

**ORDINANCE NO. 17-1001**

AN ORDINANCE of the City Council of the City of SeaTac,  
Washington amending Section 8.05.280 of the SeaTac Municipal Code  
related to public disturbances.

**WHEREAS**, the King County Superior Court recently invalidated the City's Disorderly Conduct Code by ruling that the Code language is overbroad; and

**WHEREAS**, the City's Disorderly Conduct Code should be updated so that it is consistent with State Law and also include language to enable the City to prosecute cases that fall outside the state statute, thereby preserving public safety and reducing or eliminating undesirable behaviors that otherwise the City would not be able to curtail or prohibit; and

**WHEREAS**, it is appropriate to make other minor changes to be consistent with State law;

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

**Section 1.** Section 8.05.280 of the SeaTac Municipal Code is hereby amended to read as follows:

A. The following sections of the Washington Criminal Code as now in effect, and as may subsequently be amended, are hereby adopted by reference to establish crimes relating to public disturbance under the SeaTac Criminal Code:

9A.84.010 ~~Riot.~~ Criminal Mischief.

9A.84.020 Failure to disperse.

9A.84.040 False reporting.

B. Disorderly Conduct. ~~A person is guilty of disorderly conduct if he/she:~~

~~1. Intentionally engages in any conduct which tends to or does disturb the public peace, provoke disorder or endanger the safety of others; or~~

~~2. Intentionally disrupts any lawful assembly or meeting of persons without lawful authority; or~~

~~3. Intentionally obstructs vehicular or pedestrian traffic without lawful authority.~~

(1) A person is guilty of disorderly conduct if the person:

(a) Uses abusive language and thereby intentionally creates a risk of assault;

(b) Intentionally disrupts any lawful assembly or meeting of persons without lawful authority;

(c) Intentionally obstructs vehicular or pedestrian traffic without lawful authority;

(d)(i) Intentionally engages in fighting or in tumultuous conduct or makes unreasonable noise, within five hundred feet of:

(A) The location where a funeral or burial is being performed;

(B) A funeral home during the viewing of a deceased person;

(C) A funeral procession, if the person described in this subsection (1)(d) knows that the funeral procession is taking place; or

(D) A building in which a funeral or memorial service is being conducted; and

(ii) Knows that the activity adversely affects the funeral, burial, viewing, funeral procession, or memorial service; or

(e) Intentionally engages in fighting in a public place, or quarreling or inciting or encouraging others to fight in a public place.

(2) The following definitions shall apply to this Section:

(a) "Lawful authority" includes but is not limited to oral permission, or a permit or license when issued by a person or entity with authority to issue the permission, permit, or license, or a court order or authorization issued by a court of proper jurisdiction.


(b) "Obstruct pedestrian or vehicular traffic" means to walk, stand, sit, lie, grasp a person, or place an object in such a manner as to block passage by another person or a vehicle, or to require another person or a driver of a vehicle to take evasive action to avoid physical contact, and shall also include action which is intended to prohibit or delay vehicular or pedestrian traffic from entering a public or private place; provided, that an act which is specifically authorized by a state or federal court with jurisdiction and which has been determined by the court to be a valid exercise of one's right to picket or legally protest shall not constitute obstruction of pedestrian or vehicular traffic.

(c) "Public place" means an area generally visible to public view and includes alleys, bridges, buildings, driveways, parking lots, parks, plazas, sidewalks, and streets open to the general public, including places that serve food or drink or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.

**Section 2.** This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

**ADOPTED** this 10<sup>th</sup> day of January, 2017, and signed in authentication thereof on this 10<sup>th</sup> day of January, 2017.

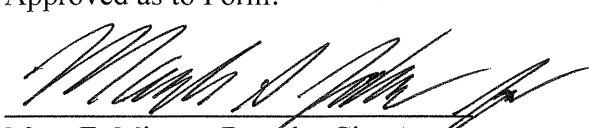
**CITY OF SEATAC**

  
\_\_\_\_\_  
Michael Siefkes, Mayor

ATTEST:

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

Approved as to Form:

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

[Effective Date: 2/15/17]

[Amend 8.05.280—Public Disturbance]

**ORDINANCE NO. 17-1002**

AN ORDINANCE of the City Council of the City of SeaTac, Washington adding a new Chapter 2.91 to the SeaTac Municipal Code related to an Ethics Policy for City Employees.

**WHEREAS**, the City Council desires that the employees of the City of SeaTac abide by a standard of ethics that will maintain the utmost trust and confidence of the citizens of SeaTac in their local government and its representatives; and

**WHEREAS**, the City Council further desires that an outline of the ethics policy that applies to City employees be adopted in City Code and administered by the City Manager;

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

**Section 1.** A new Chapter 2.91 is hereby added to the SeaTac Municipal Code to read as follows:

**A. Employee Ethics Policy:**

The City of SeaTac upholds, promotes, and requires the highest standards of ethics from its employees for personal integrity, truthfulness, honesty, responsibility and fairness in carrying out their public duties. Employees must avoid any improprieties in their role as public servants and must never use their City position or authority for personal gain or in breach of the public trust. Employees shall conduct their personal and professional business and dealings in a manner that shall present no perceived or actual conflict of interest between the public trust and an employee's private interest.

**B. Ethical Conduct Standards:**

Ethical conduct includes, but is not limited to:

- Acting at all times in the best interests of the community and organization we serve.
- Demonstrating excellence, integrity and responsibility in our work.
- Adhering to the laws of the United States, the State of Washington and the City of SeaTac.
- Providing honest, accurate, timely and complete information.
- Identifying problems and helping create solutions.

- Following City and Department policies, procedures and rules.
- Reporting improper conduct.
- Keeping our co-workers safe from retaliation of any kind.
- Abstaining from decisions that could result in a direct benefit to the employee, a relative or co-habitant.

**C. Additional Provisions:**

The City Manager shall promulgate and maintain a policy which upholds, promotes, and requires the highest standards of ethics from its employees for personal integrity, truthfulness, honesty, responsibility and fairness in carrying out their public duties. This policy shall address, at a minimum, the following elements:

1. Conflict of Interest.
2. Outside Employment.
3. Acceptance of Gifts.
4. Personal Gain or Profit.
5. Employment of Relatives.
6. Political Activities.
7. Solicitation for Charities and Non-Profit Fundraisers.
8. Improper Government Action and Whistleblower Protection.
9. Duty to Attest to review of policy.
10. Relation to Collective Bargaining Agreement.

**D. Enforcement Provisions:**

The City Manager shall promulgate rules relating to progressive discipline applicable in instances where an employee did not comply with this ethics policy. However, such rules relating to progressive discipline shall be consistent and in accordance with the Collective Bargaining Agreement, other policies and procedures and municipal, state or federal laws.


**E. Annual Report:**

The City Manager shall provide an annual report to the City Council by the end of each January, in summary form, on ethics complaints, investigations and resolutions from the previous year.

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

ADOPTED this 10<sup>th</sup> day of January, 2017, and signed in authentication thereof on this 10<sup>th</sup> day of January, 2017.

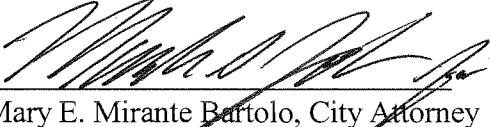
CITY OF SEATAC

  
\_\_\_\_\_  
Michael Siefkes, Mayor

ATTEST:

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

Approved as to Form:

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

[Effective Date: 1/24/17]

[EthicsPolicy-Employees]

**ORDINANCE NO. 17-1003**

AN ORDINANCE of the City Council of the City of SeaTac,  
Washington amending Section 2.45.155 to the SeaTac Municipal Code  
related to boat speeds on Angle Lake.

**WHEREAS**, the City Council adopted Ordinance 16-1011, that allowed for a temporary increase of boat speeds on Angle Lake when a Special Use Permit has been obtained; and

**WHEREAS**, the City Council has determined that it is appropriate to remove the provision that states “The Director may not authorize a special event for watercraft racing that occurs after November 1, 2016” so that special watercraft racing events can occur on a yearly basis;

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

**Section 1.** Section 2.45.155 of the SeaTac Municipal Code to amended to read as follows:

**2.45.155 Temporary Waiver of boat speeds, boat occupancy limits and noise standards - Angle Lake--Special Use Permits.**

A. The Director may authorize a special event involving boats or other watercraft on Angle Lake, at speeds in excess of five (5) knots per hour, no more than one (1) weekend per rolling 10 month period, provided that a Special Use Permit is obtained in accordance with SMC 2.45.050. Special Use Permits may cover use of both Angle Lake and City facilities, and will be issued on a first come, first served basis.

~~1. The Director may not authorize a special event for watercraft racing that occurs after November 1, 2016.~~

B. Any Special Use Permit issued pursuant to this Section must be obtained by submitting a written application, along with a non-refundable application fee of as established in the City’s fee schedule, to the Parks and Recreation Department at least ninety (90) calendar days prior to the first day of the intended use, unless a shorter time period is allowed by the Director. The application shall contain such information as the Director shall deem necessary.

C. Any Special Use Permit issued pursuant to this Section may provide for a temporary waiver of City Ordinances as determined by the Director, including but not limited to, Noise (SMC 8.05.360), Boat Speed limits (SMC 2.45.220), and Boat Occupancy limits (SMC 2.45.260).

D. No Special Use Permit that authorizes a waiver of the boat speeds, boat occupancy limits and noise standards shall be issued for activities proposed to be conducted between the Monday preceding Memorial Day and the Friday after Labor Day, to prevent interference with summer activities at the lake.

E. Any applicant for a Special Use Permit issued pursuant to this Section must furnish liability insurance as follows:

1. The minimum limits for such insurance policies shall be:

- \$5,000,000 General Liability
- \$5,000,000 Automobile Liability
- \$5,000,000 Watercraft Liability

2. General Liability and Watercraft Insurance must not have any watercraft racing exclusions.

3. An approved certificate of insurance must be filed with the City prior to the issuance of any Special Use Permit. The Certificate of insurance must name the City and its Employees, Directors, Officers, Officials, and Volunteers as Primary, Non-Contributory Additional Insureds.

4. All insurance policies must be underwritten by insurance companies which have an A.M. Best's rating of A VII or better, and be licensed to do business in the State of Washington. The insurance must be non-cancelable unless ten (10) calendar days written notice has been provided to the City.

5. The minimum coverage and minimum limits required do not limit or cap the Applicant's liability.

6. Notice of cancelation of insurance required under this subsection is grounds for immediate revocation of any issued Special Use Permit.

F. A Special Use Permit may not be issued pursuant to this Section without a signed waiver and hold harmless agreement, as approved by the City's Risk Manager and Legal Department.

G. The Director shall have authority to approve a permit subject to the applicant meeting reasonable conditions as deemed appropriate, in the Director's sole discretion. Such conditions may include payment of any additional costs incurred for holding a permitted event. At a minimum, the Permit shall provide that excess boat speeds, boat occupancy limits or noise standards may not occur for more than a thirty-six (36) consecutive hour period.

H. No less than thirty (30) days after receipt of an application, the Director shall either deny or issue preliminary approval of an application. A preliminary decision of approval, with proposed conditions, shall be mailed to all property owners within three hundred (300) feet of the ordinary

high water mark of Angle Lake and shall provide a fifteen (15) day public comment period. Based upon public comment, the Director may modify proposed conditions of approval or deny the application.

I. Applications will be denied, approved or approved with conditions no less than thirty (30) calendar days prior to the date scheduled for the event. Denial of applications may be based on one or more of the following:

1. Non-compliance with any of the provisions of this Section.
2. The event for which the permit is sought would, because of its time, place or nature, obstruct or substantially interfere with the enjoyment and use of the lake and/or City facilities by the general public.
3. The event or assembly for which a permit is sought is in violation of any applicable ordinances, laws or regulations in which the Director determines, in his/her sole discretion, that a waiver is not appropriate.
4. The event conflicts with other events being held on or near Angle Lake, or at City facilities.


J. The decision to approve, approve with conditions, or deny a Special Use Permit under this Section is final.

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

**Section 3.** This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

**ADOPTED** this 24<sup>th</sup> day of January, 2017, and signed in authentication thereof on this 24<sup>th</sup> day of January, 2017.

**CITY OF SEATAC**

  
\_\_\_\_\_  
Michael Siefkes, Mayor

ATTEST:

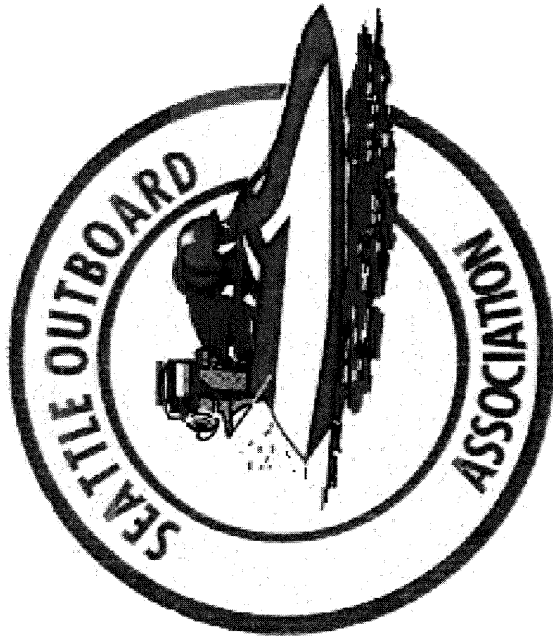
  
Kristina Gregg, City Clerk

Approved as to Form:

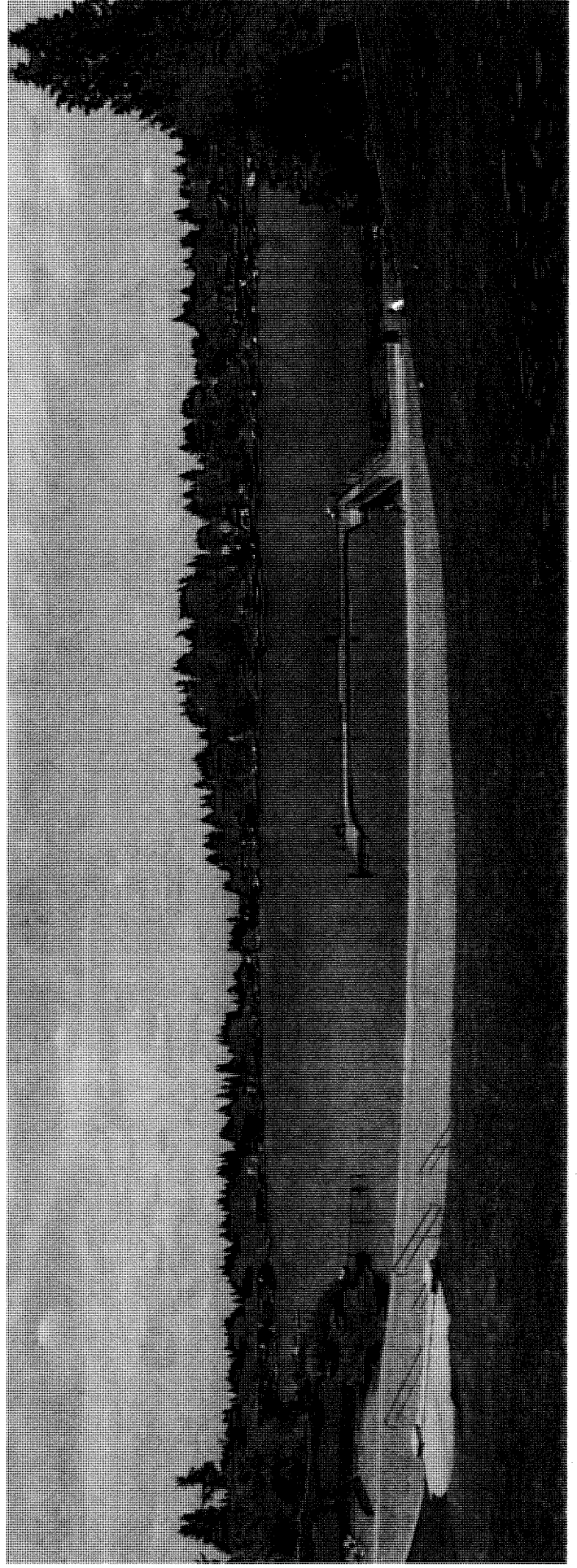
  
Mary E. Mirante Bartolo, City Attorney

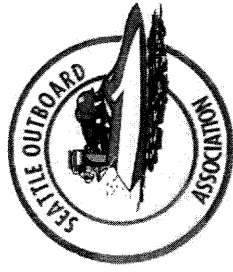
[Effective Date: 3/1/17]

[Watercraft Racing Amendment]



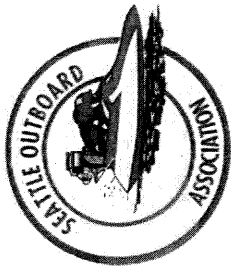
Frank Hanson Memorial Regatta  
Presented by Master Park  
September 10<sup>th</sup> & 11<sup>th</sup> 2016



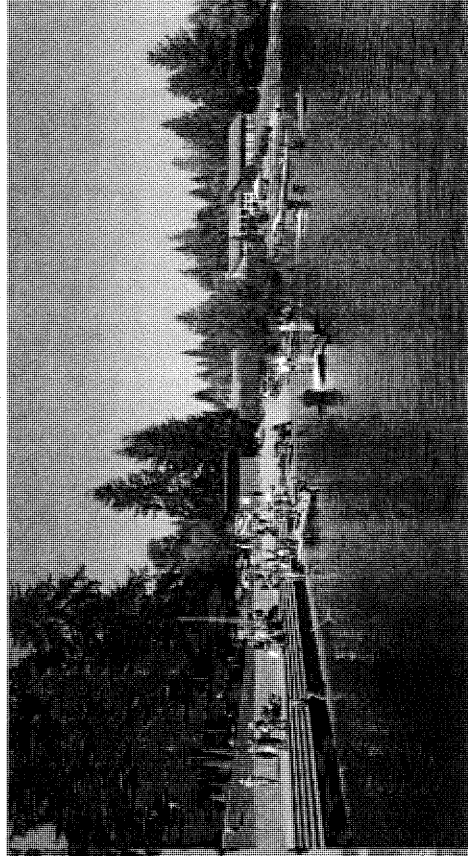


# 2016 Overview

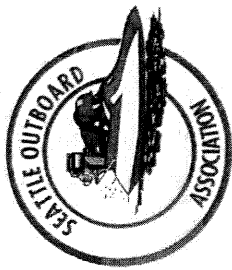
- 107 Entries Saturday
- 104 Entries Sunday
- 20 Hotel Rooms Friday – September 9th
- 32 Hotel Rooms Saturday – September 10th



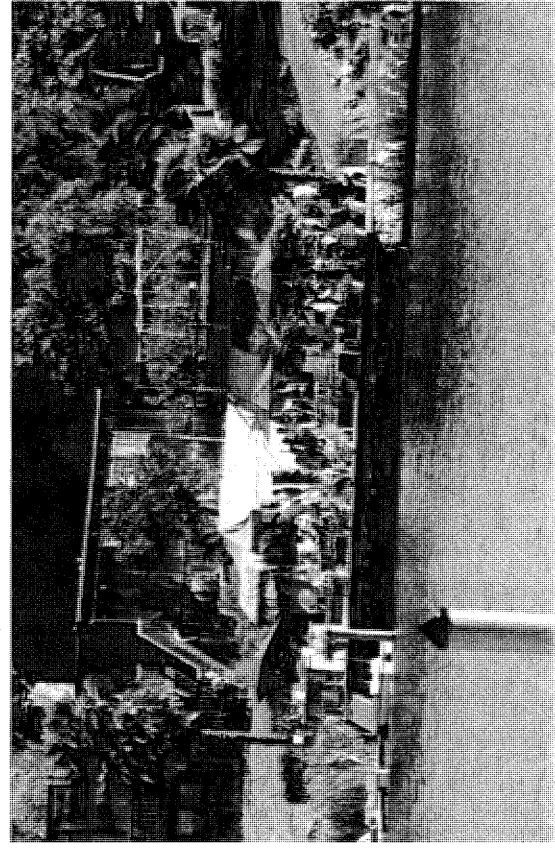
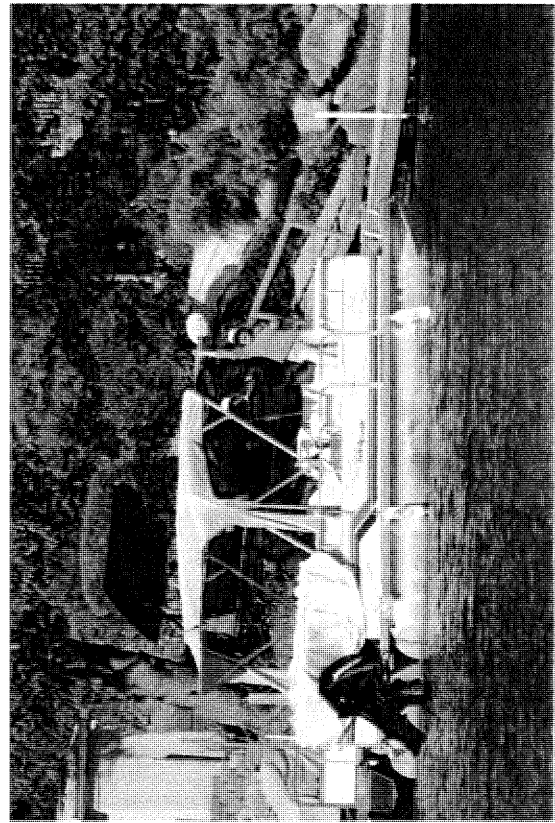
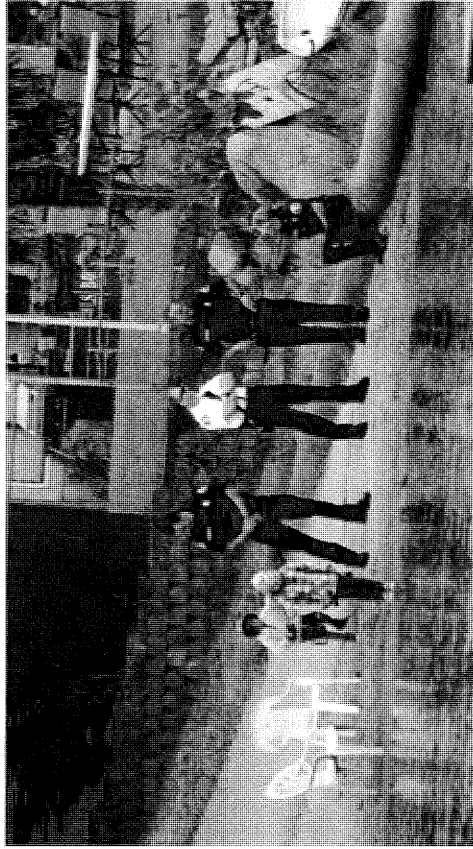
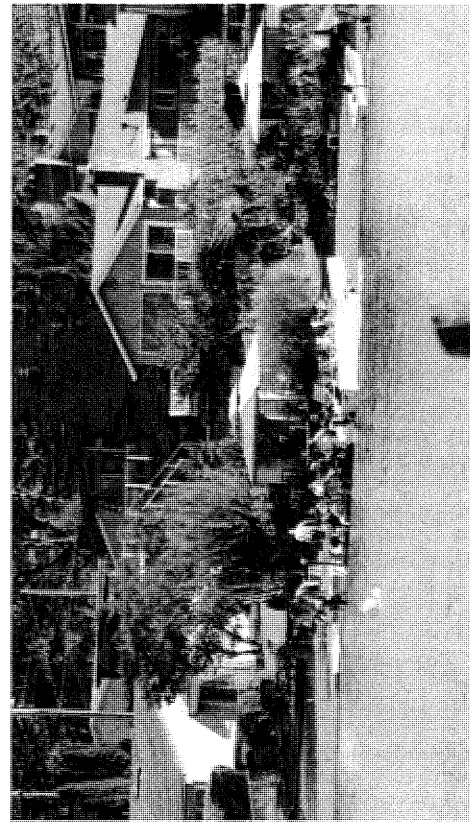
# Pit Area

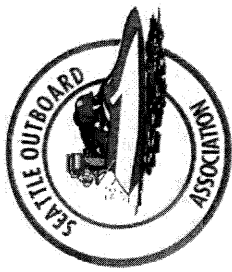


- Minimal Impact To Park
- Off-site parking for racers with no overnight camping
- Pit Area is restricted and access is allowed by signing a waiver and obtaining a pit pass



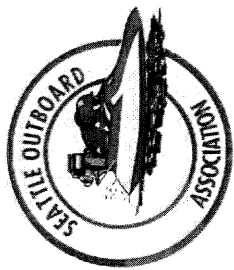
# Watching The Races



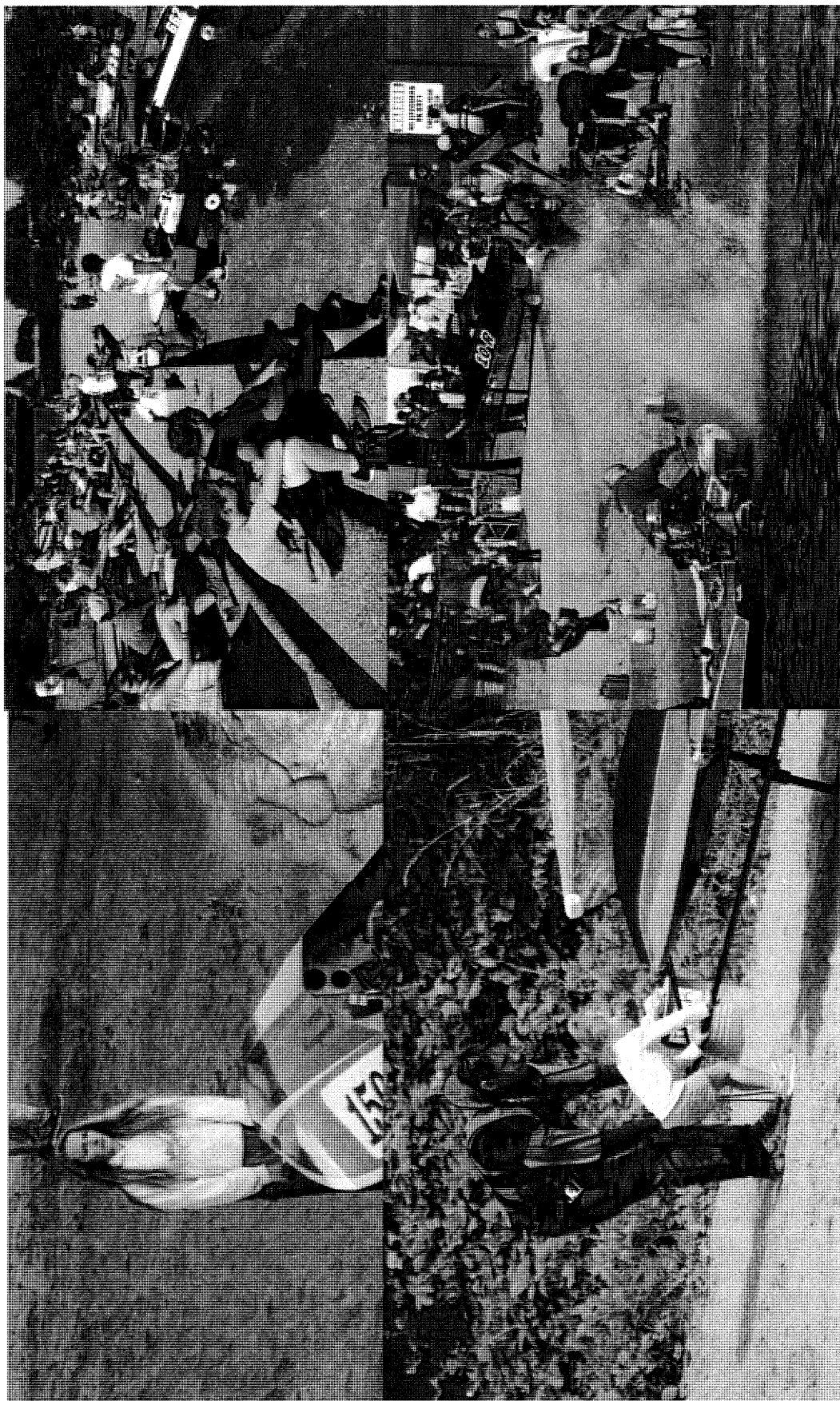


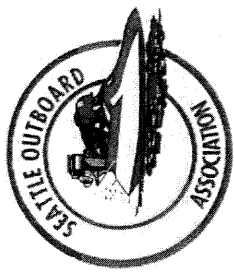
# 9/11 Tribute



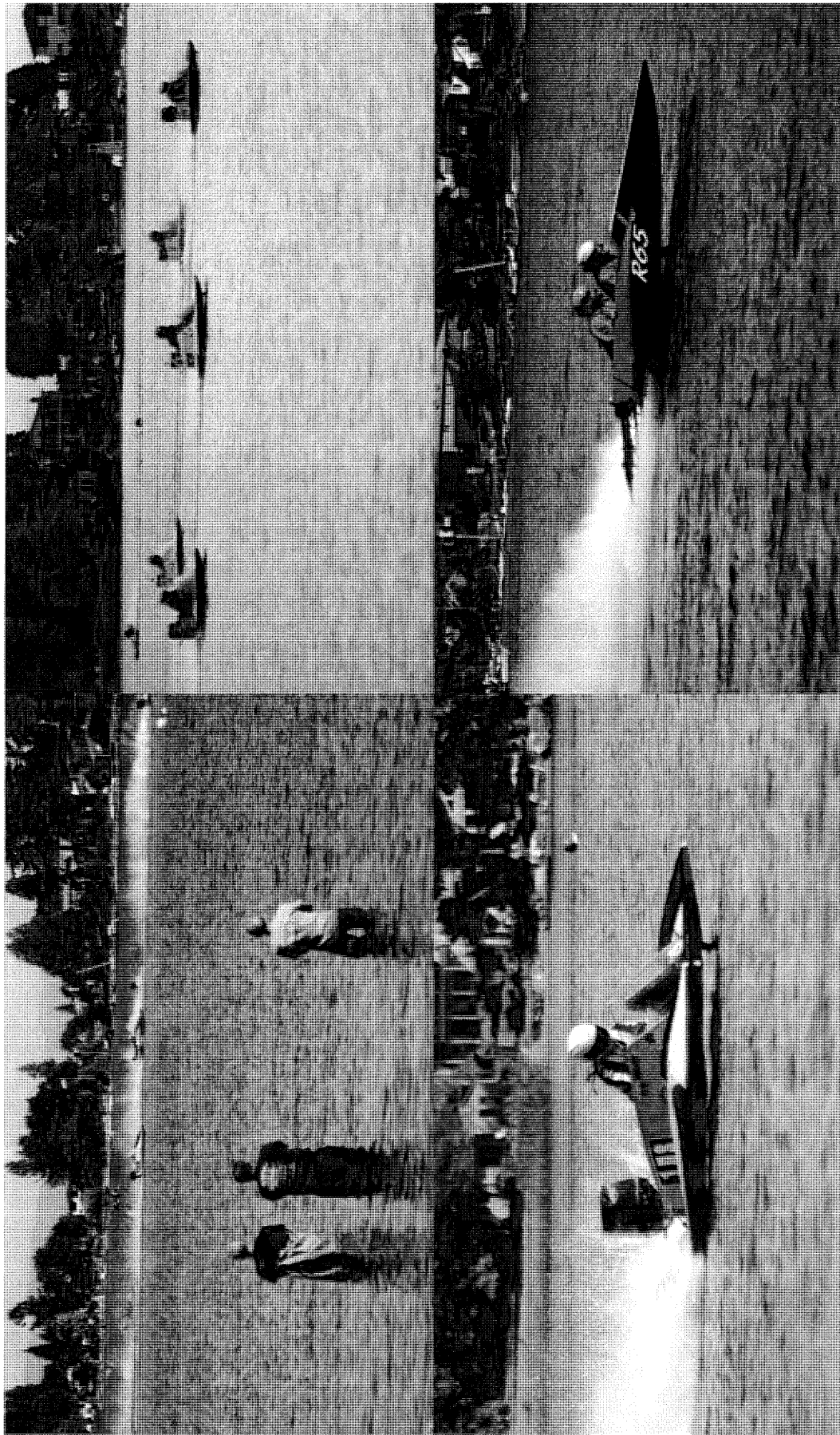


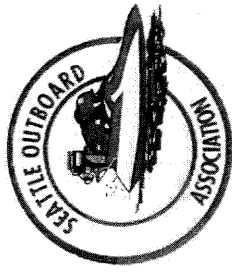
# In The Pits



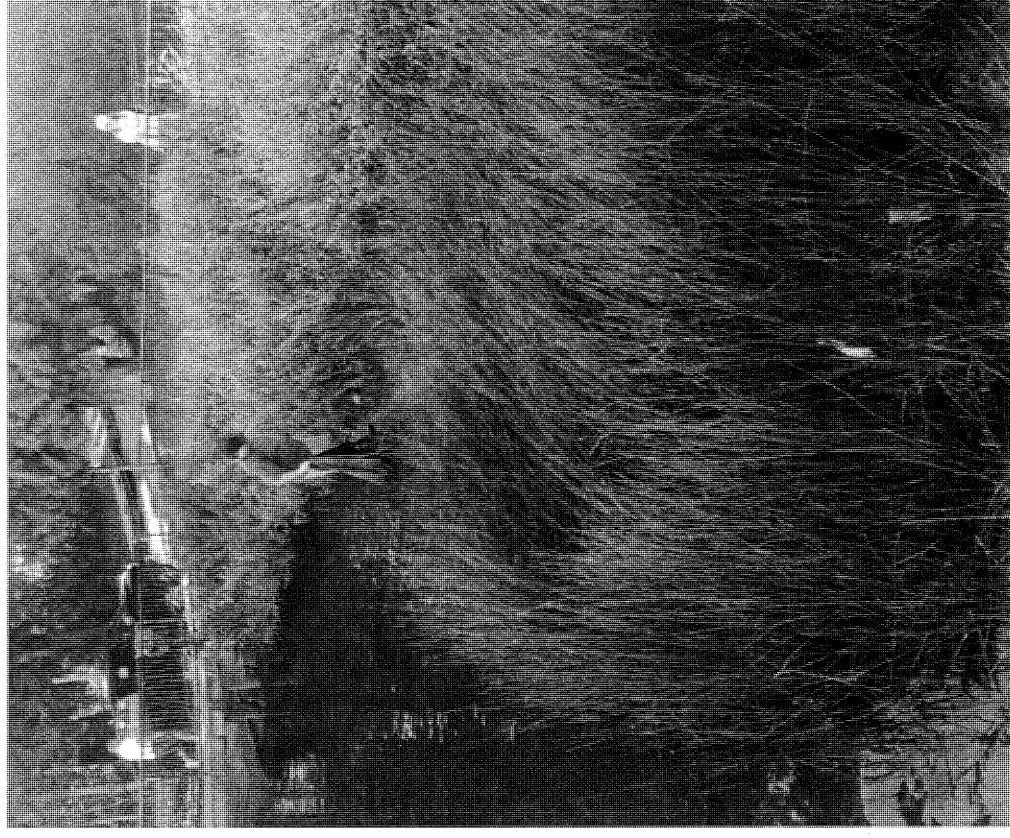


# Racing

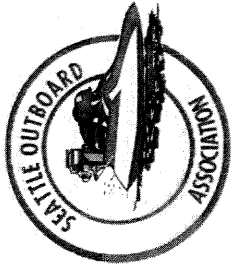




# Park Clean Up



- SOA Cleaned Up Park After Race
- No Damage To Grass



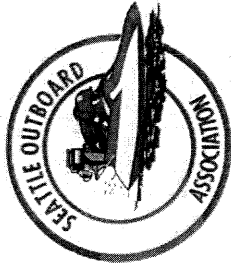
# 2017 Event

## Proposed Race Dates

- September 9<sup>th</sup> & 10<sup>th</sup>
- Modified Category Western Divisional

• Entries Will Be Increased

• More People In Hotels



# Thank You

City Of SeaTac

City Of SeaTac Parks & Recreation Department

Angle Lake Shore Club

Angle Lake Manor Club

Kent Regional Fire Authority -

Master Park

Special Thanks To!

Steve Beck

Lawrence Ellis

Lonnie Goulet

Fuzz Hill

**ORDINANCE NO. 17-1004**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 2.45.050 and 2.45.550 of the SeaTac Municipal Code related to alcohol in City Parks.

**WHEREAS**, the City has received requests to allow for alcohol to be served at certain charitable events held in City parks; and

**WHEREAS**, the City Council has determined that only allowing such events at the Highline SeaTac Botanical Garden and Grandview Park is appropriate, subject to the issuance of a Special Use Permit; and

**WHEREAS**, any Special Use Permits issued by the Parks, Community Programs and Services Department shall prevent access to alcoholic beverages to persons under 21 years of age, ensure the safety of the community, and reduce liability;

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

**Section 1.** Section 2.45.050 of the SeaTac Municipal Code is hereby amended to read as follows:

**2.45.050 Special use permits.**

A. Groups which do not meet all of the requirements set forth in Section 2.45.040, above, and groups which desire to use any facilities may be granted special use permits by the Department, but will be charged a fee. Where appropriate, special conditions of use will be established by the Department and so noted on the special use permit. A schedule of the charges for special services in facilities will be established by the Department with the approval of the SeaTac City Council.

B. No alcoholic beverages are allowed at any park facilities other than at the ~~North SeaTac Park Community Center~~, Highline SeaTac Botanical Garden, and Grandview Park, and then only with a special use permit. Groups applying for special use permits for activities at the ~~North SeaTac Park Community Center~~ at which the consumption of alcoholic beverages is intended, must meet the requirements of State law with respect to liquor permits as a precondition, including obtaining appropriate permits from the State of Washington Liquor ~~Control~~ and Cannabis Board. During the course of the activity, the State liquor permit must be displayed within the area.

**Section 2.** Section 2.45.550 of the SeaTac Municipal Code is hereby amended to read as follows:

**2.45.550 Alcoholic beverages.**

A. Except as otherwise provided by this Section, Selling, possessing or consuming alcoholic beverages in a City park, recreation area, or associated marine area is prohibited, other than in connection with an event or activity in a community center, ~~park building or other structure~~ for which a permit has been issued by the Department, and for which a banquet permit has been issued; provided, that the activities and the use of alcoholic beverages shall conform to the permits therefor, and shall conform to Federal, State and local laws, rules and regulations with respect thereto.

B. Subject to the provisions of this Section, a Special Use Permit may be issued by the Department to allow for the sale, possession, and consumption of alcoholic beverages at an event held at the Highline SeaTac Botanical Garden or Grandview Park when:

1) The event is for non-profit fundraising purposes only; and

2) A completed permit application completed by a non-profit agency has been filed with the Department at least 60 calendar days prior to the proposed event. Such application shall be made on forms provided by the Department, and shall include:

a) A security plan to ensure controlled event access that is sufficient to prevent the sale, possession, or consumption of alcoholic beverages to persons under 21 years of age; and

b) A banquet permit for the event that has been issued by the Washington State Liquor and Cannabis Board; and

c) Proof of liability insurance, including liquor liability, with minimum limits of \$2,000,000. Such insurance shall explicitly provide that the City of SeaTac, and its employees and elected officials are named as primary, non-contributory additional insureds. Any insurance certificates shall be reviewed and approved by the City Attorney's Office and Risk Management; and

d) For proposed events to be held at the Highline SeaTac Botanical Garden, written consent of the proposed event from the Highline Botanical Garden Foundation; and

e) Information related to the non-profit status and registration with the Washington State Secretary of State for the non-profit entitie(s) sponsoring the event; and

f) Any other information deemed necessary by the Department to ensure compliance with State and local Law.

C. The Department may impose any reasonable conditions that are intended to prevent access to alcoholic beverages to persons under 21 years of age, and to ensure the safety of the community,

and reduce liability, which may include requiring the applicant to hire off-duty police personnel to provide security.

**Section 3.** If any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 4.** This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

ADOPTED this 24<sup>th</sup> day of January, 2017, and signed in authentication thereof on this 24<sup>th</sup> day of January, 2017.

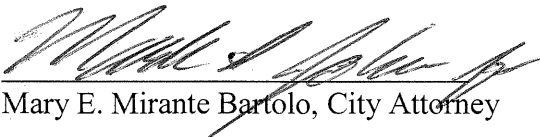
CITY OF SEATAC

  
Michael Siefkes, Mayor

ATTEST:

  
Kristina Gregg, City Clerk

Approved as to Form:

  
Mary E. Mirante Bartolo, City Attorney

[Effective Date: 3/1/17]

[Alcohol in Botanical Garden and Grandview Park]

**ORDINANCE NO. 17-1005**

AN ORDINANCE of the City Council of the City of SeaTac,  
Washington vacating a portion of South 190<sup>th</sup> Street lying westerly of  
32<sup>nd</sup> Avenue South to its western terminus.

**WHEREAS**, the Huling Brothers Family, LLC. has requested vacation of a certain portion of the City street and right-of-way of South 190<sup>th</sup> Street lying westerly of 32<sup>nd</sup> Avenue South to its western terminus, as shown on the map attached as Exhibit “A” 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. 16-027 fixing the public hearing for January 24, 2017, to be followed by Council action; and

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

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

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

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

Section 1. Vacation of Rights-of-Way. The portion of the right-of-way of South 190<sup>th</sup> Street lying westerly of 32<sup>nd</sup> Avenue South to its western terminus legally described on Exhibit "B" to this Ordinance, and depicted on the map marked Exhibit "A" to this Ordinance, within the City of SeaTac, is hereby vacated, subject to payment pursuant to Section 3, below.

Section 2. Reservation of Easements. Notwithstanding Section 1 of this Ordinance, all existing utility easements located within the said portion of the right-of-way of South 190<sup>th</sup> Street are reserved until release by the Grantees thereof.

Section 3. Compensation Required. The Huling Brothers Family, LLC., which is the sole landowner of property abutting the aforesaid right-of-way, shall compensate the City in an amount equal to the full appraised value of the total area so vacated, pursuant to law, together with a processing and appraisal fee, which has been determined to be the total sum of \$743,000.00.

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 24<sup>th</sup> day of January, 2017, and signed in authentication thereof on this 24<sup>th</sup> day of January, 2017.

CITY OF SEATAC

  
Michael Siefkes, Mayor

ATTEST:

  
Kristina Gregg, City Clerk

Approved as to Form:

  
Mary Mirante Bartolo, City Attorney

[Effective Date: 5/8/2017 ]

[Vacation of So. 190<sup>th</sup> St/32<sup>nd</sup> Ave S]

**Area to be vacated  
18,500 sq ft**

S. 190TH. ST.

S. 160TH. ST.

32ND. AVE. S.

100 Feet

Date Prepared: Dec. 2, 2016  
Source: City of SeaTac, King County.

Prepared by the City of SeaTac GIS. All rights reserved. This product has been compiled from the best available data. No warranty is expressed or implied as to accuracy, completeness, or fitness for any specific use. Not to be used for purposes of legal description or definition. Not a substitute for a professional survey.

\\working\PublicWorks\Engineering\20130227 S190thStVacation\S190thStVacation\_2016.mxd

Date Prepared: Dec. 2, 2016  
Source: City of SeaTac, King County.

Prepared by the City of SeaTac GIS. All rights reserved. This product has been compiled from the best available data. No warranty is expressed or implied as to accuracy, completeness, or fitness for any specific use. Not to be used for purposes of legal description or definition. Not a substitute for a professional survey.

\\...lworking\PublicWorks\Engineering\20130227 S190thStVacation\S190thStVacation 2016.mxd

### LEGAL DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF LOT 7, BOW GLEN, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 54 OF PLATS, PAGE 98, RECORDS OF KING COUNTY, WASHINGTON;

THENCE SOUTH 01°55'12" WEST, ALONG THE WESTERLY MARGIN OF 32<sup>ND</sup> AVENUE SOUTH, A DISTANCE OF 55.00 FEET TO THE NORTHEAST CORNER OF LOT 14 IN SAID PLAT;

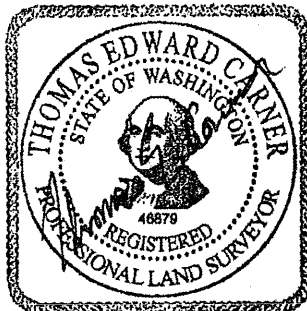
THENCE NORTH 87°29'56" WEST, ALONG THE SOUTHERLY MARGIN OF SOUTH 190<sup>TH</sup> STREET, A DISTANCE OF 241.12 FEET TO A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 40.00 FEET AND A RADIAL BEARING OF NORTH 65°28'28" WEST, THROUGH A CENTRAL ANGLE OF 247°58'32";

THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 173.12 FEET;

THENCE SOUTH 87°29'56" EAST, ALONG THE NORTHERLY MARGIN OF SOUTH 190<sup>TH</sup> STREET, A DISTANCE OF 277.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 18,470 SQUARE FEET OR 0.4240 ACRES, MORE OR LESS.

SITUATE IN THE CITY OF SEATAC, COUNTY OF KING, STATE OF WASHINGTON.

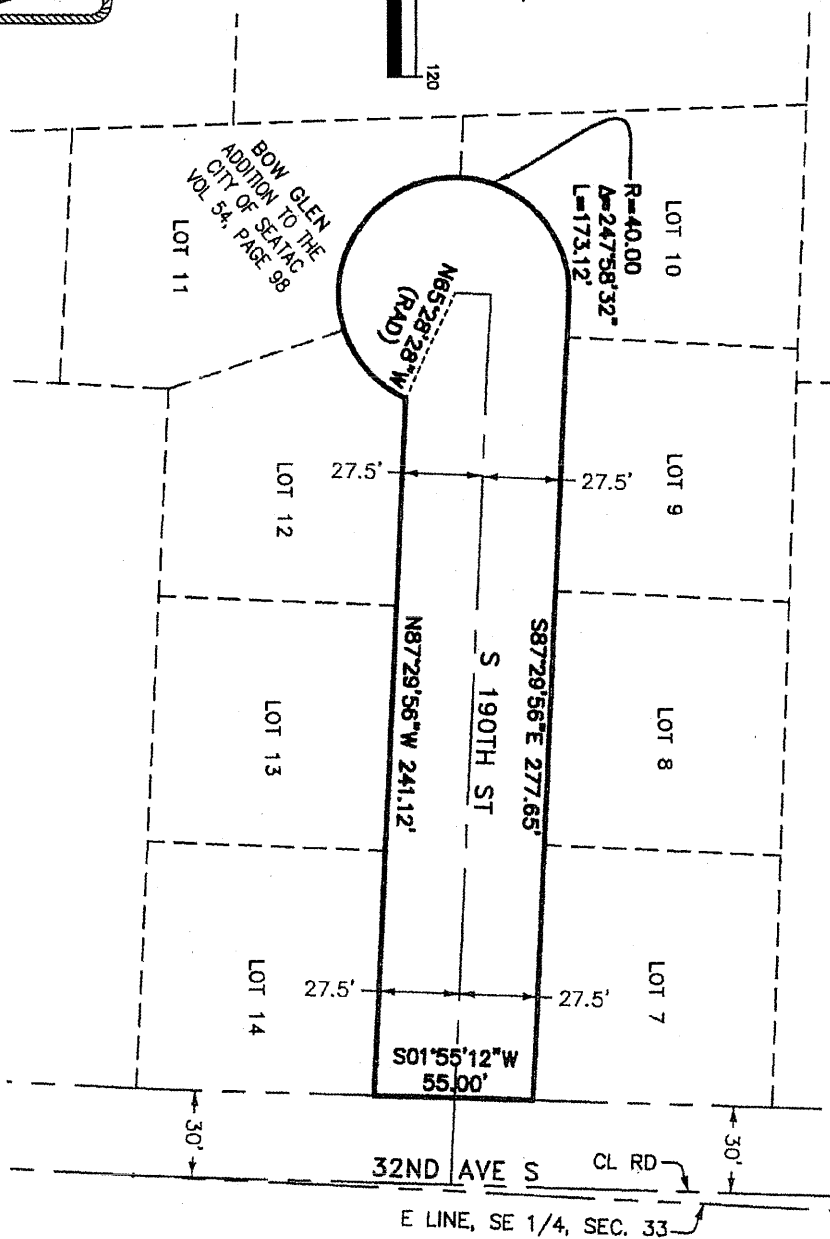


1-9-17

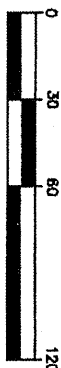
THOMAS E. CARNER, P.L.S.  
BRH JOB NO. 206189.01  
JANUARY, 2017

BUSH, ROED & HITCHINGS, Inc.  
2009 MINOR AVENUE EAST  
SEATTLE, WA 98102  
(206) 323-4144

SE 1/4, SEC. 33, T23N, R4E, W.M.



GRAPHIC SCALE



1" = 60'



JOB NO: 2016189.01 DATE: 1/9/17 DRAWN: TEC  
BUSH, ROED & HITCHINGS, INC.  
CIVIL ENGINEERS & LAND SURVEYORS  
2009 MINOR AVE. EAST, SEATTLE, WA 98102  
FAX (206) 323-4144

EXHIBIT DRAWING  
BRASETH CONSTRUCTION  
THRIFTY CAR LOT  
SEATAC  
WASHINGTON

**ORDINANCE NO. 17-1006**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 2.45.156 to the SeaTac Municipal Code related to boat regulations on Angle Lake for public safety training purposes.

**WHEREAS**, the City Council has determined that for public safety training purposes, a waiver of boat speeds, boat occupancy limits, and noise standards on Angle Lake when a Special Use Permit has been obtained;

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

**Section 1.** Section 2.45.156 of the SeaTac Municipal Code to amended to read as follows:

**2.45.156 Temporary Waiver of boat speeds, boat occupancy limits and noise standards - Angle Lake--Special Use Permits for Public Safety Training.**

A. The Director may authorize public safety training involving boats or other watercraft on Angle Lake, at speeds in excess of five (5) knots per hour, no more than two (2) calendar days per month, provided that a Special Use Permit is obtained in accordance with SMC 2.45.050. Special Use Permits may cover use of both Angle Lake and City facilities.

B. A Special Use Permit issued pursuant to this Section is valid for a maximum time period of one (1) calendar year, and must be obtained by submitting a written application to the Parks and Recreation Department at least ninety (90) calendar days prior to the first day of the intended use, unless a shorter time period is allowed by the Director. The application shall contain such information as the Director shall deem necessary.

C. Any Special Use Permit issued pursuant to this Section may provide for a temporary waiver of City Ordinances as determined by the Director, including but not limited to, Noise (SMC 8.05.360), Boat Speed limits (SMC 2.45.220), and Boat Occupancy limits (SMC 2.45.260).

D. At a minimum, any applicant for a Special Use Permit issued pursuant to this Section must furnish liability insurance or self insurance (including watercraft liability) as required by any public safety services contract with the City or as approved by the City's Risk Manager and the Legal Department.

E. A Special Use Permit may not be issued pursuant to this Section without a signed waiver and hold harmless agreement, as approved by the City's Risk Manager and Legal Department.

F. The Director shall have authority to approve a permit subject to the applicant meeting reasonable conditions as deemed appropriate, in the Director's sole discretion.

G. No less than thirty (30) days after receipt of an application, the Director shall either deny or issue preliminary approval of an application. A preliminary decision of approval, with proposed conditions, shall be mailed to all property owners within three hundred (300) feet of the ordinary high water mark of Angle Lake and shall provide a fifteen (15) day public comment period. Based upon public comment, the Director may modify proposed conditions of approval or deny the application.

H. Applications will be denied, approved or approved with conditions no less than thirty (30) calendar days prior to the date scheduled for the event. Denial of applications may be based on one or more of the following:

1. Non-compliance with any of the provisions of this Section.
2. The public safety training for which the permit is sought would, because of its time, place or nature, obstruct or substantially interfere with the enjoyment and use of the lake and/or City facilities by the general public.
3. The public safety training for which a permit is sought is in violation of any applicable ordinances, laws or regulations in which the Director determines, in his/her sole discretion, that a waiver is not appropriate.
4. The public safety training conflicts with other events being held on or near Angle Lake, or at City facilities.

I. The decision to approve, approve with conditions, or deny a Special Use Permit under this Section is final.

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

**Section 3.** This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017, and signed in authentication thereof on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF SEATAC**

\_\_\_\_\_  
Michael Siefkes, Mayor

ATTEST:

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

Approved as to Form:

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

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

[Public Safety Training—Angle Lake]

**ORDINANCE NO. 17-1007**

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 6.05.110 of the SeaTac Municipal Code, removing breed specific language within the definitions of Dangerous Dog and Potentially Dangerous Dog.

**WHEREAS**, the City Council previously adopted Ordinance No. 91-1024 relating to Dangerous dogs, which is codified under Section 6.05.110 of the SeaTac Municipal Code; and

**WHEREAS**, the City Council has determined that it is appropriate to remove the breed specific language in the definition of dangerous dog and potentially dangerous dog; and

**WHEREAS**, removal of the breed specific language of dangerous dog and potentially dangerous dog from the City code would assist King County Animal Control in enforcing the City's Animal Control Ordinance; and

**WHEREAS**, removal of the breed specific language will make the City Ordinance more consistent with State Law's definition of dangerous dog and potentially dangerous dog; and

**WHEREAS**, the City Council finds that the provisions of this Ordinance are necessary for the public health, safety and welfare;

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

Section 1. Section 6.05.110 of the SeaTac Municipal Code is hereby amended to read as follows:

A. "Dangerous dog" means:

1. Any dog that, when unprovoked, has inflicted bites or severe injury on a human or a domestic animal either on public or private property; or
2. Any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause severe injury or to otherwise endanger the safety of humans or domestic animals; or

3. Any dog which attacks a human being or other domestic animal without provocation,; or

~~4. Any dog known by the owner to be a Pit Bull Terrier, which shall herein be defined as any American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Terrier breed of dog or any mixed breed of dog which contains as an element of its breeding the breed of American Pit Bull Terrier, Staffordshire Bull Terrier, or American Staffordshire Terrier as to be identifiable as partially of the breed of American Pit Bull Terrier, Staffordshire Bull Terrier or American Staffordshire Terrier.~~

B. "Potentially dangerous dog" means:

1. Any dog that, when unprovoked, inflicts bites on a human or a domestic animal either on public or private property; or

2. Chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack; or

3. Any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause severe injury, or to cause injury or otherwise threaten the safety of humans or domestic animals,; or

~~4. Is known by the owner to be a Pit Bull Terrier, which shall herein be defined as any American Pit Bull Terrier, or Staffordshire Bull Terrier or American Staffordshire Terrier breed of any dog or any mix of dog which contains as an element of its breeding the breed of American Pit Bull Terrier, Staffordshire Bull Terrier or American Staffordshire Terrier as to be identifiable as partially of the breed of American Pit Bull Terrier, Staffordshire Bull Terrier or American Staffordshire Terrier.~~

C. "Severe injury" means any physical injury that result in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery.

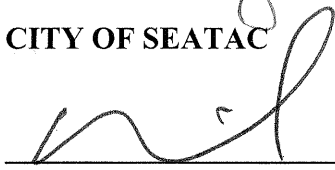
D. "Unconfined" means not securely confined indoors or not confined in a securely enclosed and locked pen or structure. Such pen or structure must have attached sides and a secure top. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than one foot.

Section 2. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

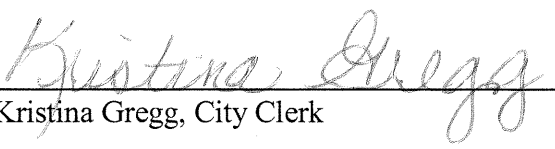
Section 3. This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

ADOPTED this 28<sup>th</sup> day of February, 2017, and signed in  
authentication thereof on this 28<sup>th</sup> day of February, 2017.

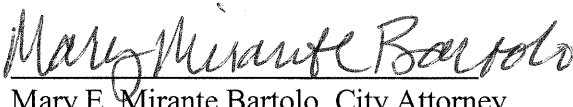
CITY OF SEATAC

  
Michael Siefkes, Mayor

ATTEST:

  
Kristina Gregg, City Clerk

Approved as to Form:

  
Mary E. Mirante Bartolo, City Attorney

[Effective Date: 3/30/2017]

[Definitions--DangerousDogs]

## **ORDINANCE NO. 17-1008**

An ORDINANCE of the City Council of the City of SeaTac, Washington, repealing SeaTac Municipal Code Sections 15.105.030, 15.105.040, 15.105.160, and 15.300.950, and amending SeaTac Municipal Code Sections 15.300.055, 15.300.410 and 15.300.460 related to zoning and public/private parking and structured parking in the City Center.

**WHEREAS**, on May 24, 2016, City Council directed the Planning Commission to review the City Center park and fly and structured parking development standards; and

**WHEREAS**, on September 27, 2016, City Council directed that the Land Use & Parks (LUP) Committee provide vision and guidance for the Planning Commission's review of the City Center park and fly and structured parking development standards; and

**WHEREAS**, on October 27, 2016, the Land Use and Parks (LUP) Committee established guiding principles for the Planning Commission's review of the City Center parking code, specifically that changes result in economically feasible and well-designed parking structures; and

**WHEREAS**, the City Center Plan, adopted in 1999 as a subarea plan of the Comprehensive Plan, identifies the encouragement of structured parking to accommodate the demand for park and fly as one of seven key issues; and

**WHEREAS**, the City Center Plan includes the following key urban design principles:

- Mix of Uses: Development should involve a mixture of different uses both within the same building and in adjacent buildings,
- Pedestrian Orientation: The ground floors of development should be designed to support pedestrian circulation and activity and, to the greatest extent possible, contain visible and accessible commercial uses,
- Public Spaces: Ample amounts of outdoor and indoor public spaces should be provided throughout the City Center. Variety of size, scale, and types of activities should be encouraged,

- Concealed Parking: Parking structures should incorporate a combination of architectural elements, landscaping, art, and lighting to diminish their visual impact,
- Distinctive Buildings: All structures within the City Center should exhibit proportions, massing, details, and materials that reflect high quality, particularly at the lower levels where such refinements are more visible to pedestrians; and

**WHEREAS**, the City Center Plan encourages multiple use facilities for visitors and residents through parking restrictions and incentive-based programs (Policy EV-1C); and

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

**WHEREAS**, on January 9, 2017, the City was granted expedited review of the proposed code amendments by the Washington State Department of Commerce, pursuant to RCW 36.70A.106; and

**WHEREAS**, on January 13, 2017, the City's SEPA Responsible Official issued a Determination of Nonsignificance (DNS) for the proposed amendments, with no comments being received or an appeal filed;

**WHEREAS**, the Planning Commission reviewed the proposed amendments to the municipal code at duly noticed open public meetings on September 20, November 1, November 15, and December 6, 2016, and

**WHEREAS**, the Land Use and Parks (LUP) Committee reviewed the aforesaid changes to the municipal code on January 26, 2017; and

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on January 17, 2017, continued to February 21, 2017, after which it rendered a recommendation of approval; and

**WHEREAS**, all of the foregoing recitals are deemed by the City Council to be findings of fact;

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

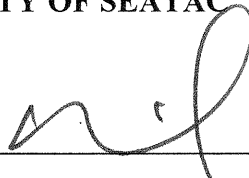
**Section 1.** Title 15 of the SeaTac Municipal Code is hereby amended as set forth in Exhibit A.

**Section 2.** The City Clerk is directed to transmit a complete and accurate copy of this Ordinance, as adopted, to the Department of Commerce within ten days after final adoption, pursuant to RCW 36.70A.106 and WAC 365-195-620.

