12.330 Walkway**

Any area that is intended for use by pedestrians, including, but not limited to, sidewalks.

**17.12.340 Zoning Code**

Title 15 of the SeaTac Municipal Code as constituted and thereafter amended.

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## Chapter 17.16 SECURITY PROVISIONS

**Sections:**

**17.16.010 Purpose**

**17.16.020 1997 Uniform Building Security Code Adopted**

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**17.16.010 Purpose**

This chapter establishes standards to make dwelling units resistant to unlawful entry. The Uniform Building Security Code (UBSC) establishes minimum standards for dwelling units. The UBSC regulates swinging doors, sliding doors, windows, and hardware for use in dwelling units. The UBSC gives consideration to the concerns of Police, Fire and Building officials in establishing security requirements for resistance to burglary that are compatible with fire and life safety issues.

**17.16.020 1997 Uniform Building Security Code Adopted**

The 1997 Uniform Building Security Code Appendix Chapter 10 of the Uniform Building Security Code, as published by the International Conference of Building Officials, is hereby adopted by reference. A copy of the UBC shall be on file in the office of the City Clerk.

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**Chapter 17.20 EXTERIOR LIGHTING**
**Sections:**

- 17.20.010 Purpose**  
**17.20.020 Illuminating Engineering Society of North America**  
**17.20.030 Exterior lighting Standards**  
**17.20.040 Lighting Configuration**
- 

**17.20.010 Purpose**

- A. This chapter establishes lighting levels, in order to promote visual surveillance, reduce the potential for criminal activity, and meet energy constraints.
- B. The goal of CPTED exterior lighting standards is to enable that a driver, pedestrian, or observer looking at the brightest spot in the field of view will also be able to detect an object, or threat, in the darkest areas within the field of view. This detection can only occur if the maximum-to-minimum illuminance is limited to a range that the human eye can see and is related to the uniformity of light on the property.

**17.20.030 Exterior lighting Standards**

- A. The installation of exterior lighting shall conform to the following requirements:
  1. New exterior lighting installations shall include timers, dimmers, and/or sensors for automatic lights.
  2. If existing exterior lighting fixtures are modified, extended, expanded, or added to, the altered portion shall comply with this Title.
  3. Expansions, additions, or replacements to exterior lighting installations shall be designed to avoid harsh contrasts in color and/or lighting levels.
  4. Alternate lighting installations not covered by this Chapter may be approved only if the Director of Planning and Community Development determines the following:
    - a. They are designed to minimize glare.
    - b. They do not result in excessive lighting levels.

**17.20.040 Lighting Configuration**

- A. The height and configuration of building-mounted and freestanding light fixtures shall

conform to the following:

1. Transitional lighting should be incorporated in exterior areas going to and from the building(s) or use(s) within the site. Transitional lighting shall be provided for recreation/office buildings, swimming pools, laundry and mail rooms, covered breezeways, and similar areas.
2. All exterior lighting shall be directed downward and away from adjoining property with luminaires shielded.
3. All exterior fixtures on multi-family housing units that are directed toward common areas shall be illuminated from dusk until dawn.
4. Trees and shrubs shall not interfere with the distribution of lighting required by CPTED. The Director of the Department of Planning and Community Development may waive the landscape requirements of SMC Chapter 15.14 and SMC Chapter 17.56 to conform to this requirement.

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## **Chapter 17.24 Parking Lot Lighting**

### **Sections:**

- 17.24.010 Purpose**  
**17.24.020 Parking Lot Standards**  
**17.24.030 Garbage Dumpsters/Recycling Bins**
- 

### **17.24.010 Purpose**

This chapter establishes standards for parking lot lighting to provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, and avoid glare or direct illumination onto adjacent properties or streets.

### **17.24.020 Parking Lot Standards**

- A. All luminaires shall be cut-off luminaires as defined by the IESNA handbook, page 7-8, except as follows:
  1. If the design is of a period or architectural style, as determined by the Director of Planning and Community Development, within the overall design of the project, alternatives or supplements to the lighting may be used provided that:
    - a. If such are not “cut-off” luminaires as defined by IESNA, the maximum initial lumens generated by each fixture shall not exceed 2000.
    - b. Mounting heights of such alternative luminaires shall not exceed fifteen (15) feet above grade.
    - c. All luminaires of a period or architectural style shall be approved by the Director of Planning and Community Development.
- B. Parking areas adjacent to residential lots shall have approved glare shields to prevent glare as approved by the CPTED Section.
- C. Illuminance, mounting height, and uniformity ratio shall conform to the requirements in Table 17.24.020.

### **17.24.030 Garbage Dumpsters and Recycling Bins**



Garbage Dumpsters and Recycling Bins must have a dedicated light source. The light level shall be in accordance with light levels specified in Table 17.24.020.

**TABLE 17.24.020 PARKING LOT LIGHTING STANDARDS**

	District 1	District 2	District 3	District 4
<b>Mounting Height (Maximum)</b>	25 ft	16 ft	25 ft	25 ft
<b>Minimum Illumination Level*</b>	No less than .5 fc	No less than .5 fc	No less than .2 fc	No less than .2 fc
<b>Maximum Illumination Level**</b>	No more than 7.5 fc	No more than 7.5 fc	No more than 3 fc	No more than 3 fc
<b>Uniformity Ratio***</b>	15:1	15:1	15:1	15:1

\*Minimum Illumination Level (in footcandles “fc”)at the darkest spot on the parking area surface.

\*\*Maximum Illumination Level (in footcandles “fc”)at the brightest spot on the parking area surface.

\*\*\* Minimum Uniformity Ratio is no less than 15:1. Measured here for maximum light level compared to minimum light level.

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## **CHAPTER 17.28 Parking Structures**

### **Sections**

#### **17.28.010 Purpose**

#### **17.28.020 Parking Structure Standards**

#### **17.24.030 Illuminance Standards**

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#### **17.28.010 Application**

Parking structure standards apply to covered and enclosed facilities intended for use by the general public, for those used by residents, customers, and employees of apartment buildings or commercial developments. They are not intended to apply to parking structures used exclusively for repair or storage of commercial vehicles, or where attendants park vehicles.

#### **17.28.020 Purpose**

A. This chapter establishes CPTED design and lighting standards for parking structures. These

standards include interior and exterior CPTED strategies for the reasonably safe movement of vehicular and pedestrian traffic in parking structures, the enhancement of personal security and deterrence of vandalism, theft and assault while conserving energy and minimizing maintenance.

- B. Parking structures comprise a large volume of space with relatively low levels of activity. Violent crime is more likely to occur in a parking structure than in other commercial facilities. Many parking structures lack CPTED features because property owners and architects are not familiar with basic principles of design concepts for crime prevention. Although CPTED principles can be readily incorporated into parking structures at design and construction stages, it is often difficult and expensive to upgrade security at a later date. Incorporating CPTED can significantly reduce the fear and risk of crime.
- C. Parking lots and parking structures have vehicular speeds that are much lower than roadways. More importantly, the primary purpose of lighting here is to benefit the pedestrian.
- D. The illuminance requirements of a parking facility are affected by the layout, operation and vehicular traffic safety issues, plus the visibility and security needs of pedestrians walking to and from their vehicles. Lighting for parking structures should provide not only the recommended minimum illuminance levels but also good color rendition, uniformity, and minimal glare.

### **17.28.030**

#### **17.28.030**

#### **Parking Structure Standards**

Parking Structures shall meet the recommendations of the IESNA Handbook. At a minimum, the following standards shall be used in the construction of parking structures. It is required that the developer comply with Lighting for Parking Facilities, Recommended Practices RP-20-98 and Chapter 22, Roadway Lighting as delineated in the IESNA Handbook 9<sup>th</sup> Edition

- A. For security reasons, it is recommended to locate stairs and elevators adjacent to a street, where the lobbies are visible from the street.
- B. Pedestrian walkways shall be elevated similar to a speed hump/bump in order to allow pedestrians greater visibility and to assist in slowing cars when in the vicinity of pedestrians.
- C. Potential hiding places below stairs shall be closed off. If used for storage, such areas shall be secured with doors and locks.
- D. Directional arrows indicating stairs, elevators and exits shall be painted on walls or, indicated with illuminated signs.
- E. Remote exterior stairway doors shall be equipped with one-way locks allowing people to exit but not to enter the facility at those locations.
- F. Pedestrian entrances shall be concentrated to bring all pedestrians through one portal, which improves the ability to see and be seen by others.
- G. Any ground level pedestrian exits that open into non-secure areas shall be emergency exits only and fitted with self locking doors.
- H. Active security measures such as emergency phones and closed circuit television (CCTV) are recommended.
- I. Fencing shall not be used unless security dictates. If necessary, a six (6)-foot-high black-coated chain link fence is recommended. Openings in the fence should be located carefully, with only a minimum number of openings allowing cars and pedestrians to enter and leave.
- J. Landscape plantings shall not be located within three (3) feet of the interior curbing of the perimeter of the parking lot.

### **17.28.040**

#### **Illuminance Standards**

- A. Lighting shall be positioned to illuminate both horizontally and vertically. Illumination must reach into the edges of the parking stalls rather than just the driving aisles to minimize dark hiding places between cars.
- B. To minimize glare, lights shall be positioned between parked vehicles rather than in the center of drive aisles.

- C. Cutoff luminaries shall be required on all lighting mounted higher than twelve (12) feet above the floor.
- D. Interior parking structure walls, beam faces and underside of floor slabs shall be stained or painted a light color, preferably white or light blue, to increase the general brightness in parking structures. Anti-graffiti coating added to walls should be considered.
- E. The illuminance requirements for parking structures shall be in accordance with the standards in Table 17.28.030a. The illuminance shall be measured, or calculated, on an unobstructed floor. The maximum and minimum values are maintained illuminance levels, this occurs just prior to lamp replacement and luminare cleaning. Vertical Illuminances of objects such as walls and columns shall be equal to the horizontal values given in Table 17.28.030a. These vertical values shall be for a location measured at a height of five (5) feet above the pavement.

**TABLE 17.28.030a:****Maintained Illuminance Values for Parking Garages**

<b>Basic</b>	1.0	10:1	0.5
<b>Ramps</b>	2.0	10:1	1.0
<b>Day**</b>			
<b>Night***</b>	1.0	10:1	0.5
<b>Entrances</b>	50	No Requirement	25
<b>Day</b>			
<b>Night</b>	1.0	10:1	0.5
<b>Stairways</b>	2.0	No Requirement	1.0

\* The measure of uniformity in this table is the ratio of maximum light level to minimum light level.

\*\* Day is the time after sunrise and before sunset.

\*\*\* Night is the time after sunset and before sunrise.