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

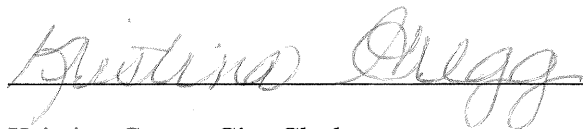
**ADOPTED** this 14<sup>th</sup> day of March, 2017, and signed in authentication thereof on this 14<sup>th</sup> day of March, 2017.

**CITY OF SEATAC**

A handwritten signature in black ink, appearing to read "M. Siefkes", is written over a horizontal line.

Michael J. Siefkes, Mayor

**ATTEST:**

A handwritten signature in black ink, appearing to read "Kristina Gregg", is written over a horizontal line.

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo

Mary Mirante/Bartolo, City Attorney

[Effective Date: 3/25/17]

[Ordinance Related to City Center Public/Private Parking and Parking Structure Zoning]

# **Exhibit A:**

## **CAM16-0007: City Center Public/Private and Structured Parking Code Amendments**

### **List of Amendments**

15.105.030 “C” Definitions

15.105.040 “D” Definitions

15.105.160 “P” Definitions

15.300.055 City Center Overlay District Use Chart

15.300.410 Off-Street Parking Requirements and Reductions

15.300.460 Structured Parking

15.300.950 Parking Bonus Incentive Program for Structured Public/Private Parking

### 15.105.030 “C” Definitions.

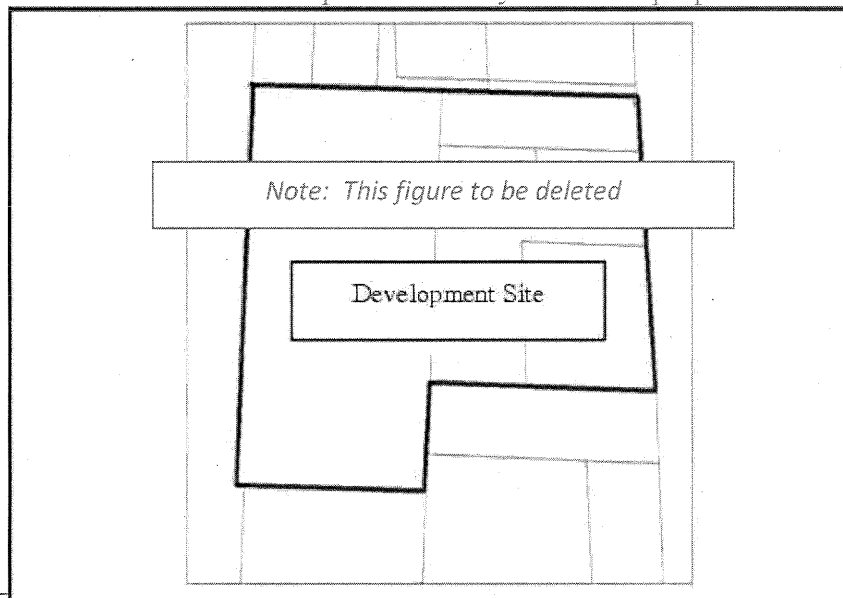
#### ~~City Center~~

~~A portion of the City of SeaTac Urban Center delineated as the City Center area on the City Center vehicular and pedestrian access plan (SMC 15.300.100, Circulation). Within the City Center area, design standards shall apply to all properties, except those zoned urban low (UL), aviation operations (AVO), and aviation commercial (AVC).~~

### 15.105.040 “D” Definitions.

#### ~~Development Site Stand Alone Parking Structures~~

~~A development site is the sum total of all parcels of property incorporated into the development at any point of time. This includes the incorporation of any additional properties into the~~



~~development site.~~

~~Figure: DEVELOPMENT SITE STAND ALONE PARKING STRUCTURES~~

### 15.105.160 “P” Definitions.

#### ~~Parking Structure, Stand-Alone~~

~~A parking structure used exclusively for the parking of motor vehicles, either public or private, for a fee for any period of time.~~

**15.300.055 City Center Overlay District Use Chart****ZONES:**

UM – Urban Medium

UH – Urban High

UH-UCR – Urban High-Urban Center Residential

NB – Neighborhood Business

CB-C – Community Business in the Urban Center

P – Permitted Use; C – Conditional Use Permit required

O/CM – Office/Commercial Medium

O/C/MU – Office/Commercial/Mixed Use

T – Townhouse

P – Park

LAND USE	UM	UH	UH-UCR	NB	CB-C	O/CM	O/C/MU	T	P	Additional Regulations
<b>MOTOR VEHICLES</b>										
Public/Private Parking				C(1,2,3)	P(1,2,3)	C(1,2,3)				<p>(1) Public/private parking lots (including park-and-fly and other commercial parking) (park-n-fly) are only permitted within a structure. Please <del>See</del> SMC 15.300.450(A) for provisions regarding public/private surface parking lot as an interim use. Please <del>See</del> SMC 15.300.460 for parking structure design and development standards.</p> <p>(2) Public/private parking lot (park-n-fly) structures are permitted up to <del>three</del> <u>twelve</u> hundred <del>(300)</del> <u>(1,200)</u> spaces as a stand-alone structure. (See SMC 15.300.460(A), <u>Parking Structures with Public/Private Parking Uses</u> for requirements regarding stand-alone structures.) Additional spaces may be added only via the incentive method defined in SMC <del>15.300.950</del> <u>15.300.460(A)(2)</u>.</p> <p>(3) Public/private parking lots shall only be allowed in 1 parking structure per developed site.</p>

**15.300.400 Parking Standards**

- A. **Purpose.** Minimize parking as a dominant land use. Parking should be screened through its placement behind structures and via landscaping.
- B. The following parking standards shall be in addition to, or, in some cases, supersede applicable parking provisions required in Chapter 15.455 SMC, Parking and Circulation. (Ord. 15-1018 § 1)

**15.300.410 Off-Street Parking Requirements and Reductions****A. Required Off-Street Parking Spaces.**

1. **Minimum Parking Requirements.** The minimum parking spaces required shall be those established in the parking chart in Chapter 15.455 SMC, Parking and Circulation.
  - a. In cases where the minimum parking standards established in SMC 15.455.120 are greater than the maximum spaces allowed in subsection (A)(2) of this section, then the parking standards within this chapter as specified in subsection (A)(2) of this section shall supersede and also serve as the minimum number of parking spaces required.
2. **Maximum Parking Requirements.**

LAND USE	MAXIMUM SPACES ALLOWED	NOTES
Where calculations result in fractions of parking spaces, the maximum number of parking stalls shall be determined by rounding up to the next whole number.		
Residential Uses		
College Dormitory	1 per bedroom unit	---
Duplex/Townhouse	2 per dwelling unit	---
Multi-Family	1 per bedroom, up to 2 per dwelling unit maximum	Unless modified by a parking plan demonstrating an increased need to serve residents.
Community Residential Facility	1 per bed	
Convalescent Center/Nursing Home	1 per 3 beds	
Retirement Apartments	1 per unit	
Recreational/Cultural Uses		
Conference/Convention Center	5 per 1,000 SF of building area	---

LAND USE	MAXIMUM SPACES ALLOWED	NOTES
Library/Museum/Cultural Facility	4 per 1,000 SF of building area	---
Community Center/Recreation Center	4 per 1,000 SF of building area	---
Sports/Fitness/Health Club	4 per 1,000 SF of building area	---
Theater	0.75 per fixed seat, plus 1 per employee	---
<b>General, Educational and Health Services Uses</b>		
General Service Uses	4 per 1,000 SF of building area	---
Educational Uses	1 per employee, plus 1 per 2 students	---
Health Services Uses	4 per 1,000 SF of building area	---
Transitional Housing	1 per 2 bedrooms	Unless modified by a parking plan demonstrating an increased need to serve residents.
<b>Government/Office, Business Uses</b>		
Business Service/Office Uses	5 per 1,000 SF of building area	Maximum parking for business service/office uses may be increased to seven and one-half (7-1/2) per one thousand (1,000) square feet of building area through the establishment of a development agreement between the City and a developer.
<b>Retail/Commercial/Manufacturing Uses</b>		
Retail Uses	4 per 1,000 SF of leasable space	---
Bed and Breakfast	1 per bedroom, plus 2 for residents	---
Hotel/Motel and Associated Uses	1 per bedroom, plus the following for associated uses:	---
• with restaurant/lounge/bar	• 4 per 1,000 SF of building area	---
• with banquet/meeting	• 5 per 1,000 SF of	---

LAND USE	MAXIMUM SPACES ALLOWED	NOTES
room	gross building area	
Manufacturing Uses	1 per employee, plus 2 per 1,000 SF of building area	---
<b>Motor Vehicles</b>		
Public/Private Parking	<p>Public/private parking is only permitted within a structure with up to 300 parking spaces. See SMC 15.300.460 for parking structure design and development standards. Additional spaces may be added only via the incentive method defined in SMC 15.300.950.</p> <p>See SMC 15.300.450 for provisions regarding public/private surface parking as an interim use.</p> <p>See SMC 15.300.460(A) for provisions related to public/private parking in structures.</p>	

B. **Parking Reductions.** See Chapter 15.455 SMC, Parking and Circulation, for available parking reductions. (Ord. 15-1018 § 1)

### **15.300.420 Off-Street Loading Requirements**

Off-street loading requirements shall be provided pursuant to Chapter 15.455 SMC, Parking and Circulation. (Ord. 15-1018 § 1)

### **15.300.430 Bicycle Parking**

Bicycle parking facility requirements shall be provided pursuant to Chapter 15.455 SMC, Parking and Circulation. (Ord. 15-1018 § 1)

### **15.300.440 General Parking Design and Construction Standards**

Parking design and construction requirements shall be provided pursuant to Chapter 15.455 SMC, Parking and Circulation. (Ord. 15-1018 § 1)

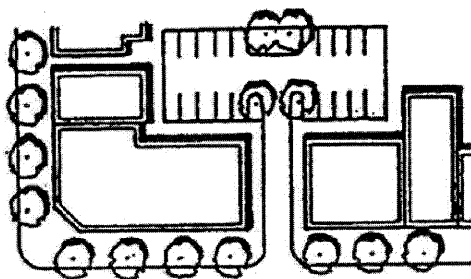
### 15.300.450 Surface Parking

A. **Public/Private Surface Parking as an Interim Use.** Public/private surface parking, as the main activity on a site, may only be allowed as an interim use subject to a development agreement specifying additional conditions as needed.

B. **Location of Surface Parking Lots.**

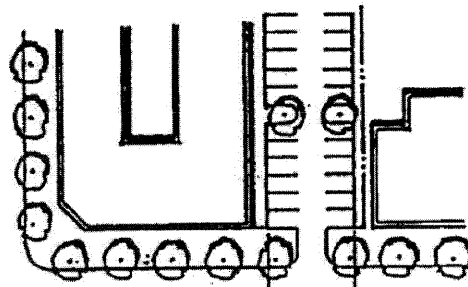
1. No parking shall be located between the building and the front property line, other than a driveway for passenger loading and off-loading only in conformance with SMC 15.300.260, Driveway Entrances, and approved by the Director. Surface parking shall be located behind a building or to the side of a building.
2. **Parking Next to Building.** Parking located next to a building and within forty (40) feet of the front property line shall not occupy more than the width of two (2) lengthwise parking stalls and one (1) travel lane, or sixty-two (62) feet, whichever is less.
3. **Parking on Corner Lots.** On corner lots, no parking shall be located between the building and either of the two (2) front property lines. If a parcel abuts more than two (2) public or private streets, no parking shall be located between the building and the front property line abutting the two (2) public and/or private streets with the highest classification.

PARKING TO REAR OF BLDG.



NO PARKING ON CORNERS

PARKING TO SIDE OF BLDG.



MAXIMUM WIDTH ↕

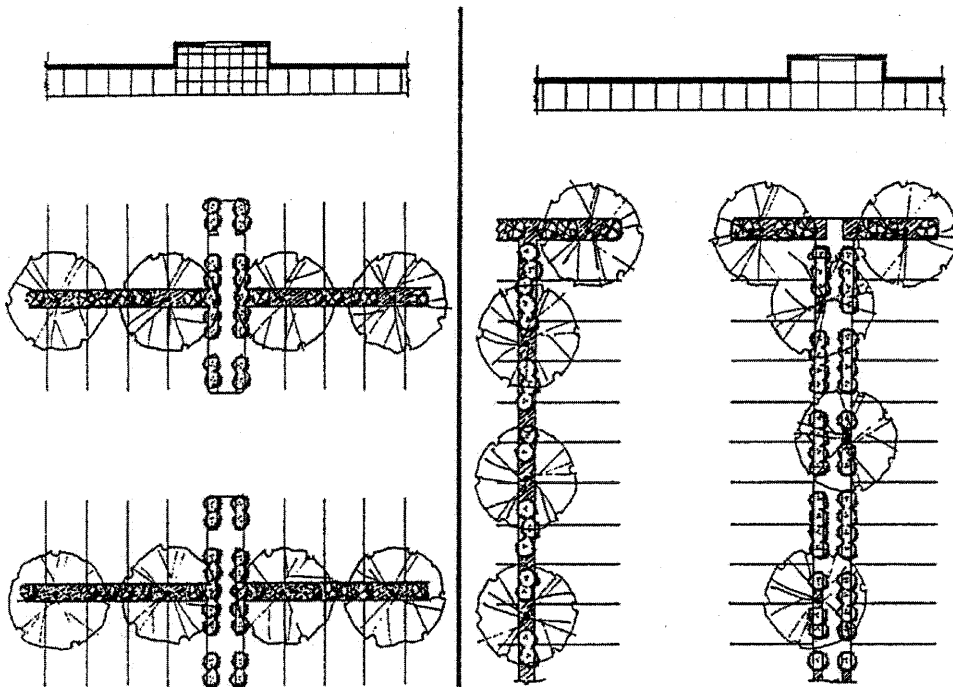
C. **Pedestrian Circulation Through Parking Lots.**

1. Surface parking lots containing one hundred (100) parking spaces or more shall provide pedestrian walkways through the parking field.
2. **Pedestrian Walkway Locations.**
  - a. For parking rows perpendicular to the principal building facade, pedestrian ways shall be located between two (2) rows of parking spaces at a minimum of one (1) pedestrian way every two hundred (200) feet.

- b. For parking rows parallel to the principal building facade, pedestrian ways shall be incorporated adjacent to a series of aligned landscape islands at a minimum of one (1) walkway every twenty-one (21) parking spaces.

### 3. Pedestrian Walkway Design.

- a. Pedestrian walkways shall be raised, and shall be a minimum of eight (8) feet wide, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to nonstreetfront building entrances or existing pedestrian ways.
- b. Clearly distinguish the pedestrian way network from car or transit circulation. This is particularly important in areas where these various travel modes intersect, such as at driveway entrances and in parking lots.
- c. Where sidewalks or walkways cross vehicular driveways, provide a continuous raised crossing, or distinguish the crossing from the driveway surface by marking with a contrasting paving material.



**Parking Rows Parallel To The  
Principal Building Facade**

**Parking Rows Perpendicular To The  
Principle Building Facade**

## 15.300.460 Structured Parking

**Purpose:** Design parking structures to blend in with adjacent development. Emphasize design features that minimize the obtrusiveness of the parking use and encourage architectural compatibility with adjacent development.

A. ~~Stand-Alone Parking Structures for~~ with Public/Private Parking Uses. ~~Stand-alone parking~~ Public/private parking is only permitted within a structure. Parking structures allowed ~~as~~ with public/private parking uses shall comply with the following ~~minimum~~ requirements:

~~1. Only one (1) stand-alone parking structure shall be allowed per development site. (Also see definition of "Development Site — Stand-Alone Parking Structures" in Chapter 15.105 SMC, Definitions.)~~

21. Parking Stall Maximum. A stand-alone parking structure containing public/private parking uses is limited to not more than one thousand twelve hundred (1,200) ~~three hundred (300)~~ parking stalls unless additional spaces are allowed under SMC 15.300.460(A)(2) ~~15.300.950~~, Parking Bonus Incentive Program for Structured Public/Private Parking.

2. Parking Bonus Incentive Program for Structured Public/Private Parking *(Note: Relocated from 15.300.950 with revisions)*

Aa. A parking allowance bonus, beyond the maximum parking specified in SMC ~~15.300.410(A)(2)~~ 15.300.460(A)(1), will be granted to those developments which provide retail/commercial, or service space beyond the requirements of SMC ~~15.300.730~~ 15.300.460(B), Ground Floor Uses in Parking Structures, residential space, or a public benefit in the form of:

- 1.i. Dedicated public right-of-way, in an arrangement and amount per parcel that conforms to the City Center vehicular and pedestrian access plan; and/or
- 2.ii. Publicly accessible on-site open space greater than the minimum ~~ten~~ five percent (~~10~~ 5%) of net site area required, ~~or an equivalent monetary contribution to the City Center open space fund;~~ and/or
- 3.iii. A ~~water feature or~~ public art display visible from the sidewalk or incorporated into publicly accessible on-site open space, as approved by the Director.

b. **Calculation of Bonus.** The formula for calculating parking bonuses above maximum allowed for on-site land uses shall be as follows:

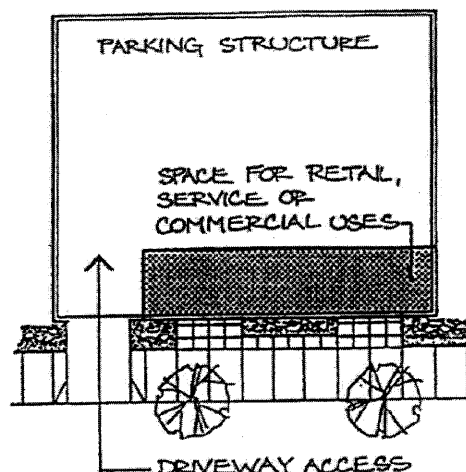
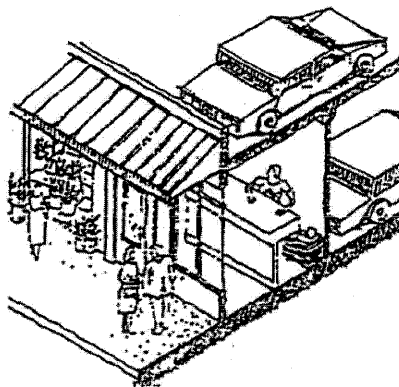
<b><u>Retail/ Commercial/ Service/ Residential Space</u></b>	Except for hotel/ <del>motel</del> uses, one (1) additional parking stall <del>will shall</del> be awarded for each <del>two hundred fifty</del> <u>twenty-five</u> ( <del>250</del> <u>25</u> ) square feet of retail/commercial, service, or residential space, in addition to the minimum ground floor retail/commercial or service space required under SMC <del>15.300.730</del> <u>15.300.460</u> (B), <u>Ground Floor Uses in Parking Structures</u> , included on the same site as part of a mixed use development at the time of construction.
<b><u>Hotel Units</u></b>	Hotel/ <del>motel</del> uses shall be awarded <u>one and one-half (1-1/2)</u> parking space per hotel/ <del>motel</del> unit, in addition to the minimum ground floor retail/commercial or service space required under SMC <del>15.300.730</del> <u>15.300.460</u> (B), <u>Ground Floor Uses in Parking Structures</u> , included on the same site as part of a mixed use development at the time of construction <del>;</del> and/or
<b><u>Dedicated Right-of-Way</u></b>	One (1) additional parking stall <del>will shall</del> be awarded for each <del>one hundred fifty (150)</del> <u>one hundred (100)</u> square feet of interconnected public right-of-way dedicated according to the City Center vehicular and pedestrian access plan.
<b><u>Open Space</u></b>	One (1) additional parking stall <del>will shall</del> be awarded for each <del>one hundred fifty (150)</del> <u>fifty (50)</u> square feet of publicly accessible on-site open space greater than the minimum <del>ten percent (10%)</del> <u>five percent (5%)</u> of net site area required. <del>To receive parking bonus in lieu of additional on-site open space, developments may contribute to the City Center open space fund in increments of equivalent monetary value.</del>
<b><u>Public Art.</u></b>	Up to sixty (60) additional parking stalls may be awarded for a <del>water feature or public art display of equivalent value visible</del> from the sidewalk or incorporated into publicly accessible on-site open space, as approved by the Director. <del>Value shall be determined by the per-square-foot market value of the underlying land multiplied by the square footage of the additional parking stalls. To be awarded the maximum of sixty (60) stalls, the value of the public art shall be equivalent to one-half of a percent (0.5%) of the total cost of the portions of the structure containing the public/private parking uses. The Director shall establish an administrative process for the consideration of public art.</del>

3. **Location of Off-Street Parking Spaces for Non-Parking Uses.** ~~Stand-alone~~Public/private parking structures implementing the parking incentive of SMC 15.300.950, Parking Bonus Incentive Program for Structured Public/Private Parking, shall locate all required off-street parking spaces for ~~the~~any retail/commercial, service, or residential use(s) adjacent to such uses. The spaces shall be reserved and clearly designated for the customers of those uses.
4. **Open Space Requirements.** Except for the following, the open space requirements in SMC 15.300.300 through 15.300.340 apply to parking structures with public/private parking uses.
  - a. **Minimum Open Space Area Required.** For public/private parking structures, the minimum requirement for usable outdoor open space accessible to the public shall be equivalent to five percent (5%) of net site area.
  - b. **Location of Open Space.** Required open space shall be located at the front of a property, or to the side of the property provided it is contiguous to the required front yard open space. Exceptions shall be made for open space incorporating Bow Lake as a focal point as described in SMC 15.300.325, Incorporating Bow Lake as a Focal Point.
- ~~4. No stand-alone parking structure shall be allowed on a development site specifically created through a commercial/industrial subdivision.~~

**B. Ground Floor Uses in Parking Structures.** *(Note: Relocated from 15.430.460(D) and revised as noted)*

1. Parking structures shall be designed so that a minimum of fifty percent (50%) of the length of the exterior ground floor facade(s) ~~facing a street with existing or projected adjacent foot traffic, excluding vehicle entrances and exits,~~ provides ground floor area ~~either built out as, or convertible to,~~ retail/commercial or service uses as defined in SMC 15.300.730, Ground Floor Uses in Mixed Use Projects.
  - a. **Minimum Depth.** The applicable ground floor area shall extend in depth a minimum of twenty (20) feet from the exterior parking structure facade; provided, that the minimum required may be averaged, with no depth less than fifteen (15) feet.
  - b. **Minimum Ceiling Height.** The minimum clear interior ceiling height standard for the retail/commercial or service use portion of parking structures shall be thirteen (13) ~~ten (10)~~ feet for all street level building space.
  - c. **Fire Suppression.** Parking structure ground floors shall include fire suppressing sprinkler systems at the time of construction.

2. ~~At the time of construction, a minimum of four hundred (400) square feet of leasable retail/commercial or service space shall be constructed and made available for occupancy. The remainder of the area necessary to fulfill the minimum retail/commercial or service use requirement specified in subsection (D)(1) of this section, but not included at the time of construction, shall employ window display cases, as specified in SMC 15.300.460, Structured Parking, subsection (C)(4)(c)(ii), to meet the transparency requirements of SMC 15.300.610(A), Ground Floor Transparency Requirements.~~
3. ~~Parking structures with ground floor retail/commercial or service uses will be granted an additional parking allowance as follows:~~
  - a. ~~The number of parking spaces displaced by the portion of the parking structure ground floor designed for retail/commercial or service uses may be added to the maximum number of allowed parking spaces established for on-site land uses.~~



#### **BC. Parking Structure Placement and/or Setbacks**

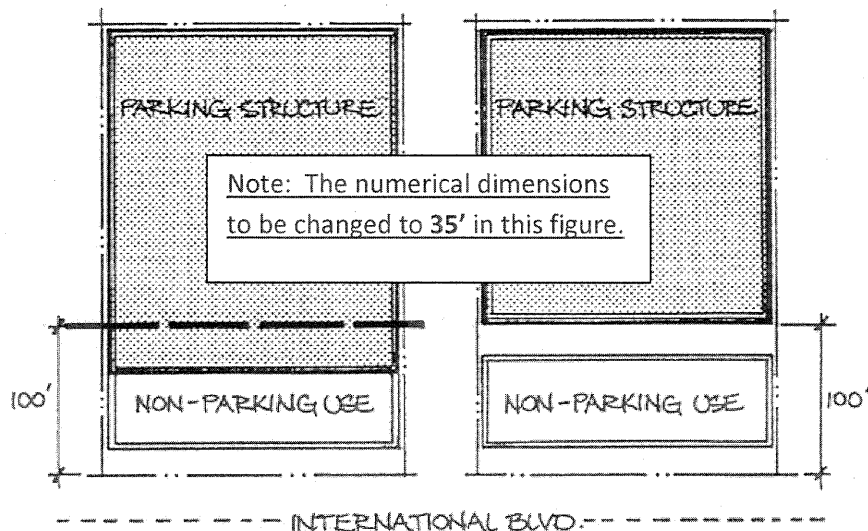
1. **Parking Structures on Properties Adjacent to International Boulevard.** Except as otherwise specified below, the provisions of this subsection shall supersede the setback standards specified in SMC 15.300.210, Building Placement/Setbacks. No parking structures shall be located within ~~one hundred (100)~~ thirty-five (35) feet of the International Boulevard ROW, except as specified below:
  - a. **Parking Structures Located Behind Non-Parking Buildings.** Parking structures located behind ~~or adjacent to~~ additional nonparking buildings facing International Boulevard may be located in a manner that meets developer needs, within the setback requirements (SMC 15.300.210, Building Placement/Setbacks) and other applicable building codes, except that portions of parking garages exceeding the height of fronting buildings shall meet the ~~one hundred (100)~~ thirty-five (35) foot requirement specified above.

b. **Parking Structures Integrated into Non-Parking Buildings.** Parking structures may be integrated into buildings built within the maximum setback (SMC 15.300.210, Building Placement/Setbacks); provided, that a retail/commercial, service, office, or residential use, or a combination of these uses, comprises the building's face for its full height on International Boulevard.

~~c. The entire space within the one hundred (100) foot setback area may be developed as a public plaza to a level of design accepted by the Director.~~

c. **Corner Lots on International Boulevards.** For corner lots on International Boulevard, the parking structure must be faced with other uses as specified in subsection (BC)(1)(b) of this section on all sides adjacent to public and/or private streets for a distance of ~~one hundred (100)~~ thirty-five (35) feet from International Boulevard.

2. **Parking Structures on Properties Adjacent to All Other City Center Public and/or Private Streets.** Parking structures shall be located within the maximum front yard setback, as specified in SMC 15.300.210, Building Placement/Setbacks, or built to the side or rear of the subject property when located behind ~~or to the side of~~ additional buildings on site.



#### **ED. Parking Structure Design**

1. The following parking structure design standards shall be in addition to or, in some cases, supersede applicable design standards in other sections in this chapter, and in Chapter 15.455 SMC, Parking and Circulation.

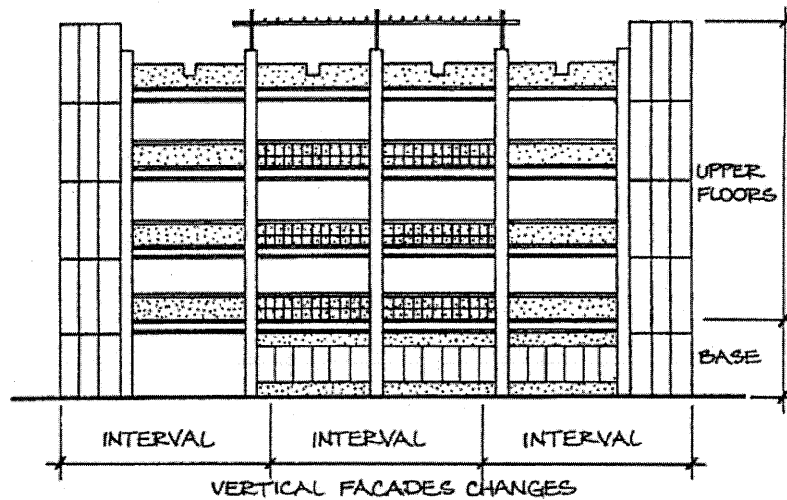
**2. Appearance and Integrated Design.**

- a. Parking structure facades facing or visible from the street shall have the appearance of a general commercial use in order to mask the building as a parking structure.
- b. Parking structures shall be architecturally integrated or designed with an architectural theme similar to other buildings on the same site.

**23. Parking Structure Character and Massing.** ~~Parking structure elevations over one hundred fifty (150) feet in length shall incorporate vertical and horizontal variation in setback, material or fenestration design along the length of any street facing façade. the applicable facade. In order to incorporate architectural variation within a project, a minimum of one (1) vertical facade change and a minimum of one (1) horizontal facade change shall be provided in the following ways:~~

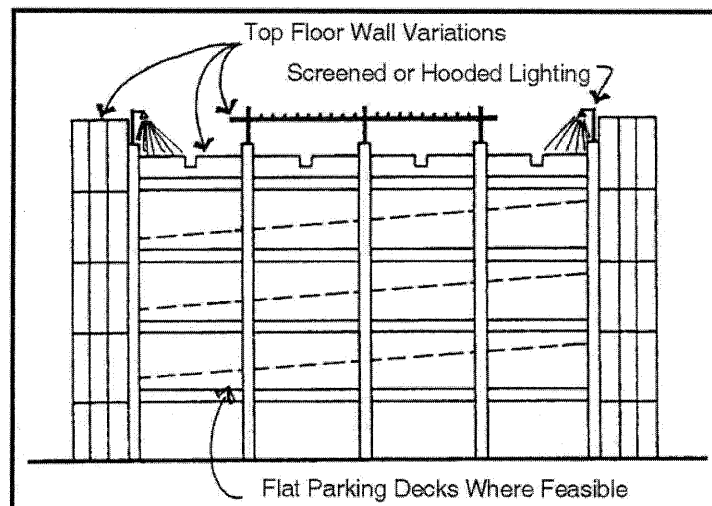
- a. **Vertical Facade Changes.** ~~Incorporate intervals~~ Intervals of architectural variation ~~shall be incorporated at least every eighty (80) forty (40) feet over the length of the applicable any street facing facade, such as:~~
  - i. Varying the arrangement, proportioning and/or design of garage floor openings;
  - ii. Incorporating changes in architectural materials;
  - iii. Projecting forward or recessing back portions or elements of the parking structure facade.
- b. **Horizontal Facade Changes.** Parking structures shall be designed ~~Designed to~~ differentiate the ground floor from upper floors, such as:
  - i. ~~Stepping back the upper floors from the ground floor parking structure facade~~ A horizontal projecting (or visible thickening) of the wall surface on the ground floor;
  - ii. Changing materials between the parking structure base and upper floors; and/or

- iii. Including a continuous cornice line ~~or pedestrian weather protection element~~ between the ground floor and upper floors.



**34. Parking Structure Top Floor Wall Design.** Parking structure top floor wall designs must conform to one (1) 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.
- 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.



**45. Parking Structure Façade Design. Minimizing Views into the Parking Structure Interior.**

a. **Facades Visible from the Street.** ~~Facades of parking structures facing a public or private visible from a street or pedestrian way as defined by SMC 15.300.120, Pedestrian Circulation Requirements, shall be designed without continuous horizontal parking floor openings.~~

~~b. For portions of parking structures without a ground floor retail, commercial, office, service or public use, a five (5) foot wide facade landscaping strip is required consisting of: *(Note: This sub-section relocated to the following sub-section of #6 below, specifically 6(b)ii.)*~~

~~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.~~

b. **Upper Floors of Parking Structures.** Minimize views into the upper floors of parking structures through one (1) or more of the following methods:

i. Screening as architectural elements on the parking structure upper floor facades; and/or

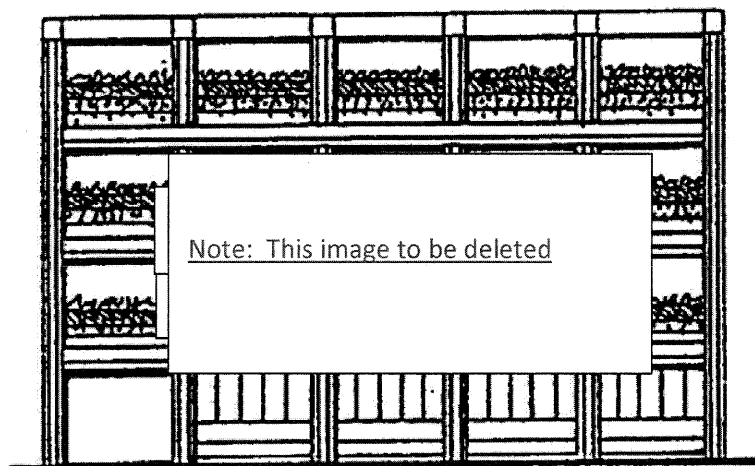
ii. Upper parking floors designed as a pattern of window-like openings on the parking structure façade.

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

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

~~ii. Glass window display cases incorporated into ground floor walls built between two (2) structural pillars. Glass window display cases shall be at least two (2) feet deep, begin twelve (12) to thirty (30) inches above the finished grade of the sidewalk, and cover at least sixty percent (60%) of the area between two (2) pillars.~~

- c. **Street Frontage Screening.** On street frontages, ramps and decks shall be fully screened from view. This can be done with screening materials such as glazing, grilles or opaque materials.
- d. ~~Upon conversion of portions of a parking structure ground floor to a retail/commercial use, the Director may approve the removal of initially installed ground floor screening material in order to allow maximum visibility and access to the converted portions of the parking structure ground floor.~~
- d. **Architectural Focal Points.** All building facades visible from public view shall contain a focal point near the main activity areas, building entrances and building corners using at least one (1) of the following methods:
  - i. Unique materials;
  - ii. Permanent public art installations;
  - iii. Tower elements with rooflines that accentuate the corner;
  - iv. Height differentiation; and/or
  - v. Variation in building massing.
- e. ~~In addition to the above, minimize views into the upper floors of parking structures through one (1) or more of the following methods:~~
  - i. ~~The use of planters integrated into the upper floors of parking structure facade design;~~
  - ii. ~~Decorative trellis work and/or screening as architectural elements on the parking structure upper floor facades; and/or~~
  - iii. ~~Upper parking floors designed as a pattern of window-like openings on the parking structure facade.~~



e. Treatment of Blank Walls. See SMC 15.300.630 (B) Treatment of Blank Walls.

~~5. Parking Floors Located Under or Within Buildings. (Note: Relocated to #8 below)~~

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



~~6. Parking Structure Lighting. (Note: Relocated to #9 below.)~~

- ~~a. In addition to the following standards, lighting of parking structures shall be provided pursuant to Chapter 17.28 SMC, Parking Structures.~~
- ~~b. Lighting on and/or within multi-level parking structures shall be screened, hooded or otherwise limited in illumination area so as to minimize excessive "light throw" to off-site areas.~~

**6. Parking Structure Ground Floor Design.**

- a. **Street Level Design.** In order to enhance building design at the street level, the following provisions shall apply: requirements for ground floor transparency and weather protection in SMC 15.300.610, Street Level Design, and building entries in SMC 15.300.620, Pedestrian Building Entries.
- b. **Ground Floor Screening of Parking Uses.**
  - i. **Ground Floor Areas Visible from Street.** Ground floor parking areas visible from a street shall be wholly screened through any combination of walls, grilles or transparent or opaque glazing, without compromising the open parking structure requirements of the Building Code.
  - ii. **Ground Floor Areas without Active Uses.** ~~15.300.460(C)(4)b.~~ For portions of parking structures without a ground floor retail, commercial, office, service or public use, a five (5) foot wide facade landscaping strip is

required 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; and ii. Ground-ground cover plantings; and iii. Seasonal displays of flowering annual bedding plants.~~

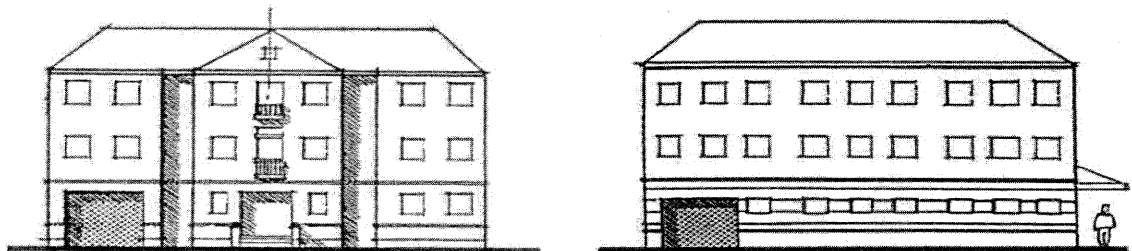
*(Note: This subsection was relocated from subsection 4(b) above [see cross-outs above], and revised as noted.)*

**7. Building Materials.** A variety of building materials shall be used such as brick, stone, timber, glazing and/or metal to add visual interest to the building(s) and reduce their perceived scale. Durable materials, such as masonry, shall be used – especially near the ground level.

- a. The following materials and features are prohibited:
  - i. Mirror glass or other highly reflective materials;
  - ii. Corrugated fiberglass;
  - iii. Chain link fencing, barbed/concertina/razor wire; and
  - iv. Bare or painted concrete as a predominant façade treatment.

**58. Parking Floors Located Under or Within Buildings.** *(Note: Relocated from #5 of this section to #8 with revisions.)*

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



**69. Parking Structure Lighting.** *(Note: Relocated from #6 of this section to #9)*

- a. In addition to the following standards, lighting of parking structures shall be provided pursuant to Chapter 17.28 SMC, Parking Structures.
- b. Lighting on and/or within multi-level parking structures shall be screened, hooded or otherwise limited in illumination area so as to minimize excessive “light throw” to off-site areas.

~~D. Ground Floor Uses in Parking Structures. (Note: Relocated to 15.300.460(B))~~

~~1. Parking structures shall be designed so that a minimum of fifty percent (50%) of the length of the exterior ground floor facade(s) with existing or projected adjacent foot traffic, excluding vehicle entrances and exits, provides ground floor area either built-out as, or convertible to, retail/commercial or service uses.~~

~~a. Minimum Depth. The applicable ground floor area shall extend in depth a minimum of twenty (20) feet from the exterior parking structure facade; provided, that the minimum required may be averaged, with no depth less than fifteen (15) feet.~~

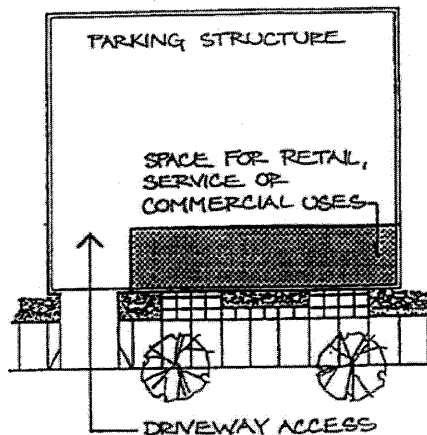
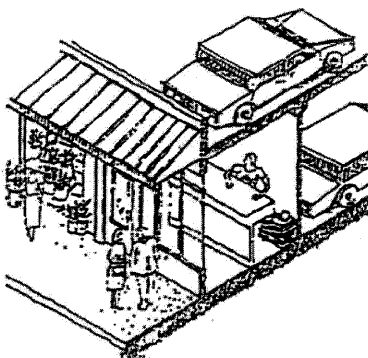
~~b. Minimum Ceiling Height. The minimum clear interior ceiling height standard for the retail/commercial or service use portion of parking structures shall be ten (10) feet for all street level building space.~~

~~c. Fire Suppression. Parking structure ground floors shall include fire suppressing sprinkler systems at the time of construction.~~

~~2. At the time of construction, a minimum of four hundred (400) square feet of leasable retail/commercial or service space shall be constructed and made available for occupancy. The remainder of the area necessary to fulfill the minimum retail/commercial or service use requirement specified in subsection (D)(1) of this section, but not included at the time of construction, shall employ window display cases, as specified in SMC 15.300.460, Structured Parking, subsection (C)(4)(c)(ii), to meet the transparency requirements of SMC 15.300.610(A), Ground Floor Transparency Requirements.~~

~~3. Parking structures with ground floor retail/commercial or service uses will be granted an additional parking allowance as follows:~~

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



NOTE: This section has been revised and relocated to SMC 15.300.460 Parking Structures.

**~~15.300.950 Parking Bonus Incentive Program for Structured Public/Private Parking~~**

- ~~A. A parking allowance bonus, beyond the maximum parking specified in SMC 15.300.410(A)(2), will be granted to those developments which provide retail/commercial or service space beyond the requirements of SMC 15.300.730, or a public benefit in the form of:~~
- ~~1. Dedicated public right of way, in an arrangement and amount per parcel that conforms to the City Center vehicular and pedestrian access plan; and/or~~
  - ~~2. Publicly accessible on-site open space greater than the minimum ten percent (10%) of net site area required, or an equivalent monetary contribution to the City Center open space fund; and/or~~
  - ~~3. A water feature or public art display incorporated into publicly accessible on-site open space, as approved by the Director.~~
- ~~B. The formula for calculating parking bonuses above maximum allowed for on-site land uses shall be as follows:~~
- ~~1. One (1) additional parking stall will be awarded for each one hundred fifty (150) square feet of interconnected public right of way dedicated according to the City Center vehicular and pedestrian access plan;~~
  - ~~2. One (1) additional parking stall will be awarded for each one hundred fifty (150) square feet of publicly accessible on-site open space greater than the minimum ten percent (10%) of net site area required. To receive parking bonus in lieu of additional on-site open space, developments may contribute to the City Center open space fund in increments of equivalent monetary value;~~
  - ~~3. Except for hotel/motel uses, one (1) additional parking stall will be awarded for each two hundred fifty (250) square feet of retail/commercial, service, or residential space, in addition to the minimum ground floor retail/commercial or service space required under SMC 15.300.730, included on the same site as part of a mixed-use development at the time of construction;~~
  - ~~4. Hotel/motel uses shall be awarded one half (1/2) parking space per hotel/motel unit, in addition to the minimum ground floor retail/commercial or service space required under SMC 15.300.730, included on the same site as part of a mixed-use development at the time of construction; and/or~~
  - ~~5. Up to sixty (60) additional parking stalls may be awarded for a water feature or public art display of equivalent value incorporated into publicly accessible on-site open space, as approved by the Director. Value shall be determined by the per square foot market value of the underlying land multiplied by the square footage of the additional parking stalls.~~

## **AB4528: City Center Public/Private & Structured Parking Amendments**

### **Attachment 1: Review Dates**

#### **Planning Commission:**

Reviews: 09/20/16, 11/1/16, 11/15/16, 12/06/16

Recommendation: 02/21/17

#### **Public Hearing:**

01/17/17, Continued Public Hearing 02/21/17

#### **Land Use & Parks (LUP) Committee:**

10/27/16, 01/26/17

#### **Council Study Session:**

9/27/16

**ORDINANCE NO. 17-1009**

AN ORDINANCE of the City Council of the City of SeaTac, Washington vacating a portion of the easterly side of 28th Avenue South located generally between the 20100 block and South 204th Street.

**WHEREAS**, during construction of the Angle Lake Light Rail Station, it was discovered that there was uncertainty regarding the legal documents describing the location of 28<sup>th</sup> Avenue South and the road's actual location as constructed; and

**WHEREAS**, it was determined that the best way to resolve this uncertainty was to complete the new 28<sup>th</sup> Avenue South street improvements, and then redefine the easterly edge of this road based on the actual location of these new street improvements; and

**WHEREAS**, redefining the easterly edge of 28<sup>th</sup> Avenue South generally between the 20100 block and South 204<sup>th</sup> Street is best accomplished through a street vacation process, which will resolve this issue without litigation; 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. 17-001, that fixed the public hearing for March 14, 2017, to be followed by Council action; and

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

**WHEREAS**, the Council finds that vacation of the aforesaid portion of the right-of-way, as legally described and depicted in Exhibit "A" 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 easterly side of 28<sup>th</sup> Avenue South, located generally between the 20100 block and South 204<sup>th</sup> Street, which is described and depicted in Exhibit "A" to this Ordinance (Vacated Right-of Way), within the City of SeaTac, is hereby vacated in favor of the abutting property owners, as provided in Exhibit "A."

Section 2. Reservation of Easements. Notwithstanding Section 1 of this Ordinance, all existing utility easements located within the Vacated Right-of Way are reserved until released by the Grantees thereof. Additionally, the City reserves the right to exercise and grant easements with respect to the Vacated Right-of Way for the construction, repair, and maintenance of public utilities and services.

Section 3. Compensation. No compensation is required, as this resolves a legal dispute regarding the ownership of the vacated property.

Section 4. Codification and Recordation. This Ordinance shall not be codified in the SeaTac Municipal Code. 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 5. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after passage and publication.

**ADOPTED** this 28<sup>th</sup> day of March, 2017, and signed in authentication thereof on this 28<sup>th</sup> day of March, 2017.

**CITY OF SEATAC**

  
\_\_\_\_\_  
Michael Siefkes, Mayor

ATTEST:

Kristina Gregg  
Kristina Gregg, City Clerk

Approved as to Form:

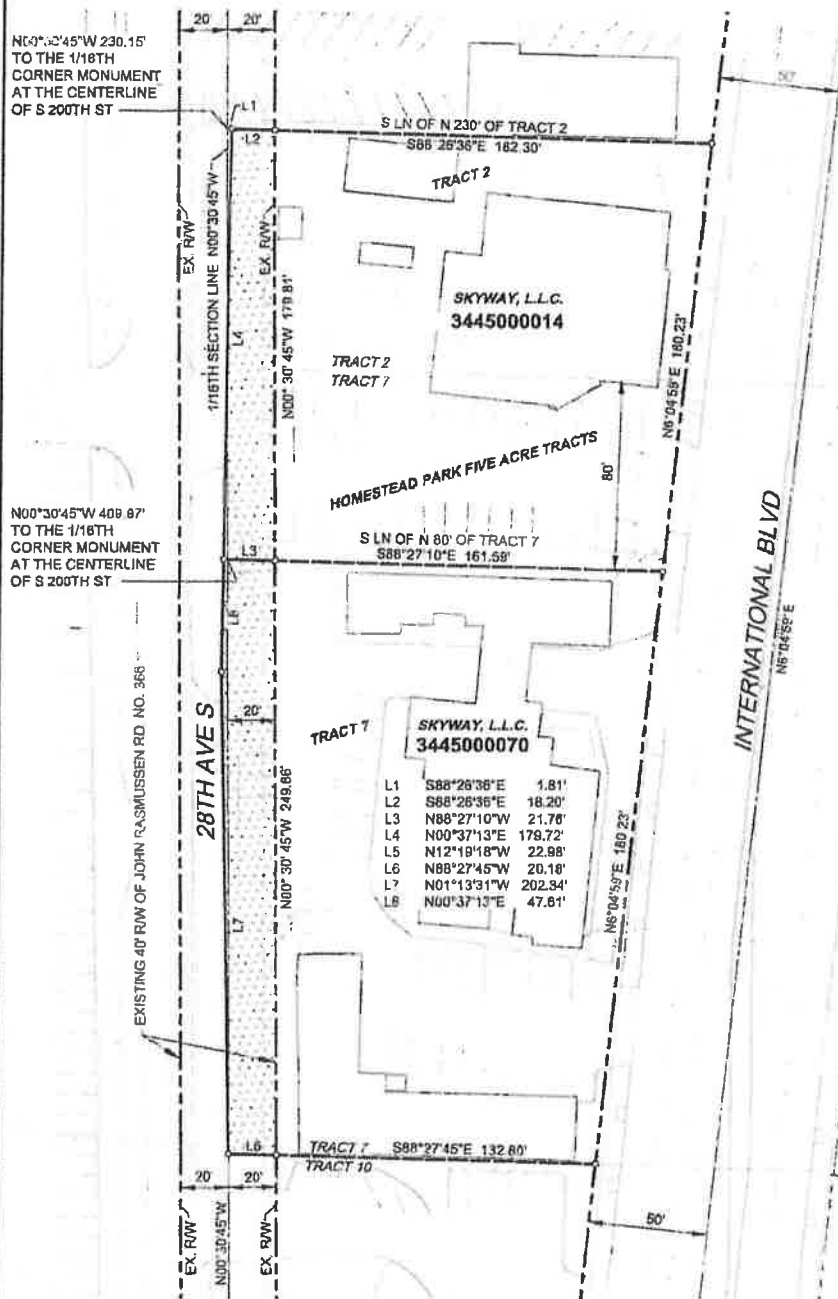
Mary Mirante Bartolo  
Mary Mirante Bartolo, City Attorney

[Effective Date: 5/3/2017 ]

[Vacation of So. 190<sup>th</sup> St/32<sup>nd</sup> Ave S]

# **EXHIBIT A**

PORTION OF THE NE 1/4 SE1/4 SEC 4, T 22 N, R 4 E; W.M.

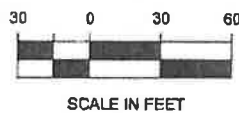


EXISTING PARCEL 3445000014 = 30,896± SQ. FT., CONVEYANCE AREA = 3,691 SQ. FT.  
 EXISTING PARCEL 3445000070 = 38,752± SQ. FT., CONVEYANCE AREA = 5,392 SQ. FT.

CONVEYANCE AREA



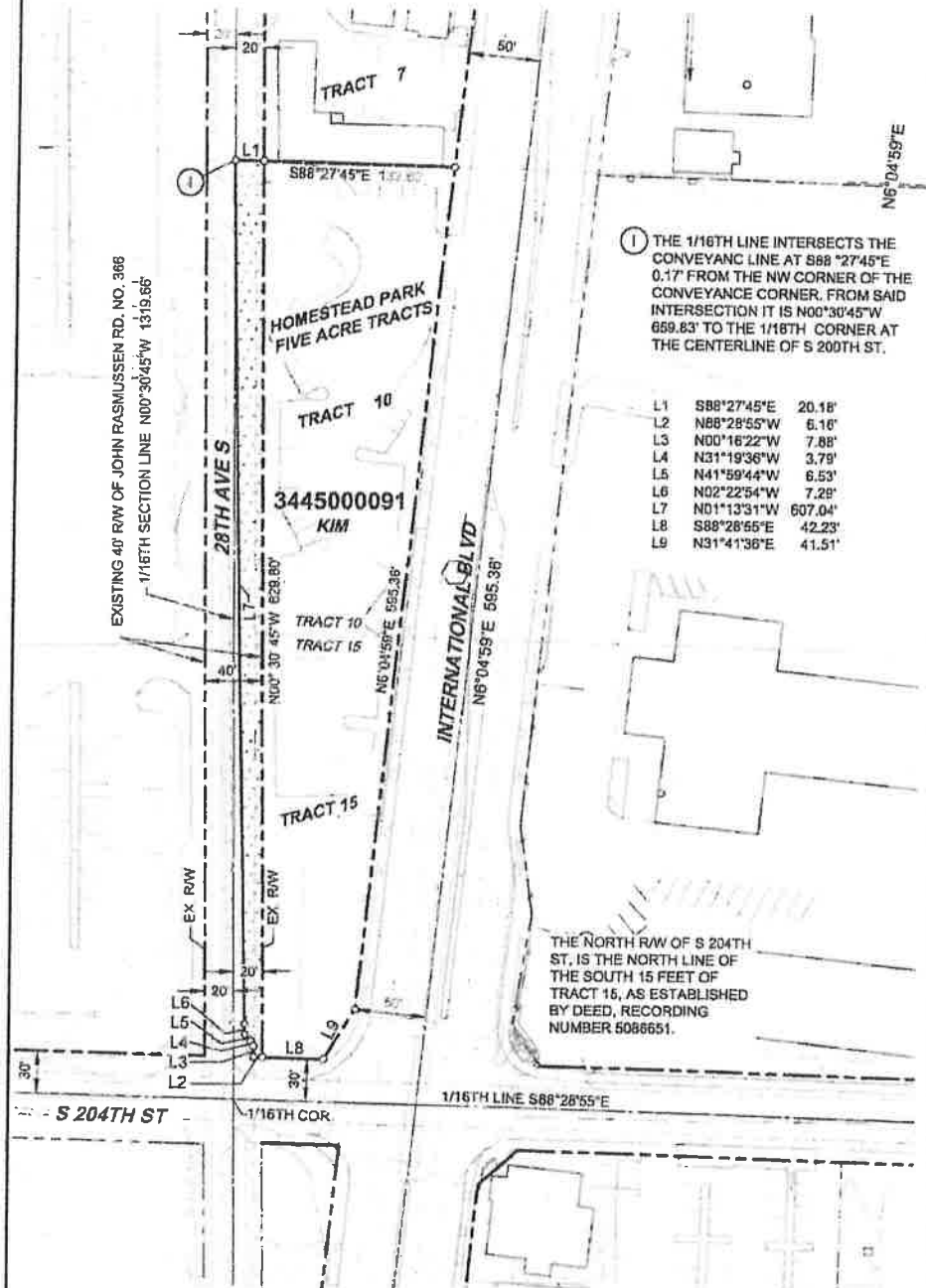
**L & A** LIN & ASSOCIATES  
 LINK LIGHT RAIL PROJECT



ASSESSOR NO: 3445000014 & 3445000070  
 OWNER: SKYWAY, LLC  
 BLOCK NO: N/A  
 CITY OF SEATAC

DATE: 1/20/17  
 LOT NO: 7 & 10  
 KING COUNTY, WA

PORTION OF THE NE 1/4 SE1/4 SEC 4, T 22 N, R 4 E; W.M.



EXISTING PARCEL 3445000091 = 60,425± SQ. FT., CONVEYANCE AREA = 10,156 SQ. FT.

**SOUNDTRANSIT**

**L & A** LIN & ASSOCIATES

LINK LIGHT RAIL PROJECT



CONVEYANCE AREA

SCALE IN FEET

50 0 50 100

NAD 83 (91)

ASSESSOR NO.: 3445000091

OWNER: KIM, JONG G. & HYUN S.

BLOCK NO.: N/A

CITY OF SEATAC

DATE: 1/20/17

LOT NO.: 10 & 15

KING COUNTY, WA

**SKYWAY LLC, EXISTING PARCEL 3445000070:**

THE SOUTH 250 FEET OF THAT PORTION OF TRACT 7 OF HOMESTEAD PARK FIVE ACRE TRACTS, AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 88, RECORDS OF KING COUNTY, LYING WESTERLY OF STATE HIGHWAY NO. 1;

EXCEPT THE WEST 5 FEET THEREOF LYING WITHIN 28<sup>TH</sup> AVENUE SOUTH, AS CONVEYED AUGUST 8, 1893, TO KING COUNTY BY DEED FILED IN VOLUME 8 OF ROAD DEEDS, PAGE 123;

SITUATE IN THE CITY OF SEATAC, COUNTY OF KING, STATE OF WASHINGTON.

**Area to be Conveyed to Parcel 3445000070:**

That portion of the existing 40-foot wide Right-of-Way of 28<sup>th</sup> Avenue South in the Northeast Quarter of the Southeast Quarter of Section 4, Township 22 North, Range 4 East, W.M., conveyed to King County according to the Deed for Rasmussen Road No. 366, in King County Road Book Volume 8, page 123, described as follows:

Commencing at the Northwest corner of said section subdivision;

Thence S00°30'45"E along the west line of said subdivision a distance of 409.97 feet to a point on the westerly projection of the South line of the North 80 feet of Tract 7, Homestead Park Five Acre Tracts, according to the plat thereof recorded in Volume 7 of Plats, Page 88, in King County, Washington, said point being the **True Point of Beginning**;

Thence S88°27'10"E along said projected line a distance of 20.01 feet to the existing East margin of 28<sup>th</sup> Avenue South as Established in Volume 8 of Roads, on Page 123;

Thence S00°30'45"E along said margin a distance of 249.86 feet to the South line of Tract 7 of said Homestead Park Five Acre Tracts;

Thence N88°27'45"W along said South line, and along its Westerly projection, a distance of 20.18 feet;

Thence N00°13'31"W a distance of 202.34 feet;

Thence N00°37'13"E a distance of 47.61 feet to a point on the westerly projection of the South line of the North 80 feet of said Tract 7;

Thence S88°27'10"E along said projected line a distance of 1.75 feet to the **True Point of Beginning**.

Containing 5,392 square feet, more or less.

*Earl J. Bone 2/7/17*

**SKYWAY LLC, EXISTING PARCEL 3445000014:**

THAT PORTION OF TRACT 2, HOMESTEAD PARK FIVE ACRE TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 88, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING ON THE EASTERLY LINE OF MICHIGAN AVENUE, AS SHOWN UPON SAID PLAT AT A POINT WHICH IS 200 FEET SOUTH OF THE SOUTH LINE OF THE J.A. MANION ROAD;  
THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID J.A. MANION ROAD, 215 FEET, MORE OR LESS, TO THE WESTERLY LINE OF STATE ROAD NO. 1;  
THENCE SOUTH ALONG SAID WESTERLY LINE TO THE SOUTH LINE OF SAID TRACT 2;  
THENCE WEST ALONG SAID SOUTH LINE TO THE EAST LINE OF MICHIGAN AVENUE;  
THENCE NORTH ALONG SAID WEST LINE TO THE POINT OF BEGINNING;

TOGETHER WITH THE NORTH 80 FEET OF THE PORTION OF TRACT 7, HOMESTEAD PARK FIVE ACRE TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 88, IN KING COUNTY, WASHINGTON, LYING WEST OF STATE HIGHWAY NO. 1;

EXCEPT THAT PORTION THEREOF LYING WITHIN THE RIGHT OF WAY OF 28TH AVENUE SOUTH, AS ESTABLISHED IN VOLUME 8 OF ROADS, ON PAGE 123.

**Area to be Conveyed to Parcel 3445000014:**

That portion of the existing 40-foot wide Right-of-Way of 28<sup>th</sup> Avenue South in the Northeast Quarter of the Southeast Quarter of Section 4, Township 22 North, Range 4 East, W.M., conveyed to King County according to the Deed for Rasmussen Road No. 366, in King County Road Book Volume 8, page 123, described as follows:

Commencing at the Northwest corner of said section subdivision;  
Thence S00°30'45"E along the west line of said subdivision a distance of 230.15 feet to a point on the westerly projection of the South line of the North 230 feet of Tract 2, Homestead Park Five Acre Tracts, according to the plat thereof recorded in Volume 7 of Plats, Page 88, in King County, Washington;  
Thence S88°26'36"E along said projected line a distance of 1.81 feet to the **Point of Beginning**;  
Thence continuing S88°26'36"E 18.80 feet to the existing East margin of 28<sup>th</sup> Avenue South as Established in Volume 8 of Roads, on Page 123;  
Thence S00°30'45"E along said margin a distance of 179.81 feet to the South line of the North 80 feet of Tract 7 of said Homestead Park Five Acre Tracts;  
Thence N88°27'10"W along said South line, and along its Westerly projection, a distance of 21.76 feet;  
Thence N00°37'13"E a distance of 179.72 feet to the **Point of Beginning**.

Containing 3,591 square feet, more or less.

*Earl J. Bone 2/7/17*

**KIM, EXISTING PARCEL 3445000091:**

THAT PORTION OF LOTS 10 AND 15 OF HOMESTEAD FIVE ACRE TRACTS, AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 88, RECORDS OF KING COUNTY; LYING WESTERLY OF STATE ROAD NO. 1 (PACIFIC HIGHWAY SOUTH), AS CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER RECORDING NO. 2014205;

EXCEPT THE SOUTH 15 FEET OF LOT 15 CONVEYED TO KING COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER RECORDING NO. 5086651;

AND EXCEPT THAT PORTION OF SAID PREMISES LYING WITHIN 28TH AVE. SO. AS ESTABLISHED IN VOLUME 8 OF COMMISSIONS RECORDS ON PAGE 135;

EXCEPT THAT PORTION CONVEYED TO CITY OF SEATAC, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON FOR ROAD PURPOSES AS RECORDED IN DEED UNDER RECORDING NUMBER 20041203000420;

SITUATE IN THE CITY OF SEATAC, COUNTY OF KING, STATE OF WASHINGTON.