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## Chapter 17.32 Private Street Lighting

### Sections:

<b>17.32.010</b>	<b>Application</b>
<b>17.32.020</b>	<b>Purpose</b>
<b>17.32.030</b>	<b>Street Lighting Standards</b>
<b>17.32.040</b>	<b>Street Lighting Fixtures</b>

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**17.32.010 Application**  
Lighting of private streets is not mandatory but if it is desired these standards shall apply.

**17.32.020 Purpose**  
This chapter establishes lighting levels for private streets in order to limit the impact from the lighting to the surrounding properties while also providing for traffic safety and increasing the pedestrian's sense of security.

**17.32.030 Street Lighting Standards**

- A. If Street Lighting is installed; the general levels of illumination shall be consistent with the IESNA Handbook, figure 22-8, and the average illumination level may not exceed those specified in the IESNA handbook by more than 0.2 foot-candles.
- B. The uniformity ratio shall not exceed that specified by the IESNA Handbook. If the street has a sidewalk on only one side, the streetlights shall be located on the side of the street that the sidewalk is on.

**17.32.040 Street Lighting Fixtures**

- A. All street lighting fixtures shall be “cut-off” fixtures as defined by IESNA. If necessary, as determined by CPTED review, fixtures shall include glare shields to minimize light directed to the rear of the fixtures or on to adjacent properties. The maximum mounting height of street lights is 20 feet.
- B. If the design for an area suggests the use of street lighting fixtures of a particular “period” or architectural style, or existing historical fixtures are to be retained, then the non-cut-off fixtures may be used either as alternatives or supplements to street lighting described above.
  - 1. For fixtures that do not meet the “cut-off” criteria, the maximum initial lumens generated by each fixture shall not exceed 2,000 lumens.
  - 2. Mounting heights of such fixtures shall not exceed fifteen (15) feet for new fixtures. Where historic fixtures are being retained and/or extended, mounting height shall be that of the existing fixtures.

**Chapter 17.36 Gasoline/Service Station and Convenience Store Lighting****Sections:**

- 17.36.010 Purpose**
- 17.36.020 Standards**

**17.36.010 Purpose**

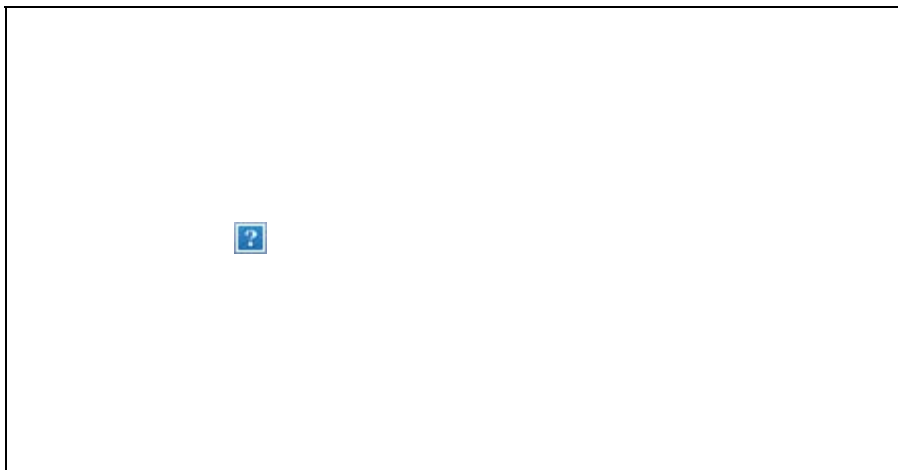
This chapter establishes lighting levels for gasoline stations, convenience store aprons and under freestanding canopies to ensure adequate lighting for the activities taking place in such locations.

**17.36.020 Standards**

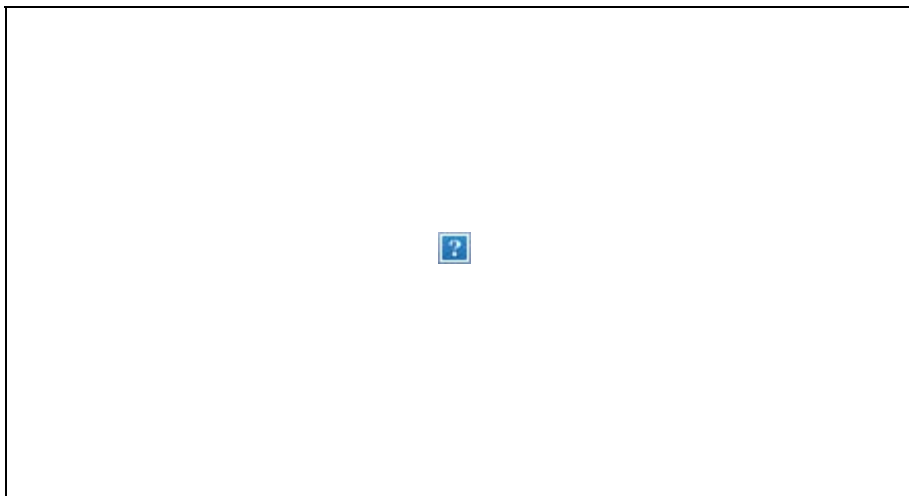
- A. Areas on the apron away from the gasoline pump islands used for parking or vehicle storage shall be illuminated in accordance with the requirements for surface parking areas set forth in SMC 17.24. If no gasoline pumps are provided, the entire apron shall be treated as a parking area.
- B. Areas around the pump islands and under canopies shall be illuminated so that the minimum horizontal illuminance at grade level is at least 1.0 foot-candle and no more than 5.5 foot-candles. The uniformity ratio shall be no greater than 4:1. Maximum illumination level shall be no more than 22.0 foot-candles.

- C. Light fixtures mounted on canopies shall be recessed or flush mounted so that the lens cover is recessed or flush with the bottom surface or ceiling of the canopy and/or shielded by the fixture or the edge of the canopy so that light is restrained to no more than 85 degrees from vertical as shown in Figure 17.36.020c.
- D. As an alternative or supplement to recessed ceiling lights, indirect lighting may be used where light is beamed upward then reflected down from the underside of the canopy. In such case light fixtures must be shielded so that direct illumination is focused exclusively on the underside of the canopy.
- E. Lights shall not be mounted on the top or sides (fascias) of the canopy and the sides of the canopy shall not be illuminated.
- F. Illuminance levels shall conform to those specified by the IESNA Handbook, Figure 17-20.

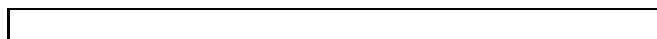
**Figure 17.36.020a**  
**Bad example of Gasoline/Service Station Lighting**



**Figure 17.36.020b**  
**Good example of Gasoline/Service Station Lighting**



**Figure 17.36.020c**  
**Gasoline Pump Canopy Elevation View**






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## Chapter 17.40 Walkway, Bikeway, and Park Lighting

### Sections:

<b>17.40.010</b>	<b>Purpose</b>
<b>17.40.020</b>	<b>Standards</b>
<b>17.40.030</b>	<b>Lighting of Sports Fields</b>

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### 17.40.010 Purpose

This chapter specifies standards for walkways, bikeways and parks to increase safety and also limit the impact on surrounding properties.

### 17.40.020 Standards

Where lighting is to be provided for walkways, bikeways, or parks, the following requirements shall apply.

- A. The walkway, pathway, or ground area shall be illuminated to a level of at least 0.3 foot-candles and no more than 0.5 foot-candles.
- B. The vertical illumination levels at a height of five (5) feet above grade shall be at least 0.3 and no more than 0.5 foot-candles.
- C. Lighting fixtures shall be designed to direct light downward, and light sources shall have an initial output of no more than 1,000 lumens.
- D. Lighting shall be consistent with the IESNA Handbook, Chapter 22 and Figure 22-11.

### 17.40.030 Lighting of Sports Fields

Sports fields shall be lighted in accordance with the standards specified by the IESNA Handbook, Chapter 20.

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## Chapter 17.44 Building Facade and Landscape Lighting

**Sections:**

- 17.44.010 Purpose**  
**17.44.020 Building Facade Lighting Standards**  
**17.44.020 Landscape Lighting Standards**
- 

**17.44.010 Purpose**

The purpose of building facade and landscape lighting is to enhance the visual appeal of the property as well as increasing the capacity for visual surveillance. These standards are also meant to limit the impact of the lighting on to adjacent properties.

**17.44.020 Building Facade Lighting Standards**

- A. With the exception of structures having symbolic (i.e. churches and/or public buildings) or historical significance in the community, exterior building facades shall not be illuminated. When buildings having symbolic or historic significance are to be illuminated, a design for the illumination shall be approved by the CPTED Section and the following provisions shall be met:
1. The maximum illumination on any vertical surface or angular roof shall not exceed 5.0 foot-candles.
  2. Lighting fixtures shall be shielded and directed onto the building facade. Lighting fixtures shall not be directed toward adjacent streets, roads, or properties.
  3. Lighting fixtures mounted on the building and designed to “wash” the facade with light are recommended.
  4. To the extent practicable, lighting fixtures shall be directed downward (i.e. below the horizontal) rather than upward.
- B. Facades of buildings without symbolic or historical significance may be illuminated if approved by the City Manager or Designee subject to the following criteria and meeting the performance standards contained in SMC 17.44.020a.
1. Lighting does not cast light and glare on adjacent properties and right of ways.
  2. The lighting is needed to ensure the safety of employees and/or customers.

**17.44.030 Landscape Lighting Standards**

Landscaping may be illuminated if approved by the CPTED Section subject to the following criteria:

- A. The CPTED Section shall first approve the landscape lighting plan that presents the purpose and objective of the lighting.
- B. The landscape lighting plan shall show the location of all lighting fixtures and what landscaping will be illuminated.
- C. The plan shall demonstrate that installation will not generate excessive light levels, cause glare, or direct light beyond the landscaping into the night sky.
- D. Landscape lighting shall follow the requirements of the IESNA Handbook, Chapter 21.

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**Chapter 17.52 Interior Spaces****Sections:**

- 17.52.010 Application**  
**17.52.020 Purpose**

**17.52.030 Interior Design Considerations**

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**17.52.010 Application**

This chapter is recommended to apply to new commercial, industrial, retail, and multi family development.

**17.52.020 Purpose**

This chapter establishes recommendations for interior design to minimize risk and opportunities for crime. The following design features are recommended to conform with CPTED standards: main entry and lobby areas, location of receptionist areas in relation to windows and points of access control, adjacent offices that would promote surveillance into the main entry and lobby areas, location of stairwells, hallways, elevators, rest rooms, pay phones and drinking fountains, patio or break areas, type of glazing, use of electronic monitoring devices and general floor plans. The design considerations and examples are for use by developers, architects, and planners. The design standards specified under 17.20.030 are strongly recommended but not required.