**Area to be Conveyed to Parcel 3445000091:**

That portion of the existing 40-foot wide Right-of-Way of 28<sup>th</sup> Avenue South in the Northeast Quarter of the Southeast Quarter of Section 4, Township 22 North, Range 4 East, W.M., conveyed to King County according to the Deed for Rasmussen Road No. 366, in King County Road Book Volume 8, page 123, described as follows:

Commencing at the Northwest corner of said section subdivision;

Thence S00°30'45"E along the west line of said subdivision a distance of 659.83 feet to a point on the westerly projection of the North line of Tract 10, Homestead Park Five Acre Tracts, according to the plat thereof recorded in Volume 7 of Plats, Page 88, in King County, Washington, said point being the **True Point of Beginning**;

Thence S88°27'45"E along said projected line a distance of 20.01 feet to the existing East margin of 28<sup>th</sup> Avenue South as Established in Volume 8 of Roads, on Page 123;

Thence S00°30'45"E along said margin a distance of 629.80 feet to a point on the North line of the South 15 feet of Tract 15 of said Homestead Park Five Acre Tracts, said point being the current intersection of the East margin of 28<sup>th</sup> Avenue South and the North margin of South 204<sup>th</sup> Street as conveyed by Deed Recording Number 5086651;

Thence N88°28'55"W, along the Westerly prolongation of said North line and margin, a distance of 6.16 feet;

Thence N00°16'22"W a distance of 7.88 feet;

Thence N31°19'36"W a distance of 3.79 feet;

Thence N41°59'44"W a distance of 6.53 feet;

Thence N02°22'54"W a distance of 7.29 feet;

Thence N01°13'31"W a distance of 607.04 feet to a point on the westerly projection of the North line of said Tract 10;

Thence S88°27'45"E along said projected line a distance of 0.17 feet to the **True Point of Beginning**.

Containing 10,159 square feet, more or less.

*Earl J. Bone 2/7/17*

**ORDINANCE NO. 17-1010**

AN ORDINANCE of the City Council of the City of SeaTac, Washington related to Citizen Advisory Committees, Commissions, and Boards; repealing City Council Resolution Nos. 98-010, 05-014, and 16-010; repealing SeaTac Municipal Code Chapters 2.15, 2.26 2.46 and 2.100; and amending SeaTac Municipal Code Chapter 3.80.

**WHEREAS**, RCW 35A.13.080(2) authorizes the City Council to provide for appointment of certain citizens' committees, commissions, and boards advisory to the City Council; and

**WHEREAS**, pursuant to the said authority, the City Council, by Resolutions and Ordinances created certain advisory committees, commissions, and boards; and

**WHEREAS**, in order to provide clarity and consistency, it is the intent of this Ordinance to make changes to or re-establish advisory committees, commissions, and boards, and repeal previous Ordinances and Resolutions that are inconsistent with this Ordinance;

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

**Section 1. Establishment.** The following Citizen Advisory Committees, Commissions, and Boards shall serve in an advisory capacity to the City Council:

1. Airport Advisory Committee;
2. Arts, Culture, and Library Advisory Committee;
3. Community Services Advisory Committee;
4. Hotel-Motel Tax Advisory Committee;
5. LEOFF 1 Disability Board;
6. Planning Commission;
7. Senior Citizen Advisory Committee;

8. Sidewalk Advisory Committee; and

9. Tree Board.

**Section 2. Appointment.** All members will be appointed by the Mayor and confirmed by the City Council, unless otherwise specified by law. All members to be appointed or re-appointed must provide an updated application, including background check form. All applicants will be interviewed by the Mayor and/or other Councilmembers or staff as determined by the Mayor, except any person that was interviewed for the same position by the current Mayor may be re-appointed without being interviewed. This Section shall not apply to sitting Councilmembers.

**Section 3. Chairperson, Vice-Chairperson and Rules of Procedure.** Each Citizen Advisory Committee, Board, or Commission shall elect its own Chairperson and Vice-Chairperson, unless otherwise specified in this Chapter or by law, and may establish bylaws or rules of procedures as long as they do not conflict with this Chapter or any applicable law.

**Section 4. Quorum.** A majority of the appointed members of each Citizen Advisory Committee, Board, or 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 a Citizens' Advisory Committee, Board, or Commission shall be deemed to be the action of the Committee.

**Section 5. Staff Liaison and Support.** The City Manager shall designate a City employee to act as staff liaison to each Advisory Committee, Board, or Commission. The staff liaison shall produce, in cooperation with the Chair, an agenda for distribution to the Committee, Board, or Commission and the public. The staff liaison shall attend each meeting of the Advisory Committee, Board, or Commission, and shall take and publish minutes of each meeting. The staff liaison shall provide copies of the agenda, and the published minutes of meetings by posting them to the website calendar appointment for the meeting. Prior to consideration of any topic, the staff liaison person shall prepare and provide to each Committee, Board, or Commission member a staff report and documentary information, as may be appropriate.

**Section 6. Annual Update to City Council.** Each Citizen Advisory Committee, Board, or Commission shall provide an annual update to the City Council during a City Council meeting or in writing.

**Section 7. Youth Membership.** The Mayor may appoint a qualified youth member to the Community Services Advisory Committee, Arts, Culture, and Library Advisory Committee, Sidewalk Advisory Committee, and the Airport Advisory Committee. If a youth member is not found, the position may be filled by a resident. Any youth member must be a student residing in the City, and be between the ages of 16 and 18 at the time of appointment.

**Section 8. Terms.** Members shall serve for a term of three (3) years, unless otherwise specified in this chapter. This Section shall not apply to sitting Councilmembers.

**Section 9. Vacancies.** All vacancies, including current positions with terms ending, will be open for qualified individuals to apply. If a vacancy occurs during a current term, a qualified successor shall be appointed to serve the remainder of the unexpired term. If the unexpired term is six (6) months or less, the appointee will be appointed to fill the unexpired term plus one full term. If a successor has not yet been appointed at the end of an appointed term, the current member may serve past the end of their appointed term until a successor has been appointed.

**Section 10. Absences.** If a member is absent, without prior notification and excuse, from three consecutive regularly scheduled meetings, the Council shall be notified by the City Manager of the circumstances. In such circumstances, the City Council may declare the position held by that member vacant and allow new member to be appointed by Mayor for the remainder of the unexpired term, subject to confirmation by the City Council.

**Section 11. Compensation.** The members of the Advisory Committees, Board, or Commission shall serve without compensation.

**Section 12. Expenses.** The City Council may appropriate funds within the budget of an appropriate City Department to provide for staff support and supplies for use of the Advisory Committees, Board, or Commission, as approved by the Department Director. The City Manager shall provide to each Advisory Committee, Board, or Commission adequate space and facilities and necessary supplies to facilitate the official business of the Committee.

**Section 13. Council Review.** The City Council reserves the right to review the conduct, acts and decisions made by the Committees, Boards, or Commissions, as authorized by law.

**Section 14. Open Public Meetings Act (OPMA) Training.** In accordance with RCW 42.30.205, all members of Citizen Advisory Committees, Commissions, and Boards must complete OPMA training within 90 days of the commencement of a term or assuming duties. The City Clerk shall be responsible for ensuring compliance with this Section.

**Section 15. Airport Advisory Committee.**

**A. Duties and Responsibilities.** The Airport Advisory Committee acts in an advisory capacity to the City Council with the following purposes:

1. To discuss both the positive and negative impacts of the Sea-Tac International Airport in the City of SeaTac;
2. To discuss land use issues related to Sea-Tac Airport, including the impacts on the City of SeaTac, including but not limited to the South Aviation Support Area (SASA), the International Arrivals Facility, and Airport Access;
3. To discuss agreements between the City of SeaTac and the Port of Seattle related to Sea-Tac Airport including, but not limited, to any Interlocal Agreements;

4. To discuss mitigations of the Airport impacts including, but not limited, to traffic mitigation, surface water management, parking, and the payment of impact fees;
5. To make recommendations to the City Council regarding ways to protect residents and businesses from negative airport impacts;
6. To make recommendations to the City Council regarding ways for residents and businesses to take advantage of positive airport impacts; and
7. To address other airport related issues as deemed appropriate by the Committee or the City Council.

**B. Membership.** The Airport Advisory Committee shall consist of nine (9) members composed of:

1. Three (3) sitting Councilmembers, one (1) of which will be Chair appointed by the Mayor;
2. Three (3) members from the SeaTac business community; and
3. Three (3) members who reside in the City of SeaTac, one of which can be a youth member.

#### **Section 16. Arts, Culture, and Library Advisory Committee.**

**A. Duties and Responsibilities.** The Arts, Culture and Library Advisory Committee acts in an advisory capacity to the City Council with the following purposes:

1. Make recommendations pertaining to art and culture to the community and creating a bridge between the SeaTac community and the Valley View Library;
2. Inform the City Council in matters of the arts, culture and library related activities and programs;
3. Represent the interest of the community pertaining to the arts, culture and library;
4. Develop cooperation with schools, local, regional, state and national art and cultural related organizations;
5. Solicit grants and resources to enhance and promote related programs;
6. Advocate for increased access and consciousness to art, culture and library programs;
7. Facilitate community dialogue and education on issues including literacy, diversity and intellectual freedom;

8. Establish and administer an Arts and Cultural Master Plan; and
9. Work with King County 4Culture Grant program for funding sources.

**B. Membership.** The Arts, Culture, and Library Advisory Committee shall consist of seven (7) members composed of:

1. Individuals who work or reside in the City, one of which can be a youth member.

#### **Section 17. Community Services Advisory Committee.**

**A. Duties and Responsibilities.** The Community Services Advisory Committee acts in an advisory capacity to the City Council with the following purposes:

1. Make reports and recommendations to the City Council concerning community service issues;
2. Bring committee members, leaders and businesses to address issues related to community service;
3. Review City actions which may affect the accessibility or quality of community services available to City residents;
4. Seek volunteers who are interested in performing service in our community;
5. Evaluate funding request and make recommendations on funding human service agencies and organizations;
6. Help volunteers find projects in which that can serve the community;
7. Connect volunteers with agencies or groups who conduct community service projects in the City;
8. Connect agencies or groups with service projects in our community;
9. Address other community service issues as deemed appropriate by the Committee;
10. Review and recommend community service plans and policies, including the human service element of the City's comprehensive plan; and
11. Participate in collaborative planning efforts involving citizen groups, human service agencies and local organizations.

**B. Membership.** The Community Services Advisory Committee shall consist of seven (7) members composed of:

1. Individuals who work or reside in the City, one of which can be a youth member.

## **Section 18. Hotel-Motel Tax Advisory Committee.**

**A. Duties and Responsibilities.** The Hotel-Motel Tax Advisory Committee acts in an advisory capacity to the City Council with the following purposes:

1. Perform functions as the City's Lodging Tax Advisory Committee, as required by RCW 67.28.1817, for the purposes set forth in Chapter 67.28 RCW;
2. Any proposed imposition of a Hotel-Motel Tax, any proposed increase in the rate of the Hotel-Motel Tax, any proposed repeal of an exemption from the tax, and any proposed change in the use of revenue received from the Hotel-Motel Tax shall be submitted to the Committee for review and comment, at least forty-five days before final action on or passage of the proposal by the Council;
3. Hold public hearings and solicit public comments if necessary;
4. Submit to the City Council comments on any proposal in a timely manner through generally applicable public comment procedures, which shall include an analysis of the extent to which the proposal will accommodate activities for tourists or increased tourism, and the extent to which the proposal will affect the long-term stability of the fund established for receipt of revenue from the Hotel-Motel Tax.

**B. Membership.** The Hotel-Motel Tax Advisory Committee shall consist of nine (9) members composed of:

1. The Chair, who shall be a sitting Councilmember appointed by the Mayor;
2. Four (4) representatives of businesses located within the City required to collect the Lodging Tax; and
3. Four (4) persons involved in activities authorized to be funded by revenue received from the Lodging Tax.

Persons who are eligible for appointment under B(2) of this Section are not eligible for appointment under B(3) of this Section. Persons who are eligible for appointment under B(3) of this Section are not eligible for appointment under B(2) of this Section.

**C. Annual Council Review.** As required by RCW 67.28.1817(1), the City Council shall annually review the membership of the Committee, and shall make such changes to the number of members appointed to the Committee as the Council may deem appropriate. In no event shall the number of Committee members be reduced to less than five (5).

## **Section 19. LEOFF 1 Disability Board.**

**A. Duties and Responsibilities.** The LEOFF 1 Disability Board approves medical claims for active and retired fire and LEOFF 1 members, and approves disability leaves and retirements for

active fire and police LEOFF 1 members in accordance with provisions of RCW 41.26, WAC 415-105, and the City of SeaTac Disability Board policies and procedures.

**B. Membership.** The LEOFF 1 Disability Board shall consist of five (5) members, composed of:

1. Two (2) shall be sitting Councilmembers appointed the Mayor;
2. One (1) shall be a LEOFF 1 member nominated and voted by LEOFF I retirees;
3. One (1) shall be a LEOFF II member nominated by LEOFF II (active Firefighters) and voted by LEOFF I retirees; and
4. One (1) shall be a resident of the City voted by the other board members.

**C. Terms.** Pursuant to RCW 41.26.110, members of the LEOFF 1 Disability Board shall serve a term of two (2) years.

## **Section 20. Planning Commission.**

**A. Duties and Responsibilities.** The Planning Commission acts in an advisory capacity to the City Council with the following purposes:

1. In order to maintain and achieve the highest level of the City's attributes so that all SeaTac residents and businesses can enjoy and be proud to reside in this community, study and make recommendations to the City Council for adoption of long range comprehensive plans, policies, programs, services related to land use, transportation and community facilities, and development regulations which shall be consistent with and implement the Comprehensive Plan.
2. 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:
  - (i) Subdivision Code, SMC Title 14;
  - (ii) Zoning Code, SMC Title 15, including the Official Zoning Map;
  - (iii) Development Review Code, SMC Title 16A;
  - (iv) Crime Prevention Through Environmental Design Code, SMC Title 17; and
  - (v) Shoreline Management Code, SMC Title 18;
3. Conduct public hearings as required, review individual or city-wide rezones initiated by the City, and such other actions as may be requested by the City Council.

4. Research and fact finding, which may include undertaking such surveys, analyses, research, and reports in order to fulfill the purposes set forth in this Section. The Planning 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.
5. Annually, by July 15 of each calendar year, to coincide with the City's preliminary budget or mid-year biennial review process, 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. The work plan may include:
  - (i) A description of all anticipated amendments to the Comprehensive Plan;
  - (ii) Anticipated preparation of subarea plans;
  - (iii) Anticipated area rezones;
  - (iv) Anticipated amendments of development regulations;
  - (v) Any other studies and projects reasonably expected to be undertaken; and
  - (vi) Any estimated direct expenses.

**B. Membership.** The Planning Commission shall consist of seven (7) members that are composed of:

1. Four (4) members who are residents of the City; and
2. Three (3) members who shall own, operate or be employed by business entities located within the City, but if such candidates cannot be found, then these positions shall be residents of the City.

## **Section 21. Senior Citizen Advisory Committee.**

**A. Duties and Responsibilities.** The Senior Citizen Advisory Committee acts in an advisory capacity to the City Council with the following purposes:

1. Identify issues related to Senior Citizens in community;
2. Act as an advisory body to the City Council and provide input through the City Manager and the Staff Liaison to the City Council on issues relating to Senior Citizens in the community;

3. Provide increased opportunities for community involvement by Senior Citizens of the City and community, in general;
4. Advise the City Council, through the City Manager regarding the delivery of Senior Citizen programs; and
5. Provide outreach to the community in an effort to develop and place Senior Citizen issues before the citizens of the City of SeaTac in a positive manner.

**B. Membership.** The Senior Citizen Advisory Committee shall consist of seven (7) members composed of:

1. Residents 55 years of age or older at the time of appointment.

## **Section 22. Sidewalk Advisory Committee.**

**A. Duties and Responsibilities.** The Sidewalk Advisory Committee acts in an advisory capacity to the City Council with the following purposes:

1. Develop recommendations to Council regarding the funding, construction, site selection for sidewalk construction projects, and future maintenance of neighborhood sidewalk projects within the community;
2. Make recommendations to City Council to help ensure that the Neighborhood Sidewalk Program meets the needs and goals of our community, which shall be developed through the Committee's work plan. The work plan will include tasks such as:
  - a. Research best practices of other jurisdictions and vet those ideas within the community.
  - b. Develop, maintain and implement a project identification, ranking and selection process.
  - c. Seek innovative, community-based ideas through sustainable, two (2) way communication within the community.
  - d. Develop and provide oversight of program community outreach efforts.
3. The Committee Chair shall be appointed by the Mayor and the Vice-Chair shall be selected by the Committee Chair.

**B. Membership.** The Sidewalk Advisory Committee shall consist of nine (9) members composed of:

1. Three (3) sitting Councilmembers appointed by the Mayor, and

2. Six (6) citizens representing a wide range of ages, neighborhoods, schools, cultures, religions, socio-economics, special needs, and skills, one of which may be a youth member.

### **Section 23. Tree Board.**

**A. Duties & Responsibilities.** The Tree Board acts in an advisory capacity to the City Council with the following purposes:

1. Meet the obligations of the Tree City U.S.A. program and ensure the valued natural resource of public trees (and other vegetation) is maintained in a manner that ensures its viability for future generations.
2. Plant, prune, maintain, and remove trees and other plantings within all City of SeaTac right-of-ways, parks and other City properties to preserve public safety and to preserve or enhance the development of public spaces.
3. Study, investigate and develop a written plan for the care, preservation, promotion of public education, pruning, planting, replanting, removal or disposition of trees, shrubs, other vegetation that are located within public spaces, such as parks, public right-of-ways, and any other public place. A list of recommended or beneficial trees and plantings, as well as prohibited trees and plantings may be included in the plan. Such plan will be presented annually to the City Council and upon the Council's acceptance and approval shall constitute the official comprehensive City Tree Plan. The plan will be reviewed and updated as the Board determines, or as otherwise directed by the City Manager.
4. Make recommendations to the various City departments to implement removal of public trees or parts of public trees that are deemed to be injurious to the general public or that are causing an interference with utilities such as overhead power or transmission lines. This may also include diseased or defective trees.
5. Make its own rules and regulations, and keep a record of its proceedings. A majority of the members shall be a quorum for the transaction of business.

**B. Membership.** The Tree Board shall consist of five (5) members, composed of:

1. Three (3) qualified City staff that are appointed by the City Manager, and shall serve indefinitely or until new members are appointed by the City Manager; and
2. One (1) sitting Councilmember appointed by the Mayor; and
3. One (1) City resident.

**Section 24. Repealer.** City Council Resolution Nos. 98-010, 05-014, and 16-010 are hereby repealed. SeaTac Municipal Code Chapters 2.15, 2.26, 2.46, and 2.100 are hereby repealed.

SeaTac Municipal Code Chapter 3.80 is hereby amended by repealing Sections 3.80.070, 3.80.080, 3.80.090, 3.80.100, 3.80.110, 3.80.120, 3.80.130, 3.80.140, and 3.80.150.

**Section 25. Staggering of terms.** Terms for all positions on Citizen Advisory Committees, Boards, and Commissions shall be staggered. The City Clerk is hereby directed to create a schedule for the staggering of terms so that terms expire in different months throughout the year, and that an approximate equal number of terms expire each year. The City Clerk is authorized to adjust terms of current positions to accommodate the intent of this Section.

**Section 26. Severability.** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 27. Corrections by City Clerk or Code Reviser.** Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors, references to other local, state or federal laws, codes, rules, or regulations, or Ordinance numbering and section/subsection numbering.

**Section 28. Effective Date.** This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

ADOPTED this 23<sup>rd</sup> day of May, 2017, and signed in authentication thereof on this 23<sup>rd</sup> day of May, 2017.

CITY OF SEATAC

  
Michael J. Siefkes, Mayor

ATTEST:

  
Kristina Gregg, City Clerk

Approved as to Form:

  
Mary E. Mirante Bartolo, City Attorney

[Effective Date: 7/4/17]

[Citizen Advisory Committees]

**ORDINANCE NO. 17-1011**

AN ORDINANCE of the City Council of the City of SeaTac,  
Washington adding a new Chapter 2.92 to the SeaTac Municipal Code  
related to Ethics of Board, Committee, and Commission Members.

**WHEREAS**, the City of SeaTac Council desire that members of Boards, Commissions, and Committees abide by a standard of ethics that will maintain the utmost trust and confidence of the citizens of SeaTac in their local government and its representatives; and

**WHEREAS**, the City Council has previously adopted ordinances relating to ethics standards for the City Council and the City staff; and

**WHEREAS**, State law prohibits certain conduct of City officials while serving the City; and

**WHEREAS**, the City wishes to provide uniform guidelines to City officials on ethical issues, and a method of investigation and adjudication of ethics complaints;

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

**Section 1.** A new Chapter 2.92 is added to the SeaTac Municipal Code to read as follows:

**2.92.010 Policy.**

A. It is the policy of the City of SeaTac to uphold, promote and demand the highest standard of ethics from all of its appointed officials. Appointed officials shall maintain the utmost standards of personal integrity, truthfulness, honesty and fairness in carrying out their public duties; avoid any improprieties or material misrepresentations regarding their roles or authority as appointed public officials, as defined herein; and never use their City positions or powers for improper personal gain.

B. It is the intention of the City Council that this Chapter be liberally interpreted to accomplish its purpose of protecting the public against decisions that are affected by undue influence, conflicts of interest, or any other violation of this Code of Ethics. Interpretation of this Chapter should be guided by common sense and practicality.

C. This Chapter is intended to supplement Washington state law, including but not limited to RCW Chapter 42.23, the United States and Washington State Constitution, laws pertaining to conflicts of interests, elections campaigns and City Ordinances.

**2.92.020 Definitions**

A. As used in this Chapter, these words shall have the following meanings, unless the

context clearly indicates otherwise:

1. "*Business*" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, consultant, holding company, joint stock company, receivership, trust, or any legal entity organized for profit.
2. "*Compensation*" means payment in any form for real or personal property or services of any kind.
3. "*Family*" means spouses, children, dependents, parents siblings, aunts, uncles, nieces, nephews, cousins, grandchildren, grandparents, son-in-law or daughter-in-law, brother-in-law or sister-in-law, and anyone residing in the person's household;
4. "*Gift*" means a voluntary transfer of real or personal property of any kind or the voluntary rendition of services of any kind without consideration of equal or greater value, but not including any reasonable hosting expenses, including travel, entertainment, meal, and refreshment expenses incurred in connection with appearances, ceremonies, and occasions reasonably related to official City business, or where otherwise permitted by law.
5. "*Immediate family*" shall mean spouse and dependent children.
6. "*Official*" means a member of Council-appointed Boards, Committees, Commissions and other council-appointed task groups, but shall not include City Councilmembers or City employees.
7. "*Person*" means any individual, corporation, business or other entity, however constituted, organized or designated.
8. "Remote interest" means:
  - a. That of a non-salaried officer of a nonprofit corporation; or
  - b. That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary; or
  - c. That of a landlord or tenant of a contracting party; or
  - d. That of a holder of less than one percent of the shares of a corporation, a limited liability company, or other entity, which is a contracting party.

#### **2.92.030 Prohibited Conduct**

- A. The following shall constitute violations of this Code of Ethics:

1. General Prohibition Against Conflicts of Interest. In order to avoid becoming involved or implicated in a conflict of interest or impropriety, no Official should be involved in any activity that is in conflict with the conduct of official City business or is adverse to the interests of the City.
2. Beneficial Interests in Contracts Prohibited. No Official shall participate in his/her capacity as an Official in the making of a contract in which she/he has a financial interest, direct or indirect. This shall include any contract for sale, lease or purchase, with or for the use of the City, or the acceptance directly or indirectly of any compensation, gratuity or reward from any other person beneficially interested therein. Provided, however, that this prohibition shall not apply where the Official has only a remote interest in the contract, and where the fact and extent of such interest is disclosed and noted in the official minutes or similar records of the City prior to formation of the contract, and thereafter the governing body authorizes, approves or ratifies the contract in good faith, by a vote of its membership sufficient for the purpose without counting the vote(s) of the official(s) having the remote interest.
3. Beneficial Influence in Contract Selection Prohibited. No Official shall influence the City's selection of, or its conduct of business with, a corporation, person or firm having or proposing to do business with the City if the Official has a financial interest in or with the corporation, person or firm, unless such interest is a remote interest and where the fact and extent of such interest is disclosed and noted in the official minutes or similar records of the City prior to formation of the contract.
4. Representation of Private Person at City Proceeding Prohibited. No Official shall appear on behalf of a private person, other than him/herself or an immediate family member, or except as a witness under subpoena, before any regulatory governmental agency or court of law in an action or proceeding to which the City or an Official in an official capacity is a party, or accept a retainer or compensation that is contingent upon a specific action by the City.
5. Beneficial Interest in Legislation Prohibited. No Official, in appearing before the City Council or when giving an opinion before the City Council in their capacity as a member of a Board, Commission or Committee, shall have a financial interest in any legislation coming before the City Council or participate in any discussion with or give an official opinion to the City Council, unless such interest is a remote interest and where the fact and extent of such interest is disclosed and noted on the record of the Council or similar records of the City, prior to consideration of the legislation by the City Council.
6. Disclosure of Confidential Information Prohibited. No Official shall disclose or use any confidential, privileged or proprietary information, gained by reason of his/her official position, for a purpose which is other than a City purpose; provided, however, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public upon request.
7. Concealment of Public Records Prohibited. No Official may intentionally destroy public

records, or conceal a record if the Official knew the record was required to be released under the Public Records Act, was under a personal obligation to release the record, and failed to do so. This subsection does not apply where the decision to withhold the record was made in good faith after consultation with the City Attorney's Office and the City's Public Records Officer.

8. Use of Email. No Official may use a non-City email account to conduct City business, with the intent to avoid records being preserved as required by law.
9. Improper Use of Position Prohibited. No Official shall knowingly use his/her position to secure personal benefit, gain or profit, or use his/her position to secure special privileges or exceptions for him/herself, or for the benefit, gain or profits of any other persons.
10. Improper Interference with the City Manager. No Official shall interfere with the duties of the City Manager, as set forth in RCW 35A.13.120.
11. Improper Use of City Property Prohibited. No Official shall use City owned vehicles, equipment, materials, money or property for personal or private convenience or profit. Such use is restricted to those services which are available to the public generally, for the authorized conduct of official City business.
12. Acceptance of Compensation, Gifts, Favors, Rewards or Gratuity Prohibited. No Official may, directly or indirectly, give or receive, or agree to give or receive, any compensation, gift, favor, reward or gratuity, for a matter connected with or related to the Official's services with the City of SeaTac; provided, however, that this prohibition shall not apply to:
  - a. Attendance by an Official at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of City business, or where attendance by the Official as a City representative is appropriate;
  - b. An award publicly presented in recognition of public service; or
  - c. Any gift valued at \$50.00 or less, which gift cannot reasonably be presumed to influence the vote, action or judgment of the Official, or be considered as part of a reward for action or inaction. The following are presumed not to influence the vote, action or judgment of the Official, or be considered as part of a reward for action or inaction, so as to allow an official or employee to receive or accept them:
    - i. Unsolicited advertising or promotional items of nominal value, such as pens and note pads;
    - ii. Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
    - iii. Unsolicited items received for the purpose of evaluation or review, if the recipient has no personal beneficial interest in the eventual use or acquisition of the item;

- iv. Informational material, publications, or subscriptions related to the recipient's performance in their capacity as a City representative;
  - v. Food and beverages consumed at hosted receptions where attendance is related to the recipient's performance as a City representative;
  - vi. Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization;
  - vii. Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission related to the recipient's performance as a City representative;
  - viii. Payments for seminars and educational programs sponsored by a bona fide nonprofit professional, educational, or trade association, or charitable institution related to the recipient's performance as a City representative;
  - ix. Flowers, plants, and floral arrangements, however, such items shall be made available for the enjoyment of all City employees.
  - x. Food and beverages on infrequent occasions in the ordinary course of meals where attendance is as a City representative.
- d. The presumption in this subsection (c) is rebuttable and may be overcome by clear and convincing evidence based on the circumstances surrounding the giving and acceptance of the item.

### 13. Impermissible Conduct After Leaving City Service.

- a. *Disclosure of Privileged, Confidential, or Proprietary Information Prohibited.* No former Official shall disclose or use any privileged, confidential or proprietary information gained because of his/her City position.
- b. *Participation in City Matter Prohibited.* No former Official shall, during the period of one year after leaving City office:
  - i. Assist any person in matters involving the City if, while in the course of duty with the City, the former Official was officially involved in the matter, or personally and substantially participated in the matter, or acted on the matter; or
  - ii. Participate as or with a bidder, vendor or consultant in any competitive selection process for a City contract in which he/she assisted the City in determining the project or work to be done, or the process to be used.

## 2.92.040 Complaint Process and Enforcement

A. A complaint that this Code of Ethics has been violated shall be filed with the City Clerk. The subject of the complaint shall be sent a copy of the complaint by the City Clerk. All complaints shall be subject to the following requirements:

1. The complaint must be based upon facts within the personal knowledge of the complainant;
2. The complaint must be submitted in writing and signed under oath by the complainant and filed no more than one year from the date of the alleged violation;
3. The complaint must include a detailed factual description of the alleged violation including the date, time and place of each occurrence and the name of the person or persons who are alleged to have committed a violation. The complaint must also refer to the specific provisions of the code of ethics which are alleged to have been violated;
4. The complaint must be accompanied by all available documentation or other evidence known to the complainant to support the allegations of the complaint;

B. No person shall knowingly file a false or frivolous complaint, or a false or frivolous report of violation of this Code of Ethics.

C. Any complaint that this Code of Ethics has been violated shall be forwarded to the City Attorney or his or her designee for a sufficiency determination. After reviewing the complaint, the City Attorney may take any of the following actions and inform the complainant, the subject of the complaint, and the City Council as appropriate:

1. Determine that the facts stated in the complaint, even if true, would not constitute a violation of the Code of Ethics, and that no further action is warranted.
2. Determine that the facts stated in the complaint, even if true, would not constitute a material violation of the Code of Ethics because any potential violation was inadvertent or minor or has been adequately cured, such that further proceedings on the complaint would not serve the purposes of the Code of Ethics. The City Attorney may communicate with the subject of the complaint and/or the City Council to provide advice and/or counseling so that such a violation, even if true, could be prevented in the future.
3. Make a preliminary determination that the facts stated in the complaint, if true, could potentially constitute a violation of the Code of Ethics such that further proceedings are warranted.
4. The Initial Determination shall be documented in writing within 15 days of its receipt of the complaint, unless a longer time is deemed warranted by the City Attorney based on particular circumstances. The City Attorney's Initial Determination is final.
5. For all complaints in which the City Attorney's Initial Determination is that further proceedings are warranted, the City Attorney shall promptly designate an individual to conduct an investigation of the complaint. The individual designated to investigate the complaint may, but is not required, to be a City employee.

D. The individual designated to conduct the investigation shall complete the investigation and prepare written findings, conclusions, and recommended disposition as soon as practicable, but no later than 30 days of the date of the Initial Determination unless an extension is granted by the City Attorney. A copy of the written investigation findings and conclusions shall be provided to the City Attorney.

E. Within 5 business days of receipt of the investigator's written findings, conclusions, and recommended disposition, the City Attorney shall forward a copy to the City's Hearing Examiner. The City Attorney shall also forward a copy to the complaining party and the subject of the investigation.

F. Within 10 business days of receipt of the investigator's report, unless a longer time is approved by the City Attorney, the Hearing Examiner shall consider and review the complaint, findings, conclusions and recommended disposition. If Hearing Examiner determines that more information is needed to make a determination as to whether the Code of Ethics has been violated, it may request additional documentary evidence or convene a hearing to gather such additional evidence as required. After final deliberations on the complaint, investigator's findings, as well as any additional testimony, statements, or documents presented at the hearing, if any, the Hearing Examiner shall determine whether or not a violation of the Code of Ethics has occurred. Throughout the process, the Hearing Examiner may seek legal advice from the City Attorney or other legal counsel as assigned by the City Attorney.

G. If the Hearing Examiner determines that a violation of the Code of Ethics has occurred, it may, but is not required, to recommend penalties be imposed for the violation.

H. Copies of the written findings of fact, conclusions and recommended disposition of the Hearing Examiner shall be forwarded to the complaining party and the subject of the investigation and the City Council. Additional copies shall be forwarded to the investigator and the City Attorney.

I. If the Hearing Examiner determines that a violation of the Code of Ethics occurred, the Council shall review and discuss the written findings of fact, conclusions and recommended disposition at the next regularly scheduled Council meeting agenda. Any penalty for violation of the Code of Ethics must be approved by majority vote of the Council. If the Hearing Examiner determines that no violation of the Code of Ethics occurred, the determination is final and closed.

J. After a complaint has been filed and during the pendency of a complaint, members of the City Council shall not discuss directly or indirectly with any party or other person about any issue or fact or law regarding the complaint, except as part of the investigation or disposition of the complaint.

K. Neither the city nor any official may take or threaten to take, directly or indirectly, official or personal action, including but not limited to discharge, discipline, personal attack, harassment, intimidation, or change in job, salary, or responsibilities against any person because that person filed a complaint.

#### **2.92.050 Penalties for Noncompliance**

Any Official found to have violated any provision of this Code of Ethics may be subject to one or more of the following penalties, subject to approval of a majority of the Council:

- A. A cease and desist order as to violations of this Code of Ethics.
- B. An order to disclose any reports or other documents or information requested.
- C. Removal from the Board, Committee, or Commission.
- D. Any other penalty that is deemed just and equitable.

#### **2.92.060 Frivolous Complaints**

The City Attorney may request that the Hearing Examiner make a finding that a complaint brought pursuant to this Ethics Code is frivolous and without merit. Upon such a finding, the person making such a complaint may be liable to the City for the cost of any investigation, if applicable. If the complainant is a City employee, he or she may additionally be subject to disciplinary action.

#### **2.92.070 Acknowledgement**

All members of Council appointed City Boards, Committees and Commissions shall acknowledge receipt and review of this Ordinance by signing an Acknowledgement form.

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

**Section 3.** It shall not be a violation of this Ordinance for any alleged actions that occurred prior to the effective date of this Ordinance.

**Section 4.** This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

ADOPTED this 13<sup>th</sup> day of June, 2017, and signed in authentication thereof on this 13<sup>th</sup> day of June, 2017.

CITY OF SEATAC

  
Michael Siefkes, Mayor

ATTEST:

  
Kristina Gregg, City Clerk

Approved as to Form:

  
Mary E. Mirante Bartolo, City Attorney

[Effective Date: 7/19/17]

[~~Ethics Code—Appointed Officials~~]

**ORDINANCE NO. 17-1012**

AN ORDINANCE of the City Council of the City of SeaTac, Washington vacating a portion of Orillia Road South lying easterly of Interstate 5, southerly of South 178<sup>th</sup> Street, and adjacent to King County tax parcels 3523049033 and 3523049124.

**WHEREAS**, the Segale Properties, LLC. has requested vacation of a certain portion of the City street and right-of-way of Orillia Road South lying easterly of Interstate 5, southerly of South 178<sup>th</sup> Street, and adjacent to King County tax parcels 3523049033 and 3523049124, as shown on the map attached as Exhibit “A” and as described in the legal description 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. 17-007 fixing the public hearing for June 27, 2017, to be followed by Council action; and

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

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

**WHEREAS**, the Council finds that vacation of the aforesaid portion of the right-of-way, as legally described on Exhibit “B” and as depicted on the map marked Exhibit “A” 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 Orillia Road South lying easterly of Interstate 5, southerly of South 178<sup>th</sup> Street, and adjacent to King County tax parcels 3523049033 and 3523049124 and legally described on Exhibit "B" to this Ordinance, and depicted on the map marked Exhibit "A" 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 Orillia Road South are reserved until release by the Grantees thereof.

Section 3. Compensation Required. The Segale Properties, LLC., which is the sole landowner of property abutting the aforesaid right-of-way, shall compensate the City in an amount equal to the full appraised value of the total area so vacated, pursuant to law, together with a processing and appraisal fee, which has been determined to be the total sum of \$78,000.

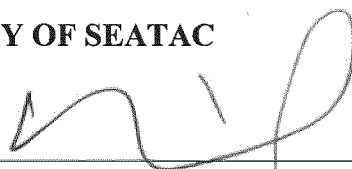
Section 4. Codification. This Ordinance shall not be codified in the SeaTac Municipal Code.

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 27<sup>th</sup> day of June, 2017, and signed in authentication thereof on this 27<sup>th</sup> day of June, 2017.

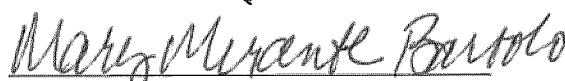
**CITY OF SEATAC**

  
\_\_\_\_\_  
Michael Siefkes, Mayor

ATTEST:

  
Kristina Gregg, City Clerk

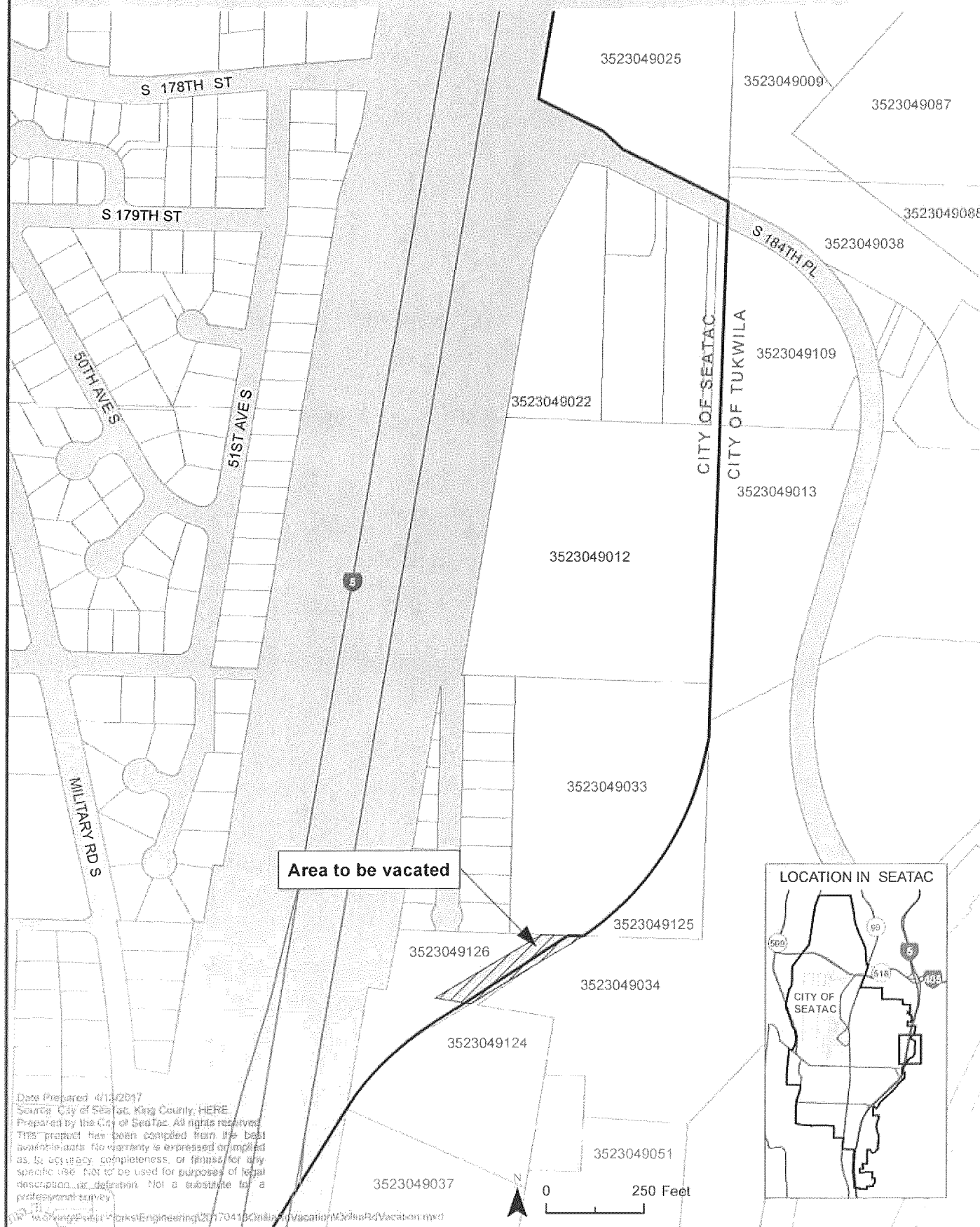
Approved as to Form:

  
Mary Mirante Bartolo, City Attorney

[Effective Date: 8/15/17 ]

[Vacation of So. 190<sup>th</sup> St/32<sup>nd</sup> Ave S]

## City of SeaTac



July 6, 2017

LEGAL DESCRIPTION – TRANSCRIBED FROM DEED NO. 2748336 WITH  
SCRIVENER'S ERRORS CORRECTED AND VERIFIED AGAINST THE KING COUNTY  
ORILLIA ROAD EXT'N NORTH SECTION APPROVED ROAD PLAN, ESTABLISHED  
JANUARY 30, 1933:

FRED J. MESS, WALTER MESS AND MARIE MESS, TO THE COUNTY OF KING, STATE OF  
WASHINGTON, PARTIES OF THE FIRST PART, HEREBY CONVEYS, RELEASES AND QUIT CLAIMS TO  
THE PARTIES OF THE SECOND PART FOR THE USE OF THE PUBLIC FOREVER AS A PUBLIC ROAD  
AND HIGHWAY, ALL IN THE FOLLOWING DESCRIBED REAL ESTATE SITUATE IN KING COUNTY,  
WASHINGTON:

ALL THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF  
SECTION 35, TOWNSHIP 23 NORTH, RANGE 4 EAST OF THE W. M. ( TAX LOT 15 ) CONTAINED  
WITHIN A STRIP OF LAND 60 FEET IN WIDTH, 30 FEET OF SUCH WIDTH, BEING ON EACH SIDE OF  
THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING 196.98 FEET WEST OF THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER  
OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 23 NORTH, RANGE 4 EAST OF THE  
W. M., BEING A POINT ON THE JOHN L DUMAS ROAD NO. 1361 IN SECTION 34, OF SAID  
TOWNSHIP AND RANGE; RUNNING THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF  
260.44 FEET, A DISTANCE OF 274.39'; THENCE NORTH 30° 00' EAST, A DISTANCE OF 831.60  
FEET; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 716.34 FEET, A DISTANCE OF  
330.00 FEET; THENCE NORTH 56° 24' EAST, A DISTANCE OF 421.14 FEET; THENCE ON A CURVE  
TO THE LEFT HAVING A RADIUS OF 716.34 FEET, A DISTANCE OF 566.67 FEET; THENCE  
NORTH 11° 04' EAST, A DISTANCE OF 114.11 FEET; THENCE ON A CURVE TO THE RIGHT HAVING  
A RADIUS OF 573.14 FEET, A DISTANCE OF 957.00 FEET; THENCE SOUTH 73° 14' EAST A  
DISTANCE OF 72.90 FEET; THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 238.73 FEET,  
A DISTANCE OF 340.90 FEET; THENCE NORTH 24° 57' EAST A DISTANCE OF 3.77 FEET; THENCE  
ON A CURVE TO THE RIGHT HAVING A RADIUS OF 238.73 FEET, A DISTANCE OF 272.85 FEET.

CONTAINING 2.13 ACRES, MORE OR LESS.

RIGHT OF WAY ORILLIA ROAD EXTENSION ( NORTH )

**ORDINANCE NO. 17-1013**

AN ORDINANCE of the City Council of the City of SeaTac, Washington adopting amendments to Section 15.205.040 of the SeaTac Municipal Code, regarding ground floor commercial space requirements for multi-family uses outside of established overlay districts.

**WHEREAS**, from time to time, the City Planning Commission considers amendments to the Zoning Code (Title 15, SeaTac Municipal Code) in order to provide clarification, greater efficiencies and to respond to changing needs ; and

**WHEREAS**, SeaTac's Comprehensive Plan assumes that a significant portion of the City's adopted residential growth target will be accommodated in new multi-family development; and

**WHEREAS**, Comprehensive Plan policies related to housing access include Policy 2.2F, "Foster high quality, diverse, and affordable housing;" and

**WHEREAS**, Comprehensive Plan policies related to access to neighborhood services include Policy 2.2I, "Allow commercial uses that serve neighborhood needs on the ground floors of residential buildings in the high density zones;" and

**WHEREAS**, Comprehensive Plan policies promote concentrations of commercial uses, mixed uses and "high density housing" in areas designated for Commercial Medium Density and Commercial High Density land uses (Policies 2.4D, 2.4E, 2.4F); and

**WHEREAS**, the proposal would focus requirements for ground floor commercial space in multi-family projects located in high visibility, high traffic areas designated for Commercial Medium Density and Commercial High Density land uses, and reduce or eliminate these requirements in locations where commercial spaces may not be viable, and

**WHEREAS,** the proposed ordinance would simplify multi-family development requirements in certain areas of the City; and

**WHEREAS,** on July 2, 2016, the City was granted expedited review of the proposed code amendments by the Washington State Department of Commerce, pursuant to RCW 36.70A.106; and

**WHEREAS,** on June 23, 2016, the City's SEPA Responsible Official issued a Determination of Nonsignificance (DNS) for the proposed amendments, with no comments being received or an appeal filed; and

**WHEREAS,** the Planning Commission reviewed the aforesaid changes to the municipal code at duly noticed open public meetings on June 7 and June 21, 2016, and conducted a duly noticed public hearing on July 19, 2016, after which it rendered a recommendation of approval; and

**WHEREAS,** the Land Use and Parks Committee (LUP) reviewed the aforesaid changes at duly noticed open public meetings on January 26, February 23, and April 27, 2016, and on April 27, 2016, rendered a recommendation of approval.

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

Section 1. Section 15.205.040 of the SeaTac Municipal Code is hereby amended as set forth in Exhibit A.

Section 2. The City Clerk is directed to transmit a complete and accurate copy of this Ordinance, as adopted, to the Department of Commerce within ten days after final adoption, pursuant to RCW 36.70A.106 and WAC 365-195-620.

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

ADOPTED this 27<sup>th</sup> day of June, 2017, and signed in authentication  
thereof on this 27<sup>th</sup> day of June, 2017.

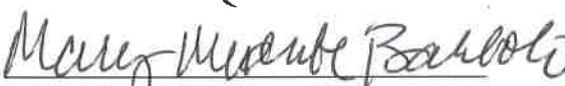
CITY OF SEATAC

  
\_\_\_\_\_  
Michael J. Siefkes, Mayor

ATTEST:

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

Approved as to Form:

  
\_\_\_\_\_  
Mary Mirante-Bartolo, City Attorney

[Effective Date: 7/8/17]

[Ordinance Amending Commercial Requirements for Multi-Family Uses]

**EXHIBIT A:****Amendments to Ground Floor Commercial Requirements for Multi-Family Uses Outside of Overlay Districts****15.205.040 Use Chart****ZONES:**

UL-Urban Low

UM-Urban Medium

UH-Urban High

UH-UCR-Urban High-Urban Center Residential

T-Townhouse

MHP-Mobile Home Park

NB-Neighborhood Business

O/C/MU-Office/Commercial/Mixed Use

O/CM-Office/Commercial

CB-Community Business

CB-C-Community Business in the Urban Center

ABC-Aviation Business Center

BP-Business Park

I-Industrial

P-Park

**P – Permitted Use; C – Conditional Use Permit required**

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABC	BP	I	P	ADDITIONAL STANDARDS
Multi-Family		P	P	P (1)			C	P (3)	P(1) (2)	P(1)(2) (2)	P(1) (2)	C(1) (2)				<p>(1) For projects fronting International Blvd or S 188<sup>th</sup> St, at least 50% of the building's ground floor shall be a retail, service, or commercial use as described in SMC 15.520.300 Mixed Use in Residential Projects.</p> <p>(2) Front yard setbacks for projects fronting International Blvd and S 188<sup>th</sup> St shall be as follows: 0' minimum/10' maximum. These front yard setbacks supersede those in SMC 15.400.200 Commercial, Industrial, Park Standards Chart.</p> <p>(1) For new development and redevelopment for residential projects, at least 50% of the building's ground floor shall be retail, service, or commercial use as described in SMC 15.520.300 Mixed Use in Residential Projects.</p> <p>(2) Ground floor uses must be retail, service or commercial uses as described in SMC 15.520.300, Mixed Use in Residential Projects.</p> <p>(3) Permitted as part of a mixed use development, as described in SMC 15.520.200 Ground Floor Uses in Mixed Use Projects, and arranged on site as described in SMC 15.520.100 Definition of Mixed Use.</p>

**ORDINANCE NO. 17-1014**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the City's 2017-2018 Biennial Budget for miscellaneous items.

**WHEREAS**, the Administration and Finance Committee, on June 22, 2017, reviewed the Decision Cards submitted by the City Manager and Finance and Systems Director which details recommended changes in various revenue and expenditure line items in the 2017-2018 Biennial Budget; and

**WHEREAS**, amendment to the City's 2017-2018 Biennial budget is necessary to provide additional appropriation authority to fund certain expenditures identified in Exhibit A;

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

**Section 1.** A listing of the adjustment requests is included by line item, amount and fund in summary format as shown in the attached Exhibit A. Decision Cards providing detailed descriptions are included as Exhibit C.

**Section 2.** The 2017-2018 Biennial Budget for the City of SeaTac, covering the period from January 1, 2017, through December 31, 2018, is hereby amended with a total 2018 ending fund balance in the amount of \$56.4 million for all budgeted funds. The City's 2017-2018 biennial budget is attached as Exhibit B, and includes budgeted revenues and expenditures for the 2017-2018 biennium in the amounts and for the purposes shown separately and in the aggregate totals for all such funds as displayed.

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

ADOPTED this 11<sup>th</sup> day of July, 2017, and signed in authentication thereof on this 11<sup>th</sup> day of July, 2017.

**CITY OF SEATAC**

  
Michael J. Siefkes, Mayor

ATTEST:

  
Kristina Gregg, City Clerk

Approved as to form:

  
Mary E. Mirante Bartolo, City Attorney

[Effective Date: 7/22/17]

[2017-2018 Biennial Budget Amendment Ordinance]

EXHIBIT A  
2017-2018 Biennial Budget Amendment  
Line Item Worksheet

**Revenue**

001	001.000.397.03.00.000
001	001.000.397.04.00.000
102	102.000.337.00.00.001
501	501.000.397.70.00.000

Transfers & Reimbursements
\$32,706
\$32,706
\$160,027
\$80,000
<b>\$305,439</b>

Transfer in from 102 for Real Property Management Specialist
Transfer in from 403 for Real Property Management Specialist
Reimbursment from Sound Transit for LTE
Transfer In from 102 for vehicles

**Expenditures**

<u>FUND #</u>	<u>To Acct #</u>
001	001.000.10.565.10.41.000
001	001.000.10.575.51.41.034
001	001.000.03 Salary & Wages Series
<b>Subtotal General Fund (001)</b>	

102	102.000.11.597.03.00.000
102	102.000.11.594.42.64.097
102	102.000.11.544.21.45.002
102	102.000.11.544.40.41.000
102	102.000.11.544.21.42.028
102	102.000.11.544. Series
<b>Subtotal Street Fund (102)</b>	

105	105.000.03.576.10.41.000
<b>Subtotal Port ILA Fund (105)</b>	

306	306.000.10.594.19.62.001
<b>Subtotal Municipal Facilities Fund (306)</b>	

403	403.000.11.597.04.00.000
<b>Subtotal SWM Fund (403)</b>	

**Grand Total - ALL FUNDS**

2017-2018 Total Request
\$35,000
\$64,800
\$130,824
<b>\$230,624</b>
\$32,706
\$80,000
\$20,000
\$25,000
\$16,260
\$160,027
<b>\$333,993</b>
\$50,000
<b>\$50,000</b>
\$125,000
<b>\$125,000</b>
\$32,706
<b>\$32,706</b>
<b>\$772,323</b>

<u>Description</u>
Human Services Needs Assessment
Community Center Janitorial Services
Real Property Management Specialist (3 year LTE)
Real Property Management Specialist (25% of 3 year LTE)
2 Vehicles
O&M/Replacement Reserves for Vehicles
Finalization of 160th St Study
Telephones
Sound Transit Project Staffing (3 year Limited-Term)
Gateway/Entrances Analysis
City Hall Security & Access Improvements
Real Property Management Specialist (25% of 3 year LTE)

**CITY OF SEATAC, WASHINGTON**  
**2017-2018 BIENNIAL BUDGET: EXHIBIT B**

7/11/2017

2017-2018 BIENNIAL BUDGET (EXPENDITURES + ENDING BALANCES) = \$ 189,855,333				
FUND	BEGINNING BALANCE 2017-2018	REVENUES & OTHER SOURCES 2017-2018	EXPENDITURE APPROPRIATION 2017-2018	ENDING BALANCE 2017-2018
001 General Fund	\$ 17,471,668	\$ 73,040,757	\$ 73,297,715	\$ 17,214,708
102 Street Fund	11,176,559	17,708,396	15,429,105	13,455,850
105 Port ILA	1,270,323	5,000	495,470	779,853
106 Transit Planning	214,981	-	184,315	-
107 Hotel/Motel Tax	7,315,221	2,996,200	2,334,334	7,977,087
108 Building Management	2,547,333	2,460,680	1,475,303	3,532,710
110 Facility Repair & Replacement	330,191	-	276,879	-
111 Des Moines Creek Basin ILA	1,873,484	664,000	651,616	1,885,868
206 2009 LTGO Bond Fund	12,974	689,200	689,200	12,974
207 SCORE Bond Servicing	258,636	419,459	419,459	258,636
301 Municipal Capital Improvements	6,622,676	3,789,699	8,006,522	2,405,853
306 Municipal Facilities CIP	1,364,518	5,200	282,495	1,087,223
307 Transportation CIP	3,836,481	19,296,100	19,973,747	3,158,834
308 Light Rail Station Areas CIP	1,873,520	5,000	1,750,000	128,520
403 SWM Utility	3,354,416	6,080,964	6,157,207	3,278,173
404 Solid Waste & Environmental	-	550,200	545,096	5,104
501 Equipment Rental	1,291,408	1,414,069	1,492,072	1,213,405
<b>TOTAL BIENNIAL BUDGET</b>	<b>\$ 60,814,387</b>	<b>\$ 129,124,924</b>	<b>\$ 133,460,535</b>	<b>\$ 56,394,797</b>

**2017 BUDGET PORTION FOR MANAGEMENT PURPOSES**

	FY 2017	FY 2017	FY 2017	FY 2017
001 General Fund	\$ 17,471,668	\$ 36,422,284	\$ 36,247,312	\$ 17,646,640
102 Street Fund	11,176,559	8,740,383	6,839,290	13,077,652
105 Port ILA	1,270,323	2,500	422,735	850,088
106 Transit Planning	214,981	-	184,315	-
107 Hotel/Motel Tax	7,315,221	1,471,700	1,161,887	7,625,034
108 Building Management	2,547,333	1,421,660	729,086	3,239,907
110 Facility Repair & Replacement	330,191	-	276,879	-
111 Des Moines Creek Basin ILA	1,873,484	332,000	315,808	1,889,676
206 2009 LTGO Bond Fund	12,974	346,000	346,000	12,974
207 SCORE Bond Servicing	258,636	210,359	210,359	258,636
301 Municipal Capital Improvements	6,622,676	2,145,599	4,042,019	4,726,256
306 Municipal Facilities CIP	1,364,518	2,600	282,495	1,084,623
307 Transportation CIP	3,836,481	12,230,500	11,859,541	4,207,440
308 Light Rail Station Areas CIP	1,873,520	2,500	1,250,000	626,020
403 SWM Utility	3,354,416	2,992,515	3,053,815	3,293,116
404 Solid Waste & Environmental	-	275,100	271,079	4,021
501 Equipment Rental	1,291,408	726,461	894,398	1,123,471
<b>TOTAL BUDGET</b>	<b>\$ 60,814,387</b>	<b>\$ 67,322,161</b>	<b>\$ 68,387,018</b>	<b>\$ 59,665,552</b>

**2018 BUDGET PORTION FOR MANAGEMENT PURPOSES**

	FY 2018	FY 2018	FY 2018	FY 2018
001 General Fund	\$ 17,646,640	\$ 36,618,473	\$ 37,050,403	\$ 17,214,709
102 Street Fund	13,077,652	8,968,013	8,589,815	13,455,850
105 Port ILA	850,088	2,500	72,735	779,853
106 Transit Planning	-	-	-	-
107 Hotel/Motel Tax	7,625,034	1,524,500	1,172,447	7,977,087
108 Building Management	3,239,907	1,039,020	746,217	3,532,710
110 Facility Repair & Replacement	-	-	-	-
111 Des Moines Creek Basin ILA	1,889,676	332,000	335,808	1,885,868
206 2009 LTGO Bond Fund	12,974	343,200	343,200	12,974
207 SCORE Bond Servicing	258,636	209,099	209,099	258,636
301 Municipal Capital Improvements	4,726,256	1,644,100	3,964,503	2,405,853
306 Municipal Facilities CIP	1,084,623	2,600	-	1,087,223
307 Transportation CIP	4,207,440	7,065,600	8,114,206	3,158,834
308 Light Rail Station Areas CIP	626,020	2,500	500,000	128,520
403 SWM Utility	3,293,116	3,088,449	3,103,392	3,278,173
404 Solid Waste & Environmental	4,021	275,100	274,017	5,104
501 Equipment Rental	1,123,471	687,608	597,674	1,213,405
<b>TOTAL BUDGET</b>	<b>\$ 59,665,552</b>	<b>\$ 61,802,762</b>	<b>\$ 65,073,517</b>	<b>\$ 56,394,797</b>

## City of SeaTac 2017-2018 Budget Amendment Decision Card

**Department:** Parks, Community Programs and Services  
**Division:** Community Services  
**Director:** Lawrence Ellis  
**Item:** Professional Services - Human Services Needs Assessment  
**BARS#:** 001.000.10.565.10.41.000  
**Amount of Request:** \$35,000

### Description of Request (include detail of total funding request):

Hire an independent third-party professional firm to conduct and present an assessment of the Human Services needs within the City of SeaTac.

### Justification for Request:

At the March 2, 2017 Administration and Finance Committee meeting, staff introduced a new funding strategy and budget timeline to incorporate the City Council earlier in the process of allocating funds to support local Human Services agencies for SeaTac residents. In order to obtain proper and adequate information that addresses the key needs and challenges of the residents, an independent assessment of needs should be conducted. This updated and current assessment would serve as the base that identifies the community's needs and challenges, informs the City's choices of desired outcomes, designs a strategy to meet those needs, and develops a framework for accountability.

### What alternatives exist to accomplish the work if funding is not approved (i.e.. reallocation of resources)?

If funding is not approved, staff will continue to work with the Community Services Advisory Committee in a similar manner as in the past. This is not considered the best option, but it would continue to serve as the needs assessment in funding allocation.