**17.52.030 Interior Design Considerations**

- A. Avoid isolating an individual entrance at the end of a hall or head of stairs.
- B. Reduce the number of rooms sharing a common hallway.
- C. Place windows in doors of stair landings.
- D. Place restrooms in central areas.
- E. Refrain from placing restrooms near stairs or exterior doors.
- F. Position lounge and common areas to provide direct line of sight to hallways.
- G. Use windows in blank walls.
- H. Create minor obstacles or passage points to prevent easy movement from very public areas to private areas.
- I. Place windows overlooking entrances.
- J. Restrooms provided in a parking facility shall have maze-type entrances instead of outer/inner doors that could trap a victim.

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**Chapter 17.56 Landscaping****Sections:****17.56.010 Purpose****17.56.020 Location, Height, and Type of Plant Standards**

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**17.56.010 Purpose**

The positioning, location, type of plant material, screening, and other landscape elements should allow for natural surveillance from within buildings, from outdoor locations on the site, from adjacent buildings and from the public rights-of-way. Landscaping and screening should complement efforts to define public, semi-public, and private areas. Natural access control can be achieved by emphasizing natural strategies that integrate behavior management through the design of space and the choice of plant materials. Dense plantings of thorny plant materials can provide a formidable barrier which is difficult to penetrate. Security is enhanced when walkways, entrances to buildings, and exits from



buildings are open and permit a view to and from the surrounding neighborhood and adjacent sites. The more open the view of a space is, the less likely that space will be used for the commission of a crime.

## **17.56.020 Location, Height, and Plant Standards**

### A. Windows

1. Plants (trees, shrubs, etc.) shall be no higher than sill height within five (5) feet in front of windows, except for street trees located within the city's designated city center.
2. Trees shall not be placed within five (5) feet in front of windows except where required for facade landscaping under SMC 15.14.020.
3. It is recommended that Barrier Plants be placed below and to the sides of windows, except within six (6) feet of a walkway or children's play area.

### B. Doorways / Entrances

1. No plants or trees shall be higher than three (3) feet within six (6) feet of a doorway or entrance.

### C. Walkways

1. Unless otherwise specified under SMC 15.14, only low groundcover plants less than three (3) feet high shall be used within six (6) feet of walkways.
2. Trees may be permitted in this area provided that they are pruned up to five (5) feet above the ground.
3. Plants that exceed three (3) feet that have stalks less than two (2) inches in diameter and still allow for visual surveillance may also be used in this area.
4. Walkway standards apply provided that the walkway is not adjacent to a building facade that requires facade landscaping

### D. Barrier Plants

1. Barrier plants should be used below and to the sides of windows and adjacent perimeter walls, fences, and other building walls where desirable.
2. Barrier plants discourage pedestrian through-traffic, therefore some types of barrier plants may exceed three (3) feet and still be approved.

### E. Trees

Trees are required to be pruned from the ground up to a height of five (5) feet to provide for visibility and surveillance, with the following exceptions:

1. Deciduous trees fifteen (15) feet or less in height.
2. Conifers (Evergreens) 20 (twenty) feet or less in height.

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## **Chapter 17.60 CPTED Standards Related to Natural Surveillance**

### **Sections:**

**17.60.010**

**Purpose**

**17.60.020**

**Treatment of Blank Walls**

**17.60.030 Ground Floor Transparency Requirements**  
**17.60.040 Vision Panels**

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**17.60.010 Purpose**

Natural surveillance is directed primarily at keeping intruders under observation. Provision for natural surveillance helps to create environments where there is sufficient opportunity for people engaged in their normal behavior to observe the space around them.

**17.60.020 Treatment of Blank Walls**

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

**Blank Walls**

**Figure 17.60.020**



**17.60.030 Ground Floor Transparency Requirements**

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

- A. Transparency requirements shall apply to retail/commercial or service uses and buildings with a

ground floor retail/commercial or service use, as defined in SMC [15.35.620](#) and in the City Center Use Charts (SMC [15.35.100](#) through [15.35.160](#)), including portions of buildings where ground floor uses are convertible to a retail/commercial or service use. Transparency requirements shall not apply to portions of a building with ground floor housing.

1. Windows shall cover at least sixty percent (60%) of the public street facing ground floor building wall area. At the first floor building level, darkly tinted, mirrored or reflective glass shall not be used. Lightly tinted windows are allowed for nonretail ground floor uses.
2. Transparency requirements shall apply to that area of the ground floor building wall fronting the street up to the finished ceiling height of the first floor building space.
3. Windows shall begin twelve (12) to thirty (30) inches above the finished grade of the first floor building space.

#### **17.60.040 Vision Panels**

##### **A. Purpose**

The purpose of vision panels is to insure that an opportunity is provided to observe a security risk outside of a service exit door prior to using the exit.

##### **B. Specifications:**

1. All exterior doors except those for use in dwelling unit doors into stairwells and common areas shall have a vision panel or 180 degree eye viewer.
2. The glazing material used in the security vision panel shall comply with all current and applicable fire-rated door standards.
3. The vision panel shall be a minimum of thirty-six (36) square inches to a maximum of one hundred (100) square inches. The minimum width of the glazing area shall not be less than six (6) inches.
4. The security vision panel shall be center mounted on the service door. The center of the glazing material used should be mounted at no more than sixty-three (63) inches from the bottom edge of the door.
5. Burglar resistant glazing shall be used.