### What City Goal is addressed with this expenditure?

The adopted Value statement regarding Service indicates the "We deliver timely, effective, quality and enduring services to all." Further, the Revenue and Development Goal indicates that we should "Steward the City's financial resources and promote economic development to ensure sustainability and future growth".

<b>Funding Source(s):</b>	<b><u>Identify Specific Funding Source</u></b>	<b><u>2017 Request</u></b>	<b><u>2018 Request</u></b>
Current Operations:			
Ending Fund Balance:	001 Available Fund Balance = \$17.7 Million	\$35,000	
Grant (Specify):			
Other (Specify):			
<b>TOTAL</b>		<b>\$35,000</b>	<b>\$0</b>

## City of SeaTac 2017-2018 Budget Amendment Decision Card

**Department:** Parks, Community Programs and Services  
**Division:** Recreation Facilities  
**Director:** Lawrence Ellis  
**Item:** Janitorial Services (Community Center)  
**BARS#:** 001.000.10.575.51.41.034  
**Amount of Request:** \$32,400

### Description of Request (include detail of total funding request):

Restore the appropriate budget amount to cover contracted janitorial services for the SeaTac Community Center.

### Justification for Request:

In 2014, the City eliminated 1.5 FTE custodians and City Council approved the transfer of the funds from salary/wages line item to the janitorial services line item to provide for a contractor to clean SeaTac City Hall and the Community Center. The funds were not in the janitorial services line item in the final budget document and the line item for the Community Center was short by \$30,500 in both 2015 and 2016 (covered thru other unexpended line items). This shortage was corrected for City Hall in the 2017/2018 Biennial Budget; however the Community Center shortage was not identified and therefore not corrected at that time. If approved this will rectify the shortage and restore the proper amount of funding for the Community Center. The Department intends to go out to bid in late 2017 for future services in 2018 and beyond.

### What alternatives exist to accomplish the work if funding is not approved (i.e., reallocation of resources)?

Janitorial services are performed by the Contractor on weekends and for special events held at the Community Center. Weekday services are provided by Facilities Division staff. If the funding is not restored, the number of days of janitorial service provided (by employee and contractor) at the SeaTac Community Center would need to be decreased. This is a practical but not prudent option as the service levels are already minimal.

### What City Goal is addressed with this expenditure?

The City Operations Goal indicates that we should "Continuously improve the efficiency and effectiveness of city government". In addition, the Revenue and Development Goal states that we should "Steward the City's financial resources and promote economic development to ensure sustainability and future growth".

<b>Funding Source(s):</b>	<b><u>Identify Specific Funding Source</u></b>	<b><u>2017 Request</u></b>	<b><u>2018 Request</u></b>
Current Operations:			
Ending Fund Balance:	001 Available Fund Balance = \$17.7 Million	\$32,400	\$32,400
Grant (Specify):			
Other (Specify):			
<b>TOTAL</b>		<b>\$32,400</b>	<b>\$32,400</b>

## City of SeaTac 2017-2018 Budget Amendment Decision Card

<b>Department:</b>	City Manager		
<b>Division:</b>			
<b>Director:</b>	Joseph Scorcio		
<b>Item:</b>	3 year LTE - Real Property Management Specialist		
<b>BARS#:</b>	001.000.03 Salary & Wages Series	50%	
	102.000.11 Salary & Wages Series	25%	
	403.000.11 Salary & Wages Series	25%	
<b>Amount of Request:</b>	\$130,824		

### Description of Request (include detail of total funding request):

A Limited Term professional position to organize and coordinate the City's largest real property assets (lands and buildings).

### Justification for Request:

Since incorporation, the City has managed its land and building holdings in a dispersed and uncoordinated manner; assigning various Department's with sometimes similar, sometimes overlapping, sometimes conflicting responsibilities, purpose and direction. A recent mapping and land use evaluation revealed that the City also holds parcels that are not clearly assigned and managed. The purpose of this multi-year (Limited Term) position is to complete an overall analysis, document and detail all properties owned/leased by the City, and support the various Departments in current and upcoming efforts regarding real property. These efforts would likely include temporary construction easements, vacation of rights-of-way, transfer/sale of properties to other public entities, and public sales of land. While this is very likely an ongoing position needed by the City, it is prudent to complete the analysis and background work, review options, needs, cost benefit/return on investment, and organizational/funding alternatives before committing to an ongoing position. The term of this position is long enough (through mid-year 2020) to complete the initial work, and allow for further consideration in the next 2 biennial budget cycles. Because of the multi-department nature of this work and analysis, the position is initially proposed to be in the City Manager's Office. Eventually, the position would be assigned to one of the line Departments.

### What alternatives exist to accomplish the work if funding is not approved (ie. reallocation of resources)?

Staff would continue to respond to issues as they arise, and while some internal coordination has recently been occurring, the documentation and analysis of options outlined in the proposal would not occur because of other existing commitments and priorities. Lacking coordination, City efforts would not be as effective and unneeded public properties would not likely be returned to the tax rolls/redeveloped as quickly. Ongoing maintenance costs would continue.

### What City Goal is addressed with this expenditure?

The City's Mission Statement supports the growth and development of our community. While all of the goals support the Mission, the City Operations goal seeks to continuously improve the effectiveness and efficiency of city government, and the Revenue and Development goal intends to steward the City's financial resources and promote economic development to ensure sustainability and future growth. The proper management of these important City assets will be better achieved through the work of this Limited Term position.

<u>Funding Source(s):</u>	<u>Identify Specific Funding Source</u>	<u>2017 Request</u>	<u>2018 Request</u>
Current Operations:			
Ending Fund Balance:	001 Available Fund Balance = \$17.7 Million	\$12,807	\$52,605
	102 Available Fund Balance = \$9.5 Million	\$6,403	\$26,303
	403 Available Fund Balance = \$3.3 Million	\$6,403	\$26,303
<b>TOTAL</b>		<b>\$25,613</b>	<b>\$105,211</b>

## City of SeaTac 2017-2018 Budget Amendment Decision Card

<b>Department:</b>	Public Works		
<b>Division:</b>	Admin & Engineering		
<b>Director:</b>	William Appleton		
<b>Item:</b>	Two (2) vehicles (Ford Escape Hybrid or equivalent)		
<b>BARS#:</b>	102.000.11.594.42.64.097		\$80,000
	102.000.11.544.21.45.002		\$20,000
<b>Amount of Request:</b>	100,000 (\$80,000 to purchase, \$20,000 on-going O&M/Replacement Reserve)		

**Description of Request (include detail of total funding request):**

Authorization to purchase two new vehicles for use by Public Works and other staff to perform sites visits, field investigations, and attend offsite meetings. The vehicles would be a Ford Escape Hybrid or equivalent. Once purchased the vehicles will be transferred to the Fleet vehicle program (Fund 501) for maintenance and collection of replacement reserves. Ongoing operational and replacement costs are estimated to be \$20,000 annually.

**Justification for Request:**

For City Hall office staff not assigned a vehicle, there are only two fleet vehicles available for checkout/use. Current staffing levels at the City Hall and the increased number of projects within Public Works has increased the frequency of fleet vehicles being unavailable. This has led to a delay in responding to public service requests and increase in employees using their personal vehicles for work purposes (not a preferred situation). Eight (8) public works office staff currently share pool vehicles with all other City Hall staff who do not have an assigned vehicle. These eight have work elements that require site visits, field work and offsite meetings. The additional vehicles will reduce the shortage (not eliminate), and benefit all departments in providing service to the public.

**What alternatives exist to accomplish the work if funding is not approved (i.e.. reallocation of resources)?**

Do not purchase an additional vehicles. Continue to delay responding to requests for service until vehicles are available, and/or supplement with use of personal vehicles.

**What City Goal is addressed with this expenditure?**

The adopted Value statement regarding Service indicates that "We deliver timely, effective, quality and enduring service to all". The City Operations Goal further indicates that we should "Continuously improve the efficiency and effectiveness of city government".

<u>Funding Source(s):</u>	<u>Identify Specific Funding Source</u>	<u>2017 Request</u>	<u>2018 Request</u>
Current Operations:			
Ending Fund Balance:	102 Available Fund Balance = \$9.5 Million	\$80,000	\$20,000
Grant (Specify):			
Other (Specify):			
<b>TOTAL</b>		<b>\$80,000</b>	<b>\$20,000</b>

## City of SeaTac 2017-2018 Budget Amendment Decision Card

<b>Department:</b>	Public Works
<b>Division:</b>	Administrative & Engineering
<b>Director:</b>	William Appleton
<b>Item:</b>	Professional Services - S. 160th St. Traffic Study
<b>BARS#:</b>	102.000.11.544.40.41.000
<b>Amount of Request:</b>	\$25,000

### Description of Request (include detail of total funding request):

Increase the expenditure authorization for Transportation Professional Services in 2017 from \$50,000 to \$75,000 to cover the costs associated with a special traffic study on S. 160th Street in conjunction with the Port of Seattle. The study began very late in 2016 and was completed in early 2017 after the 2017-2018 Biennial Budget had been approved. The Port and City staff are working together on implementing the recommendations of the report.

### Justification for Request:

The special traffic study on S 160th Street between Air Cargo Road and International Blvd was initiated in late 2016 and not completed until early 2017. \$33,000 was budgeted in 2016 to pay for the study and only \$7,500 was billed and paid for work completed in December 2016. \$25,000 is required to complete payment on the contract. This is the first opportunity to request the remaining funds be added to the 2017 budget. The study covered traffic changes resulting from taxi and transportation network companies (like Uber) use of a Port of Seattle facility on S. 160th St. The funding for this request comes from the balance of the former joint Parking Tax funds (co-owned by the City and the Airport).

### What alternatives exist to accomplish the work if funding is not approved (i.e.. reallocation of resources)?

1) Delay other specialized transportation consulting, surveying and other professional services needed in 2017 until 2018; 2) use potential savings in other budget line items to offset overruns in the professional services line item should they occur; 3) return to Council in the future and request additional funding at that time.

### What City Goal is addressed with this expenditure?

The City Operations Goal indicates that we should "Continuously improve the efficiency and effectiveness of city government". In combination, the Accountability Goal and the Infrastructure Investment Goal states that we should improve public safety, and the community by making capital investments.

<u>Funding Source(s):</u>	<u>Identify Specific Funding Source</u>	<u>2017 Request</u>	<u>2018 Request</u>
Current Operations:			
Ending Fund Balance:			
Grant (Specify):			
Other (Specify):	102 Joint Parking Tax Funds Available = \$3.7 Million	\$25,000	
<b>TOTAL</b>		<b>\$25,000</b>	<b>\$0</b>

## City of SeaTac 2017-2018 Budget Amendment Decision Card

**Department:** Public Works  
**Division:** Admin & Engineering  
**Director:** William Appleton  
**Item:** Telephones (restoration of budget)  
**BARS#:** 102.000.11.544.21.42.028  
**Amount of Request:** \$16,260

### Description of Request (include detail of total funding request):

Restore the phone budget for the Administration and Engineering Division by increasing the current \$570 budgeted in 2017 and 2018 to \$8,700 for each year.

### Justification for Request:

As part of the financial restructuring approved in the 2017-2018 Biennial Budget, the Public Works Administration and Engineering divisions were removed from the General Fund and moved into the various dedicated funds. In the process of restructuring the budget, the amount normally allocated for telephones in the Public Works Engineering Division (\$8,100) was inadvertently omitted, leaving only the Administration Division allowance of \$570 per year. An additional \$16,260 is required to cover the cost of telephones for the biennium.

### What alternatives exist to accomplish the work if funding is not approved (i.e.. reallocation of resources)?

If additional funds are not authorized Public Works will: 1) use potential savings in other budget line items to offset overruns in the telephone line item, 2) return to Council in the future and request additional funding at that time.

### What City Goal is addressed with this expenditure?

The City Operations Goal indicates that we should "Continuously improve the efficiency and effectiveness of city government". In addition, the Revenue and Development Goal states that we should "Steward the City's financial resources and promote economic development to ensure sustainability and future growth".

<u>Funding Source(s):</u>	<u>Identify Specific Funding Source</u>	<u>2017 Request</u>	<u>2018 Request</u>
Current Operations:			
Ending Fund Balance:	102 Available Fund Balance = \$9.5 Million	\$8,130	\$8,130
Grant (Specify):			
Other (Specify):			
<b>TOTAL</b>		<b>\$8,130</b>	<b>\$8,130</b>

## City of SeaTac 2017-2018 Budget Amendment Decision Card

<b>Department:</b>	Public Works
<b>Division:</b>	Admin & Engineering
<b>Director:</b>	William Appleton
<b>Item:</b>	Sound Transit Project Staffing (3-year limited term position, range 49)
<b>BARS#:</b>	102.000.11.544. series
<b>Amount of Request:</b>	\$160,027 Staff; \$2,500 Computer & Equipment; \$2,000 Misc

### Description of Request (include detail of total funding request):

A 3-year term limited position, plus office supplies, for the next phase of the Sound Transit Project (Federal Way extension). This position will be paid for out of the Street Fund (102), and all time spent working on the ST project by City staff will be reimbursed by Sound Transit per agreement. This funding approach is based on the previous Angle Lake Station project completed in 2016.

### Justification for Request:

The City and Sound Transit have entered into a services agreement that identifies not less than \$1,000,000 worth of task orders for services that will be requested by ST from the City over the next 5-6 years. The City is already responsible to complete this work to insure the proposed project is completed properly and that any impacts to our community/infrastructure are minimized and appropriate mitigations are addressed. The proposed LTE position will allow a redistribution of workload within Public Works to enable City staff to give ST task orders priority as they come in over the next 3-years. Any time that may be spent on non-ST related work (during slow periods) will be charged to the appropriate public works fund for which the work has been performed (and is not reimbursable). Additional LTEs and budget adjustments are anticipated as ST work task orders increase during the next few Biennial Budgets.

### What alternatives exist to accomplish the work if funding is not approved (i.e.. reallocation of resources)?

There is no practical alternative. The purpose of the funding agreement with Sound Transit is to secure funding for staff position(s) and staff time sufficient to complete the ST work in a timely manner without interfering with the City's other customers. ST is paying directly for expedited service and attention, rather than waiting in a first-come/first-serve queue. Any developer could purchase a similar priority through a similar services agreement.

### What City Goal is addressed with this expenditure?

The City Operations Goal indicates that we should "Continuously improve the efficiency and effectiveness of city government". In addition, the Revenue and Development Goal states that we should "Steward the City's financial resources and promote economic development to ensure sustainability and future growth".

<u>Funding Source(s):</u>	<u>Identify Specific Funding Source</u>	<u>2017 Request</u>	<u>2018 Request</u>
Current Operations:			
Ending Fund Balance:		\$41,798	\$118,229
Grant (Specify):			
Other (Specify):	Sound Transit Reimbursement	-\$41,798	-\$118,229
<b>TOTAL</b>		<b>\$0</b>	<b>\$0</b>

## City of SeaTac 2017-2018 Budget Amendment Decision Card

**Department:** City Manager  
**Division:**  
**Director:** Joseph Scorcio  
**Item:** Professional Services - City gateway/entrances analysis  
**BARS#:** 105.000.03.576.10.41.000  
**Amount of Request:** \$50,000

### Description of Request (include detail of total funding request):

A professional services contract for an analysis of options regarding the gateways/entranceways to the City, including but not limited to signage, wayfinding, community and neighborhood identifiers, corridor beautification, etc. The intent of the analysis to identify opportunities for the City (and any community partners) to consider to provide an enhanced community identity, better directional guidance and sense of place to both the millions of annual visitors to the City and to the local residents. The initial analysis would also include identification of one or more pilot projects (with cost estimates) that could be undertaken to implement the selected option(s).

### Justification for Request:

This current proposal evolved from discussions and recommendation from the Airport Advisory Committee, but echoes prior suggestions and proposals from Councilmembers, other advisory groups and the public. On May 25, 2017, the Council directed City staff to prepare a decision card seeking the additional funding in 2017.

### What alternatives exist to accomplish the work if funding is not approved (ie. reallocation of resources)?

Staff and Council would continue to respond to issues and ideas in an ad hoc manner, but there would be no common response, approach and result. Lacking coordination, City and community efforts would not be as effective; it would be harder to secure grant and foundation funding (private & non-profit); and design, installation and ongoing maintenance costs would likely be higher.

### What City Goal is addressed with this expenditure?

The City's Mission Statement includes efforts to create a clean and healthy city; improve community safety and services; and finally, support the growth and development of our community. While all of the goals support the Mission, the Infrastructure Investment goal most directly supports this effort while seeking to improve the community by making capital investments. The options for City's gateways/entrances will ultimately involve capital investments and infrastructure improvements.

<b>Funding Source(s):</b>	<b><u>Identify Specific Funding Source</u></b>	<b><u>2017 Request</u></b>	<b><u>2018 Request</u></b>
Current Operations:			
Ending Fund Balance:	105 Available Fund Balance = \$900,000	\$50,000	
Grant (Specify):			
Other (Specify):			
<b>TOTAL</b>		<b>\$50,000</b>	<b>\$0</b>

## City of SeaTac 2017-2018 Budget Amendment Decision Card

**Department:** Parks, Community Programs & Services  
**Division:** Facilities  
**Director:** Lawrence Ellis  
**Item:** City Hall Security and Access Improvements  
**BARS#:** 306.000.  
**Amount of Request:** \$125,000

### **Description of Request (include detail of total funding request):**

Physical changes are needed to City Hall for improved customer service, better public access, and general building security. The one-time improvements will affect both first and third floors. The first and third floor lobby areas will be updated and provided with significantly better signage to help customers locate departments easier. The Riverton Room will be expanded to accommodate larger meetings and modified to have two access points. The Court Administration lobby will be relocated adjacent to the Police lobby for better customer service and improved visibility in one consolidated (larger) lobby. The changes will also accommodate the space needed for the new probation staff. The third floor lobby reception area will be opened for better public access and an interior door will be added for better security. A series of related smaller improvements to the Permit Center lobby will further support better public access to, and service from, all third floor departments.

### **Justification for Request:**

A multi-department team was convened to review public access, building functionality, staff security concerns and other awareness issues. The City Hall staff committee developed and prioritized a list of first and third floor improvements that would provide for better public access, easier access to key destinations (fewer lost customers), co-located services/common lobbies (fewer dead-end hallways), and improved staff and public safety. Much of the City Hall floor layout existed when the City obtained the building and have not been changed even though safety, access, and workplace needs have been changing.

### **What alternatives exist to accomplish the work if funding is not approved (i.e.. reallocation of resources)?**

The layout of City Hall, on the first and third floors, provides unnecessarily complicated access to the public, is wasteful of valuable floor area, has isolated dead-end spaces, and lacks good internal visibility. These proposed changes are the minimal physical changes recommended to improve the functionality of City Hall, provide adequate public access and better protect staff.

### **What City Goal is addressed with this expenditure?**

Most of the City goals are addressed by this one-time expenditure, including: the City Operations Goal to "Continuously improve the efficiency and effectiveness of city government", the Revenue and Development Goal to "Steward the City's financial resources", the Accountability Goal to "Improve public safety".

<u>Funding Source(s):</u>	<u>Identify Specific Funding Source</u>	<u>2017 Request</u>	<u>2018 Request</u>
Current Operations:			
Ending Fund Balance:	306 Available Fund Balance = \$1,209,623	\$125,000	
Grant (Specify):			
Other (Specify):			
<b>TOTAL</b>		<b>\$125,000</b>	<b>\$0</b>

**ORDINANCE NO. 17-1015**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, repealing Chapter 15.305 of the SeaTac Municipal Code, the South 154<sup>th</sup> Street Station Area Overlay District, and replacing it with a new Chapter 15.305.

**WHEREAS**, the South 154<sup>th</sup> Street Station Area Action Plan was adopted in December 2006; and

**WHEREAS**, the existing Chapter 15.305 South 154<sup>th</sup> Street Station Area Overlay District development standards were adopted in November 2007; and

**WHEREAS**, in 2015 the City hired the Urban Land Institute to conduct a Technical Assistance Panel for the South 154<sup>th</sup> Street Station Area; and

**WHEREAS**, one of the Technical Assistance Panel recommendations was to streamline and revise the development standards; and

**WHEREAS**, the new Chapter 15.305 provides greater flexibility, streamlined language and supports future redevelopment within the station area; and

**WHEREAS**, the new Chapter 15.305 is consistent with the South 154<sup>th</sup> Street Station Area Action Plan; and

**WHEREAS**, on May 30, 2017, a copy of the proposal was sent to the Washington State Department of Commerce for agency review and no comments were received; and

WHEREAS, on June 14, 2017, a SEPA Addendum to SEP07-00019 was issued under SEP17-0001; and

WHEREAS, on June 20, 2017, the City Planning Commission conducted a duly noticed public hearing and subsequently issued a recommendation to move the Ordinance to the City Council as drafted;

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

Section 1. Chapter 15.305 of the SeaTac Municipal Code is hereby repealed and replaced as follows:

**Chapter 15.305  
SOUTH 154<sup>TH</sup> STREET STATION AREA OVERLAY DISTRICT**

Sections:

- 15.305.005 Purpose
- 15.305.010 Authority and Application
- 15.305.050 Definitions and Use Chart Guide
- 15.305.055 S. 154<sup>th</sup> Street Station Area Overlay District Use Chart
- 15.305.057 Pedestrian-Oriented Uses, Streets and Requirements
- 15.305.100 Circulation
- 15.305.110 Vehicular Circulation Requirements
- 15.305.200 Site Planning and Building orientation
- 15.305.210 Building Placement Setback and Pedestrian Zone Width
- 15.305.220 Development Abutting Two (2) or More Street Frontages
- 15.305.230 Projects on or Near the Edge of an Urban Low Density Residential (UL) or Medium Density Residential (UM) Zones
- 15.305.240 Driveway Design
- 15.305.250 Service Element Location and Design
- 15.305.260 Exterior Lighting
- 15.305.300 Open Space and Amenities
- 15.305.310 Minimum Open Spaced Required
- 15.305.320 Location and Design of Open Space
- 15.305.330 Open Space Maintenance
- 15.305.400 Parking Standards
- 15.305.410 Off-Street Parking Requirements and Reductions

- 15.305.420 Off-Street Loading Requirements
- 15.305.430 Bicycle Parking
- 15.305.440 General Parking Design and Construction Standards
- 15.305.450 Surface Parking
- 15.305.460 Structured Parking
- 15.305.500 Landscaping Standards
- 15.305.600 Building Design
- 15.305.605 Minimum Building Height
- 15.305.610 Street Level Design
- 15.305.620 Pedestrian Building Entrances
- 15.305.630 Building Facades
- 15.305.640 Rooflines and Equipment
- 15.305.700 Mixed Use and Multi-Family Development Standards
- 15.305.710 Mixed Use Development Standards
- 15.305.720 Definition of Mixed Use
- 15.305.730 Multi-Family Development Standards
- 15.305.800 Additional Standards'
- 15.305.810 Fences
- 15.305.820 Signs
- 15.305.900 Development Incentives

#### **15.305.005 Purpose**

- A. The following standards are intended to implement the City's vision for the S. 154th Street Station Area as set forth in the City of SeaTac Comprehensive Plan, by promoting transit oriented development and pedestrian-oriented design, a diversity of uses within close proximity, open space, and a focal point for community identity.

- B. Urban Design Vision.

The urban design vision for the S. 154th Street Station Area Overlay District is intended to support an environment that is pedestrian-oriented, visually pleasing and easily accessible to the pedestrian, motorist and public transit user.

- C. Examples and illustrations are included to illustrate ways in which the intent of the standard could be achieved. The graphic illustrations are meant to be examples and not the only acceptable means to accomplishing the intent of the illustrated standards. Applicants and project designers are encouraged to consider designs, styles and techniques not pictured that will fulfill the intent of the design standard.

#### **15.305.010 Authority and Application**

- A. The provisions of this chapter shall apply to the S. 154th Street Station Area Overlay District as delineated in the official zoning map. Within the Overlay District, this chapter shall supersede existing regulations elsewhere in SMC Title 15 when in conflict with this chapter.

B. The provisions of this chapter shall apply to all development or public right-of-way meeting one (1) or more of the following thresholds:

1. All new construction requiring building permits; and/or
2. **Major Redevelopment.** Additions or alterations to a building or site, excluding interior-only improvements, which total fifty percent (50%) or more of the gross square footage (GSF) of the existing building(s) or site.

Only the portions of the building or site being altered or added to shall be required to integrate Overlay District standards into the design of the alteration or addition. Project applicants proposing additions or alterations to a building or site conforming to the above criteria for major redevelopment shall arrange a pre-design meeting with Planning staff prior to permit application to establish those design standards applicable to the proposed addition or alteration.

C. **Departures.** Departures from these Overlay District standards may be allowed, to promote well designed developments which may not strictly comply with the established standards. Proposed departures from these special standards are subject to the approval of the Director.

1. A departure shall not be granted for height, setbacks, building lot coverage, maximum and minimum parking requirements, minimum lot area, density, lot width or land uses.

D. **Departure Criteria.** The applicant must show that the proposed development requesting a departure(s) meets all of the following criteria:

1. How the requested departure meets the intent of the applicable design standard.
2. How the requested departure will not have a detrimental effect on adjacent and nearby properties.
3. How the requested departure offers a significant improvement over what otherwise could have been built under the minimum design standards.
4. How the proposed departure is part of an overall, thoughtful and comprehensive approach to the design of the project as whole.

E. **Single Family Exemption.** Existing single-family homes are exempt from the provisions of this chapter.

F. **High Capacity Transit.** Standards for high capacity transit facilities, as identified in Chapter 15.530 SMC, shall apply to all applicable development within the Overlay District.



Figure: S. 154TH STREET STATION AREA OVERLAY DISTRICT MAP

#### 15.305.050 Definitions and Use Chart Guide

A. **Land Use Definitions Specific to the S. 154th Street Station Area Overlay District.**

In addition to the land use definitions in Chapter 15.105 SMC, Definitions, the following definitions apply in the Overlay District:

**“Drive-through facility”** means a business or portion of a business where a consumer is permitted or encouraged, either by the design of physical facilities or by the provisions of services and/or packaging procedures, to carry on business while seated in a motor vehicle.

**“Office use”** means the use of a room or group of rooms for conducting the affairs of a business, profession, service, or government and generally furnished with desks, tables, files and communication equipment.

**“Park-and-fly commercial parking”** means commercial parking facilities which provide short- or long-term parking space for a fee, for parking for airport travelers.

**“Pedestrian-oriented uses”** means uses that stimulate pedestrian activity along the sidewalk frontage of a building.

**“Pedestrian Zone”** means the area between the back of curb to the face of a building. It may include both private property and public right-of-way.

**“Personal services”** means a business that provides services relating to personal grooming.

**“Public facility”** means a use which serves the public and is generally of a public service, noncommercial nature.

- B. **Selected Prohibited Uses.** This section identifies selected uses that are prohibited within the Overlay District. The Overlay District use chart in SMC 15.305.055 presents the full listing of uses that are prohibited and allowed within the Overlay District with the addition of the following prohibited uses listed in subsection (B)(1) of this section.

1. **Prohibited Uses:**

- a. Park-and-fly commercial parking.
- b. Exterior (outdoor) storage. Outdoor seating for restaurants and pedestrian-oriented accessory uses, such as flower, food, or drink stands, are exempt from this requirement.
- c. Drive-through facilities.

C. **Use Chart Guide.**

1. **About the Use Chart.** The following chart lists all of the permitted and conditional land uses allowed in each zone.
2. **How to Use the Use Chart.** The land uses are listed vertically along the left hand side and the zones are listed horizontally across the top. Each square in the chart shows the following possibilities for the use and the zone:

**P:** The use is permitted.

**C:** The use is allowed subject to a conditional use permit.

If the square is blank, the use is not permitted in that zone.

3. **Additional Standards According to Use.** Additional standards that apply to a particular use and zone are noted by number and described in the column on the far

right of the chart. If the standard is not preceded by a number, the standard applies to all zones.

### 15.305.055 S. 154<sup>th</sup> Street Station Area Overlay District Use Chart

#### ZONES:

**UM-Urban Medium**  
**UH-Urban High**  
**T-Townhouse**

**CB-C-Community Business in the Urban Center**  
**P – Park**

P-Permitted Use; C-Conditional Use Permit required

LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154 <sup>th</sup> ST are exempt from mixed use requirements.
<b>ANIMALS</b>						
Kennel/Cattery				P(1)		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Stables						
Veterinary Clinic			P(1)	P		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
<b>BUSINESS SERVICES</b>						
Airport Support Facility						
Cargo Containers						
Commercial/Industrial Accessory Uses						
Conference/Convention Center			P(1)	P		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Construction/Landscaping Yard						
Distribution Center/Warehouse						
Equipment Rental, Large						
Equipment Rental, Small				C		
Equipment Repair, Large						
Equipment Repair, Small				P		
Helipad/Airport and Facilities						
Professional Office			P(1)	P		(1) Permitted as part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Storage, Self-Service						
Truck Terminal						
<b>CIVIC &amp; INDUSTRIAL</b>						
Cemetery						
Fire Facility	P	P	P	P		
Funeral Home/Crematory						

LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154 <sup>th</sup> ST are exempt from mixed use requirements.
Police Facility	P	P	P	P		
Public Agency Office		P	P	P		
Public Agency Yard						
Social Service Office				P		
<b>EDUCATIONAL</b>						
College/University	C	C	P(1)	P		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Elementary/Middle School	C	C	C			
High School	C	C	C	C		
Specialized Instruction School		P(1)	P	P		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Vocational/Technical School			P(1)	P		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
<b>HEALTH &amp; HUMAN SERVICES</b>						
Crisis Diversion Facility (CDF)						
Crisis Diversion Interim Facility (CDIF)						
Day Care I	P(1)	P(1)	P(1)		P(1)	See SMC Ch. 15.420 Day Care Facilities. (1) Permitted as part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Day Care II	P(1)	P(1)	P(1)	P		See SMC Ch. 15.420 Day Care Facilities. (1) Permitted as part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Halfway House						
Hospital				P		
Medical Lab				P		
Medical Office/Outpatient Clinic			P(1)	P		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Opiate Substitution Treatment Facility				C		Subject to the CUP-EPF siting process (SMC 15.115.040 Essential Public Facilities).
Overnight Shelter						
Transitional Housing		C	C(1)	P		Must have adequate on-site and program management, and satisfactory written policies and procedures, including those describing tenant selection, assistance, denial or termination, and housing safety standards. Screening must not allow as residents persons who have been classified as Class III sexual offenders  (1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.

LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154 <sup>th</sup> ST are exempt from mixed use requirements.
<b>MANUFACTURING</b>						
Assembly and Packaging						
Food Processing						
Laboratories, Research Development and Testing				C		
Micro-winery/Brewery/Distillery				P(1)		(1) Permitted in conjunction with the following retail uses: restaurant, tavern, retail sales or tasting room. Retail uses to be oriented to the public street and located at the ground floor.
Manufacturing and Fabrication, Light						
Manufacturing and Fabrication, Medium						
Recycling Processing						
<b>MOTOR VEHICLES</b>						
Auto Service Center						
Auto Supply Store						
Electric Vehicle Infrastructure	P(1)	P(1)	P(2)	P	P(1)	(1) Restricted electric vehicle charging stations only.  (2) Battery charging stations only, limited in use only to the tenants or customers of the development located on site.
Fueling/Service Station						
Public/Private Parking						
Tire Retreading						
Towing Operation						
Vehicle Rental/Sales						
Vehicle Rental/Sales, Large						
Vehicle Repair, Large						
Vehicle Repair, Small						
<b>RECREATIONAL &amp; CULTURE</b>						
Amusement Park						
Community Center	C	P	P(1)	P		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Drive-in Theater						
Golf Course						
Health Club		C	P(1)	P		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Library	P	P(1)	P(1)	P		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Museum	C	C	P(1)	P		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Park	P	P	P	P	P	
Religious Use Facility	C/P (1,2)	P	P(3)	P		(1) Allowed as a minor CUP subject to the criteria under SMC 15.115.020(E).

LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154 <sup>th</sup> ST are exempt from mixed use requirements.
						(2) Allowed as a permitted use subject to the criteria in SMC 15.470.  (3) Permitted as a part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use
Religious Use Facility Accessory	C/P (1,2,3)	C(1)	P (1,4)	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).  (2) Allowed as a minor CUP subject to the criteria under SMC 15.115.020(E).  (3) Allowed as a permitted use subject to the criteria in SMC 15.470.
Stadium/Arena						
College Dormitory				P		
Duplex	P(1)				P(1)	(1) Duplexes allowed in townhouse zone only as part of townhouse development , See SMC 15.05 Townhouse and Development Design Standards.
Dwelling Unit, Caretaker/Manager						
Dwelling Unit, Detached						
Manufactured/Modular Home						
Mobile Home Park						
Multi-Family	P	P	P	P(1)		(1) Multi-Family projects within the CB-C zone shall comply with the Pedestrian Oriented Use Requirements in SMC 15.305.057.
Townhouse	P	P			P	
<b>RESIDENTIAL, RETIREMENT &amp; ASSISTED LIVING</b>						
Assisted Living		P	P			
Community Residential Facility I		P(1)	P(1)	P(1)	P(1,2)	(1) See SMC 15.465.400 for Community Residential Facilities Standards.  (2) Permitted only as part of a mixed use development, as described in SMC 15.305.730 Ground Floor Uses in Mixed Use Projects, and arranged on site as described in SMC 15.305.720 Definition of Mixed Use.
Community Residential Facility II			P	P	P(1)	(1) Permitted only as part of a mixed use development, as described in SMC 15.305.730 Ground Floor Uses in Mixed Use Projects, and arranged on site as described in SMC 15.305.720 Definition of Mixed Use.
Convalescent Center/Nursing Home	P	P	P			
Retirement Apartments		P	P	P		
<b>RESIDENTIAL, ACCESSORY</b>						
Home Occupation	P	P	P	P	P	See SMC 15.465.500 Home Occupations.

LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154 <sup>th</sup> ST are exempt from mixed use requirements.
Shed/Garage	P	P	P	P	P	See SMC Chapter 15.405 Accessory and Tent Structures.  (1) Limited to 1,000 gross square feet and a 20 foot height limit (highest point).
<b>RETAIL &amp; COMMERCIAL</b>						
Retail, Big Box						
Retail, General		P(1)	P(1)	P		(1) Permitted as part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Sexually-Oriented Business				C		
Tavern			P(1)	P		(1) Permitted as part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Theater			P(1)	P		(1) Permitted as part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
<b>RETAIL &amp; COMMERCIAL LODGING</b>						
Bed and Breakfast	P(1)	P(1)	P(1)	P(1,2)	P(1)	(1) See SMC 15.465.300 Bed and Breakfast Standards.  (2) Permitted as part of a residential mixed use development, as described in SMC 15.305.720 Definition of Mixed Use.
Hotel/Motel and Associated Uses			P(1)	P		(1) Permitted as part of a mixed use development as described in SMC 15.305.720.
<b>UTILITIES</b>						
Communications Facility	C/P	C/P	C/P	C/P	C/P	See SMC Chapter 15.480 Wireless Communications Facilities for specific use and development standards.
Utility Substation		C	C	C		
Utility Use	C	C	C	C		
Wireless Communications Facility	C/P	C/P	C/P	P	C/P	See SMC Chapter 15.480 Wireless Communications Facilities for specific use and development standards.

### 15.305.057 Pedestrian-Oriented Uses, Streets and Requirements

A. **Pedestrian-Oriented Uses.** All projects that are located on streets intended for high levels of pedestrian activity shall provide street level pedestrian-oriented retail, restaurant/food establishment, public facilities, public or personal service uses.

#### B. Primary and Secondary Pedestrian Oriented Streets

##### 1. Primary Pedestrian Streets:

- a. The west side International Boulevard between S. 154<sup>th</sup> Street and S. 152<sup>nd</sup> Street;  
and
- b. The north side of S. 154<sup>th</sup> Street between International Boulevard and 32<sup>nd</sup> Avenue South

2. Secondary Pedestrian Streets:

- a. The west side of Military Road South between S. 152<sup>nd</sup> Street and S. 150<sup>th</sup> Street

C. Requirement and Location

1. New development or redevelopment projects located along primary pedestrian oriented streets shall have a minimum of sixty percent (60%) of the length of the exterior ground floor facing the street, excluding vehicle entrances, exits, and alleys for pedestrian-oriented uses.
2. New development or redevelopment projects located along secondary pedestrian oriented streets shall have a minimum of fifty percent (50%) of the length of the exterior ground floor facing the street, excluding vehicle entrances, exits, and alleys, for pedestrian-oriented uses.

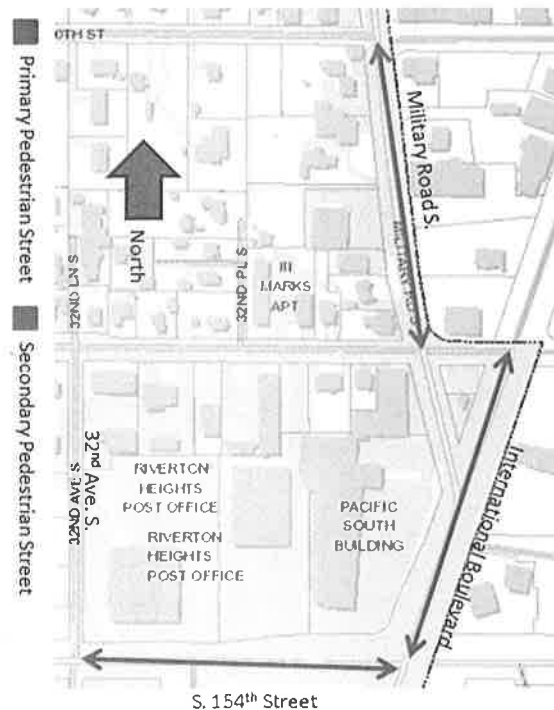


Figure: Primary and Secondary Pedestrian Streets

### 15.305.100 Circulation

**Purpose:** Create a station area with an emphasis on the needs of the pedestrian which is also accessible and convenient for vehicles. Sufficient vehicular and pedestrian circulation should be provided through the establishment of an adequate network of streets and sidewalks. Placement of structures, landscaping, and access points should collectively seek to promote an integrated, multi-modal transportation system. Creatively designed, clean and functional pedestrian connections are encouraged to provide access throughout the station area, between properties and to and from the public right-of-way.

### 15.305.110 Vehicular Circulation Requirements

Vehicular circulation is intended to provide for public access, safe traffic flow, and connections to established vehicular routes.

- A. All new streets within the Overlay District shall be constructed in accordance with adopted street standards specified in SMC Title 11, Streets, Sidewalks, and Public Thoroughfares, and generally conform to the adopted South 154<sup>th</sup> Street Station Area Action Plan to the greatest extent possible.
- B. An owner or developer shall coordinate with owners of adjacent parcels and consolidate, wherever possible, vehicular circulation routes to interconnect public and/or private streets in conformance with the adopted South 154<sup>th</sup> Street Station Area Action Plan. Where appropriate, circulation corridors shall extend to the boundary line of the site parcel in order to provide for future development of adjacent parcels and connections with existing public and/or private streets.
- C. Internal Access Roads. Internal access roads are encouraged to provide vehicular and pedestrian access to the interior of the Overlay District, to create connections between existing streets and to provide opportunities for new street frontages for retail and commercial uses.

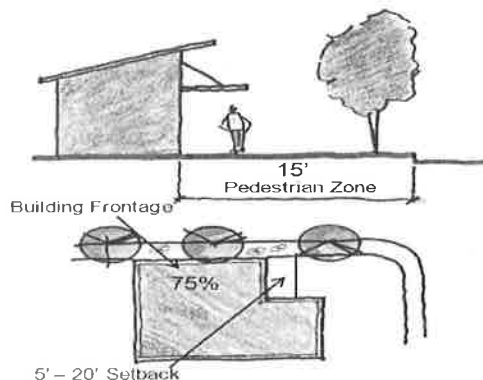
### 15.305.200 Site Planning and Building Orientation

**Purpose:** Design structures to have an external orientation to the streetscape and the pedestrian environment with unifying open space and pedestrian pathways. Design emphasis should be given to the pedestrians, rather than automobiles, through placement of parking in a less prominent location; pedestrian-level retail space; treatment of blank walls and facades and incorporation of prominent architectural features. Site layout should emphasize coordination of open spaces and pedestrian access with adjacent development or public places. Lighting and landscaping should allow for safety and visibility of public and semi-public areas.

### 15.305.210 Building Placement Setback and Pedestrian Zone Width

#### A. International Boulevard between South 154<sup>th</sup> Street to South 152<sup>nd</sup> Street:

- 1. Building Setback: Seventy-five percent (75%) of building frontage shall be set at the back of the pedestrian zone. The remaining twenty-five percent (25%) of the building may be setback from the back of the pedestrian zone no more than twenty feet (20').



2. Pedestrian Zone Width: The total pedestrian zone width, including existing sidewalk, shall be fifteen feet (15') along the west side of International Boulevard.
- B. Military Road South between South 152<sup>nd</sup> Street to South 150<sup>th</sup> Street:
1. Building Setback: Sixty percent (60%) of building frontage shall be set at the back of the pedestrian zone. The remaining forty percent (40%) of the building may be setback from the back of the pedestrian zone a maximum of twenty feet (20').
  2. Pedestrian Zone Width: The total pedestrian zone width, including existing sidewalk, shall be eight feet (8') along the west and east sides of Military Road South.
- C. South 154<sup>th</sup> Street, north and south, east between 32<sup>nd</sup> Avenue South to International Boulevard:
1. Building Setback: Sixty percent (60%) of building frontage shall be set at the back of the pedestrian zone. The remaining forty percent (40%) of the building may be setback from the back of the pedestrian zone a maximum of twenty feet (20').
  2. Pedestrian Zone Width: The total pedestrian zone width, including existing sidewalk, shall be fifteen feet (15') along the north side of South 154<sup>th</sup> Street. The total pedestrian zone width, including existing sidewalk, shall be eight feet (8') along the south side of South 154<sup>th</sup> Street.
- D. South 154<sup>th</sup> Street, north and south, west of 32<sup>nd</sup> Avenue South:
1. Building Setback: A maximum setback of ten feet (10') measured from the back of the pedestrian zone for sixty percent (60%) of building frontage. The remaining forty percent (40%) of the building may be setback from the back of the pedestrian zone a maximum of twenty feet (20').
  2. Pedestrian Zone Width: The total pedestrian zone width, including existing sidewalk, shall be thirteen feet (13') along the north side of South 154<sup>th</sup> Street. The total pedestrian zone width, including existing sidewalk, shall be eight feet (8') along the south side of South 154<sup>th</sup> Street.
- E. 32<sup>nd</sup> Avenue South, west and east sides of the street:
1. Building Setback: A maximum setback of ten feet (10') measured from the back of the pedestrian zone for sixty percent (60%) of building frontage. The remaining forty percent (40%) of the building may be setback from the back of the pedestrian zone a maximum of twenty feet (20').

2. Pedestrian Zone Width: The total pedestrian zone width, including existing sidewalk, shall be eight feet (8') along the west and east sides of 30<sup>th</sup> Avenue South.

F. 30<sup>th</sup> Avenue South, west and east sides of the street:

1. Building Setback: A maximum setback of ten feet (10') measured from the back of the pedestrian zone for sixty percent (60%) of building frontage. The remaining forty percent (40%) of the building may be setback from the back of the pedestrian zone a maximum of twenty feet (20').
2. Pedestrian Zone Width: The total pedestrian zone width, including existing sidewalk, shall be eight feet (8') along the west and east sides of 32<sup>nd</sup> Avenue South.

G. South 152<sup>nd</sup> Street, east of 32<sup>nd</sup> Avenue South:

1. Building Setback: A maximum setback of ten feet (10') measured from the back of the pedestrian zone for sixty percent (60%) of building frontage. The remaining forty percent (40%) of the building may be setback from the back of the pedestrian zone a maximum of twenty feet (20').
2. Pedestrian Zone Width: The total pedestrian zone width, including existing sidewalk, shall be eight feet (8') along the north and south sides of 32<sup>nd</sup> Avenue South.

H. South 152<sup>nd</sup> Street, west of 32<sup>nd</sup> Avenue South:

1. Building Setback: A maximum setback of ten feet (10') measured from the back of the pedestrian zone for sixty percent (60%) of building frontage. The remaining forty percent (40%) of the building may be setback from the back of the pedestrian zone a maximum of twenty feet (20').
2. Pedestrian Zone Width: The total pedestrian zone width, including existing sidewalk, shall be eight feet (8') along the north and south sides of 32<sup>nd</sup> Avenue South.

**15.305.220 Development Abutting Two (2) or More Street Frontages**

- A. Buildings on corner lots shall orient front facades to both the corner and adjacent public and/or private street fronts. Pedestrian entries should be located near or on the corner.

1. **Corner Buildings and Architectural Focal Points.** Development at the intersection of arterial streets shall include architectural focal points that increase the visibility and landmark status of corner buildings, such as, but not limited to, one (1) or more of the following:

- a. Transparent glazing incorporated into corner building design;
- b. Tower elements and/or rooflines that accentuate the corner;
- c. Balconies or building terraces at or near the corner.



**Example: Architecture Focal Point**

**15.305.230 Projects on or Near the Edge of an Urban Low Density Residential (UL)**

Careful siting, building design and building massing shall be used to achieve an integrated neighborhood character in Urban High and Urban Medium Density Residential projects that transition to Urban Low Density Residential.

A. **Urban Medium Density Residential (UM) or Urban High Density Residential (UH) adjacent to Urban Low Density Residential (UL).** Properties abutting UL zones shall incorporate a minimum of two (2) the following techniques:

1. Increasing the building setback from the zone boundary at ground level;
2. Reducing the bulk of the building's upper floors;
3. Reducing the height of the structure;
4. Use of a Type 1, ten (10) foot landscape buffer;
5. Modulation of bays;
6. UM to UL: Stepping down the height of structures from 40' to 35' at the zone boundary;
7. UH to UL: Stepping down the height of structures from 55' to 45' at the zone boundary;
8. Minimizing use of blank walls

**15.305.240 Driveway Design**

- A. Automobile access shall be consolidated with no more than one (1) driveway per one site for every hundred fifty (150) linear feet of street frontage.
- B. Curb cuts should be minimized whenever possible through the use of shared driveways.
- C. Pedestrian walkways interrupted by driveways shall be distinguished from the driveway surface by decorative paving.

- D. Driveways serving front yard porte cochere building entries may be approved by the Director and include only the short-term parking that can be accommodated along one (1) double-loaded drive aisle.

#### **15.305.250 Service Element Location and Design**

To reduce the potential negative impacts of service elements such as waste receptacles and loading docks, service and loading areas shall be located away from sidewalks and other pedestrian areas, and screened from public view. The following requirements shall be met:

- A. Service elements shall be concentrated and located where they are accessible to service vehicles and convenient for tenant use.
- B. Service elements shall be designed to meet CPTED standards. (SMC Chapter 17.04 )

#### **15.305.260 Exterior Lighting Principles.**

- A. Use lighting both to increase site safety in all locations used by pedestrians and to highlight architectural or landscape details and features such as entries, signs, canopies, plantings, and art.
- B. Design project lighting based upon the uses on and off site, taking care to provide illumination to serve building needs while avoiding off-site night glare and light pollution.
- C. Lighting standards shall be no greater than sixteen (16) feet in height, and used to illuminate surfaces intended for pedestrians or vehicles, as well as building entries. Light fixtures shall be sited and directed to minimize glare around residences.
- D. 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 to the requirements of Chapter 17.40 SMC, Walkway, Bikeway and Park Lighting.

#### **15.305.300 Open Space and Amenities**

**Purpose:** Provide for open space that enhances and activates the pedestrian realm through the provision of plazas, courtyards, pocket parks and sidewalks. Open spaces should be inviting, functional, easy to maintain and safe. It should contribute to the character of the area and complement the built environment.

#### **15.305.310 Minimum Open Space Required**

The following standards are applicable to all commercial, nonresidential and multi-family developments.

- A. **Multi-Family Development.** See Chapter 15.510 SMC, Multi-Family Housing Design Standards.

## **B. Commercial and Nonresidential Development.**

1. **Minimum Open Space Required.** Five percent (5%) of net site area shall be set aside as accessible, usable outdoor open space.
2. **Net Site Area Calculation. Net Site Area = Total Site Area – Sensitive Areas.** For the purpose of this chapter, the following shall not be included toward meeting the minimum open space requirement:
  - a. Portions of a parcel classified as sensitive area; stormwater facility, provided that such stormwater facilities are at grade and not covered; or open water.
  - b. Required landscaping and sensitive area buffers without common access links, such as pedestrian trails.
  - c. Driveways, parking, or other auto serving uses.
  - d. Areas of a parcel with slopes greater than eight percent (8%) shall not qualify as usable outdoor open space, unless the area has been developed with an enhanced accessibility system of stairs, ramps, terraces, trails, seating areas, or other site improvements as approved by the Director.
3. **Prohibited Adjacent to Open Space.** The following is prohibited adjacent to pedestrian oriented space:
  - a. Unscreened parking lots;
  - b. Chain link fences;
  - c. Blank walls; and
  - d. Dumpsters or service areas
4. **Areas That Qualify as Open Space.** Open space that qualifies toward meeting the minimum open space requirement shall include one (1) or more of the following:
  - a. Active outdoor recreation areas;
  - b. Expansion of existing public sidewalks;
  - c. Pedestrian-only corridors or multi-purpose trails separate from the public or private roadway system that provide through connections to enhance pedestrian and bicycle connectivity or provide access links in sensitive area buffers. The square footage (length x width) of corridors/trails shall be counted as usable open space;
  - d. Publicly accessible plazas, courtyards or pocket parks constructed contiguous with new or existing sidewalks. Publicly accessible courtyard designs shall conform to SMC 15.305.320.

### **15.305.320 Location and Design of Open Space**

The following open space regulation shall supersede the street frontage landscape requirement as specified in SMC 15.445.010(C) and 15.445.210. The building facade landscaping requirement

shall continue to apply to uses in the Overlay District, except under pedestrian weather protection structures, as specified in SMC 15.310.610(C).

A. **Multi-Family Development.** For Multi-Family open space location and design requirements see Chapter 15.510 SMC, Multi-Family Housing Design Standards.

B. **Commercial and Nonresidential Development Open Space Requirements.** Open space is to be provided in the following order of priority:

1. **Sidewalk Improvements.** Sidewalk widths shall be expanded and other improvements shall be provided along all public and private streets as per SMC 15.305.210.
2. **Remaining Open Space Area.** After fulfilling the sidewalk improvements, remaining open space shall be provided within the front yard or to the side of the property. The open space shall be developed and arranged in a manner that is accessible to the public at all times, directly connected to a sidewalk or pedestrian pathway, and bordered on at least one (1) side by, or is readily accessible from the primary structure on site.

Front yard open space shall be placed in one (1) or more of the following ways:

- a. **Plaza, Courtyard, or Pocket Park.** Publicly accessible open space shall be placed in a plaza, courtyard or pocket park that includes at a minimum:
  - i. Two hundred (200) square feet in size that is adjacent to a pedestrian building entrance;
  - ii. At least fifty percent (50%) decorative paving, constructed of such materials as stamped, broom finish, or scored concrete; brick or modular pavers;
  - iii. One (1) tree for every two hundred (200) square feet of decorative paving area;
  - iv. One (1) linear foot of seating per each forty (40) square feet of plaza, courtyard, or pocket park space in the form of freestanding outdoor benches of a minimum sixteen (16) inches wide or seating incorporated into low walls, raised planters or building foundations at least twelve (12) inches wide and eighteen (18) inches high;
  - v. Incorporate one (1) or more of the following to encourage pedestrian use and activity: plantings or grass within or immediately adjacent to the plaza, courtyard, or pocket park; public art such as a water feature or sculpture or other public amenities approved by the Director.

**C. Commercial and Nonresidential General Open Space Design Standards.**

1. **Accessory Site Furnishing.** Accessory site furnishings shall be located so as not to obstruct pedestrian access along sidewalks and to businesses.
  - a. Waste receptacles, movable planters and other accessory site furnishings shall be of a design which is compatible with the design of the plaza, courtyard, or pocket park, through the use of similar detailing or materials.
2. **Common Space Areas.** Common open space should be located to take advantage of surrounding features such as building entrances, significant landscaping, unique topography or architecture, and solar exposure.
3. **Integration with Adjacent Parcels.** Usable open space areas shall be organized and designed in a manner that allows for maximum integration with open space on adjacent parcels.
4. **Linkage of Open Space Elements.** Developments proposing on-site plazas and pocket parks as publicly accessible project amenities shall link the open space elements with adjacent sidewalks, pedestrian paths, and/or bikeways.

**15.305.330 Open Space Maintenance**

All open space improvements shall be maintained in good condition. Maintenance shall include cleaning of plaza surfaces, regular watering, mowing, pruning, clearance of debris and weeds, removal and replacement of dead plants and the repair and replacement of irrigation systems.

- A. Water features such as fountains must be functional and maintained in good condition.

**15.305.400 Parking Standards**

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

**15.305.410 Off-Street Parking Requirements and Reductions**

- A. Minimum Parking Requirements. The minimum parking spaces required are specified in SMC 15.455.120, Parking Chart for Required Off-Street Spaces.

1. Parking Reduction. The number of required off-street parking spaces may be reduced for properties within the Overlay District when one (1) or more regularly scheduled high capacity public transit routes are within a ¼ mile of a site. The amount of reduction shall be based on the frequency of the transit service, proximity and shall be limited as follows:
  - a. Residential. Thirty-five (35) % maximum;
  - b. Government, Business Services and Manufacturing. Forty (40%) percent maximum;
  - c. Recreational and Cultural, Retail and Commercial. Thirty percent (30%) maximum

- B. Parking may be increased by twenty percent (20%) above the minimum required under SMC 15.455.110, Required Off-street Parking Spaces.

#### **15.305.420 Off-Street Loading Requirements**

Off-street loading shall be provided pursuant to Chapter 15.455 SMC, Parking and Circulation.

#### **15.305.430 Bicycle Parking**

Bicycle parking and any associated amenities are encouraged if commensurate with the intended use and/or design of the building.

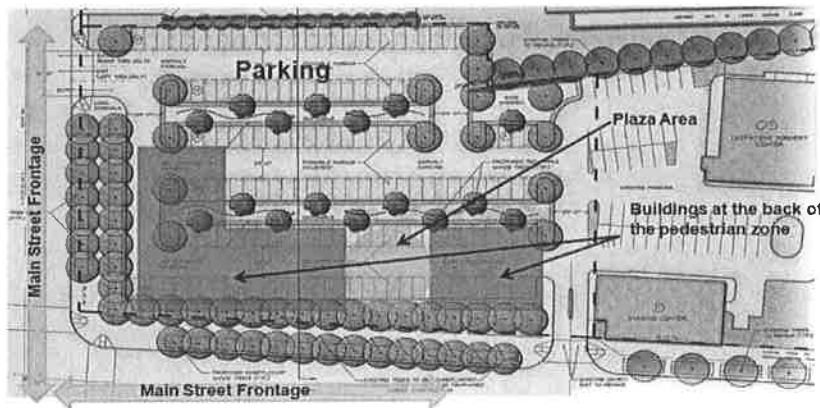
#### **15.305.440 General Parking Design and Construction Standards**

Parking design and construction requirements shall be provided pursuant to Chapter 15.455 SMC, Parking and Circulation.

#### **15.305.450 Surface Parking**

##### **A. Location of Surface Parking Lots.**

1. No parking shall be located between a building and the front property line. The Director may approve a driveway for passenger loading and off-loading only in conformance with SMC 15.305.240, Driveway Design. Surface parking shall be located behind a building or to the side of a building.



Example: Parking on corner lots

2. **Parking to the Side of the Building.** Parking located next to a building shall be set back a minimum of ten (10) feet from the front property line. The setback area shall be landscaped with Type III landscaping per SMC 15.445, Landscaping and Tree Retention.
3. **Parking on Corner Lots.** On corner lots, no parking shall be located between the building and either of the two (2) front property lines. If a parcel abuts more than two (2) public or private streets, no parking shall be located between the building and the front property line abutting the two (2) public and/or private streets with the highest classification.

**B. Pedestrian Circulation through Parking Lots.**

1. Surface parking lots containing one hundred (100) parking spaces or more shall provide pedestrian walkways through the parking lot to provide for safe pedestrian movement.
2. **Pedestrian Walkway Design.**
  - a. Pedestrian walkways shall be a minimum of four (4) feet wide, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to non-street front building entrances or existing pedestrian ways.
  - b. Where sidewalks or walkways cross vehicular driveways, provide a continuous raised crossing, or distinguish the crossing from the driveway surface by marking with a contrasting paving material.

**15.305.460 Structured Parking**

**Purpose:** Design parking structures to blend in with adjacent development. Emphasize design features that minimize the obtrusiveness of the parking use and encourage architectural compatibility with adjacent development

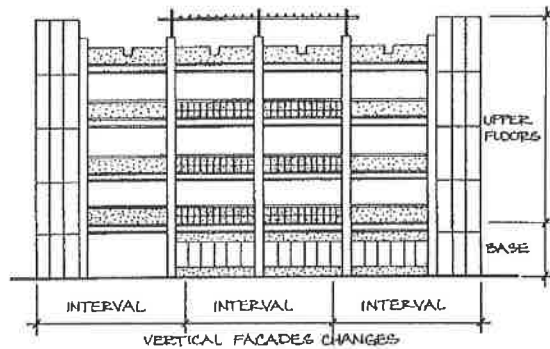


Example: Structured Parking Images

**A. Parking Structure Design.**

1. The following parking structure design standards shall be in addition to or, in some cases, supersede applicable design standards in other sections in this chapter, and in Chapter 15.455 SMC, Parking and Circulation.
2. **Minimizing Views into the Parking Structure Interior.**
  - a. For portions of parking structures without a ground floor retail, commercial, office, service or public use, a five (5) foot wide facade landscaping strip is required 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.
  - b. Any portion of a parking structure ground floor with exposed parking areas adjacent to a public or private street shall screen and minimize views into the parking structure interior by incorporating architectural elements on the parking structure facade.
  - c. In addition to the above, minimize views into the upper floors of parking structures through one (1) or more of the following methods:
    - i. Screening using architectural elements on the parking structure upper floor facades; and/or
    - ii. Upper parking floors designed as a pattern of window-like openings on the parking structure facade.
- 3. **Parking Structure Character and Massing.** Parking structure elevations over one hundred (100) feet in length shall incorporate vertical and horizontal variation in setback, material or fenestration design along the length of the applicable facade. In order to incorporate architectural variation within a project, a minimum of one (1) vertical facade change and a minimum of one (1) horizontal facade change shall be provided in the following ways:
  - a. **Vertical Facade Changes.** Incorporate intervals of architectural variation at least every forty (40) feet over the length of the applicable facade, such as:
    - i. Varying the arrangement, proportioning and/or design of garage openings;
    - ii. Incorporating changes in architectural materials;
    - iii. Projecting forward or recessing back portions or elements of the parking structure facade.
  - b. **Horizontal Facade Changes.** Differentiate the ground floor from upper floors by:
    - i. Stepping back the upper floors from the ground floor parking structure facade; or
    - ii. Changing materials between the parking structure base and upper floors; or
    - iii. Including a continuous cornice line or pedestrian weather protection element between the ground floor and upper floors.



Example: Articulation of Parking Structures

#### 4. **Parking Floors Located under or within Buildings.**

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



#### 5. **Parking Structure Lighting.**

- a. In addition to the following standards, lighting of parking structures shall be provided pursuant to Chapter 17.28 SMC, Parking Structures.
- b. Lighting on and/or within multi-level parking structures shall be screened, hooded or otherwise limited in illumination area so as to minimize excessive "light throw" to off-site areas.