Section 15. The City Clerk is directed to forward a complete and accurate copy of this Ordinance, as adopted, to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, pursuant to RCW 36.70A.106 and WAC 365-195-620, and -820. The clerk is further directed to transmit a copy of this Ordinance, together with copies of any other Ordinances amending development regulations adopted within the preseding twelve months, to the King County Assessor by the ensuing 31<sup>st</sup> day of July, pursuant to RCW 35A.63.260.

Section 16. This Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this 25th day of November, 2003, and signed in authentication thereof on this 25th day of November, 2003.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Mary E. Mirante Bartolo, City Attorney

[Effective Date: \_\_\_\_\_]

G:\group\PLANNING\CPTED\CPTED revised Ordinance.DOC

**ORDINANCE NO. 03-1034**

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

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

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

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

**WHEREAS**, the Council has approved, and the union members have ratified, a collective bargaining agreement which provides a cost of living allowance for the year 2004 to the said represented employees; and

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

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

**ORDAIN as follows:**

Section 1. The salary ranges within the Classification and Compensation Plan for the various positions of the non-represented employees of the City shall be increased by the amount of .81 percent over current levels as a cost of living allowance equal to 90% of the CPI-W for Seattle-Tacoma-Bremerton, to be effective as of January 1, 2004.

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

Section 3. Non-represented employees' share of the medical insurance premium shall remain at the same dollar amount as established in the year 2003.

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

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

**ADOPTED** this 2nd day of December, 2003, and signed in authentication thereof on this 2nd day of

December, 2003.

**CITY OF SEATAC**

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Don DeHan, Deputy Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Mary E. Mirante Bartolo, City Attorney

[Effective Date: \_\_\_\_\_]

[COLA non-represented 2004]

**ORDINANCE NO. 03-1035**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2003 Annual City Budget for the City Hall Project.

**WHEREAS**, the City Council has reviewed Agenda Bill #2390 submitted by the Finance Department detailing certain capital outlay issues related to the City Hall Construction/Remodel project; and

**WHEREAS**, the associated cost was not appropriated in the 2003 Annual Budget, nor included in the Ordinance amending the 2003 Annual Budget for 2002 carryovers;

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

**follows:**

Section 1. The 2003 Annual City Budget shall be amended to increase the total Municipal Facilities CIP Fund expenditures by \$175,000.

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

**ADOPTED** this 2nd day of December 2003, and signed in authentication thereof on this 2nd day of December, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Don DeHan, Deputy Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Mary E. Mirante Bartolo, City Attorney  
[Effective Date: \_\_\_\_\_]

**ORDINANCE NO 03-1036**

AN ORDINANCE of the City Council of the City of SeaTac, Washington relating to ad valorem property taxes; tentatively establishing the amount to be levied in 2004 by taxation on the assessed valuation of the property of the City; pending certified assessed valuation from the King County Assessor.

**WHEREAS**, State law, RCW 35A.33.135, requires the City Council to consider the City's total anticipated financial requirements for the ensuing fiscal year, and to determine and fix, by ordinance, the amount to be levied by ad valorem taxes; and

**WHEREAS**, RCW 84.52.020 requires that, upon fixing of the amount to be so levied, the City Clerk shall certify the same to the Clerk of the King County Council; and

**WHEREAS**, RCW 84.55.120, as amended in 1997 by Referendum 47, requires a statement of any increased tax in terms of both dollar revenue and percentage change from the previous year; and

**WHEREAS**, the King County Assessor, as ex officio assessor for the City pursuant to RCW 35A.84.020, has not to date certified the assessed valuation of all taxable property situated within the boundaries of the City;

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

**SECTION 1. Levy Rate.**

The regular ad valorem levy for collection during the fiscal year of 2004 cannot be set until certified assessed valuations are received by the City.

**SECTION 2. Tentative Amount to be Collected by Ad Valorem Taxation.**

The amount of revenue to be collected by the City in the fiscal year 2004 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$9,303,262. This levy amount is determined by the King County Assessor as the maximum allowable property tax levy for 2004. This levy amount will be revised upon receipt of certified assessed valuations from the King County Assessor.

**SECTION 3. Effective Date.**

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

**ADOPTED** this 2nd day of December, 2003, and signed in authentication thereof on this 2nd day of December, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Don DeHan, Deputy Mayor

ATTEST:



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Judith L. Cary, City Clerk

Approved as to Form:

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Mary E. Mirante Bartolo, City Attorney

[Effective Date: \_\_\_\_\_]

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[2004 Ad Valorem Property Tax Levy]

**ORDINANCE NO. 03-1037**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to the Zoning Code; making amendments and additions to the code regarding environmentally sensitive areas and amending Sections 15.30.190, 15.30.300 and 15.30.320.

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

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

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

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

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

Section 1. Section 15.30.190 of the SeaTac Municipal Code is hereby amended to read as follows:

**15.30.190 Building Setbacks**

Unless otherwise provided, buildings and other structures shall be set back a distance of fifteen (15) feet from the edges of all sensitive area buffers or from the edges of all sensitive areas if no buffers are required. The following may be allowed in the building setback area:

- A. Landscaping;
- B. Uncovered decks;
- C. Building overhangs if such overhangs do not extend more than eighteen (18) inches into the setback area; and

D. Impervious ground surfaces, such as driveways and patios; provided, that such improvements may be subject to special drainage provisions specified in City policies and rules adopted for the various sensitive areas.

See The following Sensitive Areas Setback Requirements Chart specifies Setback Buffers and additional Building Setbacks. The Setback Buffers specified are minimum requirements, and may be increased based on special studies completed by qualified professionals pursuant to Section 15.30.300 of this Title.

	<b>SETBACK BUFFER</b>	<b>BUILDING SETBACK FROM BUFFER</b>
Class I Wetland	100 feet	15 feet
Class II Wetland	50 feet	15 feet
Class III Wetland	35 feet	15 feet
Class 1 Stream	100 feet	15 feet
Class 2 Stream with Salmonids	100 feet	15 feet
Class 2 Stream	50 feet	15 feet
Class 3 Stream	25 feet	15 feet
Slopes 40% or greater	50 feet from top, toe, or side of slope	N/A
Landslide Hazard Areas	50 feet from all edges of the landslide hazard area	N/A

Section 2. Section 15.30.300(A) of the SeaTac Municipal Code is hereby amended to read as follows:

**15.30.300 Wetlands – Permitted Alterations**

Alterations to wetlands and buffers may be allowed only as follows:

- A. If the City determines, based upon its review of special studies completed by qualified professionals, that:
  - 1. The wetland does not serve any of the valuable functions of wetlands identified in this chapter including, but not limited to, biologic and hydrologic functions; or
  - 2. The proposed development will protect or enhance the wildlife habitat, natural drainage or other valuable functions of the wetland and will be consistent with the purposes of this chapter;

To establish the conditions in subsection (A), detailed studies may be required as part of the special study on habitat value, functions, hydrology, erosion, ~~and deposition~~, and/or water quality. Such detailed studies shall include at a minimum: ~~specific recommendations for mitigation which~~

~~may be required as a condition of any development proposal approval. The recommendations may include, but are not limited to, construction techniques or design, drainage, or density specifications;~~

- a. Specific recommendations for mitigation;
- b. Existing and proposed wetland acreage;
- c. Vegetative, faunal and hydrologic conditions;
- d. Relationship within watershed and to existing waterbodies;
- e. Soil and substrate conditions, topographic elevations;
- f. Existing and proposed adjacent site conditions;
- g. Required wetland buffers; and
- h. Property ownership.
- i. A discussion of ongoing management practices to monitor and maintain wetland functions and habitat value.

The requirements in subsection (2) above may be modified upon written approval of the Director of Planning and Community Development, if the applicant demonstrates that the requirements of this section are met or are otherwise unnecessary.

Section 3. Section 15.30.320 of the SeaTac Municipal Code is hereby amended to read as follows:

### **15.30.320 Wetlands – Mitigation Requirements**

- A. Restoration shall be required when a wetland or its buffer is altered in violation of law or without any specific permission or approval by the City. The following minimum requirements shall be met for the restoration of a wetland:
  - 1. The original wetland configuration shall be replicated including its depth, width, length and gradient at the original location;
  - 2. The original soil type and configuration shall be replicated;
  - 3. The wetland edge and buffer configuration shall be restored to its original condition;

4. The wetland, edge and buffer shall be replanted with vegetation native to the City and King County which replicates the original vegetation in species, sizes and densities; and
5. The original wetland functions shall be restored including, but not limited to, hydrologic and biologic functions;

B. The requirements in subsection (A) may be modified if the applicant demonstrates that greater wetland functions can otherwise be obtained;

~~CD.~~ Enhancement shall be required ~~may be allowed~~ when a wetland or buffer will be altered pursuant to a development proposal, ~~but the wetland's biologic and/or hydrologic functions will be improved.~~ Minimum requirements for enhancement shall be established in the SEPA process but must maintain or improve the wetland's biologic and/or hydrologic functions;

~~DC.~~ Replacement may be allowed ~~shall be required~~ when a wetland or buffer is altered pursuant to an approved development proposal if no reasonable opportunities exist for enhancement; ~~The requirements for the restoration of wetlands shall be met by replacement wetlands;~~

E. All alterations of wetlands shall be replaced or enhanced on the site using the following formulas: Class I and II wetlands on a two (2) to one (1) basis and Class III on a one (1) to one (1) basis with equivalent or greater biologic functions including, but not limited to, habitat functions and with equivalent hydrologic functions, including, but not limited to, storage capacity;

F. Replacement or enhancement off the site may be allowed if the applicant demonstrates to the satisfaction of the City that the off-site location is in the same drainage sub-basin as the original wetland and that greater biologic and hydrologic functions will be achieved. The formulas in subsection (E) shall apply to replacement and enhancement off the site; and

G. Surface water management or flood control alterations including, but not limited to, wetponds shall constitute replacement or enhancement unless other functions are simultaneously improved. (Ord. 92-1041 § 1)

Section 4. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor by January, 2004.

Section 5. This Ordinance shall be in full force and effect thirty (30) days after passage.

**ADOPTED** this nd day of December, 2003, and signed in authentication thereof on this 2nd day of December, 2003.

**CITY OF SEATAC**

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Joe Brennan, Mayor

ATTEST:

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Judith L. Cary, City Clerk

Approved as to Form:

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Mary Mirante-Bartolo, City Attorney

[Effective Date \_\_\_\_\_]

2003 Zoning Code Amendments

**ORDINANCE NO. 03-1038**

An ORDINANCE of the City Council of the City of SeaTac, Washington, amending portions of the City of SeaTac Comprehensive Plan.