#### B. **Ground Floor Uses in Parking Structures.**

1. **Front Facade.** A parking structure front facade shall be designed so that a minimum of one hundred percent (100%) of the length of the exterior ground floor facade(s), excluding vehicle entrances and exits, provides ground floor commercial space suitable for retail and commercial uses.

- a. **Minimum Depth.** The applicable ground floor area shall extend in depth a minimum of twenty (20) feet from the exterior facade; provided, that the minimum required may be averaged, with no depth less than fifteen (15) feet.
  - b. **Minimum Ceiling Height.** The minimum clear interior ceiling height standard for the retail/commercial or service use portion of parking structures shall be thirteen (13) feet for all street level building space.
2. A maximum of fifty percent (50%) of the ground floor leasable commercial/retail or service space may be occupied by office uses related to the operation of the parking structure.

### 15.305.500 Landscaping Standards

#### A. Multi-Family, Townhouse, and Duplex Development.

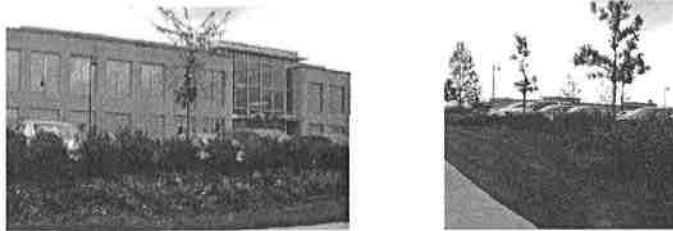
1. Landscape standards for multi-family, townhouse and duplex development are found in Chapter 15.445 SMC, Landscaping and Tree Retention unless superseded by Chapter 15.510 SMC, Multi-Family Housing Design Standards or 15.505 SMC, Townhouse and Duplex Development Design Standards.

#### B. Commercial or Non-Residential Development.

In addition to the standards of this section and chapter, landscaping requirements shall be provided pursuant to Chapter 15.445 SMC, Landscaping and Tree Retention.

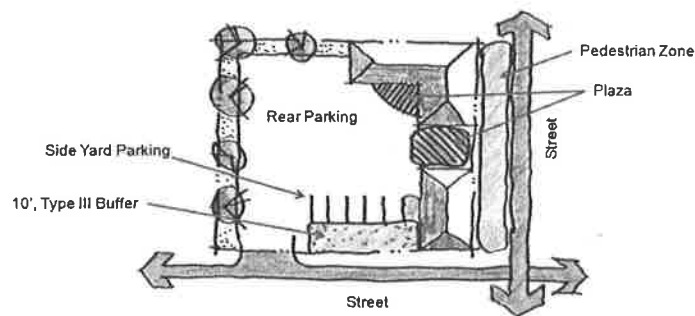
#### C. Surface Parking Lot Landscaping and Treatment of Perimeter.

Surface parking shall be visually screened from public and/or private streets by means of building placement and/or landscaping.



1. **Minimum Standards.** The minimum surface parking landscaping standards are located in SMC 15.445.250, Surface Parking Landscaping.
2. **Landscape Requirements for Parking Located to the Side of the Building.** Where parking is located to the side of a building, the following standards shall apply:
  - a. **Front Yard Landscape Buffer.** Parking located to the side of a building shall provide a minimum ten (10) foot landscape buffer from the front property line. The setback area shall be landscaped with Type III landscaping per SMC 15.455, Landscaping and Tree Retention.

- i. A front yard landscape buffer established to screen parking must be provided in addition to any required open space provided.
- b. **Landscape Island.** The requirement for landscape islands in SMC 15.445.250(B), Landscape Islands, is waived for surface parking areas located to the side of a building and located behind a ten (10) foot front yard landscape buffer.
  - i. Surface parking located to the rear of a building shall provide for landscape islands as per SMC 15.445.250(B).



Example: Location of Parking

- 3. **Perimeter Landscaping of Surface Parking Lots.** The perimeter of a parking lot shall be planted with five (5) feet of Type III landscaping, except as required in SMC 15.310.500(B)(2)(a), Front Yard Landscape Buffer.
  - a. **Fence Option.** If a four (4) foot high fence and landscaping sufficient to filter views is provided, the width of the required landscaping may be reduced. Fences must be see-through and constructed with wrought iron or other metal.
- D. Street trees shall be deciduous shade trees as per SMC Title 11. Variations in tree spacing may be approved by the Director to enhance plaza areas, emphasize building focal points or avoid visually blocking retail storefront entrances.

### 15.305.600 Building Design

**Purpose:** Encourage a variety of building and design solutions in response to the standards and regulations outlined herein. Buildings should: (1) be designed to achieve an architecturally appealing environment, giving emphasis to the pedestrian through the provision of inviting building entries, street-level amenities and other structural and facade elements to encourage pedestrian interaction; (2) directly contribute to the attractiveness, safety and function of the street and public areas; and (3) be designed to accommodate a range of uses over time.

#### **15.305.605 Minimum Building Height**

Minimum building height requirements are utilized to enhance the pedestrian environment, create visual interest and provide for a consistent building scale.

- A. **Minimum Building Height.** The minimum building height within the Overlay District shall be eighteen (18) feet.
- B. **Calculation of Minimum Building Height.** The overall height of a building shall be measured from the average grade of the site to the top of the parapet of the highest habitable floor. Alternate roof structures shall be measured per SMC 15.110.070, Structure Height.
- C. **Maximum Structure Heights.** For maximum structure heights for zone classifications within the Overlay District, see the dimensional standards charts in SMC 15.400.100 and 15.400.200.

#### **15.305.610 Street Level Design**

- A. **Ground Floor Transparency Requirements.** Windows shall be provided at the street level along public and private streets to encourage a visual link between the business and passing pedestrians.
  - 1. **Ground Floor Transparency.** Transparency requirements shall apply to the ground floor front building facades with retail, commercial, office, service or public uses. Windows shall cover at least sixty percent (60%) along the primary pedestrian street and fifty percent (50%) along the secondary pedestrian street.
  - 2. **Residential Uses.** Transparency requirements shall not apply to portions of a building with residential units located at the ground floor.
  - 3. **Structured Parking.** Structured parking entrances that occupy a portion of the front facade are exempt from the transparency requirement.
  - 4. **Transparency Design Requirements.**
    - a. Transparency requirements shall apply to that area of the ground floor building wall facing the street up to the finished ceiling height of the ground floor of the building.
    - b. Windows shall begin between twelve (12) to thirty (30) inches above the finished grade of the ground floor building space.
    - c. Darkly tinted, mirrored, reflective or other types of glass or window treatments that diminish transparent are prohibited. Lightly tinted windows are allowed for nonretail ground floor uses.



Examples: Street Level Design



B. **Minimum Depth and Ceiling Heights for Street Level Nonresidential Uses.** Ground floor spaces of buildings intended for nonresidential uses that face public or private streets shall provide the following:

1. **Minimum Depth.** The applicable ground floor area shall extend in depth a minimum of twenty (20) feet from the exterior facade; provided, that the minimum required may be averaged, with no depth less than fifteen (15) feet.
2. **Minimum Ceiling Height.** The minimum clear interior floor to finished ceiling height standard for the ground floor portion of buildings, extending in depth a minimum of twenty (20) feet from the exterior building facade, shall be at least thirteen (13) feet for all street level building space.

C. **Pedestrian Weather Protection Along Building Facades.**

1. Building facades with ground floor retail/commercial or service uses shall provide for pedestrian weather protection through the use of awnings, canopies, colonnades, marquees, or building overhangs. Pedestrian weather protection structures shall be architecturally integrated with the ground level design of the building to which it is attached.
2. **Pedestrian Weather Protection Structure Design.**
  - a. **Length.** Pedestrian weather protection structures shall extend, at a minimum, along sixty percent (60%) of the length of the street-facing facade that includes nonresidential ground floor uses.
  - b. **Width.** Pedestrian weather protection structures shall extend a minimum of five (5) feet out from the building facade. The maximum horizontal projection from the surface of the building shall be eight (8) feet or seventy-five percent (75%) of the distance to the curb face, whichever is less.
  - c. **Signage.** All lettering, signs and graphics on weather protection structures must comply with Chapter 15.600 SMC, Sign Code.



Examples: Weather Protection

- d. **Height.** The minimum height of pedestrian weather protection structures shall be eight (8) feet six (6) inches above the sidewalk surface. Weather protection structures shall not extend above the first floor ceiling of the building. Maintain a horizontal consistency by aligning the bottom edge of weather protection structures with those on adjacent buildings. Where the grade is sloping, maintain the average height above grade of adjacent weather protection structures.
  - e. **Color/Material.** Coverings with visible corrugated metal or corrugated fiberglass are not permitted. Fabric, plastic and rigid metal awnings are acceptable if they meet applicable standards.
  - f. **Variety of Weather Protection.** Multitenant retail buildings may use a variety of weather protection features to emphasize individual storefronts and reduce the architectural scale of the building.
  - g. **Structured Parking.** Structured parking entrances that occupy a portion of the front facade are exempt from the weather protection requirement.
3. **Pedestrian Weather Protection and Building Facade Landscaping.** Building facade landscaping shall not be required under pedestrian weather protection structures that meet the requirements of subsection (B)(2) of this section. Any facade landscaping that is provided under pedestrian weather protection structures shall be of such width that a minimum five (5) feet of unobstructed walking area remains under the building awning, canopy, overhang, or other weather protection structure.

#### 15.305.620 Pedestrian Building Entries

- A. **Primary Building Entries.** Primary building entries shall be designed to be clearly visible, safe and accessible from an adjacent public or private street through:
  1. **Distinctive Entrance.** Incorporate two (2) or more of the following features:
    - a. Distinctive architectural elements such as a variation in the building footprint, roof form, or amount of transparent glazing;

- b. Pedestrian-scaled ornamental lighting no greater than sixteen (16) feet in height;
- c. Landscaping designed as entry focal point.

- B. **Secondary Building Entrances.** Commercial buildings that have a secondary public entrance or access (for example, access from a parking lot) shall provide weather protection at least three (3) feet in depth over each secondary entry.



Example: Pedestrian Building entries

### 15.305.630 Building Facades

#### A. Massing

1. Arrange the mass of the building taking into consideration the characteristics of the site and the proposed uses of the building. In addition, special situations such as very large sites, unusually shaped sites, or sites with varied topography require particular attention to where and how building massing is arranged, as they can accentuate mass and height.
2. Reducing Perceived Mass. Use secondary architectural elements to reduce the perceived mass of larger projects. Examples include, but are not limited to, creating recesses or indentations in the building envelope; adding balconies, bay windows, porches, canopies or other elements; and/or highlighting building entries.

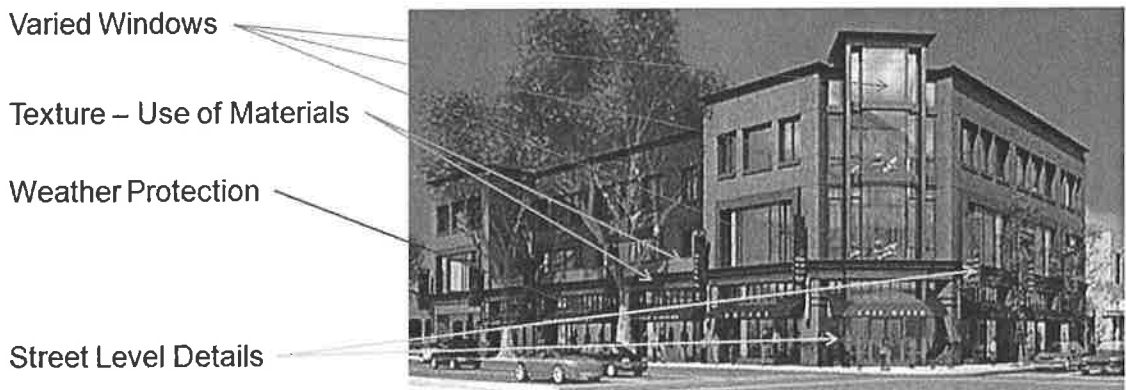
- B. **Facade Composition.** Design all building facades, including visible roofs, considering the composition and architectural expression of the building as a whole. All facades shall be attractive and well proportioned through the placement and detailing of all elements, including bays, fenestration, and materials, and any patterns created by their arrangement.

1. Building facades shall incorporate vertical and/or horizontal variations in setback, material or fenestration design along the length of the applicable facade, in at least two (2) of the following ways:
  - a. **Vertical Facade Changes.** In order to incorporate architectural variation within a project, a minimum of one (1) vertical facade change shall be provided at least every thirty (30) feet over the length of the applicable facade, with a minimum depth of four (4) feet, such as:

- i. Varying the arrangement, proportioning and/or design of windows and doors;
  - ii. Incorporating changes in architectural materials; and/or
  - iii. Projecting forward or recessing back portions or elements of the applicable facade. Front facades incorporating a variation in building setback shall include within the setback such architectural elements as covered or recessed building entries, plazas or courtyards, storefront or bay windows, seating and/or planting areas.
2. **Horizontal Facade Changes.** In order to differentiate the ground floor from upper floors, a minimum of one (1) horizontal facade change shall be provided, such as:
- a. Stepping back the upper floors from the ground floor building facade;
  - b. Changing materials between the building base and upper floors;
  - c. Including a continuous cornice line between the ground floor and upper floors.

C. Secondary Architectural Features

1. **Visual Depth and Interest.** Add depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life. Detailing may include features such as distinctive door and window hardware, projecting window sills, ornamental tile or metal, and other high-quality surface materials and finishes.
2. **Dual Purpose Elements.** Consider architectural features that can be dual purpose, adding depth, texture, and scale as well as serving other project functions. Examples include shading devices and windows that add rhythm and depth as well as contribute toward energy efficiency and/or savings, or canopies that provide street-level scale and detail, while also offering weather protection. Where these elements are prominent design features, the quality of the materials is critical.
3. **Human Scale.** Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept. Pay special attention to the first three floors of the building in order to maximize opportunities to engage the pedestrian and enable an active and vibrant street front.
4. **Texture.** Design the character of the building, as expressed in the form, scale and materials, to strive for a fine-grained scale, or “texture”, particularly at the street level and other areas where pedestrians predominate.



Example: Secondary Architectural Features

**D. Treatment of Blank Walls.**

1. Untreated blank walls visible from public streets, sidewalks, or interior pedestrian pathways shall be prohibited.
2. **Definition.** The definition of a “blank wall” is any wall or portion of a wall that is visible from a street or pedestrian corridor and is without a ground level window, door or facade opening.
3. Where blank wall sections are unavoidable due to the requirements of structural needs, they shall not exceed a length of forty (40) feet, or twenty percent (20%) of the length of the facade, whichever is less.
4. **Design Treatments.** In order to increase pedestrian comfort and interest, , blank wall sections of allowed lengths shall provide two (2) or more of the following special design treatments up to at least the finished ceiling height of the first floor building space:
  - a. A minimum of one (1) piece of public art shall be included for every forty (40) feet of enclosed length. Artwork may include, but is not limited to, the following suggestions:
    - i. Artistic wall treatments, such as painted murals, bas-relief murals, trompe l’oeil, photographic montages, or mosaics, on at least fifty percent (50%) of the blank wall surface;

- ii. Neon lighting sculptures or other artistic lighting displays, provided they do not meet the definition of a sign in Chapter 15.600 SMC, Sign Code;
- iii. Provide a decorative masonry pattern, or other architectural feature, over at least fifty percent (50%) of the blank wall surface; and/or
- iv. Employ small setbacks, projections, indentations, or intervals of material change to break up the wall's surface.

#### **15.305.640 Rooflines and Equipment**

A. **Rooflines.** In order to provide a visual terminus to the tops of Overlay District buildings and soften rectilinear forms, roof designs must conform to one (1) of the following options:

- 1. **Roofline with Architectural Focal Point.** A roofline focal point refers to a prominent rooftop feature such as a peak, tower, gable, dome, barrel vault or roof line trellis structure.
- 2. **Roofline Variation.** The roofline articulated through a variation or step in roof height or detail, such as:
  - a. **Projecting Cornice:** Roofline articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.
  - b. **Articulated Parapet:** Roofline parapets shall incorporate angled, curved or stepped detail elements.
- 3. **Pitched Roof or Full Mansard.** A roof with angled edges, with or without a defined ridge line and extended eaves.
- 4. **Terraced Roof.** A roof line incorporating setbacks for balconies, roof gardens, or patios.

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

- 1. A concealing roof line;
- 2. A terraced facade;
- 3. A screening wall or grillwork directly surrounding the equipment;
- 4. Sufficient setback from the facade edge to be concealed from ground level view.

### **15.305.700 Mixed Use Development Standards**

Purpose: Incorporate a mixture of different types of uses in one (1) structure or in close proximity to encourage pedestrian circulation, maximize site development potential and create an active environment. Design ground floors to accommodate commercial uses that benefit from a high degree of pedestrian activity while upper floors are encouraged to be devoted to residential uses.

- A. All new or redevelopment projects located along the primary or secondary pedestrian oriented streets shall comply with the SMC 15.305.057, Pedestrian-Oriented Uses, Streets and Requirements.

### **15.305.710 Definition of Mixed Use**

“Mixed Use” refers to the type of development that blends residential, commercial, cultural or institutional uses, where those uses are vertically or horizontally integrated.

- A. Vertical Mixed Use.  
Vertical mixed-use occurs when different uses inhabit the same building and sit atop one another, such as residential or office uses over ground floor retail or commercial uses.
- B. Horizontal Mixed Use (Attached).  
A single structure which provides retail/commercial or service use in the portion of a building fronting the public or private street with attached residential uses behind.
- C. Horizontal Mixed Use (Detached).  
Two (2) or more structures on one (1) site which provide retail/commercial or service uses in the structure(s) fronting the public or private street, and residential uses in separate structure(s) behind or to the side.

### **15.305.720 Multi-Family Development Standards**

Purpose: Design multi-family projects that are of high quality, good architectural design, are compatible with adjacent development, especially single-family neighborhoods, and that provide linked open space.

- A. Multi-Family development within the Overlay District shall meet the requirements of Chapter 15.510 SMC, Multi-Family Housing Design Standards, unless superseded by this chapter.

### **15.305.800 Additional Standards**

#### **15.305.810 Fences**

- A. Fences a maximum of four feet (4') in height are allowed in the front yard setback. However, fences that form a continuous visual barrier or block views to the windows of a ground level retail/commercial or service use are prohibited.
- B. Prohibited Fences. The following types of fences and/or materials are prohibited:
  - 1. Barbed wire;

2. Razor wire;
  3. Electric fences;
  4. Chain link fences of any type are not permitted on any street frontage except as follows:
    - a. To secure a site during construction; or
    - b. In connection with any approved temporary or special event use.
- C. Utility substations are exempt from this section, except for 15.305.810(B)(2) and 15.305.810(B)(3).

**15.305.820 Signs**

Signs shall be regulated by per Chapter 15.600 SMC, Sign Code.

**15.305.900 Development Incentives**

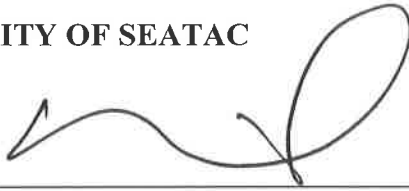
Development Incentives are allowed and regulated per 15.425 SMC, Development Incentives.

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

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

ADOPTED this 8th day of August, 2017, and signed in authentication thereof on this 8th day of August, 2017.

CITY OF SEATAC



Michael Siefkes, Mayor

ATTEST:



Kristina Gregg, City Clerk

Approved as to Form:



Mary E. Mirante Bartolo, City Attorney

[Effective Date: 8/19/17]

## **ORDINANCE NO. 17-1016**

AN ORDINANCE of the City of SeaTac, Washington, granting to MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services, a non-exclusive franchise to construct, maintain, repair, replace, remove, and operate a Hybrid Transport Network in, upon, over, under, along, across and through the Franchise Area of the City of SeaTac.

**WHEREAS**, MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services ("Grantee") has applied for a nonexclusive franchise to enter, occupy, and use public rights-of-way and nonexclusive easements to construct, operate and maintain a Hybrid Transport Network to offer and provide Communications Services for hire, sale, or resale in the City; and

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

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

**Section 1.** The following non-exclusive franchise to construct, maintain, repair, replace, remove, and operate a Hybrid Transport Network in, upon, over, under, along, across and through the Franchise Area of the City of SeaTac is hereby granted to MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services:

### **SECTION 1. DEFINITIONS**

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

**1.1 "Affiliate"** means a Person directly or indirectly owned or controlled by Grantee, or that owns or controls Grantee, or is under common ownership or control with Grantee.

**1.2 "Communications Services"** means telecommunications services and information services as defined under 47 U.S.C. § 153, a telephone business services as defined under RCW 82.16.010 and services provided as a service provider as defined under RCW 35.99.010, including, but not limited to the leasing of dark fiber to third parties.

**1.3 "City"** means the City of SeaTac, Washington, a municipal corporation.

**1.4 "FCC"** means the Federal Communications Commission or its lawful successor.

- 1.5 "Hybrid Transport Network"** means a combination of wires, including, but not limited to optical fiber cable, and all associated equipment necessary to operate such network including, but not limited to, repeaters, optronics, and microwave technologies that provide high-speed, high-capacity bandwidth.
- 1.6 "Franchise"** means this document, a non-exclusive contractual agreement, and any amendments and modifications thereto executed between the City and Grantee, containing the specific provisions of the authorization granted to operate a Hybrid Transport Network in the City.
- 1.7 "Franchise Area"** means Rights-of-Way within the jurisdictional boundaries of the City, including any areas annexed by the City during the term of this Franchise.
- 1.8 "Grantee"** shall mean MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services (Verizon Access.)
- 1.9 "Person"** means any individual, partnership, association, joint stock company, trust, corporation, limited liability company, sole proprietorship, any form of business association or governmental entity, but shall not mean the City.
- 1.10 "Right-of-Way" (pluralized as "Rights-of-Way")** means the surface of, and the space above and below, any public street, highway, freeway, bridge, land path, alley, court, boulevard, sidewalk, way, lane, public way, drive, circle or other public way of the City, including, but not limited to, non-exclusive utility easements, dedicated utility strips, or public ways dedicated for compatible uses now or hereafter held by the City in the Franchise Area, which shall entitle the Grantee to the use thereof for the purpose of installing, operating, repairing, upgrading and maintaining the Hybrid Transport Network. Right-of-Way shall also mean any easement now or hereafter held by the City within the Franchise Area for the purpose of public travel or for utility or public service use dedicated for compatible uses.
- 1.11 "State"** means the State of Washington.
- 1.12 "Underground Facilities"** means facilities located under the surface of the ground, other than underground foundations or supports for overhead Facilities.

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

### **2.1 Grant**

- (A) The City hereby grants to the Grantee a nonexclusive Franchise authorizing construction, operation, and maintenance of a Hybrid Transport Network in, along, among, upon, across, above, over, under, the Franchise Area, and for that purpose to install, construct, repair, replace, reconstruct, maintain, or retain in the Franchise Area such wires, cables, conductors, repeaters, antenna, ducts, conduits, vaults, manholes, pedestals, amplifiers, appliances, attachments, and other related property or equipment and use existing poles as may be necessary or appurtenant for Grantee's Hybrid Transport Network. This Franchise shall also constitute a right to provide Communications Services throughout the Franchise Area.
- (B) Grantee, through this Franchise, is granted the right for its Hybrid Transport Network to occupy and use the Franchise Area of the City. Subject to federal and State preemption, the material terms and conditions contained in this Franchise may not be unilaterally altered by the City through subsequent amendments to any ordinance, regulation, resolution or other enactment of the City, except within the lawful exercise of the City's police power. In the event of a conflict between the SeaTac Municipal Code and this Franchise, this Franchise shall control, provided that the terms of this Franchise are not in conflict with any applicable state or federal law. Grantee acknowledges that its rights hereunder are subject to the police powers of the City to adopt and enforce ordinances necessary to protect the health, safety and welfare of the public and Grantee agrees to comply with all applicable general laws and ordinances enacted by the City pursuant to such power upon reasonable notice by the City.
- (C) Grantee guarantees, as a condition of exercising the privileges granted by this Franchise, that any Affiliate of the Grantee offering Communications Services in the Franchise Area, or directly involved in the management or operation of the Hybrid Transport Network in the Franchise Area, will also comply with the terms and conditions of this Franchise, unless such Affiliate is subject to terms under a separate agreement with the City.
- (D) This Franchise shall not include or be a substitute for:
- (1) Any other permit or authorization lawfully required for the purpose of conducting business within the City pursuant to the ordinances and laws of the City; or
  - (2) Any permit, agreement or authorization lawfully required by the City for Rights-of-Way users in connection with operations on or in Rights-of-Way or public property including, by way of example and not limitation, street cut permits; or
  - (3) Any permits or agreements for occupying any other property of the City to which access is not specifically granted by this Franchise including, without limitation,

permits and agreements for placing devices on poles, in conduits or in or on other structures.

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

(F) This Franchise expressly authorizes Grantee to provide Communications Services over its Hybrid Transport Network.

## **2.2 Duration**

This Franchise is and shall remain in full force and effect for a period of ten (10) years from the effective date as set forth in Section 2.3 below; unless extended or terminated as hereinafter provided.

It is further provided that upon Grantee's written request for an extension, the City may, at its discretion extend this Franchise for up to one ten (10) year extension, provided, however, that the City will not consider the request to extend the Franchise unless Grantee is in substantial compliance with the terms and conditions of the Franchise. In any such extension, if granted by the City, the terms and conditions of this Franchise shall remain in full force and effect, except as may be otherwise mutually agreed by the parties hereto.

## **2.3 Effective Date**

The effective date of this Franchise shall be twenty (20) days after publication following the adoption of this Franchise by the City's City Council, unless Grantee fails to file with the City an unconditional written acceptance of this Franchise and post the security required hereunder within sixty (60) days of the effective date of this Franchise, in which event this Franchise shall be void.

## **2.4 Franchise Nonexclusive**

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

## **2.5 Effect of Acceptance**

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

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

### **3.1 Franchise Fee.**

The parties understand that RCW 35.21.860 currently prohibits a city or town from imposing a franchise fee or any other fee or charge of whatever nature or description for use of the Right-of-Way upon any telephone business, as defined in RCW 82.16.010, or service provider, as defined in RCW 35.99.010. Based on the representations of Grantee, the City understands that Grantee is a service provider as defined in RCW 35.99.010, and engages in the telephone business as defined by RCW 82.16.010. If the statutory prohibition in RCW 35.21.860 is removed, Grantee agrees that the City may assess a reasonable franchise fee in accordance with such lawfully adopted revised state statute and that this Franchise will be amended accordingly, upon the mutual agreement of the parties, including the adoption of provisions necessary for the proper administration and payment of such fee. Notwithstanding any other provision of this Franchise, nothing in this Franchise is intended to alter, amend, modify or expand the taxes and fees that may lawfully be assessed on Grantee's business activities under this Franchise under applicable law.

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

The parties also understand that RCW 35.21.860 authorizes the City to recover from Grantee all charges and fees imposed to recover actual administrative expenses incurred by the City that are directly related to: receiving and approving this Franchise and required permits; inspecting plans and construction; and preparing a detailed statement under Ch. 43.21 C RCW. Regular application and processing charges and fees imposed by the City shall be deemed to be attributable to actual administrative expenses incurred by the City but shall not excuse Grantee from paying and being responsible for other actual administrative expenses incurred by the City. With respect to its payment of such administrative expenses, the City shall submit to Grantee statements/billings which specify the amounts due. Grantee shall make payment to the City in reimbursement of such expenses within thirty (30) days of the receipt of such statements/billings

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

- (A) Grantee has paid an initial franchise administration/processing fee of four thousand two hundred and eighty dollars (\$4,280) at the time of application, with said application having previously submitted with the administration/processing fee as evidenced by Grantee's check number 00024568, dated June 24, 2016.
- (B) Grantee shall pay permit fees and related charges, in accordance with the applicable sections of the most current City Code, at the time of application for the permit.

### **3.3 Acceptance of Payment**

No acceptance of any payment shall be construed as an accord by the City that the amount paid is, in fact, the correct amount, nor shall any acceptance of payments be construed as a release of any claim the City may have for further or additional sums payable or for the performance of any other obligation of Grantee.

### **3.4 Late Payments**

In the event any payment due the City is not paid within the thirty (30) day time period as specified above, it shall constitute a Franchise Violation for the purposes of Section 13. Additionally, the failure by the Grantee to timely pay said amounts shall be grounds for the City to preclude the processing of any applications and/or issuing permits until payment has been fully made. Furthermore, any late payment shall also accrue interest computed at the rate of twelve percent (12%) per annum from the thirtieth day.

### **3.5 Tax Liability**

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

## **SECTION 4. ADMINISTRATION AND REGULATION**

### **4.1 Authority**

(A) The City shall be vested with the power and right to administer and enforce the requirements of this Franchise and the regulations and requirements of applicable law or to delegate that power and right, or any part thereof, to the extent permitted under law, to any agent in the sole discretion of the City.

(B) Nothing in this Franchise shall expand or limit the City's right of eminent domain under State law.

## **SECTION 5. INDEMNIFICATION AND INSURANCE REQUIREMENTS**

### **5.1 Indemnification**

(A) General Indemnification. Grantee shall indemnify, defend and hold harmless the City, and its officers, officials, boards, commissions, agents and employees (while acting in an official capacity) from and against any and all actions, claims, damages, losses, liabilities, costs or expenses, including court and appeal costs and reasonable attorneys' fees and expenses, arising out of or in connection with Grantee's performance of this Agreement, including but not limited to any construction, excavation, operation, maintenance, repair, reconstruction, upgrade, rebuild, upkeep or removal of the Hybrid Transport Network, by or for Grantee, its agents or employees, or by reason of any neglect or omission of Grantee, its agents or employees, except for injuries and damages caused by the sole negligence of the City, except as otherwise provided in RCW 4.24.115. Grantee shall consult and cooperate with the City while conducting its defense of the City. The City's inspection or acceptance of any of Grantee's work when completed shall not be grounds to avoid any of these covenants of indemnification. The provisions of this section shall survive the expiration or termination of this Agreement. It

is further specifically and expressly understood that the indemnification provided herein constitutes the Grantee's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purpose of this indemnification. The parties further acknowledge that they have mutually negotiated this waiver.

- (B) Procedures and Defense. The City shall give the Grantee timely written notice of any claim or of the commencement of any action, suit or other proceeding covered by the indemnity in this Section. If a claim or action arises, the City or any other indemnified party shall then tender the defense of the claim to Grantee within six (6) business days of receipt of such notice, which defense shall be at Grantee's expense. The City may participate in the defense of a claim, at City's sole expense (except as provided in subsection (C) below), and, in any event, neither party may agree to any settlement of claims financially affecting the other party without such party's prior written approval, which approval shall not be unreasonably withheld.
- (C) Expenses. If separate representation to fully protect the interests of both parties is required, such as conflict of interest between the City and the counsel selected by Grantee to represent the City, Grantee shall pay the reasonable expenses incurred by the City in defending itself with regard to any action, suit or proceeding indemnified by Grantee. The City's expenses shall include all out-of-pocket expenses that are necessary for the City's defense, such as reasonable consultants' fees, and shall also include the reasonable value of any services rendered by the City Attorney or his/her assistants or any employees of the City or its agents but shall not include outside attorneys' fees for services that are unnecessarily duplicative of services provided to the City by the Grantee. In the event City desires to pursue or bring any counterclaims or an interpleader action, equitable relief, a restraining order or injunction, the City may employ separate counsel on its behalf at City's sole expense.

## **5.2 Insurance Requirements**

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

- (A) Amounts of Insurance. In accordance with applicable law, the Grantee shall maintain throughout the term of this Franchise the following insurance limits:
- (1) Commercial Automobile Liability. The Grantee shall keep in force a commercial automobile liability insurance policy with a combined single limit of Three Million Dollars (\$3,000,000) each accident for bodily injury and property damage covering all owned, hired, and non-owned vehicles).
  - (2) Commercial General Liability. A commercial general liability insurance policy issued by a company duly authorized to do business in the State of Washington insuring the Grantee with respect to the installation, maintenance, and operation of Grantee's Hybrid Transport Network in the amount of Five

Million Dollars (~~\$2,000,000~~ \$5,000,000) per occurrence for bodily injury and property damage and Five Million Dollars (\$5,000,000) general aggregate.

- (3) Excess General Liability. Excess or Umbrella Liability coverage at limits of One Million Dollars (\$1,000,000) per occurrence and annual aggregate providing coverage above the primary commercial general liability, commercial automobile liability and employer's liability insurance.
- (4) Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

(B) Other Insurance Provisions. The insurance policies are to contain the following provisions for Automobile Liability, Commercial General Liability:

- (1) The Grantee's insurance coverage shall be primary insurance as respect the City. Any Insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Grantee's insurance and shall not contribute with it.
- (2) Omitted.
- (3) Grantee may utilize primary and umbrella liability insurance policies to satisfy insurance policy limit requirements herein.

(C) Acceptability of Insurers. Insurance is to be obtained from insurers with a current A.M. Best rating of not less than A: VII licensed authorized or permitted to do business in the State of Washington.

(D) Verification of Coverage. Upon acceptance of the Franchise, Grantee shall furnish the City with original certificates and a copy of blanket additional insured endorsements evidencing the insurance requirements of the Grantee. Grantee may also include the City as an additional insured as their interest may appear under this Agreement on a "blanket basis" in lieu of an additional insured endorsement.

(E) Subcontractors. Grantee shall require any contractors or subcontractors to obtain and maintain substantially the same coverage with substantially the same limits as required of Grantee.

(F) Endorsements. Grantee agrees that with respect to the insurance requirements contained above, all insurance certificates will contain the following required provisions:

- (1) Include the City and its officers, employees, and elected representatives as a primary, non-contributory additional insured, with the exception of Workers' Compensation.
- (2) Omitted.

(3) Shall be on an occurrence basis.

- (G) **Insurance Term.** The insurance required above shall be kept in full force and effect by Grantee during this Franchise and thereafter until after the removal of all poles, wires, Fiber Optic cables, repeaters, antenna, underground conduits, manholes, and other conductors and fixtures incident to the maintenance and operation of Grantee's Hybrid Transport Network, should such removal be required by City Council or undertaken by Grantee. Upon receipt of notice from its insurer(s) Grantee shall provide thirty (30) days' prior written notice, by mail, to the City before cancellation of any insurance required under this Franchise.
- (H) **Issuing Companies.** Companies issuing the insurance policies shall have no recourse against the City for payment of any premiums or assessments which all are set at the sole risk of the Grantee.
- (I) **No Limit on Liability.** Grantee's maintenance of insurance as required by this Franchise shall not be construed to limit the liability of Grantee to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy to which the City is otherwise entitled at law or in equity.

### **5.3 Performance Bond**

- (A) **Amount.** Within 60 days of the Effective Date of this Franchise, the Grantee shall provide the City with a financial guarantee in the amount of One Hundred Thousand Dollars (\$100,000) running for or renewable for, the term of this Franchise, in a form and substance acceptable to the City. This Franchise performance bond shall be separate and distinct from any other bond or deposit required.
- (B) **Damages.** In the event Grantee shall fail to substantially comply with anyone or more of the provisions of this Franchise, then there shall be recovered jointly and severally from the principal and any surety of such financial guarantee any damages suffered by City as a result thereof, including but not limited to reasonable staff time, material and equipment costs, compensation or indemnification of third parties, and the cost of removal or abandonment of facilities hereinabove described.
- (1) Before any draws are made on the Franchise performance bond, the City Manager or designee shall give written notice to the Grantee:
- (a) Describing with reasonable particularity the act, default or failure to be remedied, or the damages, cost or expenses which the City has incurred by reason of the Grantee's act or default;
  - (b) Providing a reasonable opportunity for the Grantee to first remedy the existing or ongoing default or failure, if applicable;

- (c) Providing a reasonable opportunity for the Grantee to pay any moneys due the City before the City draws on the Franchise performance bond, if applicable;
  - (d) That the Grantee will be given an opportunity to review the act, default or failure described in the notice with the City Manager or designee.
- (2) The Grantee shall replace the Franchise performance bond within fourteen (14) days after written notice from the City Manager or designee that there is a deficiency in the amount of the Franchise performance bond.
- (C) Liability. Grantee's maintenance of the bond(s) shall not be construed to excuse unfaithful performance by Grantee, or limit the liability of Grantee to the amount of the bond(s), or otherwise limit the City's recourse to any other remedy available at law or in equity.
- (D) Termination. If the Franchise is terminated, or upon expiration or transfer of the Franchise, the City will return the original bond or sign the necessary documentation to release the bond promptly if Grantee does not have any unexpired obligations with respect to right of way work and does not owe funds to the City or is not in default of a material provision of the Franchise.

## **SECTION 6. REPORTS AND RECORDS**

### **6.1 Open Records**

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

### **6.2 Confidentiality and Public Records Disclosure**

The City agrees to keep proprietary or confidential books or records of Grantee confidential to the extent permitted by law. For confidential or proprietary books and records, Grantee shall accommodate the review of these books and records through a Non-Disclosure Agreement negotiated with the City designated third party consultant. Grantee shall be responsible for clearly and conspicuously identifying the records as confidential or proprietary, and shall provide a brief written explanation as to why such information is confidential or proprietary. The Grantee

shall not be required to provide customer information in violation of applicable federal or state privacy laws. For purposes of this Section, the terms "proprietary or confidential" include, but are not limited to, information relating to the Hybrid Transport Network design, customer lists, marketing plans, financial information unrelated to the calculation of rates pursuant to FCC rules, or other information that is reasonably determined by the Grantee to be competitively sensitive. If the City receives a demand from any Person for disclosure of any information designated by Grantee as proprietary or confidential, the City shall, so far as consistent with applicable law, advise Grantee and provide Grantee with a copy of any written request by the Person demanding access to such information within five (5) business days.

### **6.3 Maps and Records Required**

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

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

## **SECTION 7. GENERAL RIGHT-OF-WAY USE AND CONSTRUCTION**

### **7.1 Right to Construct and Right-of-Way Coordination**

Subject to the other provisions of this Franchise, Grantee may perform all construction in the Rights-of-Way and applicable easements for any facility needed for the maintenance, operation or extension of Grantee's Hybrid Transport Network. Subject to receiving at least 72 hour advance notice, Grantee will make reasonable efforts to attend and participate in meetings of the City regarding Right-of-Way issues that may impact the Grantee's system.

### **7.2 General Standard**

All work authorized and required hereunder shall be done in a commercially reasonable manner. All equipment shall be durable and installed and maintained in accordance with industry-standard engineering practices and shall comply with applicable law. Grantee agrees to cooperate with others to minimize adverse impacts on the Right-of-Way through joint trenching and other arrangements.

### **7.3 Movement of Facilities during Emergencies**

During emergencies, except those involving imminent danger to the public health, safety or welfare, the City shall provide notice to Grantee, at a designated emergency response contact number, to allow Grantee the opportunity to respond and rectify the problem without disrupting Communications Services. If after providing reasonable notice under the circumstances, there is no immediate response, the City may move Grantee's facilities, and the City may bill the Grantee for the cost, which shall be paid within 90 days of receipt of an itemized bill. Should the Grantee

and the City disagree about any billed costs, both parties agree to work together to resolve the dispute. If no agreement can be reached, either party may pursue appropriate legal action.

#### **7.4 One Call**

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

#### **7.5 Permits Required**

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

#### **7.6 Emergency Permits**

In the event that emergency repairs are necessary, Grantee shall immediately notify the City of the need for such repairs. The Grantee may initiate such emergency repairs and shall apply for appropriate permits within forty-eight (48) hours after resolution of the emergency.

#### **7.7 Compliance with Applicable Codes**

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

(B) Regulations and Safety Codes. Grantee shall comply with all applicable Federal, State, and City safety requirements, rules, regulations, laws, and practices, including but not limited to, the National Electric Code, National Electrical Safety Code and Occupational Safety and Health Administration (OSHA) standards.

#### **7.8 Least Interference**

Work in the Rights-of-Way, or on other public property, shall be done in a commercially reasonable manner designed to minimize interference with the rights and reasonable convenience of property owners and City residents. Grantee's Hybrid Transport Network shall be constructed and maintained in such a manner as not to interfere with storm sewers, conduit or any other property of the City, or with any other pipes, wires, conduits, pedestals, structures or other facilities that may have been laid in the Rights-of-Way by, or under, the City's authority. The Grantee's Hybrid Transport Network System shall be located, erected, and maintained so as not to endanger or interfere with the lives of Persons, or to interfere with new improvements the City may deem proper or to unnecessarily hinder or obstruct the free use of the Right-of-Way or other public property, and shall not unreasonably interfere with travel and use of public places by Persons during construction, repair, operation, or removal. In the event of such unreasonable

interference, the City may require the removal or relocation of Grantee's lines, cables, equipment and other appurtenances from the property in question at Grantee's expense.

### **7.9 Poles & Undergrounding Requirements**

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

Whenever the City may require the undergrounding of the aerial utilities in any area of the City, Grantee shall underground its aerial facilities in the manner specified by the City, concurrently with and in the area of the other affected utilities. The location of any such relocated and underground utilities shall be approved by the City. Where other utilities are present and involved in the undergrounding project, Grantee shall only be required to pay its fair share of common costs borne by all utilities, in additions to the costs specifically attributable to the undergrounding of Grantee's own Facilities. "Common costs" shall be determined for a project on the basis of the number and size of Grantee's Facilities being undergrounded in comparison to the total number and size of all other utility facilities being undergrounded. The provisions of this Section 6.9 shall survive the expiration, revocation, or termination of this Franchise. Nothing in this Section 6.9 shall be construed as requiring the City to pay any costs of undergrounding any of the Grantee's facilities. This Franchise does not grant to the Grantee the right or privilege to utilize conduit, poles, or other equipment owned by the City or any Person without separate legal authority to do so or permission from the conduit, pole, or equipment owner.

### **7.10 Restoration of Property**

- (A) If in connection with the construction, operation, maintenance, upgrade, repair or replacement of the Hybrid Transport Network, the Grantee disturbs, alters, or damages any public property, the Grantee agrees that it shall at its own cost and expense pay for any damage and replace and restore any such property to a condition equal to or better than the condition existing immediately prior to the disturbance. The Grantee shall attempt to promptly notify the property owner within twenty-four (24) hours.
- (B) Grantee shall warrant any restoration work performed by or for Grantee in the Rights-of-Way or on other public property for one (1) year, unless a longer period is required by the municipal code or any generally applicable ordinance or resolution of the City. If restoration is not satisfactorily and timely performed by the Grantee, the City may, after prior notice to the Grantee, or without notice where the disturbance or damage may create a risk to public health or safety, cause the repairs to be made and recover the reasonable cost of those repairs from the Grantee. The Grantee shall pay the City within thirty (30)

days of receipt of an itemized list of those costs, including the costs of labor, materials and equipment.

#### **7.11 Relocation of Hybrid Transport Network Facilities**

- (A) Relocation at Request of City. Upon thirty (30) days prior written notice to the Grantee, the City shall have the right to require the Grantee to relocate any part of the Hybrid Transport Network within the Rights-of-Way or on public property when the safety, health or welfare of the public requires such change, and the expense thereof shall be paid by Grantee. In the event of any City capital improvement project which requires the temporary or permanent relocation, removal, replacement, modification or disconnection of the Grantee's facilities or equipment, the City shall provide at least ninety (90) days written notice to Grantee. Following notice by the City, Grantee shall relocate, remove, replace, modify or disconnect any of its facilities or equipment within any Right-of-Way, or on any other property of the City. Should Grantee fail to relocate, remove, replace, modify or disconnect any such facilities by the date established by the City, the City may effect such relocation, removal, replacement, modification or disconnection, and the expense thereof shall be paid by Grantee, including all costs and expenses incurred by the City due to Grantee's delay. If the City requires Grantee to relocate its facilities located within the Rights-of-Way, the City shall make a reasonable effort to provide Grantee with an alternate location within the Rights-of-Way.
- (B) In the case of relocation projects where the City hires a contractor to accommodate and coordinate the conversion of overhead utilities within a City capital improvement project, if the Grantee decides to participate in the joint trench opportunity, then the Grantee shall pay to the City the Grantee's portion of trench costs, including excavation and other associated costs, trench bedding, and backfill commensurate with Grantee's proportionate share of trench usage. However, notwithstanding anything to the contrary set forth herein, if bids from the City's contractor for placement of Grantee's conduits and vaults/pedestals in the supplied joint trench, in the reasonable estimation of the Grantee, are not acceptable, the Grantee shall have the option to utilize contractor(s) of its choice to complete the required work at its sole cost. The City's contractor shall coordinate with the Grantee's contractor(s) to provide reasonable notice and time to complete the placement of the Grantee's facilities in the supplied joint trench.

#### **7.12 Movement of Hybrid Transport Network Facilities for Others**

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

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

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

If the Grantee fails to complete the above work within a reasonable time prescribed by the City, given the nature and extent of the work, or if it is not done to the City's reasonable satisfaction, the City may cause such work to be done and bill the reasonable cost of the work to the Grantee, including all reasonable costs and expenses incurred by the City due to Grantee's delay. In such event, the City shall not be liable for any damage to any portion of the Grantee's Cable System. Within thirty (30) days of receipt of an itemized list of those costs, the Grantee shall pay the City.

Notwithstanding any other provision of this Franchise, RCW Section 35.99.060 shall apply to any relocation or movement in whole or in part of Grantee's Hybrid Transportation Network Facilities.

### **7.13 Tree Trimming**

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

### **7.14 Joint Trenching/Boring**

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

### **7.15 Reservation of City Use of Right-of-Way**

Nothing in this Franchise shall prevent the City from constructing sewers; grading, paving, repairing or altering any Right-of-Way; laying down, repairing or removing water mains; or installing conduit or fiber optic cable. If such work will affect Grantee's Hybrid Transport Network, the City will, subject to the terms of this Franchise, provide Grantee with notice and a reasonable period of time to protect or relocate the portions of its Hybrid Transport Network affected.

### **7.16 Inspection of Construction and Facilities**

The City may inspect any of Grantee's facilities, equipment or construction within the Rights-of-Way and on other public property upon at least twenty-four (24) hours' notice, or, in case of an emergency, upon demand without prior notice. If an unsafe condition is found to exist, the City, in addition to taking any other action permitted under applicable law, may order Grantee to make the necessary repairs and alterations specified therein forthwith to correct the unsafe condition by a time the City establishes. The City has the right to inspect, repair and correct the unsafe condition if Grantee fails to do so, and to reasonably charge Grantee therefore.

#### **7.17 Stop Work**

(A) On notice from the City that any work is being performed by Grantee contrary to the provisions of this Franchise, or in an unsafe or dangerous manner as reasonably determined by the City, or in violation of the terms of any applicable permit, laws, regulations, ordinances or standards, the work may immediately be stopped by the City.

(B) The stop work order shall:

- (1) Be in writing;
- (2) Be given to the Person doing the work and be posted on the work site;
- (3) Be sent to Grantee by overnight delivery at the address given herein;
- (4) Indicate the nature of the alleged violation or unsafe condition; and
- (5) Establish conditions under which work may be resumed.

#### **7.18 Work of Contractors and Subcontractors**

Grantee's contractors and subcontractors shall be licensed and bonded in accordance with the City's and State's regulations and requirements. Work by contractors and subcontractors is subject to the same restrictions, limitations and conditions as if the work were performed by Grantee. Grantee shall be responsible for all work performed by its contractors and subcontractors and others performing work on its behalf as if the work were performed by it, and shall ensure that all such work is performed in compliance with this Franchise and other applicable laws, and shall be jointly and severally liable for all damages and correcting all damage caused by them. It is Grantee's responsibility to ensure that contractors, subcontractors or other Persons performing work on Grantee's behalf are familiar with the requirements of this Franchise and other applicable laws governing the work performed by them.

#### **7.19 Limitations on Future Work**

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

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

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

### **SECTION 8. FRANCHISE VIOLATIONS**

## **8.1 Material Notice of Default.**

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

- (1) respond to the City, contesting the City's assertion that a default has occurred, and requesting a meeting in accordance with subsection (B), below; or
- (2) cure the default; or
- (3) notify the City that Grantee cannot cure the default within the thirty (30) days, because of the nature of the default. In the event the default cannot be cured within thirty (30) days, Grantee shall promptly take all reasonable steps to cure the default and notify the City, in writing and in detail, as to the exact steps that will be taken and the projected completion date.

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

(C) If, after the meeting, the City determines that a default exists, then Grantee and the City may agree on a plan and schedule to cure the default. Absent such agreement, the City shall order Grantee to correct or remedy the default or violation within fifteen (15) days or within such other reasonable timeframe as the City shall determine. In the event Grantee does not cure the default within such time to the City's reasonable satisfaction, the City may:

- (1) Recommend the revocation of this Franchise pursuant to the procedures in this franchise; or
- (2) Pursue any other legal or equitable remedy available under this Franchise or applicable law.

## **8.2 Revocation.**

(A) The City may revoke this Franchise and rescind all rights and privileges associated with this Franchise in any of the following circumstances:

- (1) If Grantee fails to cure any violations of a material obligation under this Franchise;
  - (2) If Grantee becomes insolvent, or if there is an assignment for the benefit of Grantee's creditors;
  - (3) If Grantee willfully misrepresents material facts in the negotiation of this Franchise; or
- (B) Prior to forfeiture or termination of the Franchise, the City shall give written notice to the Grantee of its intent to revoke the Franchise. The notice shall set forth the exact nature of the noncompliance. Grantee shall have forty-five (45) days from receipt of such notice to object in writing and to state its reasons for such objection and provide any explanation or cure the alleged default. In the event the City does not receive a timely and satisfactory response from Grantee, it may then, by Ordinance, seek a termination of the Franchise.
- (C) Grantee shall be bound by the City Council's decision to revoke the Franchise unless an appeal to a court of competent jurisdiction is timely filed as allowed by applicable law.

### **8.3 Termination**

- (A) If this Franchise expires without renewal or is otherwise lawfully terminated or revoked, the City may, subject to applicable law, order the removal of the above-ground Hybrid Transport Network facilities and such underground facilities from the Franchise Area at Grantee's sole expense within a reasonable period of time as determined by the City. In removing its plant, structures and equipment, Grantee shall refill, at its own expense, any excavation that is made by it and shall leave all Rights-of-Way and public places in as good a condition as that prevailing prior to Grantee's removal of its equipment, ordinary wear and tear excepted, and without affecting electrical or telephone wires or attachments. The indemnification and insurance provisions shall remain in full force and effect during the period of removal.
- (B) If Grantee fails to complete any removal required by this section to the City's satisfaction, after written notice to Grantee, the City may cause the work to be done and Grantee shall reimburse the City for the costs and expenses incurred within thirty (30) days after receipt of an itemized list of the costs and expenses, or the City may recover the costs and expenses through the letter of credit, if any, or other surety if Grantee has not paid such amount within the foregoing time period.

### **8.4 Alternative Remedies**

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

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

## **SECTION 9. FRANCHISE TRANSFER**

The Franchise granted by the City shall not be assigned or transferred without the express consent of the City, which consent shall not be unreasonably withheld, conditioned or delayed. In no event shall a transfer or assignment of ownership or control be effective without the transferee acknowledging the obligations under the Ordinance, becoming a signatory to this Franchise and assuming all rights and obligations hereunder, and assuming all other rights and obligations of the transferor to the City.

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

### **11.1 Vacation of Franchise Area**

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

### **11.2 Condemnation Rights**

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

## **SECTION 11. MISCELLANEOUS PROVISIONS**

### **12.1 Notices**

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

MCImetro Access Transmission Services Corp. d/b/a Verizon Access  
Transmission Services  
600 Hidden Ridge  
Mail Code: E02E102  
Irving, TX 75038  
Attn: Franchise Manager

With Copy to (except for invoices):

Verizon Business Services, Inc.  
1320 N. Courthouse Road, Suite 900  
Arlington, VA, USA 22201  
Attn: Vice President and Deputy General Counsel, Network and Technology

Notices to City shall be sent to:

City Manager  
City of SeaTac  
4800 South 188th Street  
SeaTac, WA 98188  
Phone: 206-973-4800

### **12.2 Cumulative Rights**

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

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

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

### **12.4 Binding Effect**

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

### **12.5 Authority to Amend**

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

### **12.6 Governing Law and Venue**

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

### **12.7 Captions**

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

### **12.8 No Joint Venture**

Nothing herein shall be deemed to create a joint venture or principal-agent relationship between the parties and neither party is authorized to, nor shall either party act toward third parties or the public in any manner which would indicate any such relationship with the other. Further, the

Grantee is not granted any express or implied right or authority to assume or create any obligation or responsibility on behalf of or in the name of the City.

### **12.9 Cooperation**

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

### **12.10 Waiver**

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

### **12.11 Severability**

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

### **12.12 Entire Agreement**

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

### **12.13 Force Majeure**

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

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

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

#### 12.14 Attorneys' Fees

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

**ADOPTED** this 26 day of September, 2017, and signed in authentication thereof on this 26 day of September, 2017.


**CITY OF SEATAC**

  
\_\_\_\_\_  
Michael Siefkes, Mayor

ATTEST:

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

Approved as to form:

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

[Verizon Access Franchise]

**ORDINANCE NO. 17- 1017**

AN ORDINANCE of the City Council of the City of SeaTac, Washington authorizing the City Manager to execute settlement agreements with K&S Developments, LLC, and insurance carriers: St. Paul Fire and Marine Insurance Company, Travelers, The Charter Oaks Fire Insurance Company (collectively “Travelers”), and Cities Insurance Association of Washington (CIAW) amending the City’s 2017-2018 Biennial Budget, and directing additional fiscal actions.

**WHEREAS**, the City of SeaTac is currently involved in litigation in both federal and state court related to the acquisition of property located at 15247 International Boulevard, SeaTac, King County, Washington; and

**WHEREAS**, the City of SeaTac is currently involved in litigation with: St. Paul Fire and Marine Insurance Company, Travelers, The Charter Oak Fire Insurance Company (collectively “Travelers”) and Cities Insurance Association of Washington (CIAW) related to associated insurance coverage issues; and

**WHEREAS**, the City Council has been fully apprised by legal counsel of the facts and circumstances of this case, the legal issues involved, and the positions of the respective parties; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City of SeaTac to enter a mutually-satisfactory resolution of all pending disputes and avoid further costly litigation; and

**WHEREAS**, and it is necessary to provide additional appropriation authority in the amount of \$4.25 million in order to execute this settlement agreement; and

**WHEREAS**, an amendment to the City's 2017-2018 Biennial Budget is necessary to provide additional appropriation authority for the purpose of settling any pending, future, and all litigation related to K&S Development LLC;

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

**Section 1.** The City Manager is authorized to execute a settlement agreement with K&S Developments, LLC and insurance carriers: Travelers and CIAW that will resolve all disputes and terminate all pending litigation and claims as well as any prospective claims involving the aforementioned property in dispute.

**Section 2.** The City Manager is authorized to execute a settlement agreement with Travelers and CIAW that will resolve all disputes and terminate all pending litigation and claims as well as any prospective claims involving the insurance coverage dispute related to K&S Development, LLC.

**Section 3.** The 2017-2018 Biennial Budget for the City of SeaTac, covering the period from January 1, 2017, through December 31, 2018, is hereby amended with a 2018 ending fund balance in the amount of \$52.1 million for all budgeted funds. The City's amended 2017-2018 biennial budget is attached as Exhibit A, and includes budgeted revenues and expenditures for the 2017-2018 biennium in the amounts, and for the purpose shown separately in the aggregate totals for all such funds as displayed.

**Section 4.** The City Manager is directed to prepare and present an Ordinance documenting procedures and policies to initiate an inter-fund loan for all or part of the amount paid from the General Fund per **Section 3** above in order to maintain appropriate balances across all City's Funds.

**Section 5.** The City Council designates this Ordinance as a public emergency Ordinance necessary for the protection of public health, public safety, public property, or the public peace, and therefore the effective date of this Ordinance shall be effective upon adoption.

**ADOPTED** this 10<sup>th</sup> day of October, 2017, and signed in authentication thereof on this 10<sup>th</sup> day of October, 2017.

**CITY OF SEATAC**



Michael Siefkes, Mayor

ATTEST:



Kristina Gregg, City Clerk

APPROVED AS TO FORM:



Cindy Corsilles, Assistant City Attorney

[Effective Date: 10/10/17]

[Settlement]

**CITY OF SEATAC, WASHINGTON**  
**2017-2018 BIENNIAL BUDGET: EXHIBIT A**

10/10/2017

**2017-2018 BIENNIAL BUDGET (EXPENDITURES + ENDING BALANCES) = \$ 189,855,333**

FUND		BEGINNING BALANCE 2017-2018	REVENUES & OTHER SOURCES 2017-2018	EXPENDITURE APPROPRIATION 2017-2018	ENDING BALANCE 2017-2018
001	General Fund	\$ 17,471,668	\$ 73,040,757	\$ 77,547,715	\$ 12,964,708
102	Street Fund	11,176,559	17,708,396	15,429,105	13,455,850
105	Port ILA	1,270,323	5,000	495,470	779,853
106	Transit Planning	214,981	-	184,315	-
107	Hotel/Motel Tax	7,315,221	2,996,200	2,334,334	7,977,087
108	Building Management	2,547,333	2,460,680	1,475,303	3,532,710
110	Facility Repair & Replacement	330,191	-	276,879	-
111	Des Moines Creek Basin ILA	1,873,484	664,000	651,616	1,885,868
206	2009 LTGO Bond Fund	12,974	689,200	689,200	12,974
207	SCORE Bond Servicing	258,636	419,459	419,459	258,636
301	Municipal Capital Improvements	6,622,676	3,789,699	8,006,522	2,405,853
306	Municipal Facilities CIP	1,364,518	5,200	282,495	1,087,223
307	Transportation CIP	3,836,481	19,296,100	19,973,747	3,158,834
308	Light Rail Station Areas CIP	1,873,520	5,000	1,750,000	128,520
403	SWM Utility	3,354,416	6,080,964	6,157,207	3,278,173
404	Solid Waste & Environmental	-	550,200	545,096	5,104
501	Equipment Rental	1,291,408	1,414,069	1,492,072	1,213,405
* TOTAL BIENNIAL BUDGET		\$ 60,814,387	\$ 129,124,924	\$ 137,710,535	\$ 52,144,797

**ORDINANCE NO. 17-1018**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Section 14.16.028 of the SeaTac Municipal Code related to the definition of Building Footprint.

**WHEREAS**, in 2016, the City adopted numerous amendments to the Municipal Code in order to implement the Low Impact Development (LID) requirement of its NPDES Phase II permit; and

**WHEREAS**, during the review and amendment process, a provision was inadvertently omitted from the definition of “Building Footprint” in Title 14; and

**WHEREAS**, on August 17, 2017, City staff transmitted a copy of the proposed code amendment to the Washington State Department of Commerce for review and comment, pursuant to RCW 36.70A.106, and no comments were received from any state agency; and

**WHEREAS**, this proposed code amendment is exempt from SEPA review pursuant to WAC 197-11-800 (19)(a)(b); and

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing regarding these proposed changes on September 19, 2017, after which it rendered a recommendation of approval on the proposed amendments contained herein;

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

**Section 1.** Section 14.16.028 of the SeaTac Municipal Code is hereby amended as follows:

**14.16.028 Building Footprint.**

That area of a lot, exclusive of the following, where a structure can be constructed on the lot:

- A. Access easements;
- B. Utility easements;

C. Sensitive areas easements and buffers;

D. That area within the drip-line of any tree within a sensitive area easement; or

E. Required building setbacks pursuant to SMC 15.400.100 and 15.400.200.

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

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

**Section 4.** This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

ADOPTED this 28<sup>th</sup> day of November, 2017, and signed in authentication thereof on this 28<sup>th</sup> day of November, 2017.

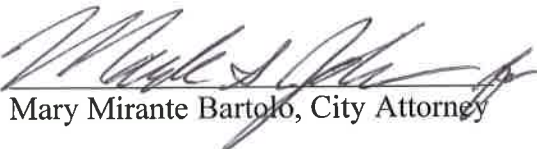
CITY OF SEATAC

  
\_\_\_\_\_  
Michael Siefkes, Mayor

ATTEST:

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

Approved as to Form:

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

Effective Date: 12/27/17

(amending Section 14.16.028 of the SMC)

**ORDINANCE NO 17-1019**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, setting the 2018 property tax levy, and establishing the amount to be levied by taxation in 2018 on the assessed valuation of the property of the City.

**WHEREAS**, the City Council of the City of SeaTac has considered its budget for calendar year 2018 as part of its 2017-2018 Biennial Budget review and modification process; and

**WHEREAS**, RCW 84.52 requires that, upon fixing of the amount of property taxes to be levied, the City Clerk shall certify the same to the Clerk of the King County Council; and

**WHEREAS**, RCW 84.55 as amended in 1997 by Referendum 47, requires a statement of any increased tax in terms of both dollar amount and percentage change from the previous year; and

**WHEREAS**, the King County Assessor, has submitted an estimated assessed valuation of all taxable property situated within the boundaries of the City equal to a rounded \$5.7 billion; and

**WHEREAS**, the SeaTac City Council, after reviewing and duly considering all relevant evidence and testimony presented, determined that the City of SeaTac requires a regular levy in the amount of \$15,806,630, the amount is based on King County Assessor 2017 estimates [ $\$2.747/1000 * \$5.7 \text{ Billion AV}$ ] plus any increase for the amounts resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the City and in its best interest;

WHEREAS, as required by State laws, a public hearing on the City's property tax levy authorization was properly noticed and held on November 14, 2017;

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

**SECTION 1. Estimated Amount to be Collected by Ad Valorem Taxation.**

The amount of revenue to be collected by the City in the fiscal year 2018 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$15,806,630.

**SECTION 2. Increase in Property Tax Revenue From the Previous Year.**

The 2018 regular levy amount includes increases from (1) new construction and improvements to property, (2) increase in the value of state-assessed property, and (3) amounts authorized by law as a result of any annexations that have occurred, as well as applicable refunds (\$30,809) already made and (4) an increase in the regular property tax levy from the previous year of Zero (\$0), or zero percent (0.0%).

**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 28<sup>th</sup> day of November, 2017, and signed in authentication thereof on this 28<sup>th</sup> day of November, 2017.

CITY OF SEATAC

  
\_\_\_\_\_  
Michael J. Siefkes, Mayor

ATTEST:

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

Approved as to Form:

  
Mary E. Mirante-Bartolo, City Attorney

[Effective Date: 12/9/17]

[2018 Ad Valorem Property Tax Levy]

**ORDINANCE NO. 17-1020**

AN ORDINANCE of the City Council of the City of SeaTac,  
Washington, amending the City's 2017-2018 Biennial Budget.

**WHEREAS**, the City Council has reviewed budget to actual performance to date for the 2017-2018 City Council adopted budget and has considered specific amendments to the original adopted budget at the Mid-biennium Budget Modification Workshop on November 3, 2017 and has heard and directed staff to make certain adjustments to the previously adopted City Council budget; and

**WHEREAS**, the City budget set forth anticipated revenues and expenditures for the forthcoming years; and

**WHEREAS**, the City Council has published notification in advance of a public hearing and held a public hearing on November 14, 2017 at the regular City Council meeting to provide an opportunity for public input; and

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


**Section 1.** A listing of the adjustment requests is included by line item, amount and fund in summary format as shown in the attached Exhibit A.

**Section 2.** The 2017-2018 Biennial Budget for the City of SeaTac, covering the period from January 1, 2017, through December 31, 2018, is hereby amended with a total 2018 ending fund balance in the amount of \$52.9 million for all budgeted funds. The City's 2017-2018 biennial budget is attached as Exhibit B, and includes budgeted revenues and expenditures for the 2017-2018 biennium in the amounts and for the purposes shown separately and in the aggregate totals for all such funds as displayed.

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

ADOPTED this 28<sup>th</sup> day of November, 2017, and signed in authentication thereof on this 28<sup>th</sup> day of November, 2017.

CITY OF SEATAC

  
\_\_\_\_\_  
Michael J. Siefkes, Mayor

ATTEST:

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

Approved as to form:

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

[Effective Date: 12/9/17]

[2017-2018 Biennial Budget Amendment Ordinance]

# EXHIBIT A

2017-2018 Biennial Budget Amendment

Line Item Worksheet

## Revenue

001	001.311.10.00.000
001	001.354.00.41.000
001	001.397.58.00.000
001	001.367.11.00.002
102	102.337.00.00.001
501	501.397.90.00.000

Transfers & Reimbursements	
	\$1,000,000
	-\$350,000
	\$153,497
	\$3,100
	\$160,000
	\$31,539
	<b>\$998,136</b>

Increase in Property Tax  
Decrease in Revenue due to Automated Traffic Enforcement  
Transfer in from 110 for Facility Repair & Replacement Fund  
Reimbursement from PSE for LED Light Upgrades  
Reimbursement from Sound Transit for Civil Engineer II  
Transfer in from 001 Fund for Two Inspector Vehicles

## Expenditures

FUND #	To Acct #
--------	-----------

001	Various
001	Various
001	001.000.08.521.70.41.000
001	001.000.02.Series
001	001.000.03.513.10.41.000
001	001.000.03.513. Series
001	001.000.07.518.91.46.000
001	001.000.07.518.33.49.006
001	001.000.07.518.33.49.006
001	001.000.07.518.91.46.002
001	001.000.07.518.91.49.006
001	001.000.08.523.60.51.024
001	001.000.08.521.20.51.006
001	001.000.08.554.30.51.022
001	001.000.10.575.51.35.000
001	001.000.10.573.90.41.009
001	001.000.10.573.90.45.000
001	001.000.10.573.90.41.200
001	001.000.13.597.90.00.000
<b>Subtotal General Fund (001)</b>	

102	Various
	102.000.11. Series
	102.000.11.544.40.52.004
	102.000.11.544. Series
	102.000.11.542.30.48.050
<b>Subtotal Street Fund (102)</b>	

107	Various
<b>Subtotal Hotel/Motel Tax Fund (107)</b>	

110	110.000.10.597.58.00.000
<b>Subtotal Facility Repair &amp; Replacement (110)</b>	

306	306.000.10.594.19.62.002
	306.000.12.594.22.62.002
<b>Subtotal Municipal Facilities Fund (306)</b>	

307	Various
	307.000.11.595.30.63.181
<b>Subtotal Transp Capital Improv. Fund (307)</b>	

403	Various
	403.000.11. Series
<b>Subtotal SWM Fund (403)</b>	

404	Various
<b>Subtotal SWE Fund (404)</b>	

501	Various
	501.000.11.548.65.49.007
	501.000.11.594.48.64.095
	501.000.11.594.48.64.095
<b>Subtotal Equipment Rental Fund (501)</b>	

2018 TOTAL Request
--------------------

Description
-------------

\$104,980	Class & Comp Study Impacts/Payroll Adjustment
-\$96,074	Delay hiring from realignments and reorganizations
-\$165,000	Decrease in Expenditures from Automated Traffic Enforcement
-\$99,380	Eliminate vacant Judicial Support Specialist FTE
\$150,000	Assessment of Police & Fire Contracted Services
\$59,847	City Manager Transition - 3 Month Salary Overlap
\$175,000	Property and Liability Insurance Premiums Increase
\$15,000	Property and Liability Insurance Deductibles Increase
\$10,000	Property and Liability Insurance Deductibles Increase
\$145,000	Property and Liability Insurance Deductibles Increase
\$30,000	Property and Liability Insurance Deductibles Increase
\$271,274	SCORE Jail Contract Increase
\$75,000	Additional Police Overtime
\$13,625	Regional Animal Services of King County Increase
\$17,000	LED Lights for SeaTac Community Center Parking Lot
\$7,300	Special Events at Riverton Heights Park
\$2,700	Special Events at Riverton Heights Park
\$2,000	Special Events at Riverton Heights Park
\$31,539	Transfer Out to 501 Fund for Two Inspector Vehicles

**\$749,811**

\$15,083	Class & Comp Study Impacts/Payroll Adjustment
\$44,750	Additional Engineering Review Technician
\$55,000	ADA Sidewalk Transition Plan
\$160,000	Additional Civil Engineer II
\$150,000	Street Small Works Maintenance Program

**\$424,833**

-\$46,283	Class & Comp Study Impacts/Payroll Adjustment
-----------	---

**-\$46,283**

\$153,497	Transfer & Dissolve Facility Repair & Replacement Fund
-----------	--

**\$153,497**

\$25,000	Maintenance Facility Roof Repair
\$34,000	Fire Station #47 Demolition

**\$59,000**

\$151,230	Class & Comp Study Impacts/Payroll Adjustment
\$200,000	Des Moines Mem. Dr. & S 200th St intersection Improvements

**\$351,230**

-\$77,427	Class & Comp Study Impacts/Payroll Adjustment
\$44,750	Additional Engineering Review Technician

**-\$32,677**

\$5,104	Class & Comp Study Impacts/Payroll Adjustment
---------	---

**\$5,104**

\$3,443	Class & Comp Study Impacts/Payroll Adjustment
\$50,000	Property and Liability Insurance Deductibles Increase
\$31,539	Replace Two Inspector Vehicles
\$21,461	Replace Two Inspector Vehicles

**\$106,443**

Grand Total - ALL FUNDS **\$1,770,958**

**CITY OF SEATAC, WASHINGTON**  
**2017-2018 BIENNIAL BUDGET: EXHIBIT B**

11/28/2017

<b>2017-2018 BIENNIAL BUDGET (EXPENDITURES + ENDING BALANCES) = \$ 192,480,153</b>				
<b>FUND</b>	<b>BEGINNING BALANCE 2017-2018</b>	<b>REVENUES &amp; OTHER SOURCES 2017-2018</b>	<b>EXPENDITURE APPROPRIATION 2017-2018</b>	<b>ENDING BALANCE 2017-2018</b>
001 General Fund	\$ 17,471,668	\$ 73,847,354	\$ 78,297,526	\$ 13,021,495
102 Street Fund	11,176,559	17,868,396	15,934,938	13,110,017
105 Port ILA	1,270,323	5,000	495,470	779,853
106 Transit Planning	214,981	-	184,315	-
107 Hotel/Motel Tax	7,315,221	2,996,200	2,288,051	8,023,370
108 Building Management	2,547,333	2,460,680	1,475,303	3,532,710
110 Facility Repair & Replacement	429,170	1,206	430,376	-
111 Des Moines Creek Basin ILA	1,873,484	664,000	651,616	1,885,868
206 2009 LTGO Bond Fund	12,974	689,200	689,200	12,974
207 SCORE Bond Servicing	258,636	419,459	419,459	258,636
301 Municipal Capital Improvements	6,622,676	3,789,699	8,006,522	2,405,853
306 Municipal Facilities CIP	1,364,518	5,200	341,495	1,028,223
307 Transportation CIP	3,836,481	20,769,287	20,324,977	4,280,791
308 Light Rail Station Areas CIP	1,873,520	5,000	1,750,000	128,520
403 SWM Utility	3,354,416	6,080,964	6,124,530	3,310,850
404 Solid Waste & Environmental	-	550,200	550,200	-
501 Equipment Rental	1,291,408	1,445,608	1,598,515	1,138,501
<b>TOTAL BIENNIAL BUDGET</b>	<b>\$ 60,913,366</b>	<b>\$ 131,597,453</b>	<b>\$ 139,562,493</b>	<b>\$ 52,917,660</b>

**ORDINANCE NO. 17-1021**

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

**WHEREAS**, effective January 1, 2018, the City Manager has appointed Philip Lawrence Kratz to serve as the SeaTac Municipal Court Judge for a four-year term, pursuant to RCW 35A.13.080 (2); and

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

**WHEREAS**, the City Council deems it appropriate to set the compensation of the Municipal Court Judge and Judges Pro-Tem pursuant to RCW 3.50.080 and RCW 3.50.090; and

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

**Section 1.** The SeaTac City Council confirms the City Manager's appointment of Philip Lawrence Kratz to serve as Municipal Court Judge for a four-year term commencing January 1, 2018.

**Section 2.** The salary of the Municipal Court Judge shall be adjusted annually on January 1, using the formula of 95% of a District Court Judge as set by the Washington State Salary Commission, pro-rated to 55% (twenty-two hours per week). Judges Pro-Tem will receive \$65.00 per hour for hours worked (adjusted annually commencing January 1, 2019 and each January 1 thereafter to reflect a cost of living adjustment at the same percentage as that of non-represented City employees). In addition, the Municipal Court Judge shall receive benefits in accordance with City policy for regular part-time employees.

**Section 3.** The City Manager has authorization to enter into an Employment Agreement with Judge Kratz in substantially similar form as attached "Exhibit A."

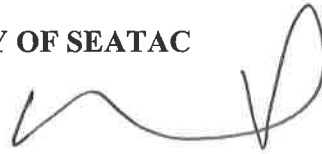
**Section 4.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances shall not be affected.

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

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

**ADOPTED** this 12<sup>th</sup> day of December, 2017, and signed in authentication thereof on this 12<sup>th</sup> day of December, 2017.

**CITY OF SEATAC**



Michael Siefkes, Mayor

**ATTEST:**

  
Kristina Gregg, City Clerk

**Approved as to Form:**

  
Mary Mirante Bartolo, City Attorney

[Effective Date: 12/23/17]

[Municipal Court Judge 2018-2021]

## **EMPLOYMENT AGREEMENT**

### **MUNICIPAL COURT JUDGE**

#### **FOR THE**

#### **CITY OF SEATAC**

This Agreement by and between the City of SeaTac, Washington, a municipal corporation, hereinafter referred to as the "City," and Philip Lawrence Kratz, hereinafter referred to as the "Municipal Court Judge" or "Judge", is as follows:

**WHEREAS**, the City Manager has appointed Philip Lawrence Kratz to serve as Judge of the City's Municipal Court; and

**WHEREAS**, the City Council has confirmed that appointment on December 12, 2017; and

**WHEREAS**, Philip Lawrence Kratz has accepted the appointment and confirmation; and

**WHEREAS**, Philip Lawrence Kratz understands this is a part time position covering seven days per week while overseeing full time court staff; and,

**WHEREAS**, in order to provide for the services of Judge of the Municipal Court and to establish compensation for such services, it is appropriate for the City to enter into an Employment Agreement with the Municipal Court Judge for such services;

**NOW, THEREFORE**, in consideration of the mutual covenants, conditions and terms contained herein, the City and Philip Lawrence Kratz agree as follows:

**1. TERM OF APPOINTMENT:**

Philip Lawrence Kratz accepts the position of Judge of the Municipal Court of the City of SeaTac in accordance with the provisions of Chapter 2.10 of the City of SeaTac Municipal Code as supplemented by this Agreement for a four-year term commencing on January 1, 2018 and terminating on December 31, 2021.

The Judge shall be, and remain, an attorney admitted to practice law before the courts of record for the State of Washington. The Judge must also be a citizen of the United States of America, the State of Washington, and reside in King County. The Judge must immediately report to the City Manager any change affecting his membership in good standing in the Washington State Bar Association.

**2. SCOPE OF SERVICES:**

The Judge shall perform all duties legally prescribed for a judicial officer serving as a Judge of a lawfully constituted Municipal Court according to the requirements of the Washington Constitution, the Revised Code of Washington, the Code of Judicial Conduct, the General Rules of the Washington Court Rules, such other rules as may be prescribed by the Supreme Court of the State of Washington and Washington State Judge's Ethics Advisory Opinions. The Judge is a Presiding Judge within the meaning of General Rule (GR) 29 of the Washington Court Rules.

The Judge shall at all times faithfully and to the best of his ability administer activities of the court, assign and hear all cases and fulfill obligations of the Court as established by State or local law, rule, statute, regulation and City ordinance.

The Judge shall appoint Judges Pro Tempore as provided in RCW 3.50.090 and GR 29(f) (12) for vacation, affidavits of prejudice, recusal from a pending case, illness and required judicial continuing education and training.

### **3. JUDICIAL INDEPENDENCE AND ADMINISTRATION:**

The Legislative, Executive and Judicial branches of government are co-equal. Each has the responsibility for the criminal justice system and cooperation with each other is necessary to meet its separate responsibility and is fundamental to our system of government.

The City is organized as a Council-Manager municipality, under which the City Manager is primarily accountable to assure that each branch of government cooperates with the other to assure an effective, efficient and just court system. The Judicial branch is accorded independence from the Executive and Legislative branches and nothing contained herein shall be construed to interfere with that independence. Furthermore, the Judge is responsible for ensuring that court staff and officials subject to the Judge's direction and control comply with applicable provisions of the Code of Judicial Conduct, court rules, ordinances and statutes.

The Court Administrator shall be appointed by the Judge and shall serve as an At-Will employee as defined by the City for Department Heads. The Court Administrator and all represented court staff are City employees subject to City rules and regulations. Their salaries, benefits, hours of work and working conditions shall be established by the City and/or negotiated through the collective bargaining agreement. The Judge understands that court staff adhere to the same applicable personnel policies as other City employees. The City Manager and the Judge agree that the Judge will participate in the review and amendment of any such policies to ensure that they recognize the unique nature of court employment and the Judge's rights and responsibilities with respect to court employees. The Judge acknowledges the Court Administrator is an invited member to the City's Leadership Team and may participate in discussions that are not in conflict with the separation of powers.

The Judge will confer with the City Manager to coordinate administrative activities concerning City procedures, policies and the budget in an effort to retain and insure consistency and common practices throughout the City.

### **4. COMPENSATION:**

The Judge's salary and benefits shall be set and appropriated through the City's budget process. The Judge's compensation within the adopted budget may be increased, but not

decreased, during the Judge's term of office, in accordance with any applicable statutes and/or provisions of the Washington State Constitution.

The Judge's salary shall be determined annually on January 1, using a formula of 95% of a County District Court Judge as set by the Washington State Salary Commission prorated to 55% (twenty-two hours per week). This salary shall constitute compensation for all responsibilities and duties in the administration of the Municipal Court. The Judge will receive their regular salary while attending annual District and Municipal Court Judges' Association Spring Conference, the Annual State Judge's Conference and for other approved classes and seminars necessary to maintain current knowledge and certifications, so long as the classes and seminars are necessary to fulfill the requirements of GR 26, "Mandatory Continuing Judicial Education."

The City will separately allocate a maximum of \$10,400 (allocated as such: 40 hrs. vacation, 40 hrs. illness, 40 hrs. conference/training, and 40 hrs. recusal/affidavits of prejudice calculated at the rate of \$65/hr) annually in the budget to cover Judges Pro-Tempore time necessary for any personal time off (vacation, illness, attending conferences and training, and recusals and affidavits of prejudice) by the Judge. Should the Judge exceed the maximum limit of \$10,400, the Judge authorizes the City to deduct the cost of missing court dates for personal time off from the Judges salary.

The City shall pay for the cost of professional membership, required professional classes and training, including registration and travel expenses similar to those provided to City Department Heads.

Each party will pay payroll and other taxes as required by applicable laws and regulations.

**5. METHOD OF PAYMENT:**

The Judge shall submit a timesheet for compensation on a bi-monthly basis for services in accordance with payroll procedures and timelines established by the City. A timesheet shall be submitted for the 1<sup>st</sup> through 15<sup>th</sup> and the 16<sup>th</sup> through the end of each month to the Court Administrator, who shall submit same to the City's Finance Department.

**6. BENEFITS:**

- a) The City will offer the Judge and his eligible dependents health care insurance benefits, to include medical, dental, and vision insurance. Medical Premiums are prorated at a 55% level. The City pays 100% of dental and vision premiums.
- b) The position of Municipal Court Judge is an "eligible position" as that term is defined under the present rules of the Washington State Department of Retirement Systems (DRS) for the Public Employees Retirement System (PERS). The Judge may enroll into the applicable retirement plan and program(s) allowed by DRS rules.

**7. INDEMNIFICATION:**

The Judge agrees to indemnify, defend and hold the City harmless for any and all claims, losses, actions or liabilities to or by any persons or entities including their respective agents (including attorney fees) for any acts of the Judge that are outside the scope of his official duties. The Judge shall carry and provide proof of professional liability insurance annually to the City Manager (or designee) no later than January 30<sup>th</sup>.

**8. TERM OF AGREEMENT:**

The Judge's term of office shall be for a period of four (4) years beginning January 1, 2018 and ending on December 31, 2021.

**9. CONTRACT ADMINISTRATION:**

This Agreement shall be administered by the City Manager and/or designee on behalf of the City and by Philip Lawrence Kratz on behalf of the Municipal Court Judge. Any written notices to be served on either party shall be served or mailed to the following addresses:

**IF TO THE CITY:**

City Manager  
  
City of SeaTac  
4800 S. 188<sup>th</sup> Street  
SeaTac, WA 98188

**IF TO THE JUDGE:**

Philip Lawrence Kratz  
  
23839 20<sup>th</sup> Ave. S.  
Des Moines, WA 98198

**10. TERMINATION OF AGREEMENT:**

This Agreement may be terminated during the Judge's term of office as follows:

By the Judge if he provides a minimum of 120 days written notice prior to his effective date of termination, unless otherwise mutually agreed by the parties.

By the City only upon action of the Commission on Judicial Conduct or the Washington State Supreme Court as provided in Article IV, Section 31 of the Washington State Constitution.

**11. MERGER AND AMENDMENT:**

This Agreement contains the entire understanding of the City and the Judge with respect to the matters set forth herein, and any prior or contemporaneous understandings are merged herein. This Agreement shall not be modified except by written instruments executed by the City and Judge hereto.

This Employment Agreement shall be governed under the laws of the State of Washington, and any dispute regarding this Employment Agreement shall be resolved in King County Superior Court, State of Washington.

**12. SEVERABILITY**

If any provision of this Agreement or their application to any circumstance is held invalid, the remainder of this Agreement and their application to other circumstances is not affected.

**IN WITNESS WHEREOF** the parties hereto do hereby execute this Agreement.

CITY OF SEATAC

By: \_\_\_\_\_  
Joseph Scorcio, AICP  
City Manager

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

Approved as to Form:

\_\_\_\_\_  
City Legal Department

MUNICIPAL COURT JUDGE

By: \_\_\_\_\_  
Philip Lawrence Kratz  
Municipal Court Judge

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

# **EMPLOYMENT ANNOUNCEMENT**



**City of SeaTac  
State of Washington**

**Municipal Court Judge**

**Serving in the**

**MUNICIPAL COURT OF THE CITY OF SEATAC**

The City of SeaTac, Washington (hereinafter referred to as the "City") is seeking a part-time Municipal Court Judge (hereinafter referred to as the "Judge") to provide judicial services to the Municipal Court of the City of SeaTac for a four-year term, commencing January 1, 2018 and expiring on December 31, 2021.

### **About the City of SeaTac**

Incorporated in February of 1990, the City is located in the Pacific Northwest, approximately midway between the cities of Seattle and Tacoma in the State of Washington. The City has a population of 28,850. SeaTac is a vibrant community, economically strong, environmentally sensitive, and people-oriented. The City boundaries surround the Seattle-Tacoma International Airport which is owned and operated by the Port of Seattle.

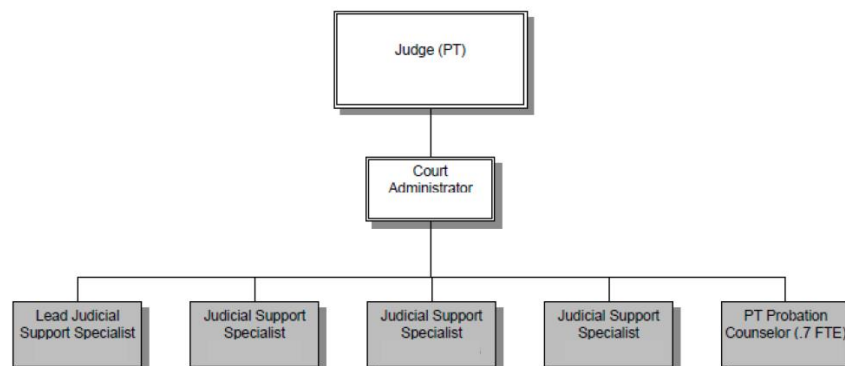
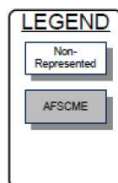
### **About the City of SeaTac Municipal Court**

The SeaTac Municipal Court is a court of limited jurisdiction. The Judge is authorized by the Revised Code of Washington to preside over civil infractions, traffic infractions, criminal misdemeanor and gross misdemeanor violations which have occurred within the boundaries of the City and civil orders for protection.

### **Organizational Chart**



#### City of SeaTac SeaTac Municipal Court – Judicial Branch of Government 2017 Organization Chart



## **Typical Court Workload (2016)**

### **Civil:**

#### **-Photo Enforcement/Parking:**

Cases Filed: 7,098

Court Hearings: Mitigations - 387; Contested – 725      Total Hearings: 1,112

NOTE: The City is currently reviewing the continuation of the Photo Enforcement Program. In the event that the Program is terminated prior to the appointment and confirmation of the Judge, the significantly reduced case filings and court hearings will most likely reduce the judge's compensated time.

#### **-Traffic and Non-Traffic Infractions:**

Cases Filed:

Traffic – 1,336; Non-Traffic - 131

Total Filings: 1,467

-Court Hearings: Mitigation - 388; Contested - 387      Total Hearings: 775

-Show Cause Hearings: 42

(Hearings for persons who have failed to respond to infractions, failed to appear for criminal proceedings, or would like a continuance or an extension of a court order.)

### **Criminal:**

#### **-Cases Filed:**

DUI/Physical Control: 106

Other Traffic: 226

Non-Traffic: 437

Total Criminal Filings: 769

#### **-Court Hearings:**

Arraignments: 677

All other types of hearings: 1710

-Jury Trials: 2

Protection Orders: 38

## **Employment Agreement**

Since this is a part-time judicial appointment, a typical Employment Agreement (See Attachment 1) between the selected candidate and the City will address such areas including Term of Office, Scope of Services, Judicial Independence and Administration, Compensation and Benefits, Method of Payment, Termination of Agreement, etc.

## **Evaluating Tools**

The "Washington State Governor's Office Uniform Judicial Evaluation Questionnaire" (See Attachment 2) is required to be filled out and signed by any judicial candidate interested in the position. The Questionnaire covers the following: Personal Information, Prior Evaluation/Application History, Professional History, Educational Background, Professional Experience, Judicial Interest and Experience, Community and Civic Activities, Discipline and Disputes, Miscellaneous, Access to Justice, Diversity in the Legal Profession, References, and Bar Associations Rating Process. The Questionnaire can be found on the Governor's website ([www.governor.wa.gov](http://www.governor.wa.gov)) under "judicial appointments." The City will rely on this Questionnaire to screen and evaluate the judicial candidates to be further considered along with additional submitted documentation.

## **How to Apply/Submission Requirements**

Individuals interested in this position are required to complete the following:

- An online application
- Cover letter
- Resume (Letters of Reference are optional at this time)
- The completed and signed Washington State Governor's Office Uniform Judicial Evaluation Questionnaire; **Note: Completing evaluations by the state, county and minority bar associations are not required due to the time line for appointment.**
- Verification as Citizen of the United States and the State of Washington
- Acknowledgement that the successful candidate will be required to be a resident of King County, Washington

\*Applicants will not be considered for this position if all materials are not submitted.

\*The successful applicant must pass a background check.

## **Submittal Due Date**

**Submittals through NeoGov are due by 5:00 pm, August 7, 2017**

## **City Contact:**

For additional information concerning this application, any other aspect of the selection process or the position in general, please contact via email:

Tim Ramsaur  
Senior Management Analyst  
E-mail: [tramsaur@ci.seatac.wa.us](mailto:tramsaur@ci.seatac.wa.us)

*No communication shall occur regarding this Application, including requests for information, or speculation between Candidate and any City elected official or employee other than those named above. Failure to comply with this provision may result in Candidate's submittal being removed from consideration.*

**Applicant may submit questions by e-mail no later than July 31, 2017 at 5:00 pm.**

**Costs Incurred.**

Any cost incurred by candidate in preparation, transmittal, or presentation of any information or material submitted in response to the Application shall be borne solely by the candidate.

**Candidate Selection Criteria/Short List/Final Selection Procedures**

After review of the submittals, the highest ranked candidates will be notified and invited to participate in a short-list phase and a final selection phase. The City Manager has final approval in the selection process and will nominate his/her selection to the Public Safety and Justice Committee prior to the City Council for confirmation.

**Attachment 1**

**EMPLOYMENT AGREEMENT**

**MUNICIPAL COURT JUDGE**

**FOR THE**

**CITY OF SEATAC**

This Agreement by and between the City of SeaTac, Washington, a municipal corporation, hereinafter referred to as the "City," and **(ENTER CANDIDATE NAME)**, hereinafter referred to as the "Municipal Court Judge" or "Judge", is as follows:

**WHEREAS**, the City Manager has appointed **(ENTER NAME)** to serve as Judge of the City's Municipal Court; and

**WHEREAS**, the City Council has confirmed that appointment on **(ENTER DATE)** 2017; and

**WHEREAS**, **(ENTER NAME)** has accepted the appointment and confirmation; and

**WHEREAS**, **(ENTER NAME)** understands this is a part time position covering seven days per week while overseeing full time court staff; and,

**WHEREAS**, in order to provide for the services of Judge of the Municipal Court and to establish compensation for such services, it is appropriate for the City to enter into an Employment Agreement with the Municipal Court Judge for such services;

**NOW, THEREFORE**, in consideration of the mutual covenants, conditions and terms contained herein, the City and **(ENTER NAME)** agree as follows:

**1. TERM OF APPOINTMENT:**

**(ENTER NAME)** accepts the position of Judge of the Municipal Court of the City of SeaTac in accordance with the provisions of Chapter 2.10 of the City of SeaTac Municipal Code as supplemented by this Agreement for a four-year term commencing on January 1, 2018 and terminating on December 31, 2021.

The Judge shall be, and remain, an attorney admitted to practice law before the courts of record for the State of Washington. The Judge must also be a citizen of the United States of America and the State of Washington. The Judge must immediately report to the City Manager any change affecting **(HIS/HER)** membership in good standing in the Washington State Bar Association.

**2. SCOPE OF SERVICES:**

The Judge shall perform all duties legally prescribed for a judicial officer serving as a Judge of a lawfully constituted Municipal Court according to the requirements of the Washington Constitution, the Revised Code of Washington, the Code of Judicial Conduct, the General Rules of the Washington Court Rules, such other rules as may be prescribed by the Supreme Court of the State of Washington and Washington State

Judge's Ethics Advisory Opinions. The Judge is a Presiding Judge within the meaning of General Rule (GR) 29 of the Washington Court Rules.

The Judge shall at all times faithfully and to the best of **(HIS/HER)** ability administer activities of the court, assign and hear all cases and fulfill obligations of the Court as established by State or local law, rule, statute, regulation and City ordinance.

The Judge shall appoint Judges Pro Tempore as provided in RCW 3.50.090 and GR 29(f) (12) for vacation, affidavits of prejudice, recusal from a pending case, illness and required judicial continuing education and training.

### **3. JUDICIAL INDEPENDENCE AND ADMINISTRATION:**

The Legislative, Executive and Judicial branches of government are co-equal. Each has the responsibility for the criminal justice system and cooperation with each other is necessary to meet its separate responsibility and is fundamental to our system of government.

The City is organized as a Council-Manager municipality, under which the City Manager is primarily accountable to assure that each branch of government cooperates with the other to assure an effective, efficient and just court system. The Judge is accorded independence from the Executive and Legislative branches when performing judicial responsibilities and nothing contained herein shall be construed to interfere with the Judge when performing judicial duties. Furthermore, the Judge is responsible for ensuring that court staff and officials subject to the Judge's direction and control comply with applicable provisions of the Code of Judicial Conduct, court rules, ordinances and statutes.

The Court Administrator shall be appointed by the Judge and shall serve as an At-Will employee as defined by the City for Department Heads. The Court Administrator and all represented court staff are City employees subject to City rules and regulations. Their salaries, benefits, hours of work and working conditions shall be established by the City and/or negotiated through the collective bargaining agreement. The Judge understands that court staff adhere to the same applicable personnel policies as other City employees. The City Manager and the Judge agree that the Judge will participate in the review and amendment of any such policies to ensure that they recognize the unique nature of court employment and the Judge's rights and responsibilities with respect to court employees. The Judge acknowledges the Court Administrator is an invited member to the City's Leadership Team and may participate in discussions that are not in conflict with the separation of powers.

The Judge will confer with the City Manager to coordinate administrative activities concerning City procedures, policies and the budget in an effort to retain and insure consistency and common practices throughout the City.

**4. COMPENSATION:**

The Judge's salary and benefits shall be set and appropriated through the City's budget process. The Judge's compensation within the adopted budget may be increased, but not decreased, during the Judge's term of office, in accordance with any applicable statutes and/or provisions of the Washington State Constitution.

The Judge's salary shall be determined annually on January 1, using a formula of 95% of a County District Court Judge as set by the Washington State Salary Commission prorated to 60% (twenty-four hours per week). This salary shall constitute compensation for all responsibilities and duties in the administration of the Municipal Court. The Judge will receive their regular salary while attending annual District and Municipal Court Judges' Association Spring Conference, the Annual State Judge's Conference and for other approved classes and seminars necessary to maintain current knowledge and certifications, so long as the classes and seminars are necessary to fulfill the requirements of GR 26, "Mandatory Continuing Judicial Education."

The City will separately allocate a maximum of \$10,400 (allocated as such: 40 hrs. vacation, 40 hrs. illness, 40 hrs. conference/training, and 40 hrs. recusal/affidavits of prejudice calculated at the rate of \$65/hr) annually in the budget to cover Judges Pro-Tempore time necessary for any personal time off (vacation, illness, attending conferences and training, and recusals and affidavits of prejudice) by the Judge. Should the Judge exceed the maximum limit of \$10,400, the Judge authorizes the City to deduct the cost of missing court dates for personal time off from the Judges salary.

The City shall pay for the cost of professional membership, required professional classes and training, including registration and travel expenses similar to those provided to City Department Heads.

Each party will pay payroll and other taxes as required by applicable laws and regulations.

**5. METHOD OF PAYMENT:**

The Judge shall submit a timesheet for compensation on a bi-monthly basis for services in accordance with payroll procedures and timelines established by the City. A timesheet shall be submitted for the 1<sup>st</sup> through 15<sup>th</sup> and the 16<sup>th</sup> through the end of each month to the Court Administrator, who shall submit same to the City's Finance Department.

**6. BENEFITS:**

- a) The City will offer the Judge and **(HIS/HER)** eligible dependents health care insurance benefits, to include medical, dental, and vision insurance. Medical Premiums are pro-rated at a 60% level. The City pays 100% of dental and vision premiums.
- b) The position of Municipal Court Judge is an "eligible position" as that term is defined under the present rules of the Washington State Department of Retirement Systems

(DRS) for the Public Employees Retirement System (PERS). The Judge may enroll into the applicable retirement plan and program(s) allowed by DRS rules.

**7. INDEMNIFICATION:**

The Judge agrees to indemnify, defend and hold the City harmless for any and all claims, losses, actions or liabilities to or by any persons or entities including their respective agents (including attorney fees) for any acts of the Judge that are outside the scope of **(HIS/HER)** official duties. The Judge shall carry and provide proof of professional liability insurance annually to the City Manager (or designee) no later than January 30<sup>th</sup>.

**8. TERM OF AGREEMENT:**

The Judge's term of office shall be for a period of four (4) years beginning January 1, 2018 and ending on December 31, 2021.

**9. CONTRACT ADMINISTRATION:**

This Agreement shall be administered by the City Manager and/or designee on behalf of the City and by **(ENTER CANDIDATE NAME)** on behalf of the Municipal Court Judge. Any written notices to be served on either party shall be served or mailed to the following addresses:

**IF TO THE CITY:**

City Manager

City of SeaTac

4800 S. 188<sup>th</sup> Street

SeaTac, WA 98188

**IF TO THE JUDGE:**

**(NAME OF JUDGE)**

**(ADDRESS OF JUDGE)**

**10. TERMINATION OF AGREEMENT:**

This Agreement may be terminated during the Judge's term of office as follows:

By the Judge if **(HE/SHE)** provides a minimum of 120 days written notice prior to **(HIS/HER)** effective date of termination, unless otherwise mutually agreed by the parties.

By the City only upon action of the Commission on Judicial Conduct or the Washington State Supreme Court as provided in Article IV, Section 31 of the Washington State Constitution.

**11. MERGER AND AMENDMENT:**

This Agreement contains the entire understanding of the City and the Judge with respect to the matters set forth herein, and any prior or contemporaneous understandings are merged herein. This Agreement shall not be modified except by written instruments executed by the City and Judge hereto.

This Employment Agreement shall be governed under the laws of the State of Washington, and any dispute regarding this Employment Agreement shall be resolved in King County Superior Court, State of Washington.

**12. SEVERABILITY**

If any provision of this Agreement or their application to any circumstance is held invalid, the remainder of this Agreement and their application to other circumstances is not affected.

**IN WITNESS WHEREOF** the parties hereto do hereby execute this Agreement.

CITY OF SEATAC

MUNICIPAL COURT JUDGE

By: \_\_\_\_\_

By: \_\_\_\_\_

Joseph Scorcio, AICP

**(ENTER NAME OF JUDGE)**

City Manager

Municipal Court Judge

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

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

Approved as to Form:

\_\_\_\_\_

City Legal Department

## Attachment 2

# THE WASHINGTON STATE GOVERNOR'S OFFICE UNIFORM JUDICIAL EVALUATION QUESTIONNAIRE<sup>1</sup>

Position Sought (Court/Division/District): \_\_\_\_\_

By Appointment: ☐ By Election: ☐

### Personal Information

1.

Last Name	First Name	Middle Name	WSBA Bar Number
-----------	------------	-------------	-----------------

2. Business Address:

Business Name \_\_\_\_\_

Street or P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Phone No. \_\_\_\_\_ After-hours/direct dial: \_\_\_\_\_

Work e-mail address: \_\_\_\_\_

3. Home Address:

Street or P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Home Phone No. \_\_\_\_\_ Mobile Phone No.: \_\_\_\_\_

Home e-mail address: \_\_\_\_\_

4. Date of Birth: \_\_\_\_\_ 5. ~~Social Security Number:~~<sup>2</sup> \_\_\_\_\_

6. City/State/Place of Birth: \_\_\_\_\_

### Prior Evaluation / Application History

7. Please state the date of all other judicial evaluations you sought, bar polls you participated in, and appointment applications you submitted. Please specify whether you sought appointment or

<sup>1</sup> The Governor's Office uses this questionnaire exclusively for candidates seeking judicial appointment. The Washington State Bar Association and other state bar associations noted on the last page also accept this questionnaire in their judicial evaluation process. The Governor's Office reserves the right to update this questionnaire and will post updated versions of the questionnaire on the Governor's webpage. Please direct all questions about the questionnaire to the Governor's Office of General Counsel.

<sup>2</sup> Only include your social security number on the copy of the questionnaire forwarded to the Governor's Office. (City of SeaTac: DO NOT PROVIDE YOUR SOCIAL SECURITY NUMBER AT THIS TIME.)

election for each, from whom the evaluation was sought, the position sought, and the outcome.

---

---

---

---

### Professional History

8. Year admitted to practice law in Washington: \_\_\_\_\_

9. Employment History (in reverse chronological order):

a. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

---

---

---

---

Reason for leaving: \_\_\_\_\_

---

b. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

---

---

---

---

Reason for leaving: \_\_\_\_\_

---

c. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Nature of Practice (including frequency of court appearances):

---

---

---

Reason for leaving: \_\_\_\_\_  
\_\_\_\_\_

d. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No.: \_\_\_\_\_  
Position/Title: \_\_\_\_\_  
Supervisor: \_\_\_\_\_  
Nature of Practice (including frequency of court appearances):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason for leaving: \_\_\_\_\_  
\_\_\_\_\_

e. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No.: \_\_\_\_\_  
Position/Title: \_\_\_\_\_  
Supervisor: \_\_\_\_\_  
Nature of Practice (including frequency of court appearances):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason for leaving: \_\_\_\_\_  
\_\_\_\_\_

f. Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No.: \_\_\_\_\_  
Position/Title: \_\_\_\_\_  
Supervisor: \_\_\_\_\_  
Nature of Practice (including frequency of court appearances):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason for leaving: \_\_\_\_\_  
\_\_\_\_\_

Please continue, if necessary, on a separate piece of paper in the above format as needed.

10. Please list all other courts and jurisdictions in which you have been admitted to practice law and the dates of admission. Please provide the same information for administrative bodies having special admission requirements.

---

---

---

---

11. Please list all bar associations and professional societies of which you are a member and give the titles and dates of any offices that you have held in such groups. \_\_\_\_\_

---

---

---

---

12. Are you in good standing in every bar association of which you are a member? Yes / No. If you answered “no”, please explain.

---

---

---

---

---

---

13. If you have ever been a judge, please identify any court committees on which you have served or administrative positions you have held. Please state the dates of service for each.

---

---

---

---

---

---

14. Please list up to five of your most significant professional accomplishments. (If applicable, please provide the case and court name and the citation if a case was reported (and copy of the opinion).

---

---

---

---

---

---

15. Please summarize up to eight of the most significant matters that you participated in as an advocate. Please include the dates of your participation and the reason each was significant to you. Please provide the citation if a case was reported. If you have been a judge, please include some cases that have been tried before you.

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

### **Educational Background**

16. Please list all undergraduate and graduate (non-law school) colleges and universities attended, years of attendance, degree awarded and reason for leaving if no degree was awarded.

College/University	Dates of Attendance	Degree
College/University	Dates of Attendance	Degree

17. Please list all law schools attended, years of attendance, degree awarded and reason for leaving if no degree was awarded.

Law School	Dates of Attendance	Degree
Law School	Dates of Attendance	Degree

### **Professional Experience**

18. Please summarize, briefly, the general nature of your current law practice.

---

---

---

---

---

19. If you are in practice, please describe your typical clients and any areas of special emphasis within your practice.

---

---

---

---

---

20. If your present law practice is different from any previous practice, please describe the earlier practice, including the nature of your typical clients and any area of special emphasis within your practice.

---

---

---

---

---

21. Within the last 5 years, did you appear in trial court:

☐ Regularly                      ☐ Occasionally                      ☐ Infrequently

22. Within the last 5 years, did you prepare appellate briefs and appear before appellate courts:

☐ Regularly                      ☐ Occasionally                      ☐ Infrequently

23. Within the last five years, how often did you appear in the court for which you are applying:

☐ Regularly                      ☐ Occasionally                      ☐ Infrequently

24. Career Experience

- (a) What percentage of your appearances in the last five years was in:

(1) Federal appellate courts	_____ %
(2) Federal trial courts	_____ %
(3) State appellate courts	_____ %
(4) State trial courts	_____ %
(5) Municipal courts	_____ %
(6) District courts	_____ %
(7) Administrative tribunals	_____ %
(8) Tribal courts	_____ %
(9) Other	_____ %
TOTAL	100%

- (b) What percentage of your practice in the last five years was:

(1) Civil litigation \_\_\_\_\_ %

(excl. family law)

(2)	Criminal litigation	_____ %
(3)	Family law litigation	_____ %
(4)	Non-litigation	_____ %
	TOTAL	100%

(c) What percentage of your trials in the last five years were:

(1)	Jury trials	_____ %
(2)	Non-jury trials	_____ %
	TOTAL	100%

(d) State the number of cases during your total career that you have tried to verdict or judgment (rather than settled) in the following courts, and indicate for each court the following percentages: trials in which you were sole counsel or chief counsel, jury trials, and trials where you were the arbiter/decision maker.

<u>Number</u>	<u>Court</u>	<u>% as Sole / Chief Counsel</u>	<u>% Jury</u>	<u>% as the Arbiter</u>
_____	Municipal	_____	_____	_____
_____	State Dist.	_____	_____	_____
_____	State Superior	_____	_____	_____
_____	Federal Dist.	_____	_____	_____
_____	Administrative	_____	_____	_____
_____	Tribal Courts	_____	_____	_____
_____	Other	_____	_____	_____

(e) State the number of appellate cases during your total career where you appeared as counsel of record in the following courts, and indicate for each court the following percentages: cases where you were sole counsel or chief counsel, and cases where you were the arbiter/decision maker (if applicable).

<u>Number</u>	<u>Court</u>	<u>% as Sole / Chief Counsel</u>	<u>% as the Arbiter</u>
_____	State Superior Court	_____	_____
_____	WA. Div. I COA	_____	_____
_____	WA. Div. II COA	_____	_____
_____	WA. Div. III COA	_____	_____
_____	WA. Supreme Court	_____	_____
_____	Fed. Cir. COA	_____	_____
_____	U.S. Supreme Court	_____	_____

- (f) Briefly describe no more than five significant litigation matters that you directly handled as the sole counsel. For each, please provide the name and telephone number of opposing counsel, the name of the judge or other judicial officer, and the citation (if applicable).

---

---

---

---

---

---

---

---

---

---

- (g) State in detail your experience in adversary proceedings before administrative boards or commissions during the last five years.

---

---

---

---

---

---

---

---

25. Please briefly describe any legal non-litigation experience that you feel enhances your qualifications to serve as a judge.

---

---

---

---

---

---

---

26. If you are now an officer or director of any business organization or otherwise engaged in the management of any business enterprises, please provide the following: the name of the enterprise, the nature of the business, the title of your position, the nature of your duties, and the term of your service. If you are appointed and do not intend to resign such position(s), please state this below along with your reasons for not resigning.

---

---

---

---

---

27. Please list all chairmanships of major committees in bar associations and professional societies and memberships on any committees that you have held and believe to be of particular significance.

---

---

---

---

---

#### **Judicial Interest and Experience**

28. In 50 words or less, please describe why you should be appointed / elected and are seeking a judicial position.

---

---

---

---

---

---

29. In 50 words or less, please describe your judicial philosophy.

---

---

---

---

---

---

30. Have you ever held a judicial office or have you ever been a candidate for such office?  
Yes / No. If you answered “yes”, please provide details, including the courts involved, whether elected or appointed, and the periods of your service.

---

---

---

---

---

---

---

31. Have you ever held public office other than a judicial office, or have you ever been a candidate for such an office? Yes / No. If you answered “yes”, please provide details, including the offices involved, whether elected or appointed, and the length of your service.

---

---

---

---

---

---

---

32. Please briefly identify all of your experience as a neutral decision-maker (e.g. judge (permanent or pro tem) in any jurisdiction, administrative law judge, arbitrator, hearing officer, etc.). Give courts, approximate dates, and attorneys who appeared before you.

---

---

---

---

---

---

---

### Community and Civic Activities

33. Please list your community and civic activities, including dates and leadership roles held, over the last 10 years.

---

---

---

---

---

---

---

---

---

---

---

---

### Discipline and Disputes

34. Have you ever been held, arrested, charged or convicted by federal, state, or other law enforcement authorities for violation of any federal law, state law, county or municipal law, regulation or ordinance? Yes / No. If you answered “yes”, please provide details. (Do not include traffic violations for which a fine of \$150.00 or less was imposed.) Please feel free to provide your view of how it bears on your present fitness for judicial office.

---

---

---

---

---

35. Has a client ever made a claim or suit against you for malpractice? Yes / No. If you answered “yes”, please provide details and the current status of the claim and/or suit.

---

---

---

---

36. Please describe your direct experience, if any, with domestic violence and sexual harassment.

---

---

---

---

37. Have you been a party in interest, witness, or consultant in any legal proceeding? Yes / No. If you answered “yes”, please provide details. Do not list proceedings in which you were merely a guardian ad litem or stakeholder.

---

---

---

---

38. Have you ever been the subject of a complaint to any bar association, disciplinary committee, court, administrative agency or other professional group? Yes / No. If you answered “yes”, please provide details.

---

---

---

39. Have you ever been disciplined or cited for breach of ethics or unprofessional conduct? Yes / No. If you answered “yes”, please provide details.

---

---

---

---

---

40. If you have served as a judge, commissioner, or in any judicial capacity, has a complaint for misconduct in that capacity ever been made against you? Yes / No. If you answered “yes”, please provide details.

---

---

---

---

---

---

---

---

---

---

#### **Miscellaneous**

41. Are you aware of anything that may affect your ability to perform the duties of a judge? Yes / No. If you answered “yes”, please provide details.

---

---

---

42. Have you published any books or articles in the field of law? If so, please list them, giving the citations and dates. Also, please give the dates and forums of any Continuing Legal Education presentations that you have made.

---

---

---

---

43. Please list any honors, prizes, awards or other forms of recognition that you have received and whether they were professional or civic in nature.

---

---

---

---

44. Are you aware of anything in your background or any event you anticipate in the future that might be considered to conflict with the Code of Judicial Conduct? Yes / No. If you answered “yes”, please explain.

---

---

---

---

45. Please provide a writing sample of your work (between 5 and 10 pages long), written and edited solely by you, within the last 4 years.

#### **Access to Justice**

46. Please describe activities that you have engaged in to eliminate bias or improve access to the judicial system for indigent populations and ethnic, racial and sexual minorities. As a member of the bench, what, if any, role do you believe a judge has to enhance equal access to justice?

---

---

---

---

---

---

47. Please describe the frequency, time commitment and substantive nature of your direct participation of free legal services to indigent populations, and ethnic, racial and sexual minorities.

---

---

---

---

---

---

### Diversity in the Legal Profession

48. Please briefly describe your understanding of the issue of “diversity within the legal profession.”

---

---

---

---

---

### References

It is useful for evaluators to speak with attorneys and non-attorneys who are familiar with you. One or more participants in the evaluation process may contact each of your references. All telephone numbers should be current and legible. If a reference is unreachable, your rating/evaluation may be delayed. **Please use a separate piece of paper for each list.** You may contact references in advance if you so desire. Individuals not listed by you as a reference may be contacted to obtain information about you.

49. If you have been in practice within the past fifteen years, list the names and phone numbers of ten opposing counsels who know you best, including at least three opposing counsels on cases that went to trial.
50. If you have been a judge or otherwise have served as a neutral decision-maker within the past fifteen years, please list the names and phone numbers of the last ten attorneys who have appeared before you.
51. List the names and phone numbers of up to six non-attorney references whose opinions or observations – particularly with respect to your commitment to improving access to the judicial system for indigent populations, people of color, and disenfranchised communities – would assist in the consideration of your application.
52. For the last five trials in which you participated (whether as trial lawyer or decision-maker), list as appropriate the following for each: case name, subject matter, court, judge (w/ phone number), and opposing counsel or counsel appearing before you (w/ phone number).
53. List the names and phone numbers of ten additional attorneys familiar with your professional qualifications, skills, experience or attributes.

**ORDINANCE NO. 17-1022**

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, economic development, parks and recreation, and which may include other elements such as, community design, environmental management, and human services; and

**WHEREAS**, the City adopted its Comprehensive Plan in December, 1994, after study, review, community input and public hearings; and

**WHEREAS**, the State Growth Management Act (RCW 36.70A.130) requires that each comprehensive land use plan and development regulations be subject to continuing review and evaluation by the county or city that adopted them and periodically, requires a major updates to ensure consistency with State law; and

**WHEREAS**, on June 23, 2015, after study, review, community input and public hearings, the City adopted a major update of the Comprehensive Plan; and

**WHEREAS**, the State Growth Management Act provides for amendments to the Comprehensive Plan no more than once per year; and

**WHEREAS**, the City Council authorized, by Resolution No. 97-001, a process for amending the Comprehensive Plan; and

**WHEREAS**, it is necessary to update the Comprehensive Plan Capital Facilities Element, 6-year Capital Facilities Plan, and other sections as identified through public process; and

**WHEREAS**, procedures for amending the Plan have been implemented in 2017, including efforts to solicit public input, acceptance of proposals for Comprehensive Plan amendments, evaluation according to preliminary and final criteria; and

**WHEREAS**, the environmental impacts of the proposed amendments have been assessed, and a Determination of Nonsignificance, File No. SEP17-0007, was issued October 10, 2017, and no appeals received; and

**WHEREAS**, after a duly-noticed public hearing on October 17, 2017, continued to November 7, 2017, to consider proposed amendments to the Comprehensive Plan, the Planning Commission recommended adoption of proposed amendments to the Comprehensive Plan, and made its recommendation to the City Council; and

**WHEREAS**, after the consideration of testimony received at the Public Hearing, the Land Use and Parks (LUP) Committee made its recommendation to the City Council, and

**WHEREAS**, copies of these proposed amendments were filed with the Washington Department of Commerce not less than sixty days prior to final action, pursuant to RCW 36.70A.106 and WAC 365-195-620, and no comments received; and

**WHEREAS**, all of the foregoing recitals are deemed by the City Council to be findings of fact;

**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 updated on June 23, 2015, is hereby amended as set forth in Exhibit A.

**Section 2.** In addition to the amendments set forth in Section 1 of this Ordinance, the City of SeaTac Comprehensive Plan is also amended as set forth in Exhibit B, to include Map Amendment M-2 and Map Amendment M-2A.

**Section 3.** The City Clerk is directed to transmit a complete and accurate copy of this Ordinance, as adopted, to the Department of Commerce 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, the King County Assessor pursuant to RCW 35A.63.560.

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

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

ADOPTED this 12<sup>th</sup> day of December, 2017, and  
signed in authentication thereof on this 12<sup>th</sup> day of December, 2017.