**WHEREAS**, pursuant to the requirements of the Washington State Growth Management Act, the City of SeaTac is required to develop and adopt a Comprehensive Plan, which plan is required to include various elements for land use, housing, transportation, capital facilities and utilities, and which may include other elements, such as, environmental management; and

**WHEREAS**, the City adopted its Comprehensive Plan in December, 1994, after study, review, community input and public hearings; and

**WHEREAS**, the State Growth Management Act provides for amendments to the Comprehensive Plan no more than once per year; and

**WHEREAS**, it is necessary to update the Comprehensive Plan's implementation strategies, 6-year Capital Facilities Element, and other sections as identified through public process, and

**WHEREAS**, the City Council authorized, by Resolution No. 97-001, a process for amending the Comprehensive Plan, and

**WHEREAS**, procedures for amending the Plan have been implemented in 2003, including a public meeting to solicit input, acceptance of proposals for Comprehensive Plan amendments, evaluation according to preliminary criteria, elimination of proposals not meeting preliminary criteria, and evaluation of the remaining proposals according to final criteria;

**WHEREAS**, the environmental impacts of the proposed amendments have been assessed and a Determination of Nonsignificance, File No. SEP03-00019, which was issued October 21, 2003; and

**WHEREAS**, after a public hearing on November 3, 2003 to consider proposed amendments to the Comprehensive Plan, the Planning Commission recommended to the City Council adoption of proposed amendments to the Comprehensive Plan as shown in the Final Docket Staff Report; and

**WHEREAS**, after consideration of the recommendation of the Planning Commission, the Department of Planning and Community Development has recommended to the City Council adoption of the proposed amendments to the Comprehensive Plan as shown in the Final Docket Staff Report; and

**WHEREAS**, all of the foregoing recitals are deemed by the City Council to be findings of fact; and

**WHEREAS**, five copies of these proposed amendments were filed with the Washington Office of Community Development not less than sixty days prior to final action, pursuant to RCW 36.70A.106 and WAC 365-195-620;

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

Section 1. The City of SeaTac Comprehensive Plan, adopted on December 20, 1994, and amended annually in subsequent years, is hereby amended as set forth in Exhibit A (attached).  

A copy of the amendments shall be maintained on file with the Office of the City Clerk for public inspection; and

Section 2. The City Clerk is directed to transmit a complete and accurate copy of this Ordinance, as adopted, to the Washington Office of Community Development within ten days after final adoption, pursuant to RCW 36.70A.106 and WAC 365-195-620. The Clerk is further directed to transmit a copy of this Ordinance, together with copies of other Ordinances amending development regulations adopted within the preceding twelve months, to the King County Assessor by the ensuing 31<sup>st</sup> day of July, pursuant to RCW 35A.63.260.

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

ADOPTED this 2nd day of December, 2003 and signed in authentication thereof this 2nd day of December, 2003.

CITY OF SEATAC

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Mary Mirante-Bartolo, City Attorney

[Effective Date: \_\_\_\_\_]



# Exhibit A

## 2003 Comprehensive Plan Amendments

**ORDINANCE NO 03-1039**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to ad valorem property taxes, repealing City of SeaTac Ordinance #03-1036, setting the amount to be levied in 2004 by taxation on the assessed valuation of the property of the City, and setting the levy rate for the year 2004.

**WHEREAS**, State law, RCW 35A.33.135, requires the City Council to consider the City's total anticipated financial requirements for the ensuing fiscal year, and to determine and fix, by ordinance, the amount to be levied by ad valorem taxes; and

**WHEREAS**, RCW 84.52.020 requires that, upon fixing of the amount to be so levied, the City Clerk shall certify the same to the Clerk of the King County Council; and

**WHEREAS**, RCW 84.55.120, as amended in 1997 by Referendum 47, requires a statement of any increased tax in terms of both dollar revenue and percentage change from the previous year; and

**WHEREAS**, the SeaTac City Council adopted Ordinance #03-1036, tentatively establishing the 2004 property tax levy since assessed valuations had not yet been certified by the King County Assessor; and

**WHEREAS**, the King County Assessor, as ex officio assessor for the City pursuant to RCW 35A.84.020, has now certified the assessed valuation of all taxable property situated within the boundaries of the City at \$3,275,213,279;

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

**SECTION 1. Ordinance #03-1036 is Repealed.**

City of SeaTac Ordinance #03-1036, tentatively establishing the 2004 property tax levy, is hereby repealed.

**SECTION 2. Levy Rate Fixed.**

The regular ad valorem levy for collection during the fiscal year of 2004 is hereby set at \$2.84 per thousand dollars of assessed value of all taxable property situated within the boundaries of the City.

**SECTION 3. Estimated Amount to be Collected by Ad Valorem Taxation.**

The amount of revenue to be collected by the City in the fiscal year 2004 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$9,303,235. This levy amount is determined as follows:

2003 Actual Tax Levy	\$ 9,075,811	
2003 Limit Factor	\$ 9,061,431	(3.10% increase over 2003)
x Limit Factor for 2004	<u>1.0184%</u>	
2004 Base Tax Levy	\$ 9,228,161	(3.96% increase over 2003)
+ levy on new construction	43,916	

+ Relevy for prior year refunds 31,158

Total 2004 Tax Levy **\$ 9,303,235**

**SECTION 3. Effective Date.**

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

**ADOPTED** this 16th day of December, 2003, and signed in authentication thereof on this 16th day of December, 2003.

**CITY OF SEATAC**

\_\_\_\_\_  
Joe Brennan, Mayor

ATTEST:

\_\_\_\_\_  
Judith L. Cary, City Clerk

Approved as to Form:

\_\_\_\_\_  
Julie A. Elsensohn, Senior Assistant City Attorney

[Effective Date: \_\_\_\_\_]

[2004 Ad Valorem Property Tax Levy]