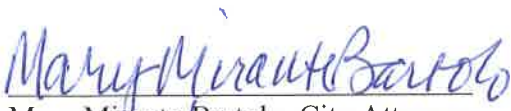
CITY OF SEATAC

  
\_\_\_\_\_  
Michael J. Siefkes, Mayor

ATTEST:

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

Approved as to Form:

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

[Effective Date: 1/17/18]

[Ordinance Related to Amending the Comprehensive Plan]

# Exhibit A

## Proposed Amendments to Comprehensive Plan

*Note: This Exhibit includes the Planning Commission's recommendations for the following amendments.*

### LIST OF PROPOSALS

<b>M-1:</b> Segale Properties Map Amendment & Rezone
<b>M-3:</b> Address Zoning & Comprehensive Plan Map Consistency
<b>M-4:</b> Eliminate "Business Park" Zone & Land Use Designation
<b>M-5:</b> Correct/Update Land Use Designations of City-Owned & Adjacent Properties
<b>M-6:</b> Update Comprehensive Plan's Informational Maps
<b>T-1:</b> Clarify Land Use Designation Descriptions & Criteria
<b>T-2:</b> Integrate Low Impact Development (LID) Policy Updates
<b>T-4:</b> Add Policy to Explore Locations Where Duplexes May be Appropriate
<b>T-5:</b> Update Policies on Regional Facility Design
<b>T-6:</b> Add Policy Establishing Review of City Center Plan
<b>T-7:</b> Capital Facilities Plan Update
<b>T-8:</b> Remove Business Park References from Comprehensive Plan & Zoning Code

# Map Amendment M-1

## Proposal: Segale Properties Comprehensive Plan Map Amendment

Description	<u>Current</u> Comprehensive Plan Land Use Designation	<u>Proposed</u> Comprehensive Plan Land Use Designation
Vacant	Residential Low	Residential High

*\*Includes area of vacated ROW (Ordinance #17-1012)*

Existing Comprehensive Plan Land Use Designation



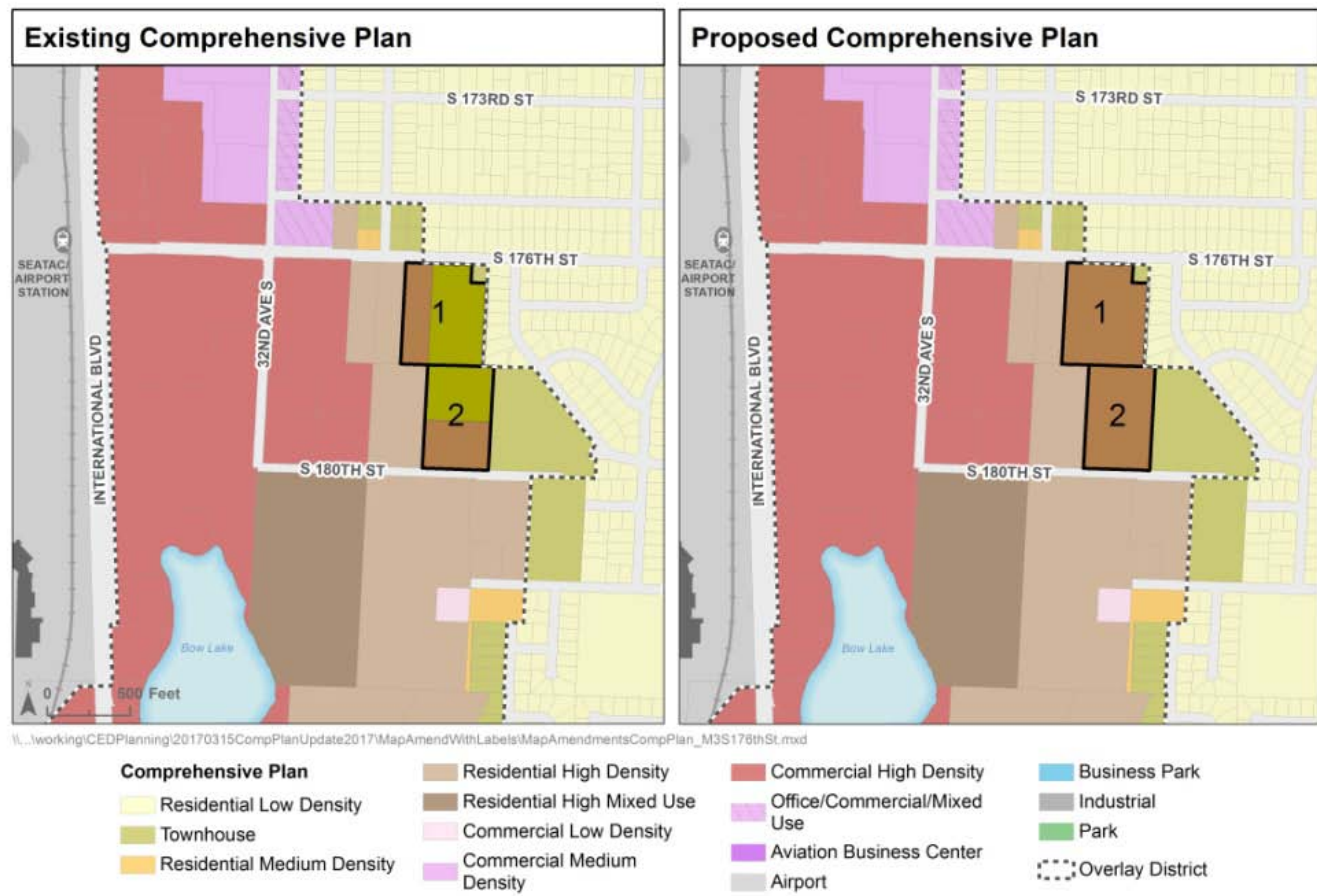
Proposed Comprehensive Plan Land Use Designation



## Map Amendment M-3

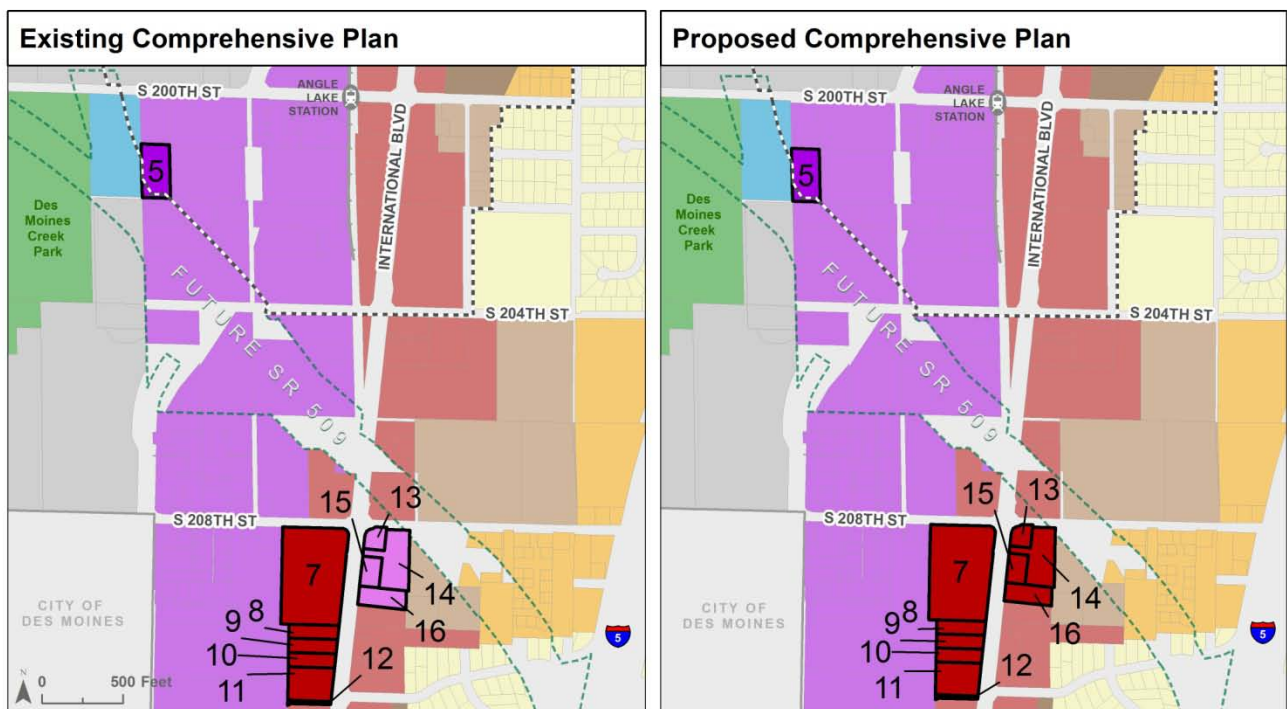
### Proposal: Address Zoning & Comprehensive Plan Map Consistency

ID#	Description	<u>Current</u> Comprehensive Plan Land Use Designation	<u>Proposed</u> Comprehensive Plan Land Use Designation
1	Condominiums	Split designation: - Residential High - Townhouse	Residential High
2	Apartments	Split designation: - Residential High - Townhouse	Residential High



# Map Amendment M-3 (continued)

ID#	Description	Current Comprehensive Plan Land Use Designation	Proposed Comprehensive Plan Land Use Designation
13	Service Building	Commercial Medium	Commercial High
14	Industrial Park	Commercial Medium	Commercial High
15	Vacant	Commercial Medium	Commercial High
16	Service Building	Commercial Medium	Commercial High



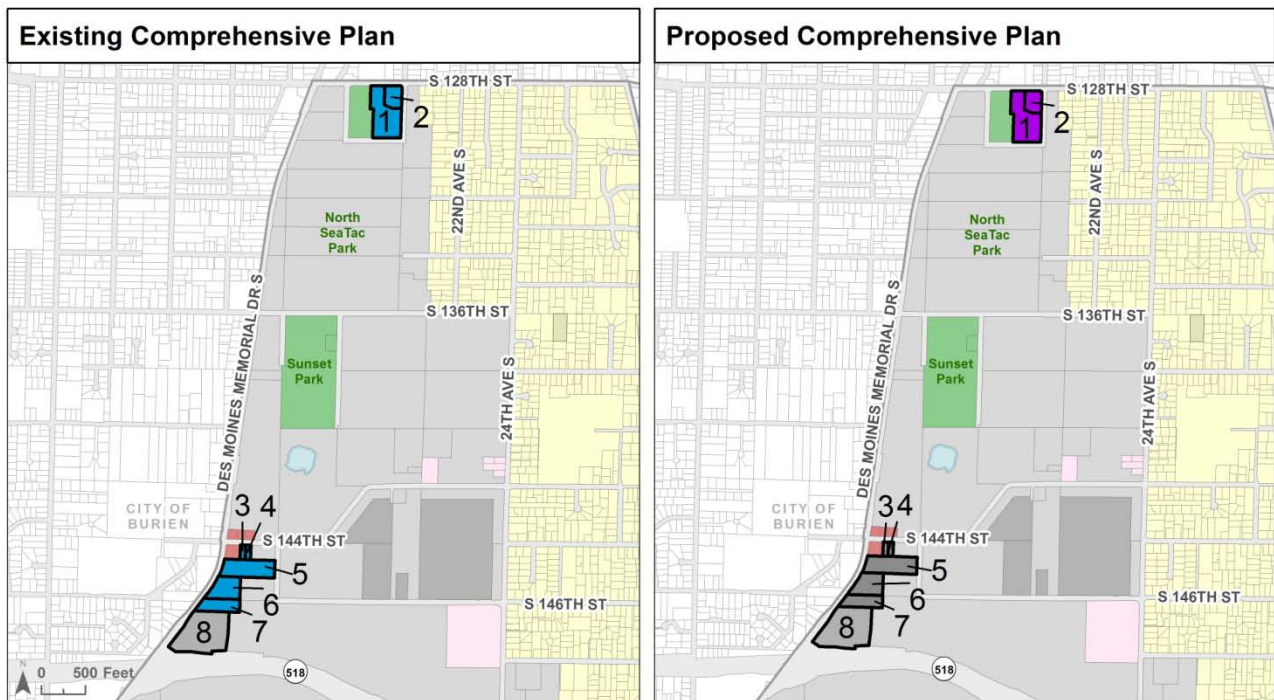
\\...working\CEDPlanning\20170315CompPlanUpdate2017\MapAmendWithLabels\MapAmendmentsCompPlan\_M3SofAngleLake.mxd



# Map Amendment M-4

## Proposal: Eliminating Business Park Designation & Zone

ID#	Description	Current Comprehensive Plan Land Use Designation	Proposed Comprehensive Plan Land Use Designation
1	Vacant	Business Park	Regional Business Mix
2	Utility	Business Park	Regional Business Mix
3	Vacant	Business Park	Industrial
4	Vacant	Business Park	Industrial
5	Warehouse	Business Park	Industrial
6	Mini-Warehouse	Business Park	Industrial
7	Mini-Warehouse	Business Park	Industrial



\\...working\CEDPlanning\20170315CompPlanUpdate2017\MapAmendWithLabels\MapAmendmentsCompPlan\_M4NorthSeaTac.mxd

### Comprehensive Plan

Residential Low Density

Townhouse

Residential Medium Density

Residential High Density

Residential High Mixed Use

Commercial Low Density

Commercial Medium Density

Commercial High Density

Office/Commercial/Mixed Use

Regional Business Mix

Airport

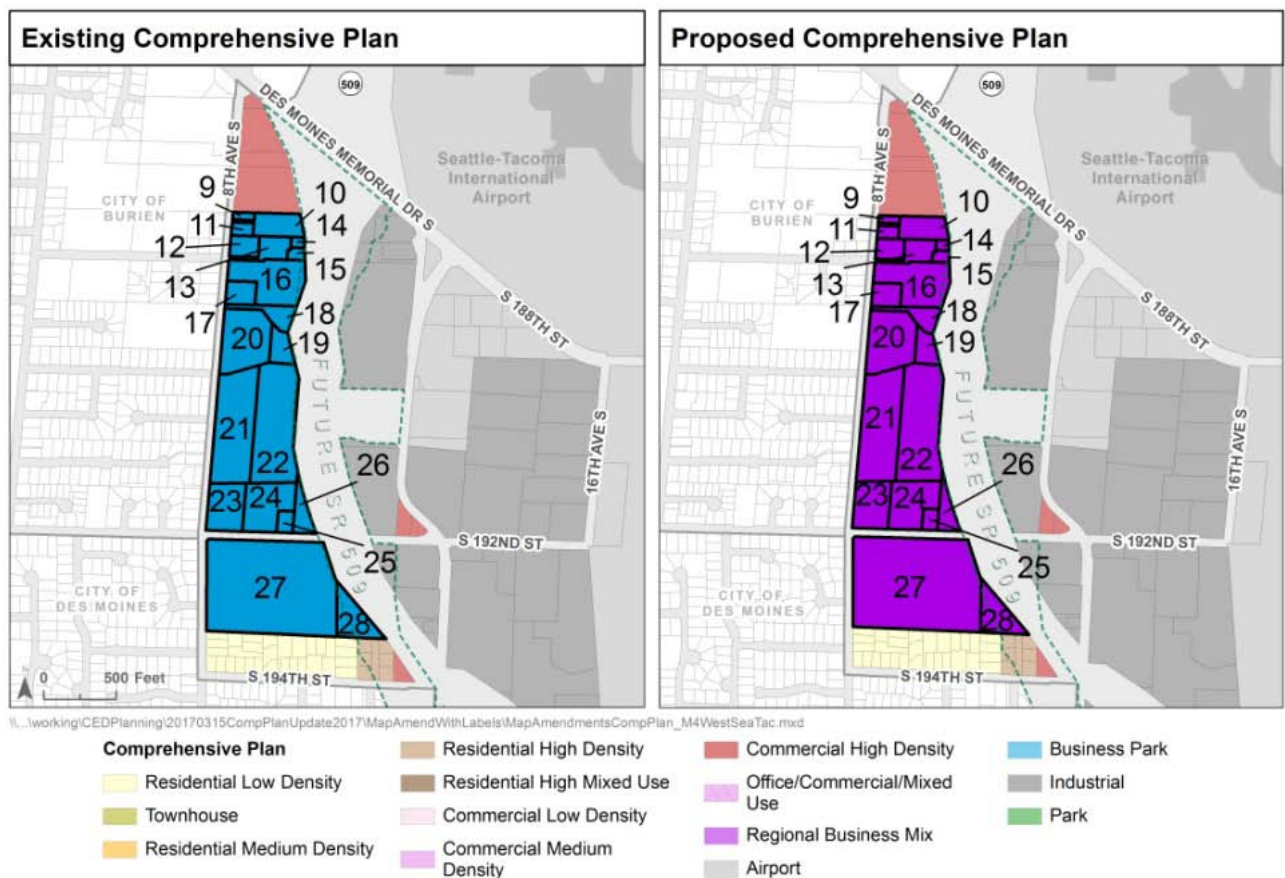
Business Park

Industrial

Park

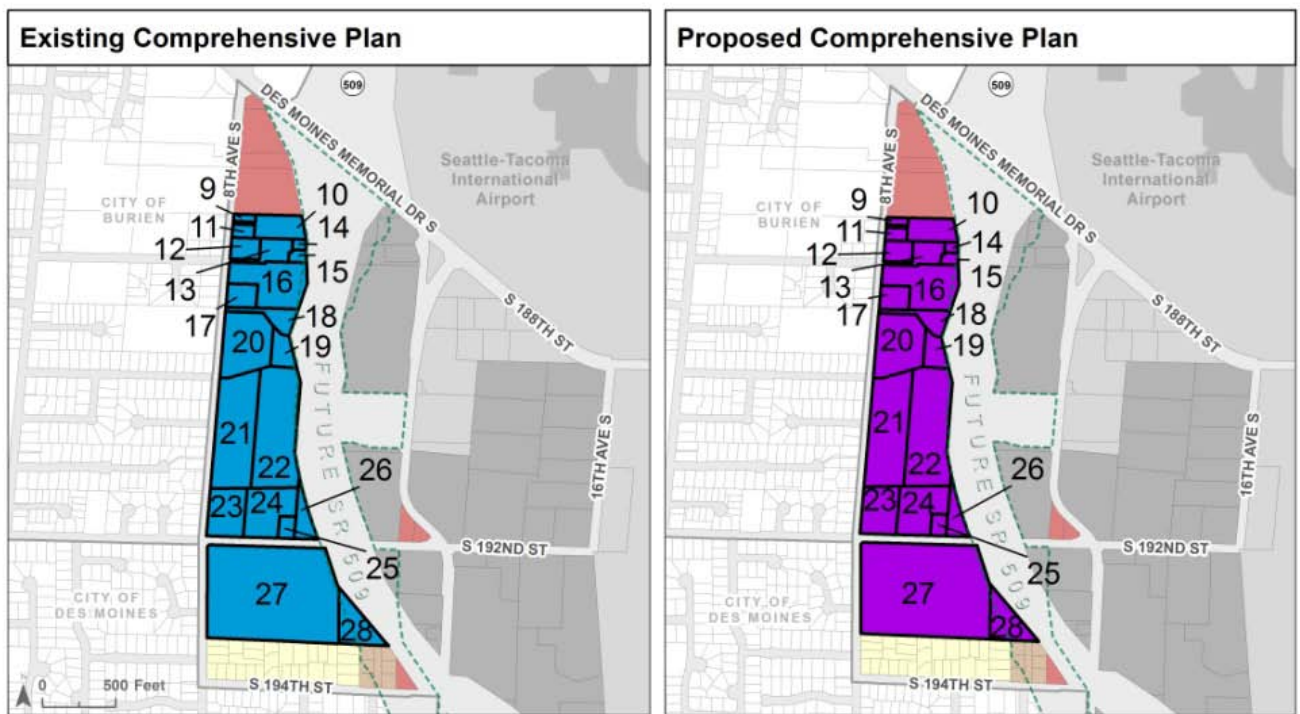
## Map Amendment M-4 (continued)

ID#	Description	Current Comprehensive Plan Land Use Designation	Proposed Comprehensive Plan Land Use Designation
9	Single Family Residence	Business Park	Regional Business Mix
10	Vacant	Business Park	Regional Business Mix
11	Single Family Residence	Business Park	Regional Business Mix
12	Single Family Residence	Business Park	Regional Business Mix
13	Single Family Residence	Business Park	Regional Business Mix
14	Single Family Residence	Business Park	Regional Business Mix
15	Single Family Residence	Business Park	Regional Business Mix
16	Vacant	Business Park	Regional Business Mix
17	Single Family Residence	Business Park	Regional Business Mix
18	Vacant	Business Park	Regional Business Mix
19	Vacant	Business Park	Regional Business Mix



## Map Amendment M-4 (continued)

ID#	Description	Current Comprehensive Plan Land Use Designation	Proposed Comprehensive Plan Land Use Designation
20	Warehouse	Business Park	Regional Business Mix
21	Warehouse	Business Park	Regional Business Mix
22	Warehouse	Business Park	Regional Business Mix
23	Church	Business Park	Regional Business Mix
24	Single Family Residence	Business Park	Regional Business Mix
25	Single Family Residence	Business Park	Regional Business Mix
26	Horticulture Service	Business Park	Regional Business Mix
27	Warehouse	Business Park	Regional Business Mix
28	Vacant	Business Park	Regional Business Mix

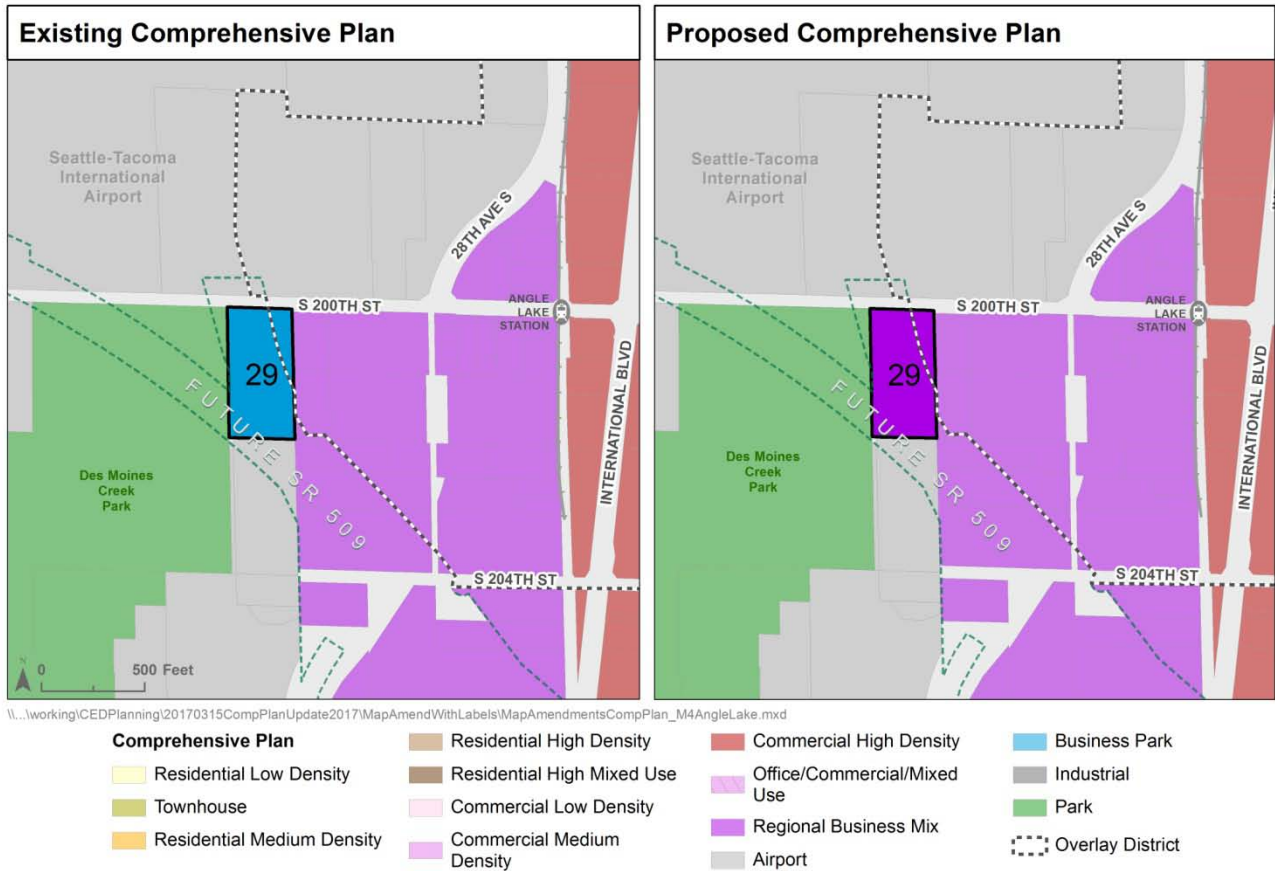


\\...working\CED\Planning\2017\0315CompPlanUpdate2017\MapAmendWithLabels\MapAmendmentsCompPlan\_M4WestSeaTac.mxd



# Map Amendment M-4 (continued)

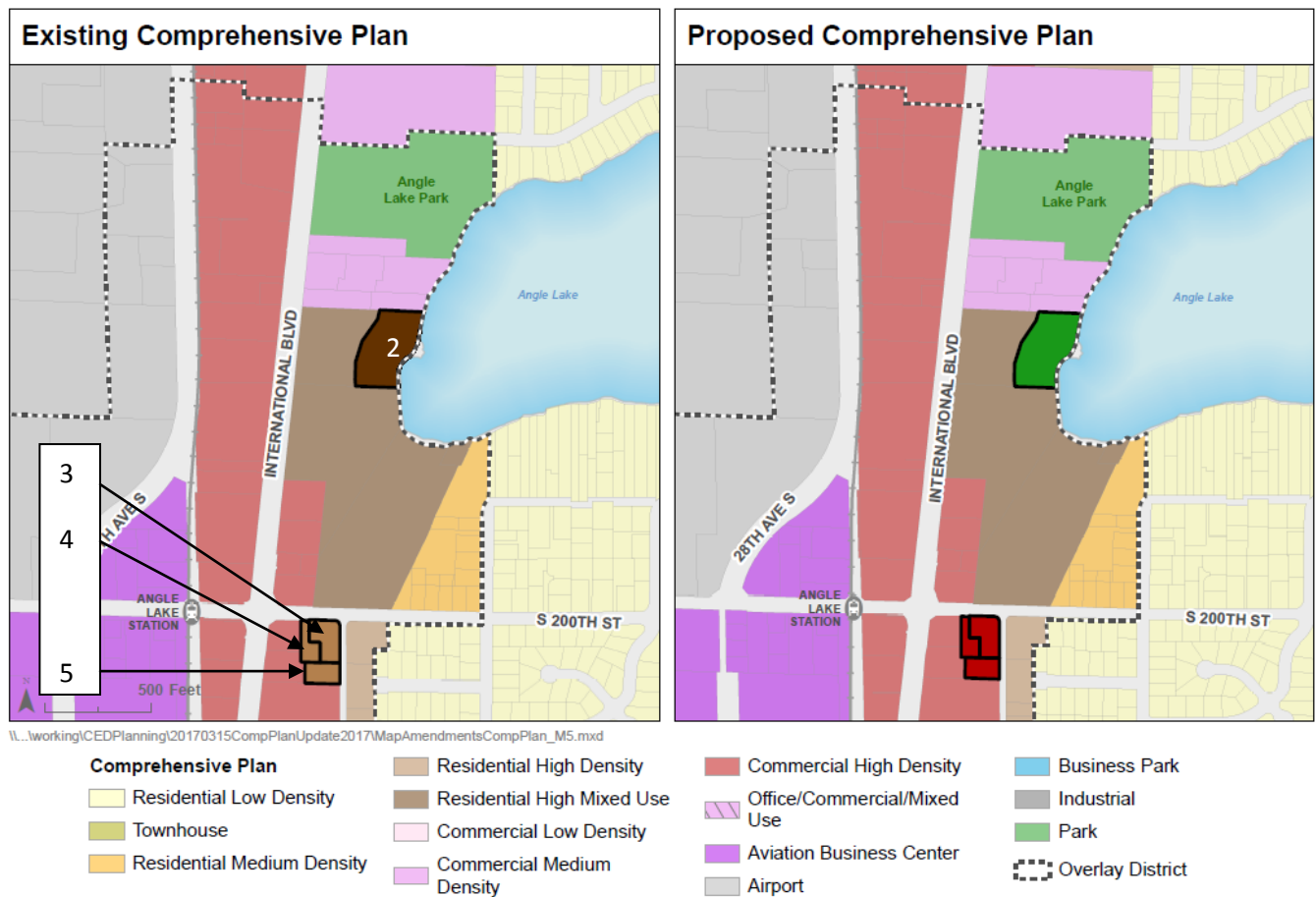
ID#	Description	<u>Current</u> Comprehensive Plan Land Use Designation	<u>Proposed</u> Comprehensive Plan Land Use Designation
29	Warehouse	Business Park	Regional Business Mix



## Map Amendment M-5

### Proposal: Correcting/Updating Land Use Designations of City –Owned & Adjacent Properties

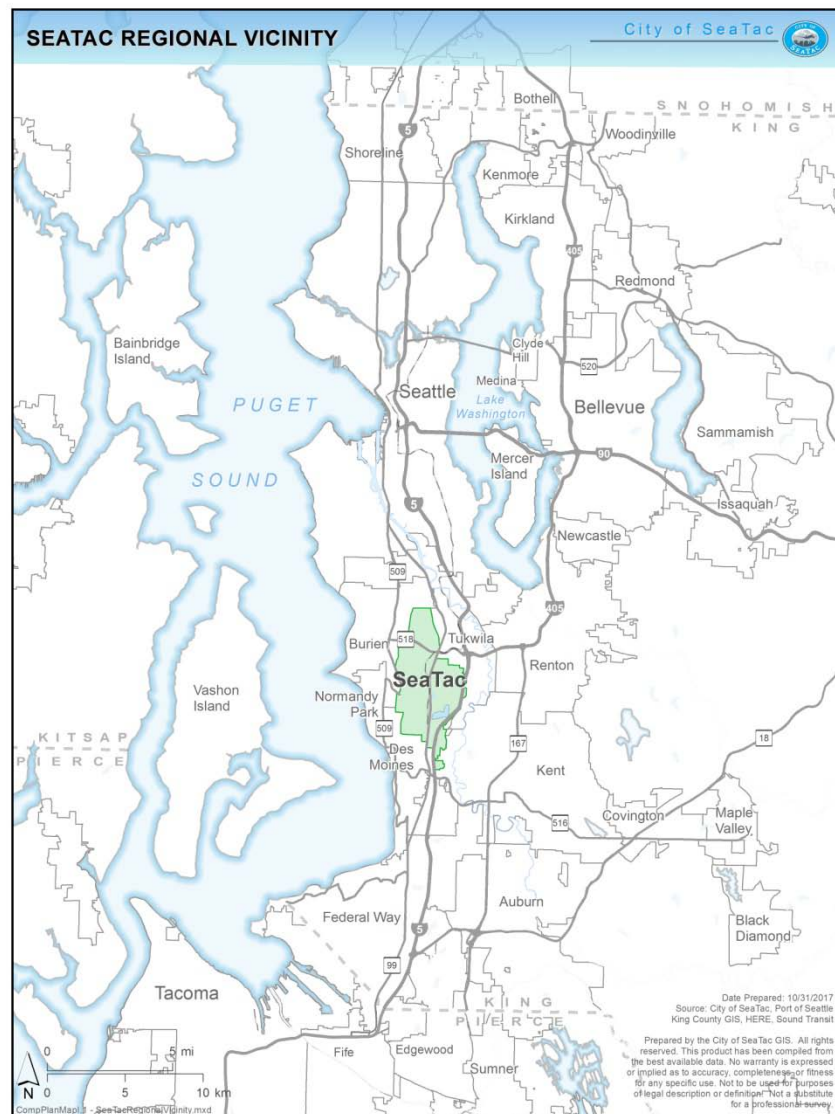
ID#	Description	<u>Current</u> Comprehensive Plan Land Use Designation	<u>Proposed</u> Comprehensive Plan Land Use Designation
2	Park	Residential High Mixed Use	Park
3	Vacant (Former Station 45)	Residential High	Commercial High
4	Apartment	Residential High	Commercial High
5	Apartment	Residential High	Commercial High



# Map Amendment M-6

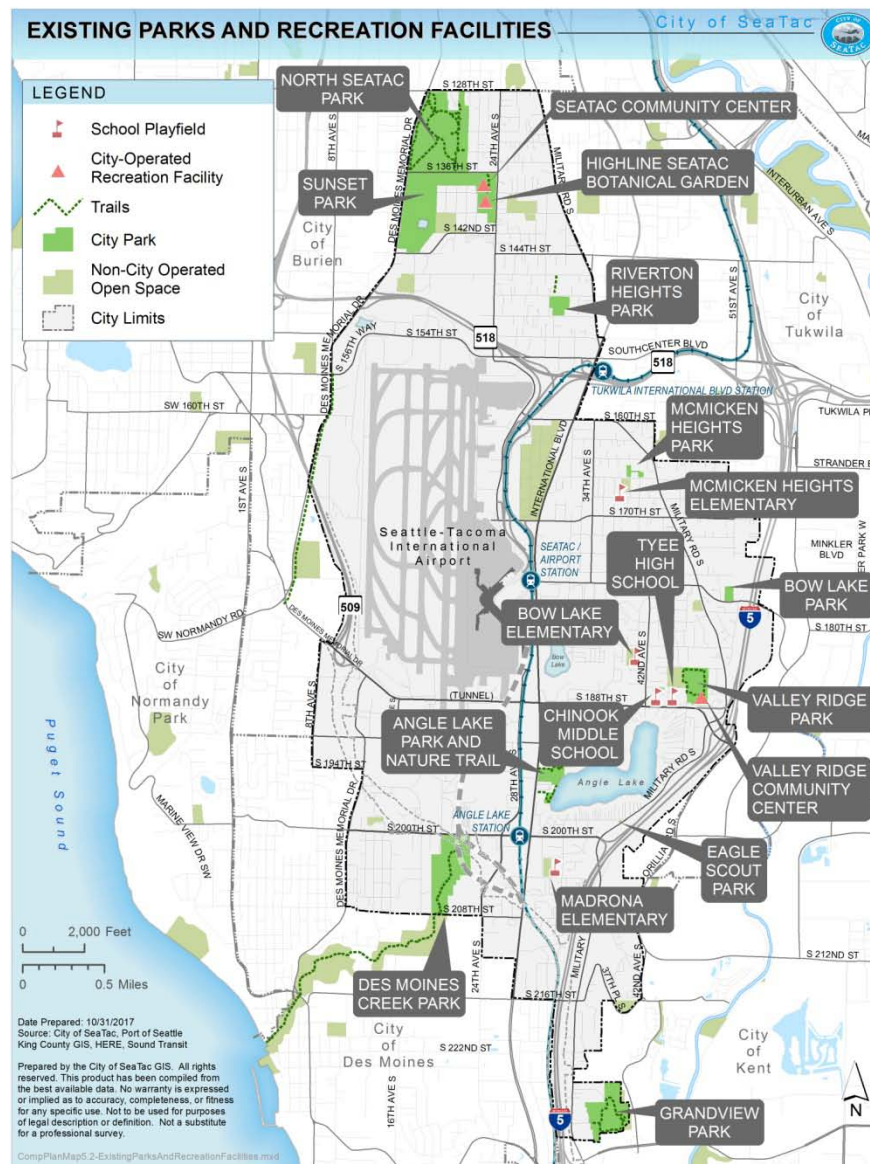
## Proposal: Updating Comprehensive Plan Informational Maps

Map #	Revisions
Map 1.1: SeaTac Vicinity	Graphics updated



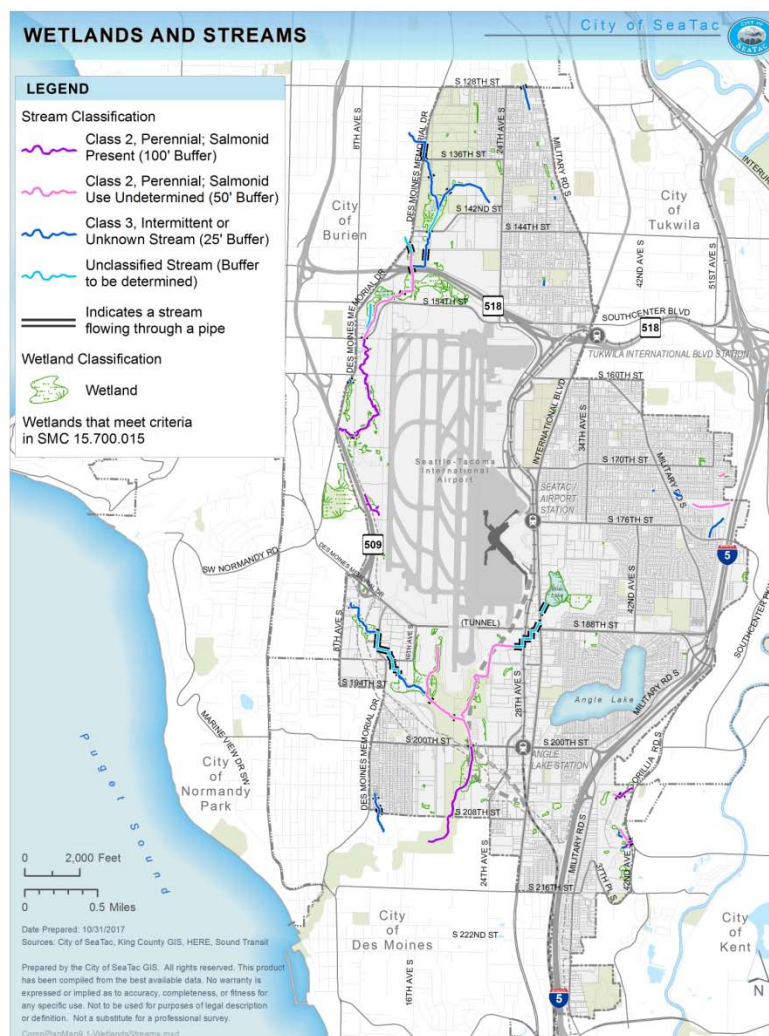
## Map Amendment M-6 (continued)

Map #	Revisions
Map 5.2: Parks and Recreation Facilities	Added “Angle Lake Park Nature Trail” and new name of “Riverton Heights Park.”



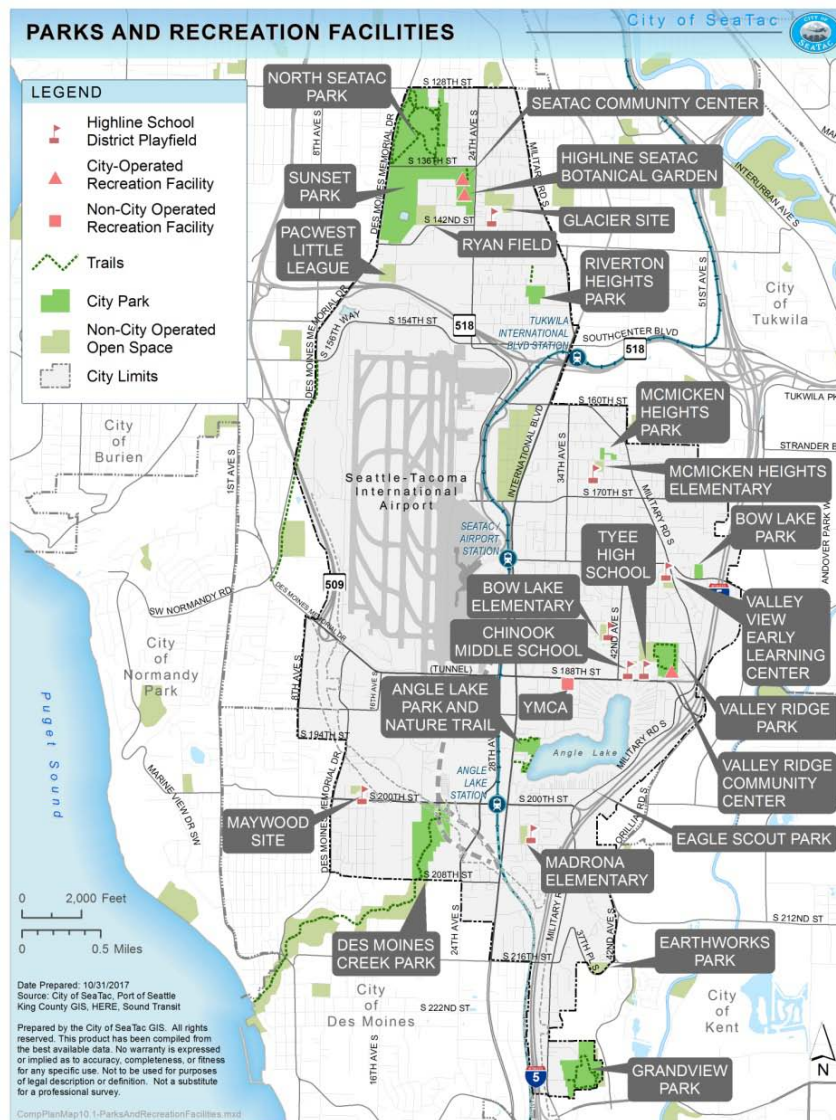
# Map Amendment M-6 (continued)

Map #	Revisions
<b>Map 9.1: Wetlands and Streams</b>	Removed wetland identified at 2934 S 140 <sup>th</sup> Street to reflect reclassification to unregulated pond per File #SUB16-0007, and revised wetland classifications information to address consistency with recently updated SMC 15.700 Critical Areas chapter of zoning code.



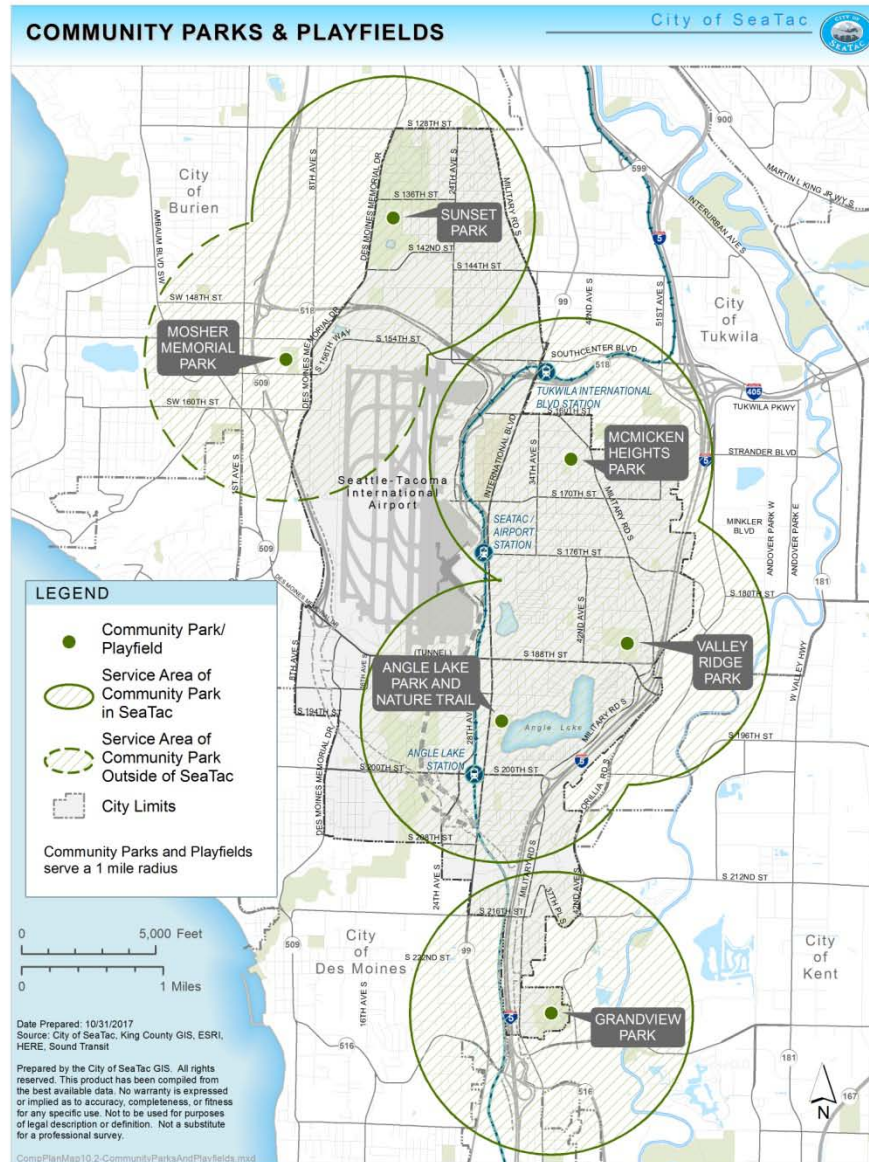
# Map Amendment M-6 (continued)

Map #	Revisions
<b>Map 10.1: Parks and Recreational Facilities</b>	<p>Added “Angle Lake Park Nature Trail” and new name of “Riverton Heights Park.”</p> <p>Removed privately owned mini-parks per Text Amendment T-7 Capital Facilities Plan update.</p> <p>Removed Seattle Public Utilities reservoir because incorrectly included.</p>

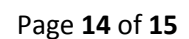


# Map Amendment M-6 (continued)

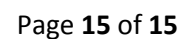
Map #	Revisions
<b>Map 10.2: Community Parks and Playfields</b>	Added "Angle Lake Park Nature Trail."



Map #	Revisions
<b>Map 10.3: Neighborhood Parks &amp; Playfields</b>	Added “Riverton Heights Park.”



Map #	Revisions
<b>Map BR5.1: Parks and Recreation Facilities</b>	Added “Angle Lake Park Nature Trail” and new name of “Riverton Heights Park.”



## SeaTac Comprehensive Plan, Volume 1

### Ch. 2 Land Use

#### Citywide Land Uses

The geographic interpretation of Goals 2.1 and 2.2 is depicted on SeaTac's Land Use Plan Map. Its land use designations fall under the following broad categories:

- Residential;
- Commercial;
- Manufacturing, Industrial, Business Park, and Airport;
- Park, and
- Other

#### Residential Land Use

##### GOAL 2.3

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

##### Residential - Low Density (Single Family)

###### Policy 2.3A

**Stabilize and protect existing single family residential neighborhoods by maintaining a designated Residential Low Density (Single Family) area.**

SeaTac's established residential neighborhoods are important components of the community and should be protected from negative impacts of conflicting or inappropriate nearby land uses. The character of healthy neighborhoods should be maintained since it provides a sense of well-being for residents and enhances the stability of the entire city. Land within the Residential Low Density areas is, and will continue to be, primarily single family in nature.

###### Policy 2.3B

**Allow accessory dwelling units ~~(sometimes called "mother-in-law units")~~ in single family designations to provide additional housing opportunities and income sources for homeowners, and compatible non-residential uses including schools, parks and religious use facilities.**

##### Townhouse

###### Policy 2.3C

**Maintain single-family characteristics while building the densities that support transit ridership and nearby commercial activities through the Townhouse designation.**

The Townhouse designation ~~buffers~~ provides a transition between Residential Low Density areas ~~from and~~ more intensely developed residential or commercial/mixed use areas.

## Residential Medium Density

### Policy 2.3D

Allow higher densities than single family areas while maintaining a desirable family environment through the Residential Medium Density designation. Some compatible non-residential uses including schools, parks and religious use facilities may be allowed.

This designation provides a transition between lower density and higher density areas. Examples of medium density uses include two- to ~~four~~three-story apartments and townhouses.

## Residential High Density

### Policy 2.3E

Provide a high density living option through the Residential High Density designation. Some compatible non-residential uses may be allowed, including neighborhood oriented commercial when part of mixed use development.

This designation provides a transition between lower density residential areas and commercial areas and is intended to be primarily residential in character. Examples of high density residential development include ~~two-to-four-story~~ apartments ~~and condominiums~~ with three or more stories.

## Residential High Mixed Use

### Policy 2.3F

Promote high density residential uses and opportunities for mixed-use development that complements ~~the~~-bordering high density commercial areas through the Residential High Mixed Use designation.

## Commercial Land Use

## GOAL 2.4

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

### Commercial Low ~~Density~~

#### Policy 2.4A

Enhance low to medium density residential neighborhoods by locating primarily residential-oriented goods, and services, ~~and transit facilities~~ in designated Commercial Low ~~Density~~ areas.

Commercial Low ~~Density~~ areas are generally located outside the Urban Center and provide convenient daily shopping and some services for a limited service area.

## Office/Commercial/Mixed Use

### Policy 2.4B

Allow ~~mixed-use~~ medium ~~density~~ intensity development in the designated Office/Commercial/Mixed Use areas.

This designation is intended to be more residential in character than the Commercial Medium ~~Density~~ designation and is different from the Residential Mixed Use designation by allowing office as a primary use.

### Policy 2.4C

~~Only allow~~ Encourage retail and commercial uses in the Office/Commercial/Mixed Use designation when they are mixed with residential or office uses on the same site.

## Commercial Medium ~~Density~~

### Policy 2.4D

Allow medium ~~density~~ intensity development to accommodate office buildings, small hotels, restaurants, dense retail, apartments, or mixed residential/commercial developments in designated Commercial Medium ~~Density~~ areas.

### Policy 2.4E

Encourage a mix of land uses in the Commercial Medium ~~Density~~ designation.

Vertical (within the same building) or lateral (within different buildings on the same site) mixing of uses is appropriate.

## Commercial High ~~Density~~

### Policy 2.4F

Allow ~~the highest concentration of~~ high intensity development in the Commercial High ~~Density~~ designation to accommodate intense land uses, such as mixed-use hotels, office towers, and high density housing, to support transit/walking/bicycling communities.

## ~~Aviation Business Center~~ Regional Business Mix

### Policy 2.4G

Allow a mix of employment activities primarily related to high intensity commercial uses including distribution/warehouse, light assembly, R&D testing, service commercial uses, office and related retail commercial uses. Residential uses may be allowed under certain conditions.

~~Allow development that creates a pedestrian-friendly, major commercial center that supports employment, shopping, and childcare access for high concentrations of customers, visitors, and employees through the Aviation Business Center (ABC) designation.~~

~~The northern part of the ABC area (north of the SR 509 Extension right of way) around the Angle Lake light rail station should be particularly pedestrian and transit friendly.~~

### Policy 2.4H

The Regional Business Mix designation is intended to create a built environment which facilitates the compatible development of heavy commercial uses in tandem with people-intensive uses, while providing an appropriate transition between industrial areas and less intensive commercial, mixed use or residential zones.

~~Attract businesses oriented to and compatible with Airport operations in the southern portion of the ABC designation. The ABC district was created in 1991 to provide space for and encourage a wide mix of Airport-related businesses southeast of the Airport. These play a key role in the City's economy.~~

## Other Commercial Uses

### Policy 2.4I

**Protect designated land uses from the negative impacts of “adult entertainment” establishments.**

To limit the negative impacts of adult entertainment businesses while allowing the required “reasonable opportunity” to operate, prohibit these establishments in proximity to sensitive land uses, such as facilities and businesses which provide services to children and/or youth.

## Manufacturing, Industrial, and ~~Business Park~~Warehouse/Distribution Land Uses

### GOAL 2.5

**Provide an appropriate level of manufacturing, industrial, and ~~business-park~~warehouse/distribution land uses within the City.**

### Policy 2.5A

**Concentrate manufacturing, industrial, and ~~business-park~~warehouse/distribution uses in specific and appropriate locations to provide services and protect existing residential and other commercial areas.**

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

### Policy 2.5B

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

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

## ~~Business Park~~

### ~~Policy 2.5C~~

~~Allow non-polluting commercial land uses such as biotechnology, light manufacturing, electronics, computer technology, or communications equipment businesses while prohibiting land uses with significant environmental or nuisance impacts in the Business Park designation.~~

## Airport

### Policy 2.5D

**Provide for the Airport and high intensity Airport-related facilities and activities.**

This designation includes all properties owned by the Port of Seattle. Under the Airport Master Plan it provides for facilities and activities that are related to “Aviation Operations” or “Aviation Commercial” uses.

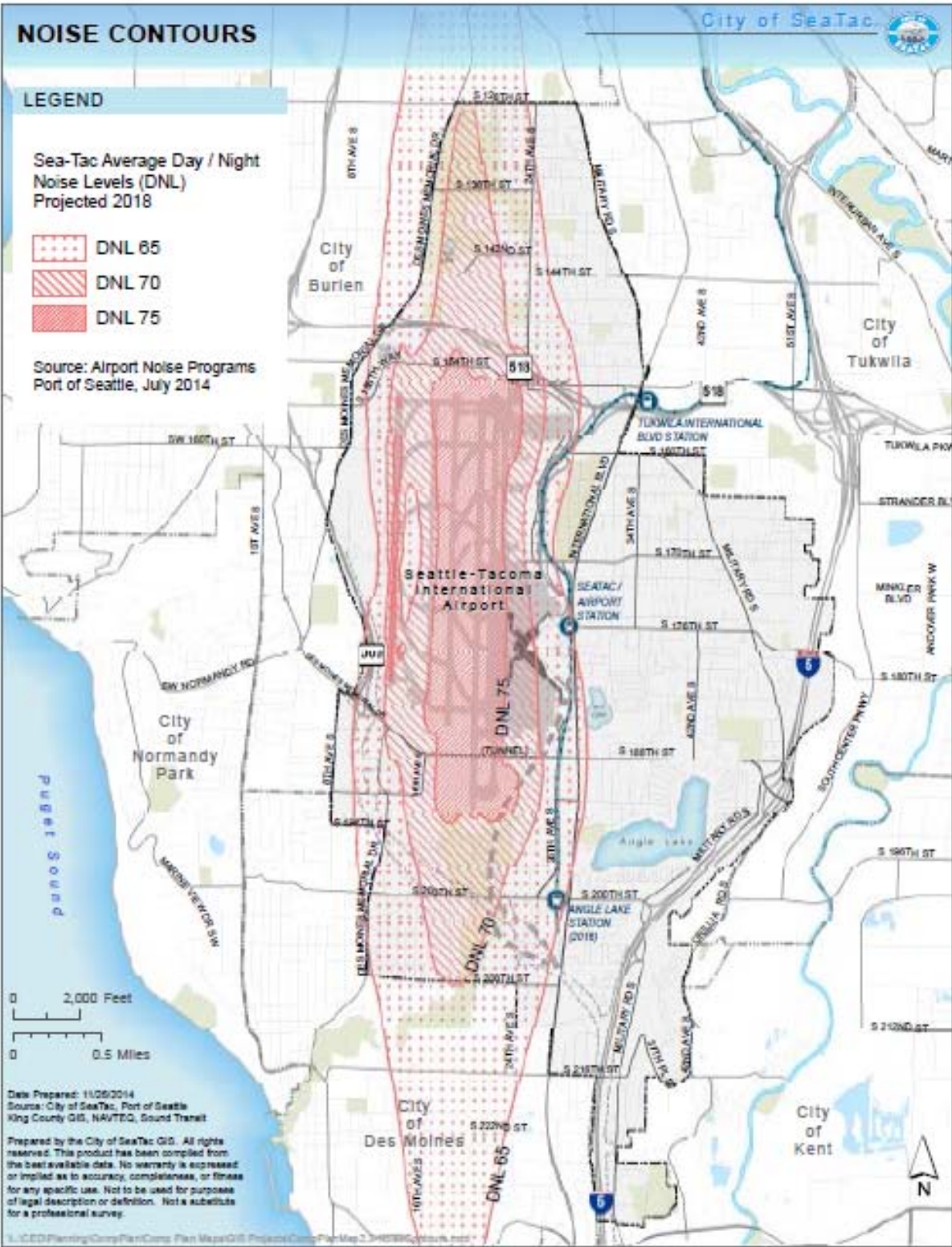
### Policy 2.5E

**Encourage land uses adjacent to the Airport that are compatible with Airport operations.**

The Federal Aviation Administration's standards (under the Part 150 Program) identify compatible land uses for areas immediately adjacent to an airport. Improving land use compatibility in areas near the Airport enables the City to take better advantage of the job and tax revenue benefits of the Airport, maintain and enhance the Airport's role as an essential public facility, and help reduce the negative impacts to City residents. Some appropriate land uses near airports include open space and passive park land, parking, transportation-related activities, and some manufacturing or business park uses. Multi-family housing that is constructed to meet the applicable noise standards and designed to recognize noise issues may be appropriate for areas within the 65 DNL area (see Map 1.3). Single family residential use, on the other hand, is an example of a land use that is not generally recommended adjacent to airports. Uses that are essential to the aviation function of an airport, including necessary support facilities, are considered elements of an airport as an Essential Public Facility (EPF), as addressed in Goal 2.7, and are subject to provisions of the ILA between the City and the Port of Seattle for the Airport. These land uses are addressed under the Recommended Implementation Strategies section.

**Policy 2.5F****Work with the Port of Seattle to implement the ILA and coordinate on Airport master planning projects.**

The City of SeaTac and Port of Seattle entered into the ILA to establish a mutually satisfactory process and set of development standards for Port projects and mitigation for masterplanning projects (such as the Airport Master Plan, the Comprehensive Development Plan, the Sustainable Airport Master Plan and future efforts of this nature.) Mitigation should address all impacts to the city, the station areas and the Urban Center including local access for airport-dependent businesses. The ILA establishes a basis for working toward compatibility between City and Airport land uses. The ILA resolves land use jurisdictional issues, establishes development standards as defined in RCW 36.70B.170 et seq., and constitutes a "development agreement."



## Industrial

### Policy 2.5G

Provide for industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling, storage, warehousing, and heavy trucking through the Industrial designation.

## Parks and Open Space Land Use

### GOAL 2.6

Provide an adequate amount of accessible parks, recreational land, and open space throughout the City.

### Policy 2.6A

This designation identifies publicly funded park and open space areas to be used for outdoor passive and active recreation uses, conservation and protection of municipal watersheds, and wildlife corridors and habitats. Also included are private open space facilities such as cemeteries.

**TABLE 2.1: COMPREHENSIVE PLAN LAND USE DESIGNATION CRITERIA**

<u>Designation</u>	<u>Implementing Zones</u>	<u>Designation Criteria</u>
<b><u>RESIDENTIAL LAND USE DESIGNATIONS</u></b>		
<u>Residential Low Density</u>	<u>UL-15,000</u> <u>UL-9,600</u> <u>UL-7,200</u>  <u>UL-5,000</u> <u>Overlay Zone</u>	<u><b>Designation Criteria:</b></u> <ul style="list-style-type: none"> <li>• <u><b>Existing Land Uses/Locations:</b> Areas are characterized by existing pattern of low density single family development. Very low density residential uses are appropriate in locations that lack sewer facilities and other urban levels of service.</u></li> <li>• <u><b>Access:</b> Properties are generally located away from streets with high volumes of through traffic.</u></li> <li>• <u><b>Environmentally Critical Areas:</b> Areas must be capable of appropriately accommodating environmentally critical areas.</u></li> </ul>
<u>Townhouse</u>	<u>I</u>	<u><b>Designation Criteria:</b></u> <ul style="list-style-type: none"> <li>• <u><b>Existing Land Uses/Locations:</b> Areas that provide a transition between lower density residential and higher density residential and/or commercial uses.</u></li> <li>• <u><b>Access:</b> Properties are located adjacent to or have adequate access to arterial streets and are near transit.</u></li> <li>• <u><b>Environmentally Critical Areas:</b> Areas should be free of or must be capable of appropriately accommodating environmentally critical areas.</u></li> </ul>

<u>Designation</u>	<u>Implementing Zones</u>	<u>Designation Criteria</u>
<b>RESIDENTIAL LAND USE DESIGNATIONS (continued)</b>		
<u>Residential Medium Density</u>	<u>UM-3,600</u> <u>UM-2,400</u> <u>MHP</u>	<p><b><u>Designation Criteria:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Existing Land Uses/Locations:</u></b> Areas that provide a transition between lower density residential uses and more intense uses.</li> <li>• <b><u>Access:</u></b> Properties are located adjacent to or have adequate access to arterial streets and are near transit.</li> <li>• <b><u>Environmentally Critical Areas:</u></b> Areas should be free of or must be capable of appropriately accommodating environmentally critical areas.</li> </ul>
<u>Residential High Density</u>	<u>UH-1,800</u> <u>UH-900</u>	<p><b><u>Designation Criteria:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Existing Land Uses/ Locations:</u></b> Areas that provide a transition between low to moderate density residential uses and higher intensity mixed use or commercial areas.</li> <li>• <b><u>Access:</u></b> Areas are located adjacent to arterial streets and are near transit and employment and/or commercial areas.</li> <li>• <b><u>Environmentally Critical Areas:</u></b> Areas should be free of or must be capable of appropriately accommodating environmentally critical areas.</li> </ul>
<u>Residential High – Mixed Use</u>	<u>UH-UCR</u>	<p><b><u>Designation Criteria:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Existing Land Uses/Locations:</u></b> Areas that provide a transition between moderate to high density residential uses and higher intensity commercial areas.</li> <li>• <b><u>Access:</u></b> Areas are located adjacent to arterial streets and are near transit and employment and/or commercial areas.</li> <li>• <b><u>Environmentally Critical Areas:</u></b> Areas should be free of or must be capable of appropriately accommodating environmentally critical areas.</li> </ul>
<b>COMMERCIAL LAND USE DESIGNATIONS</b>		
<u>Commercial Low</u>	<u>NB (</u>	<p><b><u>Designation Criteria:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Existing Land Uses/Locations:</u></b> Areas that are generally located adjacent to previously developed low intensity commercial uses which provide goods and services to existing low or medium density residential neighborhoods. Areas are primarily located outside of the urban center boundary. Any newly established Commercial Low area, which is not immediately adjacent to existing Commercial Low properties, should be at least two acres in size.</li> <li>• <b><u>Access:</u></b> Properties are generally located on or adjacent to arterial street intersections.</li> <li>• <b><u>Environmentally Critical Areas:</u></b> Areas should be free of or must be capable of appropriately accommodating environmentally critical areas.</li> </ul>
<u>Office/ Commercial / Mixed Use</u>	<u>O/C/MU</u>	<p><b><u>Designation Criteria:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Existing Land Uses/Locations:</u></b> Areas that establish or provide a transition between medium intensity uses and public facilities or lower density residential uses.</li> <li>• <b><u>Access:</u></b> Properties are located adjacent to or have adequate access to arterial streets, and are near transit and employment and/or commercial areas.</li> <li>• <b><u>Environmentally Critical Areas:</u></b> Areas should be free of or must be capable of appropriately accommodating environmentally critical areas.</li> </ul>

<u>Designation</u>	<u>Implementing Zones</u>	<u>Designation Criteria</u>
<b>COMMERCIAL LAND USE DESIGNATIONS (continued)</b>		
<u>Commercial Medium</u>	<u>O/CM</u>	<u>Designation Criteria:</u> <ul style="list-style-type: none"> <li>• <u>Existing Land Uses/Locations:</u> Areas that provide a transition between higher intensity uses and public facilities or lower density residential uses.</li> <li>• <u>Access:</u> Properties are located adjacent to or have adequate access to arterial streets, and are near transit and employment and/or commercial areas.</li> <li>• <u>Environmentally Critical Areas:</u> Areas should be free of or must be capable of appropriately accommodating environmentally critical areas.</li> </ul>
<u>Commercial High</u>	<u>CB</u> <u>CB-C</u>	<u>Designation Criteria:</u> <ul style="list-style-type: none"> <li>• <u>Existing Land Uses/Locations:</u> Areas are generally characterized by previously developed high intensity commercial or industrial uses and are in locations that provide a transition between industrial or high intensity commercial areas and less intensive commercial, mixed use or residential zones.</li> <li>• <u>Access:</u> Properties are located along principal or minor arterial streets.</li> <li>• <u>Environmentally Critical Areas:</u> Areas should be free of or must be capable of appropriately accommodating environmentally critical areas.</li> </ul>
<u>Regional Business Mix</u>	<u>Regional Business Mix (RBX)</u>	<u>Designation Criteria:</u> <ul style="list-style-type: none"> <li>• <u>Existing Land Uses/Locations:</u> Areas are generally characterized by previously developed high intensity commercial or industrial uses and are in locations that provide a transition between industrial or high intensity commercial areas and less intensive commercial, mixed use or residential zones.</li> <li>• <u>Access:</u> Properties are located along principal or minor arterial streets.</li> <li>• <u>Environmentally Critical Areas:</u> Areas should be free of or must be capable of appropriately accommodating environmentally critical areas.</li> </ul>
<u>Industrial</u>	<u>I</u>	<u>Designation Criteria:</u> <ul style="list-style-type: none"> <li>• <u>Existing Land Uses/Locations:</u> Areas are generally characterized by previously developed industrial uses and are immediately adjacent to industrial areas or the airport. Should be separated from existing and potential residential or pedestrian-oriented commercial neighborhoods.</li> <li>• <u>Access:</u> Properties are accessed by arterial streets.</li> <li>• <u>Environmentally Critical Areas:</u> Areas should be free of or must be capable of appropriately accommodating environmentally critical areas.</li> </ul>
<u>Airport</u>	<u>AVC</u> <u>AVO</u>	<u>Not Applicable</u>
<b>PARK AND OPEN SPACE LAND USE DESIGNATIONS</b>		
<u>Park</u>	<u>P</u>	<u>Designation Criteria:</u> <u>Applicable to public and private parks and open space.</u>

**CH. 2 LAND USE ELEMENT RECOMMENDED IMPLEMENTATION STRATEGIES**

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<p><b>2.4G:</b>  <u>Allow a mix of employment activities primarily related to high intensity commercial uses including distribution/ warehouse, light assembly, R&amp;D testing, service commercial uses, office and related retail commercial uses. Residential uses may be allowed under certain conditions.</u>  <del>Allow development that creates a pedestrian friendly, major commercial center that supports employment, shopping, and childcare access for high concentrations of customers, visitors, and employees through the Aviation Business Center (ABC) designation.</del>  The northern part of the ABC area (north of the SR 509 Extension right-of-way) around the Angle Lake light rail station should be particularly pedestrian and transit friendly.</p>	<p><u>Review uses and development standards for “RBX” zone outside of the Urban Center boundary, to ensure:</u></p> <ul style="list-style-type: none"> <li>- <u>Appropriate building heights are established, and</u></li> <li>- <u>Compatible manufacturing, assembly and other business service uses are allowed.</u></li> </ul>	<p><u>Staff,</u>  <u>Planning</u>  <u>Commission,</u>  <u>City Council</u></p>	<p><u>Short-Term</u></p>
<p><b>2.4H:</b>  <u>The Regional Business Mix designation is intended to create a built environment which facilitates the compatible development of heavy commercial uses in tandem with people-intensive uses, while providing an appropriate transition between industrial areas and less intensive commercial, mixed use or residential zones.</u>  <del>Attract businesses oriented to and compatible with Airport operations in the southern portion of the ABC designation.</del> The ABC district was created in 1991 to provide space for and encourage a wide mix of Airport-related businesses southeast of the Airport. These play a key role in the City’s economy.</p>	<p>Identify regional companies with Airport-oriented distribution needs and encourage them to construct a major facility in SeaTac. [See the Economic Vitality Element for more strategies on business attraction.]</p>	<p>Staff</p>	<p>Ongoing</p>

## SeaTac Comprehensive Plan, Volume 1

### Ch. 1 Introduction & Framework

#### GLOSSARY

**Intensity of Use.** The manner in which land is used, zoned, or planned. Generally, this term refers to a hypothetical scale which places rural uses as least intense, proceeding through residential and commercial uses to industrial uses.

**Port of Seattle Interlocal Agreement (ILA).**

The ILA is a multifaceted 10-year binding agreement that was reached in 1997 between the Port of Seattle and the City of SeaTac. The ILA establishes a cooperative system for the City and Port to conduct joint planning for land use, surface water management, and economic development.

**Jurisdiction.** The term can include cities, counties, Federal and State agencies, and federally recognized tribes.

**Landscaping.** Foliage or vegetation that is planted to enhance the natural and built environment, including native and drought tolerant vegetation and vegetated LID BMPs (Low Impact Development Best Management Practices).

**Legal Nonconforming.** “Legal nonconforming” means any legally established use, structure, or development standard that is now out of compliance with current regulations.

**Livability.** A measure of the quality of life in a community, as determined by living conditions, climate, employment opportunities, school quality, recreation facilities, transportation infrastructure, medical or health facilities, security, etc. A community with a high quality of life has exceptional livability.

**Local Improvement District (LID).** A financing method for public improvement (i.e., streets, water lines, sidewalks, etc.). Property owners benefiting from the improvement are assessed a fee implemented through the LID; the funds are used for improvements in that district.

**Low Impact Development.** A stormwater and/or land use management ~~and land development~~ strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by ~~emphasizes~~ emphasizing conservation, ~~and~~ use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design, while also minimizing the potential for off-site flooding and soil instability ~~with engineered, small-scale hydrologic controls to more closely mimic predevelopment hydrologic functions.~~

**Low Impact Development (LID) Best Management Practices (BMP).** Distributed stormwater management practices, integrated into a project design, that emphasize natural hydrologic processes of infiltration, filtration, storage, evaporation and transpiration, while protecting against off-site flooding and soil instability. LID BMPs include, but are not limited to, bioretention, permeable pavement, cast in place pavers, limited infiltration systems, roof downspout controls, dispersion, soil amendments, and minimal excavation foundations.

**Low Impact Development Principles.** Land use management strategies that emphasize conservation, use of on-site natural features, and site planning to utilize infiltration and native vegetation to minimize stormwater runoff, while protecting against remote area flooding and soil instability.

**Low Income.** Low income families are considered to be those whose incomes do not exceed 50 percent of the median family income for the area.

**Median Income.** The income value of a specified group of individuals that divides the group into two halves (the groups split evenly below and above the median).

**Mini-Park.** A small neighborhood park that is usually one-quarter acre to one-half acre in size.

**Surface Water Design Manual.** [The King County Surface Water Design Manual \(KCSWDM\), as amended by the City of SeaTac Addendum to the KCSWDM adopted in SMC 12.10.010.](#)

**Vegetated LID BMPs.** [LID BMPs \(Low Impact Development Best Management Practices\) that utilize landscaping.](#)

## Ch. 4 Transportation

### RECOMMENDED IMPLEMENTATION STRATEGIES

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	Time Line
<b>GOAL 4.1 PROMOTE THE SAFE AND EFFICIENT TRANSPORT OF PEOPLE AND GOODS BY IMPLEMENTING AND MAINTAINING AN INTEGRATED MULTI-MODAL TRANSPORTATION SYSTEM.</b>			
<b>4.1A Plan for and implement a multi-modal transportation system while balancing transportation needs with other community values.</b>	Regularly monitor and report on the status of implementation of transportation improvement projects and programs, mode splits, safety, and other metrics to track the success of implementing the policies of the Transportation Element.	Staff	Ongoing
	Develop and implement surveys to check in with SeaTac residents, businesses, and visitors on assessing the status and priorities of the City's multi-modal transportation system.	Staff	Short Term
	Amend the Capital Facilities Plan and Transportation Improvement Program (TIP) and Capital Improvement Plan (CIP) as needed to implement policies reflecting growth and transportation funding.	City Council, Planning Commission, Staff	Ongoing
<b>4.1B: Develop a multi-modal transportation system that reduces adverse environmental impacts of the transportation system.</b>	Review and implement multimodal transportation design standards to meet federal, state, regional, and local policies related to the environment.	City Council, Planning Commission, Staff	Ongoing
	<u>Where feasible, low impact development should be the commonly used approach to minimize impervious surfaces and storm water runoff pursuant to the Surface Water Design Manual.</u>	<u>City Council, Planning Commission, Staff</u>	<u>Ongoing</u>
<b>GOAL 4.2 DEVELOP AND MAINTAIN AN ARTERIAL STREET AND HIGHWAY SYSTEM THAT REDUCES REGIONAL AND AIRPORT RELATED TRAFFIC ON CITY STREETS.</b>			
<b>4.2A Establish LOS for intersections and roadways with LOS E or better as acceptable on principal or minor arterials.</b>	Regularly monitor traffic volumes on local streets to maintain the adopted LOS.	Staff	Ongoing

## Ch. 7 Community Design

This section contains SeaTac's community image goals and policies. Goals represent the City's objectives related to community image, while Policies provide more detail about the steps needed to achieve each goal's intent.

### Goal 7.1

#### **Provide residents and visitors with a positive, identifiable image of the City of SeaTac.**

Portions of SeaTac are easily confused with neighboring communities. Gateways and streets with signature trees and elements can contribute to community pride by establishing a character that says "my town." they can also attract financial investment to SeaTac by setting it apart from other places.

#### **Gateways**

##### **Policy 7.1A**

#### **Design and install gateways at entry points to the City.**

Entry points include major arterials and freeway off-ramps at the City limits and when entering the City from the Airport.

#### **Streets with Trees**

Street trees enhance a city's image and property values, provide visual and physical continuity, and reduce the impacts of development on drainage systems and natural habitats.

##### **Policy 7.1B**

#### **Preserve existing vegetation and street trees.**

Existing, mature trees are imperative to the City's image and walkability.

##### **Policy 7.1C**

#### **Require site-appropriate installation of tree and other vegetation along streets.**

#### **Parks, Open Space, and Greenbelts**

The Parks, Recreation, and Open Space Element of this Comprehensive Plan elaborates on the value of providing, preserving, and maintaining open spaces and greenbelts throughout the community for recreational and wildlife habitat benefits. this section focuses on their community design contribution, particularly when provided in conjunction with private development. SeaTac should strengthen its image by requiring parks and open space with redevelopment and keeping parks, open space (including hillside vegetation), and greenbelts intact and safe from threats of sprawling development patterns.

##### **Policy 7.1D**

#### **Require developers to provide publicly accessible open space (e.g., neighborhood pocket parks and plazas) in commercial zones, and require private open space (e.g., decks, balconies, small yards, terraces, courtyards and children's play areas) in all townhouse, multifamily, and mixed use developments.**

Publicly accessible open space in high activity centers is a valuable amenity to residents and employees in the City. such open space may include small pocket parks, seating areas, playgrounds, landscaping,

| [vegetated LID BMPs \(low impact development best management practices\)](#), public sculpture, fountains, street furniture, pathways, and ponds.

**Policy 7.1E**

**Preserve wildlife habitat and corridors to provide visual and physical relief, and to enhance SeaTac's image as a "green" environment.**

**Policy 7.1F**

**Require or incentivize the connection and linkage of parks, boulevards, neighborhood greenways, open spaces, and greenbelts in any redevelopment.**

Link open spaces within SeaTac and to those across city boundaries to ensure functional and visual continuity.

**Goal 7.3**

**Enhance the character of residential areas and promote a range of well-designed housing types.**

Infill development should be carefully managed so that new investment can take place without radically altering the existing positive aspects of neighborhood character.

**Housing Options and Neighborhood Character****Policy 7.3A**

Ensure that accessory dwellings are subordinate in size and appearance to primary residences, to protect and maintain the existing neighborhood character.

**Policy 7.3B**

**Require high-quality multifamily building and site design that fosters a sense of community, relates to the street, has unobtrusive parking arrangements, provides usable open space, and ensures compatible transitions between different types of housing.**

The City should apply design standards to multifamily and townhouse development to minimize the appearance of garage doors, activate the street with entries and associated patios or stoops and limited front setbacks, consider roof pitch, and limit the number of units in any one row to maintain small block sizes.

**Policy 7.3C:**

**Develop standards and guidelines for neighborhood commercial areas.**

Design standards and guidelines tailored to neighborhood retail and dealing with elements such as setbacks, signage, [vegetated LID BMPs \(low impact development best management practices\)](#), and landscaping can create smaller-scale commercial areas that fit comfortably within a neighborhood.

**RECOMMENDED IMPLEMENTATION STRATEGIES**

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	Time Line
<b>GOAL 7.1 GENERAL ELEMENTS OF COMMUNITY IMAGE</b>			
CITYWIDE PARKING AND ACCESS			
<b>7.1M</b> <b>Enhance the visual character of surface parking.</b>	Encourage owners of existing lots to provide trees around the perimeter of their lots.	Staff	Ongoing
	<u>Consider developing a list of suitable native and drought-tolerant non-native trees.</u>		

**Ch. 8 Economic Vitality****GOAL 8.7**

**Enhance and utilize the City's natural and built environment to increase the desirability of locating in SeaTac.**

**Policy 8.7A:**

**Beautify and enhance the commercial and residential areas of the City through the application of urban design standards and support for public facilities and amenities to attract commercial and residential growth.**

Places that are well-designed and include important community facilities (e.g., sidewalks, street trees, bike lanes, parks, public trails, vegetated LID BMPs [low impact development best management practices]) and amenities (e.g., public art) attract high-quality businesses and development, encourage residential growth, and improve the City's quality of life and long-term economic success.

**Policy 8.7B**

**Identify and implement programs and strategies that enhance the livability of residential neighborhoods, such as neighborhood cleanups, street trees, signage, code compliance, and other available mechanisms.**

Enhancing residential neighborhoods within the City increases livability and the probability that employers and employees may locate in SeaTac.

## Ch. 9 Environment

### GOAL 9.2

#### Preserve and enhance the quality of water resources.

##### Policy 9.2A:

**Protect and enhance water quality. Preserve the amenity and ecological functions of water features through land use plans, innovative land development, public education, and stormwater regulations.**

Clean water in streams, lakes, and wetlands is an amenity within a city. It provides opportunities for water activities (e.g., swimming, fishing, kayaking, etc.) without fear of infections from waterborne bacteria or parasites. Clean water also enhances the image of a city for its livability and its concern for the natural environment. Techniques for protecting and improving water quality include:

1. Provision of sewers for new development and redevelopment.
2. Adequate stormwater flow control and treatment, including LID (low impact development) principles and LID BMPs (low impact development best management practices), for new development and redevelopment.
3. Public education about how to maintain and improve water quality within natural drainage basins.

##### Policy 9.2B

**Manage water resources to preserve ecosystem services, including recreation, fish and wildlife habitat, flood protection, water supply, and open space.**

Clean water in streams and lakes allows for preservation of urban wildlife and healthy ecosystems, which provide useful benefits to the City. This increases the overall livability of SeaTac.

##### Policy 9.2C

**Work with adjacent jurisdictions and other affected entities to enhance and protect water quality in the region.**

Enhancing and protecting clean water throughout a stream watershed often requires that many jurisdictions work together to preserve water quality. Miller and Des Moines Creeks both cross City limits. Many entities have interests in SeaTac's water quality issues, include fisheries industries for SeaTac's salmonid-bearing waterbodies the Muckleshoot Indian Tribe, and Des Moines and Normandy Park as downstream cities. Affected jurisdictions and entities must coordinate to preserve water quality.

**Text Amendment T-4:**

Policy to Explore Allowing Duplexes in Some Single Family Areas

**SeaTac Comprehensive Plan, Volume 1****Ch. 3 Housing and Human Services**

## CH. 3 HOUSING &amp; HUMAN SERVICES ELEMENT RECOMMENDED IMPLEMENTATION STRATEGIES

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<b>3.4B: Promote a variety of housing types</b>	Develop incentives to include larger (3-4) bedroom) units in new apartment developments.	Staff, Planning Commission, City Council	Short-Term
	<del>Amend Zoning regulations to allow duplexes in single family zones within ½ mile of a high capacity transit station.</del>	<del>Staff, Planning Commission, City Council</del>	<del>Short-Term</del>
	Develop incentives to promote the use of the High Density Single Family Special District Overlay in single family zones within ½ miles of a high capacity transit station.	Staff, Planning Commission, City Council	Short-Term
	Develop criteria for microhousing within close proximity to a high capacity transit station.	Staff, Planning Commission, City Council	Short-Term

## SeaTac Comprehensive Plan, Volume 1

### Ch. 2 Land Use

#### Essential Public Facilities

#### GOAL 2.7

**Accommodate essential public facilities in alignment with this Plan's goals and policies.**

##### Policy 2.7A

**Administer a process consistent with the GMA and the Countywide Planning Policies to identify and site essential public facilities (EPF).**

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

##### Policy 2.7B

**Actively engage with Sound Transit and neighboring cities on the planning, design and construction of the extension of light rail service south of S. 200th Street to the southern city limits and beyond.**

~~Light rail service to the new Angle Lake Station at S. 200th Street and 28th Avenue S. will commence in 2016.~~ Sound Transit is currently planning to extend light rail service south to the vicinity of Highline College by 2023, and will be proceeding to Federal Way as funds become available. Work with Sound Transit to define an exit route through the city that minimizes disruptions to private and public property owners, businesses and residents, and that causes minimal adverse aesthetic, economic and environmental impacts.

##### Policy 2.7C

**Actively engage with The Port of Seattle and neighboring cities on updates to airport master plans and the implementation/construction of, and mitigation for related projects ~~consistent~~ consistent with the terms of the ILA.**

The Port periodically updates its master plans to prepare for future service needs.

##### Policy 2.7D

**Actively engage with WSDOT and neighboring cities on the planning, design and construction of, and mitigation for highway or other major roadway facilities.**

The City's land use plan depends on the completion of the SR 509 extension. WSDOT received a Record of Decision in 2003 for the completion of the route to I-5. However, the project has been unfunded by the State Legislature. The City should participate in the 509 Executive and Technical Committees to ensure 509 accommodates the city's planned growth.

## Ch. 7 Community Design

### Civic Facilities

SeaTac's Urban Center should provide a range of spaces and places for civic and community functions such as public meetings, government services, ceremonial events, and community festivals.

#### Policy 7.2O

##### **Create public spaces within the Urban Center.**

Urban centers are stronger and more focused when they have one or more major public parks or squares. such a place is seen by the community as a "commons" when it is publicly owned, programmed, monitored, and maintained. A privately provided plaza may not accomplish the same result, since it is not "held in common" by the community.

#### Policy 7.2P

##### **Encourage the development of buildings and structures in the Urban Center which provide civic functions.**

Public facilities should be encouraged to locate within the Urban Center. Symbolic civic features, such as a monument, observation platform, or clock tower can reinforce the civic identity of SeaTac.

#### Policy 7.2Q

##### **Include art with public improvements.**

SeaTac can contribute to the world-renowned Pacific northwest's public art legacy by funding programs and projects or providing substantial development incentives for incorporating art. Artists should be included on design teams to integrate art with many public environment elements (e.g., lighting, railings, walls, benches).

#### Policy 7.2R

##### **Incorporate Bow Lake and Angle Lake as major elements in the image of SeaTac's Urban Center and City Center.**

the Urban Center contains two lakes: bow Lake and Angle Lake. the City should continue providing public gathering and performance space at Angle Lake Park. bow Lake is, at present, inaccessible and virtually unseen. it is predominantly privately owned with hotels on the west and south sides and a large mobile home park on the east side. it is an amenity that could be combined with a public park or plaza to make it a focal point of the City Center. special expertise will be needed to allow access to bow Lake while still permitting it to perform its natural functions as part of a designated sensitive area.

### Design of Regional Facilities

#### Policy 7.2S

Ensure Sound Transit, WSDOT, the Port of Seattle and other public agencies work closely with affected neighborhoods in the design of regional public facilities, such as transit, highway and other major projects, that impact residential neighborhoods.

**Policy 7.2S**

Use visual barriers and sound absorption methods to reduce impacts from the construction and operation of regional transportation projects in, or adjacent to residential uses neighborhoods, including the Port of Seattle, Sound Transit's Federal Way Link light rail extension and WSDOT's SR 509 extension projects.

**Policy 7.2S**

Implement visual and aesthetic enhancements, such as landscape buffers, high quality construction materials, and public art, in the design of regional public facility projects as a means of preserving and contributing to the quality of residential neighborhoods.

**RECOMMENDED IMPLEMENTATION STRATEGIES**

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<b>7.1Q:</b> <u>Ensure Sound Transit, WSDOT, the Port of Seattle and other public agencies work closely with affected neighborhoods in the design of regional public facilities.</u>	<u>Work with agencies and affected communities to ensure public input and high quality design of regional facilities.</u>	<u>Staff</u>	<u>On-going</u>
<b>7.1R:</b> <u>Use visual barriers and sound absorption methods to reduce impacts from the construction and operation of regional transportation projects in, or adjacent to residential uses.</u>			
<b>7.1S:</b> <u>Implement visual and aesthetic enhancements, such as landscape buffers, high quality construction materials, and public art, in the design of regional public facility projects.</u>			

**SeaTac Comprehensive Plan, Volume 1**

**Ch. 2 Land Use**

**GOAL 2.1**

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

**Urban Center Land Uses**

**Policy 2.1A**

**Implement the City Center, South 154th Street Station Area, and Angle Lake District Station Area Plans to focus the majority of SeaTac's commercial and residential growth and redevelopment into three distinct complete communities within SeaTac's designated Urban Center.**

**Policy 2.1A.1**

**Review and potentially amend the City Center Plan in the near future.**

**Policy 2.1B**

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

The Urban Center accommodates residents and employees in a mix of uses and structures. Moderate and high density residential uses are appropriate within the Urban Center, where residents can walk or ride transit to work, and take advantage of the employment and activities within the center.

**Policy 2.1C**

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

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

**Policy 2.1D**

**Focus retail development within the City Center and station areas.**

Most of the commercial development on International Boulevard consists of non-retail businesses such as hotels, restaurants, park 'n fly lots, offices, and a few auto-oriented retail establishments (e.g., used car sales). The Airport generates a large and relatively untapped market for retail activity in the City of SeaTac. More than 35 million passengers traveled through the Airport terminal in 2013, and the annual volume is projected to increase to 45 million passengers per year by 2024. This market could be tapped, especially if travelers could conveniently access shopping areas outside the Airport.

**CH. 2 LAND USE ELEMENT RECOMMENDED IMPLEMENTATION STRATEGIES**

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITY	TIME LINE
<u><b>2.1A.1</b></u> <u><b>Review and potentially amend the City Center Plan in the near future.</b></u>	<u>Complete review in 2019.</u>	<u>Staff,</u> <u>Planning</u> <u>Commission,</u> <u>City Council</u>	<u>On-going</u>

# CAPITAL FACILITIES BACKGROUND REPORT

## CHAPTER 5

# TABLE OF CONTENTS



**SUMMARY**..... CF-BR-5

Growth Assumption ..... CF-BR-5

Level of Service Consequences of the CFE ..... CF-BR-6

**INTRODUCTION**..... CF-BR-8

Definition and Purpose of Capital Facilities Element..... CF-BR-8

Why Plan for Capital Facilities?..... CF-BR-8

Growth Management..... CF-BR-8

Good Management..... CF-BR-9

Eligibility for Grants and Loans ..... CF-BR-9

Statutory Requirements for Capital Facilities Elements ..... CF-BR-9

Traditional Capital Improvement Programs (CIP) vs. New CIPs under GMA..... CF-BR-10

Level of Service (Scenario-Driven) Method for Analyzing Capital Facilities ..... CF-BR-11

**CAPITAL IMPROVEMENTS** ..... CF-BR-16

Introduction ..... CF-BR-16

Selecting Revenue Sources for the Financing Plan..... CF-BR-16

City Hall..... CF-BR-17

Current Facilities..... CF-BR-17

Level of Service (LOS)..... CF-BR-17

| Capital Facilities Projects Completed in ~~2013-2014~~2015-2017 ..... CF-BR-17

Parks and Recreation ..... CF-BR-18

Current Facilities..... CF-BR-18

Level of Service (LOS)..... CF-BR-19

Parks Description and Acreage-based LOS ..... CF-BR-20

Capital Facilities Projects Completed in <del>2013-2014</del> <u>2015-2017</u> .....	CF-BR-20
Community Parks .....	CF-BR-22
Neighborhood Parks .....	CF-BR-23
Regional Parks.....	CF-BR-24
<del>Pocket/Mini Parks .....</del>	<del>CF BR 24</del>
Trails/Linear Parks.....	CF-BR-26
Off Leash Dog Parks .....	CF-BR-26
Recreational Facilities.....	CF-BR-27
Community Center .....	CF-BR-33
Surface Water Management .....	CF-BR-34
Transportation .....	CF-BR-35

## Tables

Table BR5.1 Facilities with Non-Population Growth-Based LOS.....	CF-BR-6
Table BR5.2 Facilities with Population Growth-Based LOS .....	CF-BR-7
Table BR5.3 Traditional CIP vs. New CIP.....	CF-BR-10
Table BR5.4 Sample LOS Measurements .....	CF-BR-11
Table BR5.5 City Hall: Current Facilities Inventory.....	CF-BR-17
Table BR5.6 City Hall: Capital Projects LOS Capacity Analysis .....	CF-BR-18
Table BR5.7 Summary of Park Land, <del>2012</del> .....	CF-BR-20
Table BR5.8 Community Parks: Parks Inventory.....	CF-BR-22
Table BR5.9 Community Parks: Capital Projects LOS Capacity Analysis .....	CF-BR-22
Table BR5.10 Neighborhood Parks: Parks Inventory .....	CF-BR-23
Table BR5.11 Neighborhood Parks: Capital Projects LOS Capacity Analysis .....	CF-BR-23
Table BR5.12 Regional Parks: Current Facilities Inventory .....	CF-BR-24
<del>Table BR5.13 Pocket/Mini Parks: Parks Inventory .....</del>	<del>CF BR 25</del>
<del>Table BR5.14 Pocket/Mini Parks: Capital Projects LOS Capacity Analysis .....</del>	<del>CF BR 25</del>
Table BR5.15 Trails/Linear Parks: Current Facilities Inventory .....	CF-BR-26

Table BR5.16 Trails/Linear Parks: Capital Projects LOS Capacity Analysis.....	CF-BR-26
Table BR5.17 Off Leash Dog Parks Inventory.....	CF-BR-26
Table BR5.18 Off Leash Dog Parks: Capitol Projects LOS Capacity Analysis.....	CF-BR-27
Table BR5.19 Baseball/Softball Fields, Adult: Inventory .....	CF-BR-28
Table BR5.20 Baseball/Softball Fields, Adult: Capital Projects LOS Capacity Analysis.....	CF-BR-28
Table BR5.21 Baseball/Softball Fields, Youth: Inventory.....	CF-BR-28
Table BR5.22 Baseball/Softball Fields, Youth: Capital Projects LOS Capacity Analysis..	CF-BR-29
Table BR5.23 Basketball Courts, Outdoor: Inventory .....	CF-BR-29
Table BR5.24 Basketball Courts, Outdoor: Capital Projects LOS Capacity Analysis.	CF-BR-29
Table BR5.25 Football/Soccer Fields: Inventory .....	CF-BR-29
Table BR5.26 Football/Soccer Fields: Capital Projects LOS Capacity Analysis.....	CF-BR-30
Table BR5.27 Picnic Shelters: Inventory .....	CF-BR-30
Table BR5.28 Picnic Shelters:Capital Projects LOS Capacity Analysis.....	CF-BR-30
Table BR5.29 Playgrounds: Inventory.....	CF-BR-31
Table BR5.30 Playgrounds: Capital Projects LOS Capacity Analysis.....	CF-BR-31
Table BR5.31 Skateboard Parks: Inventory .....	CF-BR-31
Table BR5.32 Skateboard Parks: Capital Projects LOS Capacity Analysis.....	CF-BR-32
Table BR5.33 Tennis/ <del>Racquet Courts</del> <u>Court</u> : Inventory .....	CF-BR-32
Table BR5.34 Tennis/ <del>Racquet Courts</del> <u>s</u> : Capital Projects LOS Capacity Analysis.....	CF-BR-33
Table BR5.35 Community Center Facilities: Current Facilities Inventory.....	CF-BR-34
Table BR5.36 Community Center Facilities: Capital Projects LOS Capacity Analysis	CF-BR-34
Table BR5.37 Transportation: Current Facilities Inventory.....	CF-BR-36

## Maps

Map BR5.1. Parks and Recreation Facilities .....	CF-BR-21
Map BR5.2. Existing Roadway System .....	CF-BR-37

## SUMMARY

The Capital Facilities Element (CFE) is required by Washington's Growth Management Act (GMA). Capital facilities are public facilities with a minimum cost of \$25,000 and an expected useful life of at least 10 years. Capital facilities require special advanced planning because of their significant costs and longevity.

This Background Report analyzes facility capacity needs to serve current and future development, calculating the adopted level of service (LOS) against future population estimates through ~~2020-2023~~ (six years) and 2035 (20 years from the major update of this Plan in 2015).

Information, including cost and financing, about capital projects scheduled for implementation over the next six years is found in the City of SeaTac Capital Improvement Program (CIP), adopted by Ordinance in even-numbered years.

### Growth Assumption

This CIP is based on the following established and projected population data:

YEAR	CITYWIDE POPULATION
2010	<del>25,890</del> <u>26,909</u>
2011	27,110
2012	27,210
2013	27,310
2014	27,620
2015	<del>27,792</del> <u>27,650</u>
2016	<del>27,964</del> <u>27,810</u>
2017	<del>28,136</del> <u>28,850</u>
2018	<del>28,380</del> <u>29,140</u>
2019	<del>28,480</del> <u>29,455</u>
2020	<del>28,652</del> <u>29,794</u>
<u>2021</u>	<u>30,157</u>
<u>2022</u>	<u>30,544</u>
<u>2023</u>	<u>30,955</u>
2035	<del>39,474</del> 37,329

## Level of Service Consequences of the CFE

The CFE will enable the City of SeaTac to accommodate over ~~3.7%~~7.3% growth during the next six years (from ~~27,620~~28,850 to ~~28,652~~30,955 people) while maintaining the ~~2014~~2017 LOS for the following public facilities:

Table BR5.1 Facilities with Non-Population Growth-Based LOS			
FACILITY	LOS MEASURE	EXISTING 2014 LOS	ADOPTED LOS STANDARD
Stormwater Management	Flow Mitigation	Adequate capacity to mitigate flow and water quality impacts as required by the adopted Surface Water Design	Adequate capacity to mitigate flow and water quality impacts as required by the adopted Surface Water Design
Transportation	Volume/ Capacity Ratio	LOS D/E; Some intersections	LOS D/E; Some intersections

Table BR5.2 Facilities with Population Growth-Based LOS				
FACILITY	LOS UNITS	EXISTING <del>2013</del> <u>2017</u> LOS	ADOPTED LOS STANDARD	PAGE
City Hall	Gross Sq. Ft./City	<del>402</del> <u>418</u>	256.00	<del>23</del>
Community Center	Sq. Ft./1,000	<del>1,090</del> <u>1,057</u>	1,020.00	<del>64</del>
Community Parks	Acres	<del>2.28</del> <u>2</u>	1.70	<del>31</del>
Neighborhood Parks	Acres	<del>0.36</del> <u>0.42</u>	0.27	<del>34</del>
<del>Pocket/Mini Parks</del>	<del>Sq. Ft.</del>	<del>2,662</del>	<del>500.00</del>	<del>37</del>
Trails/Linear Parks	Lineal Ft.	<del>819</del> <u>798</u>	251.60	<del>39</del>
Off-leash Dog Parks	Acres	<del>0.43</del> <u>0.42</u>	0.40	<del>26</del>
Baseball/Softball Fields, adult	Fields	0.14	0.08	<del>42</del>
Baseball/Softball Fields, youth	Fields	<del>0.22</del> <u>0.21</u>	0.15	<del>43</del>
Basketball Courts, outdoor	Courts	<del>0.40</del> <u>0.42</u>	0.23	<del>45</del>
Football/Soccer Fields	Fields	<del>0.25</del> <u>0.24</u>	0.18	<del>50</del>
Picnic Shelters	Shelters	<del>0.07</del> <u>0.17</u>	0.06	<del>52</del>
Playgrounds	Playgrounds	<del>0.29</del> <u>0.35</u>	0.24	<del>54</del>
Skateboard Parks	Parks	0.07	0.03	<del>56</del>
Tennis Courts	Courts	<del>0.36</del> <u>0.35</u>	0.30	<del>58</del>

*The City does not intend to reduce the facilities available to the community. An adopted LOS that is lower than the existing LOS means that the City is currently providing a LOS higher than its commitment, and that as population increases over time, the existing LOS will decline to approach the adopted LOS.*

*In addition, improvements made to existing facilities may increase their capacity to serve the community, and prevent the existing LOS from declining.*

# INTRODUCTION

## Definition and Purpose of Capital Facilities Element

The SeaTac Capital Facilities Element (CFE) is comprised of three components: (1) this Background Report, which provides an inventory of the City's capital facilities with their locations and capacities; (2) the Capital Improvement Program (CIP) which contains the capital projects scheduled for construction over the next six year period and includes the costs and revenue sources for each project, balanced by year; and (3) broad goals and specific policies that guide and implement the provision of adequate public facilities, LOS standards for each public facility, and requires that new development be served by adequate facilities (the "concurrency" requirement). The LOS standards are used in this section to identify needed capital improvements through ~~2020~~2023 and 2035.

The purpose of the CFE is to use sound fiscal policies to provide adequate public facilities consistent with the Land Use Element and concurrent with, or prior to, the impacts of development in order to achieve and maintain adopted standards for levels of service and to exceed the adopted standards when possible.

## Why Plan for Capital Facilities?

There are at least three reasons to plan for capital facilities: growth management, good management, and eligibility for grants and loans.

### Growth Management

The CFE is a GMA-required element and intends to:

- Provide capital facilities for land development that is envisioned or authorized by the Land Use Element of the Comprehensive Plan (Plan).
- Maintain the quality of life for existing and future development by establishing and maintaining standards for the LOS of capital facilities.
- Coordinate and provide consistency among the many plans for capital improvements, including:
  - Other elements of the Plan (e.g., transportation and utilities elements),
  - Master plans and other studies of the local government,
  - Plans for capital facilities of state and/or regional significance,
  - Plans of other adjacent local governments, and
  - Plans of special districts.
- Ensure the timely provision of adequate facilities as required in the GMA.
- Document all capital projects and their financing (including projects to be financed by impact fees and/or real estate excise taxes that are authorized by GMA).

The CFE is the element that realizes the Plan. By establishing levels of service as the basis for providing capital facilities and for achieving concurrency, the CFE determines the quality of life in the community. The requirement to fully finance the CIP (or revise the land use plan) provides a reality check on the vision set forth in the Plan. The capacity of capital facilities that are provided in the CFP affects the size and configuration of the urban growth area.

## **Good Management**

Planning for major capital facilities and their costs enables the City of SeaTac to:

- Demonstrate the need for facilities and the need for revenues to pay for them;
- Estimate future operation/maintenance costs of new facilities that will impact the annual budget;
- Take advantage of sources of revenue (e.g., grants, impact fees, real estate excise taxes) that require a CFP in order to qualify for the revenue; and
- Get better ratings on bond issues when the City borrows money for capital facilities (thus reducing interest rates and the cost of borrowing money).

## **Eligibility for Grants and Loans**

The Department of Commerce requires that local governments have some type of CFP in order to be eligible for loans. Some other grants and loans have similar requirements or prefer governments that have a CFP.

## **Statutory Requirements for Capital Facilities Elements**

The GMA requires the CFE to identify public facilities that will be required during the six years following adoption or update of the plan. Every two years, the CIP is amended to reflect the subsequent six year time frame. The CIP must include the location, cost, and funding sources of the facilities. The CIP must be financially feasible; in other words, dependable revenue sources must equal or exceed anticipated costs. If the costs exceed the revenue, the City must reduce its LOS, reduce costs, or modify the Land Use Element to bring development into balance with available or affordable facilities.

Other requirements of the GMA mandate forecasts of future needs for capital facilities, and the use of LOS standards as the basis for public facilities contained in the CFE (see RCW 36.70A.020 (12)). As a result, public facilities in the CIP must be based on quantifiable, objective measures of capacity, such as traffic volume capacity per mile of road, and acres of park per capita.

One of the goals of the GMA is to have capital facilities in place concurrent with development. This concept is known as “concurrency” (also called “adequate public facilities”). In the City of SeaTac, concurrency requires 1) facilities serving the development to be in place at the time of development (or for some types of facilities, that a financial commitment is made to provide the facilities within a specified period of time) and 2) such facilities have sufficient capacity to serve development without decreasing levels of service below minimum standards adopted in the CFE. The GMA requires concurrency for transportation facilities. GMA also requires all other public facilities to be “adequate” (see RCW 19.27.097, 36.70A.020, 36.70A.030, and 58.17.110).

## Traditional Capital Improvement Programs (CIP) vs. New CIPs under GMA

Traditional capital improvements programs do not meet the GMA requirements stated above. Table BR5.3 compares traditional CIPs to the new CIP.

Table BR5.3 Traditional CIP vs. New CIP		
FEATURE OF PLAN	TRADITIONAL CAPITAL IMPROVEMENTS PROGRAM	NEW GMA CAPITAL IMPROVEMENTS PROGRAM
Which facilities?	None Required	All Facilities Required
What priorities?	Any Criteria (or None)	LOS Standards
Financing Required?	None Required	Financing Plan Required
Implementation Required?	None Required	Concurrency Required for Identified Facilities

There are traditional and nontraditional approaches to developing capital facilities plans. Two traditional approaches (used to develop CIPs) include:

- Needs driven: first develop needed capital projects, then try to finance them. This approach is sometimes called a “wish list.”
- Revenue driven: first determine financial capacity, then develop capital projects that do not exceed available revenue. This approach is also called “financially constrained.”

Because of the nontraditional requirements of capital facilities planning under the GMA, the traditional approaches to developing capital improvements can cause problems.

The needs-driven approach may exceed the City’s capacity to pay for the projects. If the City cannot pay for needed facilities to achieve the adopted LOS standards, the City must impose a moratorium in order to comply with the concurrency requirement.

The revenue-driven approach may limit the City to capital projects that provide a lower LOS than the community desires. The City may be willing to raise more revenue if it knows that the financial constraints of existing revenues limit the levels of service.

A scenario-driven hybrid approach overcomes these problems. A scenario-driven approach develops two or more scenarios using different assumptions about needs (LOS) and revenues and uses the scenarios to identify the best combination of LOS and financing plan.

The development of multiple scenarios allows the community and decision makers to review more than one version of the City’s future. The highest levels of service provide the best quality of life, but the greatest cost (and the greatest risk of a development moratorium if the cost is not paid), while the lowest cost LOS provides less desirable quality of life. The scenario-driven approach enables the City to balance its desire for high levels of service with its willingness and ability to pay for those levels of service.

Other advantages of the scenario-driven approach include:

- Helping the City analyze which approach achieves the best balance among GMA goals,
- Helping prepare analyses required by the State Environmental Policy Act (SEPA), and
- Evaluating scenarios for the Land Use Element.

The scenario-driven approach also provides a nontraditional method of policy development. The other approaches begin by setting policies (e.g., needs or revenues) then building a plan to implement

the policies. The scenario-driven approach uses alternative potential policy assumptions as the basis for different scenarios.

The establishment of City policies is accomplished by reviewing all scenarios. The City Council selects the preferred scenario, and then policies are written to implement the preferred scenario.

The scenarios are used to test alternative policies, and lead to selection of the policy that the community believes they can achieve. The formal language of policies is written after the scenarios are evaluated and the preferred scenarios (and accompanying policies) have been identified.

## Level of Service (Scenario-Driven) Method for Analyzing Capital Facilities

### Explanation of Levels of Service (LOSs)

LOSs are usually quantifiable measures of the amount of public facilities that are provided to the community. LOSs may also measure the quality of some public facilities.

Typically, measures of LOSs are expressed as ratios of facility capacity to demand (e.g., actual or potential users). Table BR5.4 lists examples of LOS measures for some capital facilities:

Table BR5.4 Sample LOS Measurements	
TYPE OF CAPITAL FACILITY	SAMPLE LOS MEASURE
Corrections	Beds per 1,000 population
Fire and Rescue	Average response time
Hospitals	Beds per 1,000 population
Law Enforcement	Officers per 1,000 population
Library	Collection size per capita, building square feet per capita
Parks	Acres per 1,000 population
Roads and Streets	Ratio of actual volume to design capacity
Schools	Square feet per student
Sewer	Gallons per customer per day, effluent quality
Solid Waste	Tons (or cubic yards) per capita or per customer
Surface Water	Design storm (e.g., 100year storm)
Transit	Ridership
Water	Gallons per customer per day, water quality

Each of these LOS measures needs one additional piece of information: the specific quantity that measures the current or proposed LOS. For example, the *standard* for parks might be 5 acres per 1,000 people, but the *current* LOS may be 2.68 acres per 1,000, which is less than the standard.

In order to make use of the LOS method, the City selects the way in which it will measure each facility (e.g., acres, gallons, etc.), and it identifies the amount of the current and proposed LOS for each measurement.

There are other ways to measure the LOS of many of these capital facilities. The examples in Table BR5.4 are provided in order to give greater depth to the following discussion of the use of LOSs as a method for determining the City's need for capital facilities.

#### Method for Using LOSs

The LOS method answers two questions in order to develop a financially feasible CIP. The GMA requires the CIP to be based on standards for service levels that are measurable and financially feasible for the six fiscal years.

Two questions must be answered to meet GMA requirements:

- What is the quantity of public facilities that will be required by the end of the 6th year?
- Is it financially feasible to provide the quantity of facilities that are required by the end of the 6th year?

The answer to each question can be calculated by using objective data and formulas. Each type of public facility is examined separately (e.g., roads are examined separately from parks). The costs of all the types of facilities are then added together in order to determine the overall financial feasibility of the CFP. One of the CFP support documents, "Capital Facilities Requirements" contains the results of the use of this method to answer the two questions for the City of SeaTac.

Question 1: What is the quantity of public facilities that will be required by the end of the 6th year?

*Formula 1.1 Demand x Standard = Requirement*

- Demand is the estimated sixth-year population or other appropriate measure of need (e.g., dwelling units).
- Standard is the amount of facility per unit of demand (e.g., acres of park per capita).
- Requirement is the total amount of public facilities that are needed, regardless of the amount of facilities that are already in place and being used by the public.

*Formula 1.2 Requirement - Inventory = Surplus or Deficiency*

- Requirement is the result of Formula 1.1.
- Inventory is the quantity of facilities available at the beginning of the six-year planning period.
- Surplus or Deficiency is the net surplus of public facilities, or the net deficit that must be eliminated by additional facilities before the end of the sixth year. If a net deficiency exists, it represents the combined needs of existing development and anticipated new development. Detailed analysis will reveal the portion of the net deficiency that is attributable to current development compared to the portion needed for new development.

Question 2: Is it financially feasible to provide the quantity of facilities that are required by the end of the 6th year?

A "preliminary" answer to Question 2 is prepared in order to test the financial feasibility of tentative or proposed standards of service. The preliminary answers use "average costs" of facilities, rather than specific project costs. This approach avoids the problem of developing detailed projects and costs that would be unusable if the standard proved to be financially unfeasible. If the standards are feasible at the preliminary level, detailed projects are prepared for the "final" answer to Question 2. If, however,

the preliminary answer indicates that a standard of service is not financially feasible, six options are available to the City:

1. Reduce the standard of service, which will reduce the cost, or
2. Increase revenues to pay for the proposed standard of service (higher rates for existing revenues, and/or new sources of revenue), or
3. Reduce the average cost of the public facility (e.g., alternative technology or alternative ownership or financing), thus reducing the total cost, and possibly the quality, or
4. Reduce the demand by restricting population (e.g., revise the Land Use Element), which may cause growth to occur in other jurisdictions, or
5. Reduce the demand by reducing consumption (e.g., transportation demand management techniques, recycling solid waste, water conservation, etc.) which may cost more money initially, but may save money later, or
6. Any combination of options 1-5.

The preliminary answer to Question 2 is prepared using the following formulas (P = preliminary):

*Formula 2.1P Deficiency x Average Cost/Unit = Deficiency Cost*

- Deficiency is the Result of Formula 1.2.
- Average Cost/Unit is the usual cost of one unit of facility (e.g., mile of road, acre of park, etc.).

The answer to Formula 2.1P is the approximate cost of eliminating all deficiencies of public facilities, based on the use of an “average” cost for each unit of public facility that is needed.

*Formula 2.2P Deficiency Cost Revenue = Net Surplus or Deficiency*

- Deficiency Cost is the result of Formula 2.1P.
- Revenue is the money currently available for public facilities.

The result of Formula 2.2P is the preliminary answer to the test of financial feasibility of the standards of service. A surplus of revenue in excess of cost means the standard of service is affordable with money remaining (the surplus), therefore the standard is financially feasible. A deficiency of revenue compared to cost means that not enough money is available to build the facilities, therefore the standard is not financially feasible. Any standard that is not financially feasible will need to be adjusted using the 6 strategies listed after Question 2.

The “final” demonstration of financial feasibility uses detailed costs of specific capital projects in lieu of the “average” costs of facilities used in the preliminary answer, as follows (F = final):

*Formula 2.1F Capacity Projects + Non-capacity Projects = Project Cost*

- Capacity Projects is the cost of all projects needed to eliminate the deficiency for existing and future development (Formula 1.2), including upgrades and/or expansion of existing facilities as well as new facilities.
- Non-capacity Projects is the cost of remodeling, renovation or replacement needed to maintain the inventory of existing facilities.

*Formula 2.2F. Project Cost Revenue = Net Surplus or Deficiency*

- Project Cost is the result of Formula 2.1F.
- Revenue is the money available for public facilities from current/proposed sources.

The “final” answer to Question 2 validates the financial feasibility of the standards for LOSs that are used for each public facility in the CFE and in the other elements of the Plan. The financially feasible standards for LOSs and the resulting capital improvement projects are used as the basis for policies and implementation programs in the final Capital Facilities Plan.

### **Setting the Standards for LOSs**

Because the need for capital facilities is largely determined by the LOSs that are adopted, the key to influencing the CFE is to influence the selection of the LOS standards. LOS standards are measures of the quality of life of the community. The standards should be based on the community’s vision of its future and its values.

Traditional approaches to capital facilities planning rely on technical experts, including staff and consultants, to determine the need for capital improvements. In the scenario-driven approach, these experts play an important advisory role, but they do not control the determination. Their role is to define and implement a process for the review of various scenarios, to analyze data and make suggestions based on technical considerations.

The final, legal authority to establish the LOSs rests with the City Council because they enact the LOS standards that reflect the community’s vision. Their decision should be influenced by recommendations of the 1) Planning Commission; 2) providers of public facilities including local government departments, special districts, private utilities, the State of Washington, tribal governments, etc.; 3) formal advisory groups that make recommendations to the providers of public facilities (e.g., CPSC); and 4) the general public through individual citizens and community civic, business, and issue-based organizations that make their views known or are sought through sampling techniques.

An individual has many opportunities to influence the LOS (and other aspects of the Growth Management Plan). These opportunities include attending and participating in meetings, writing letters, responding to surveys or questionnaires, joining organizations that participate in the CFE process, being appointed/elected to an advisory group, making comments/presentation/testimony at the meetings of any group or government agency that influences the LOS decision and giving input during the SEPA review process.

The scenario-driven approach to developing the LOS standards provides decision-makers and anyone else who wishes to participate with a clear statement of the outcomes of various LOSs for each type of public facility. This approach reduces the tendency for decisions to be controlled by expert staff or consultants, and opens up the decision-making process to the public and advisory groups, and places the decisions before the City Council.

Selection of a specific LOS to be the “adopted standard” was accomplished by a 10-step process:

1. The actual LOS was calculated in 1993, at the beginning of the Capital Facilities Planning Process. This 1993 level is referred to as “current” LOS.
2. Departmental service providers were given national standards or guidelines and examples of local LOS from other local governments.
3. Departmental service providers researched local standards from City studies, master plans, ordinances, and development regulations.
4. Departmental service providers recommended a standard for the City of SeaTac’s CFE.
5. The first draft of the Capital Facilities Requirements forecast needed capacity and approximate costs of the 1993 actual LOS and the department’s recommended LOS.
6. The City Council reviewed and commented on the first draft Capital Facilities Requirements report.
7. Departmental service providers prepared specific capital improvements projects to support the 1993 LOS (unless the Council workshop indicated an interest in a different LOS for the purpose of preparing the first draft CFE). In 2002 the City Council adopted LOS standards for individual park and recreation facilities to better reflect the City’s commitment to providing improvements to parks without adding to parks acreage.
8. The first draft CFE was prepared using the 1993 LOS. The LOS in the first draft CFE served as the basis of capital projects, their costs, and a financing plan necessary to pay for the costs.
9. The draft CFE was reviewed/discussed during City Council-Planning Commission joint workshop(s) prior to formal reading/hearing of CFE by the City Council.
10. The City Council formally adopted LOSs as part of the Plan.

The final standards for LOSs are adopted in Policy 4.3. The adopted standards 1) determine the need for capital improvements projects (see Policy 4.4 and the Capital Improvements section) and 2) are the benchmark for testing the adequacy of public facilities for each proposed development pursuant to the “concurrency” requirement (see Policy 4.3). The adopted standards can be amended, if necessary, once each year as part of the annual amendment of the Plan.

Because the CIP is a rolling 6 year plan, it must be revised regularly and the revision constitutes one component of the Plan amendment process. Step 1 above indicates the use of the current LOS in the process of adopting service standards. In the process of amending the CFE, the current LOS is calculated using the current population.

# CAPITAL IMPROVEMENTS

## Introduction

This section compares the inventory of existing facilities with the LOS standard, considering population projections, to estimate the need for future facilities.

Each type of public facility is presented in a separate section which follows a standard format. Each section provides an overview of the data, with subsections for Current Facilities and LOS analysis. Two tables are provided for each facility type:

- **Inventory of Current Facilities** (the first table of each subsection). A list of existing capital facilities, including the name, capacity (for reference to LOSs) and location.
- **Level of Service Capacity Analysis** (the second table of each subsection). A table analyzing facility capacity requirements is presented for each type of public facility. The table calculates the amount of facility capacity that is required to achieve and maintain the adopted standard for LOS. The capital improvements projects that provide the needed capacity (if any) are listed in the table, and their capacities are reconciled to the total requirement.

## Selecting Revenue Sources for the Financing Plan

One of the most important requirements of the CIP is that it must be financially feasible; GMA requires a balanced capital budget. The following are excerpts from GMA pertaining to financing of capital improvements.

GMA requires “a six year plan that will finance capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes.” For roads, GMA allows development when “a financial commitment is in place to complete the improvements...within six years” (emphasis added).

The City must be able to afford the standards of service that it adopts, or “if probable funding falls short of meeting existing needs” the City must “reassess the Land Use Element” (which most likely will cause further limits on development).

In keeping with these requirements, the City’s CFE Goal 5.2 requires the City to “provide needed public facilities through City funding....”

Sources of revenue are maintained by the Finance Director.

The process of identifying specific revenues for the financing plan was as follows:

1. Calculate total costs for each type of public facility.
2. Match existing restricted revenue sources to the type of facility to which they are restricted.
3. Subtract existing restricted revenues from costs to identify unfunded “deficit.” (1 – 2 = 3).
4. Apply new restricted revenues to the type of facility to which they are restricted.

5. Subtract new restricted revenues from costs to identify remaining unfunded "deficits" (3 - 4 = 5).
6. Allocate new unrestricted revenue to unfunded deficits. Two new unrestricted revenues are potentially available to meet deficits:
7. New bond issues (either councilmanic, or voted, or a combination), and
8. The second 1/44 real estate excise tax.

Decision makers can choose which of the two (bonds or REET) to assign to specific capital projects for the final CFP.

## City Hall

### Current Facilities

In 2002, the City purchased and renovated an existing building to serve as the new City Hall. This building is located at 4800 S. 188th Street, SeaTac WA 98188. It contains over 81,000 square feet, of which the City uses approximately 53,500 square feet. The balance is leased but available for expansion, should the City need additional space.

### Level of Service (LOS)

The adopted LOS of 256 gross square feet (gsf) per city hall employee (gross square feet includes offices and other work areas, the City Council Chamber, Courtroom, restrooms and other common areas) requires approximately ~~35,840~~38,144 gsf of space through the year ~~2020~~2023 (See Table ~~CH2BR5.6~~).

Through the year 2035, the City will need approximately ~~49,400~~45,824 gsf of space to maintain this LOS. In addition, there may be other public (non-employee) spaces that must be accommodated in the City Hall. Accordingly, the City purchased a building in 2002 with its long-term needs in mind.

### Capital Facilities Projects Completed in ~~2013-2014~~2015-2017

No capacity related projects were completed. ~~At City Hall, the heat pumps scheduled for replacement under the City's ongoing replacement program were replaced, and replacement of the windows with energy efficient double pane glass was completed.~~

~~At SeaTac Center, those tenant improvements which had been scheduled for 2013 were completed.~~

The inventory of current City Hall administrative offices includes the following.

Table BR5.5 City Hall: Current Facilities Inventory		
CAPACITY		
Name	(Net Sq. Ft.)	Location
City Hall	53,500	4800 S. 188 <sup>th</sup> Street

Table BR5.6 City Hall: Capital Projects LOS Capacity Analysis				
CITY LOS = 256 SQURE FEET PER EMPLOYEE				
(1)	(2)	(3)	(4)	(5)
TIME PERIOD	CITY HALL EMPLOYMENT	SQUARE FEET REQUIRED @ 256 PER EMPLOYEE	CURRENT AREA AVAILABLE	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> City Hall Actual Employment	128	32,768	53,500	20,732
<del>2015-2020-2018-2023</del> Growth	<del>1221</del>	<del>3,072</del> 5,376	0	<del>-3,072</del> -5,376
Total as of <del>2020</del> 2023	<del>140</del> 149	<del>35,840</del> 38,144	53,500	<del>17,660</del> 15,356
Total as of 2035	<del>193</del> 179	<del>49,408</del> 45,824	53,500	<del>4,092</del> 7,676
Capacity Projects	None			

# Parks and Recreation

## Current Facilities

The parks inventory has identified the following:

- **Total Park Land:** There are approximately 400-389.7 acres of community, neighborhood and regional parks within the SeaTac city limits.
- **Developed Park Land:** -154-143 acres of that parkland is developed; the remainder is undeveloped. Much of the park land is operated by the City, while some is operated by other jurisdictions.
- **Community & Neighborhood Park & Trails:** The City is currently served by currently owns and operates 98-48.3 acres of community parks, 18-312 acres of neighborhood parks, and more than 22,600 23,017 lineal feet of trails.
- **Regional Parks:** The city operates 80 acres of North SeaTac Park and has developed a small community park around the North SeaTac Community Center. Regional parkland (North SeaTac Park, and Des Moines Creek Park) will serve not only SeaTac residents but people from surrounding areas as well. As such, the City will seek funds outside the City for operations
- **Playfields:** In terms of multi-purpose outdoor facilities, the City currently has two playfields, one at Sunset Park and the other at Valley Ridge Park, that are programmed for multiple sports year round. These two multi-purpose sports fields accommodate the following programmed activities: adult and youth baseball, adult and youth softball, football and soccer. Additionally, North SeaTac Park has baseball/softball fields and separate soccer fields.

~~The City is served by 58,548 square feet of pocket/mini parks which are owned by private businesses and other agencies, but are open to the public. Additionally, the city operates 80 acres of North SeaTac Park and has developed a small community park around the North SeaTac Community Center. Regional parkland (North SeaTac Park, and Des Moines Creek Park) will serve not only SeaTac residents but people from surrounding areas as well. As such, the City will seek funds outside the City for operations. Pocket parks will primarily serve the daytime public in commercial areas of the City; these parks will be encouraged as part of new developments and will typically be owned and maintained by commercial establishments. Mini parks are envisioned as small recreation areas to be located within residential developments, especially in higher density areas. Linear parks/trails will help to link different areas of the city and provide enjoyment of natural features; after such trails are developed, they will be owned and maintained by the City.~~

~~Table 1 of each section, the "Current Facilities Inventory," lists each park facility separately along with its current capacity and street location. Map BR5.1 shows the geographic location of each facility.~~

~~In terms of multi-purpose outdoor facilities, the City currently has two playfields, one at Sunset Park and the other at Valley Ridge Park, that are programmed for multiple sports year round. These two multi-purpose sports fields accommodate the following programmed activities: adult and youth baseball, adult and youth softball, football and soccer. Additionally, North SeaTac Park has baseball/softball fields and separate soccer fields.~~

## Level of Service (LOS)

SeaTac uses two methods of measuring its LOS for parks and recreation facilities: **acreage-based** and **facilities-based**. In the past, the City measured its LOS solely by the amount of acreage per thousand residents devoted to a particular parks category, such as regional park, neighborhood park, etc. That approach does not directly take into account facilities available for recreation; it assumes that the demand will be met by providing a specified number of acres per City resident. Under an acreage-based LOS, as the number of residents increases, the amount of park land must increase to keep pace.

In SeaTac, however, very little land is left for additional parks. As the City's population grows, residents' need for recreational opportunities must be met by adding or upgrading facilities to most parks. ~~Four~~ Three types of parks will still be evaluated by an acreage-based standard: Community, ~~and~~ Neighborhood, ~~Pocket/Mini~~ parks and Trails/Linear parks. All other types of parks use a facilities-based LOS to measure how well the City is meeting the recreational needs of SeaTac residents.

As those needs increase, the City has the option of adding new facilities, or adding capacity to existing ones, by improving the facilities themselves. For example, the Parks Department proposes to make playing surface and outdoor lighting improvements on field 4 at Valley Ridge Park. Improvements of this nature nearly double the capacity of baseball/football fields in the City, without actually adding any new fields.

While not reflected in either LOS standard, the City will also consider equity of location, to further ensure that all residents have access to recreation. Map BR5.1 shows the locations of parks in SeaTac and the immediate surrounding areas.

## Parks Description and Acreage-based LOS

Only land currently developed for recreational activities is counted as "capacity" for the purpose of calculating park LOS. Counting only developed acres as capacity allows the City to focus on its targeted need: more *developed* park land. As land is developed or as facilities are added, land will be transferred from the undeveloped to the developed category, showing progress toward the City's adopted LOS standard. In some cases, acreage that appears to be developed may be classified as undeveloped because it lacks facilities typical of parks in its category. In these cases, an acre value is assigned to a needed facility, for instance .5 acres for a child's play area. The following figure lists developed, undeveloped, and total land within each park category.

Table BR5.7 Summary of Park Land, <del>2012</del> <u>2017</u>			
PARK CATEGORY	DEVELOPED	UNDEVELOPED	TOTAL
Community Parks	<del>49</del> <u>50.8</u> acres	35 acres	<del>84</del> <u>85.8</u> acres
Neighborhood Parks	<del>10</del> <u>12</u> acres	<del>8.3</del> <u>0.5</u> acres	<del>18.3</del> <u>12.5</u> acres
Regional Park	80. <u>2</u> acres	<del>211.4</del> <u>211.2</u> acres	291.4 acres
Trails/Linear Parks	<del>22,630</del> <u>23,017</u> lineal feet	0 lineal feet	<del>22,630</del> <u>23,017</u> lineal feet
<del>Pocket/Mini Parks</del>	<del>73,548 sq. ft.</del>	<del>N.A.</del>	<del>73,548 sq. ft.</del>

The current LOS provided by the park system within the City is based on the current inventory of developed park acres divided by the actual ~~2014-2017~~ SeaTac population. The second table in each category analyzes capacity through the years 2023 and 2035. ~~This equates to 2.28 acres per~~

~~1,000 people for community parks; 0.36 acres per 1,000 people for neighborhood parks; 2,662 square feet per 1,000 population feet for pocket/mini parks; and 819 lineal feet per 1,000 people for trails/linear parks.~~

~~The City adopted LOS is 1.7 acres per 1,000 population for community parks; 0.27 acres per 1,000 people for neighborhood parks; 500 square feet per 1,000 people for pocket/mini parks; and 251.6 lineal feet per 1,000 population for trails/linear parks. Current facilities and planned improvements enable the City to maintain current LOSs through 2020.~~

Each City LOS will enable the City to anticipate the need for additional developed park acreage and facilities, and trail miles as the City population continues to increase over time.

### **Summary of LOS Analysis Findings**

~~Through~~ In order to satisfy currently adopted service levels, the City will need to add or develop the following: 2035 the City will need to add or develop an additional 4 acres of Community Parks, and 1 acre of Neighborhood Parks. 18.1 acres of off-leash dog park, 2 playgrounds, 2 skateboard parks, and 2 tennis courts to satisfy adopted service levels.

- By 2023: 465 square feet of Community Center space
- By 2035: 5.9 acres of Community Parks, one acre of Off-Leash Dog Park, 1.2 Tennis/Racquet Courts, 6,967 square feet of Community Center space

### **Capital Facilities Projects Completed in ~~2013-2014~~2015-2017**







In ~~2013-2014~~2015-2017 the City completed the following capacity-related projects:

- ~~• The Angle Lake Park Spray Park, part of the Phase II construction project;~~
- ~~• Construction of the boat launch replacement;~~
- ~~• The addition of two picnic shelters at Angle Lake Park; and~~
- ~~• Construction of the life guard shelter.~~

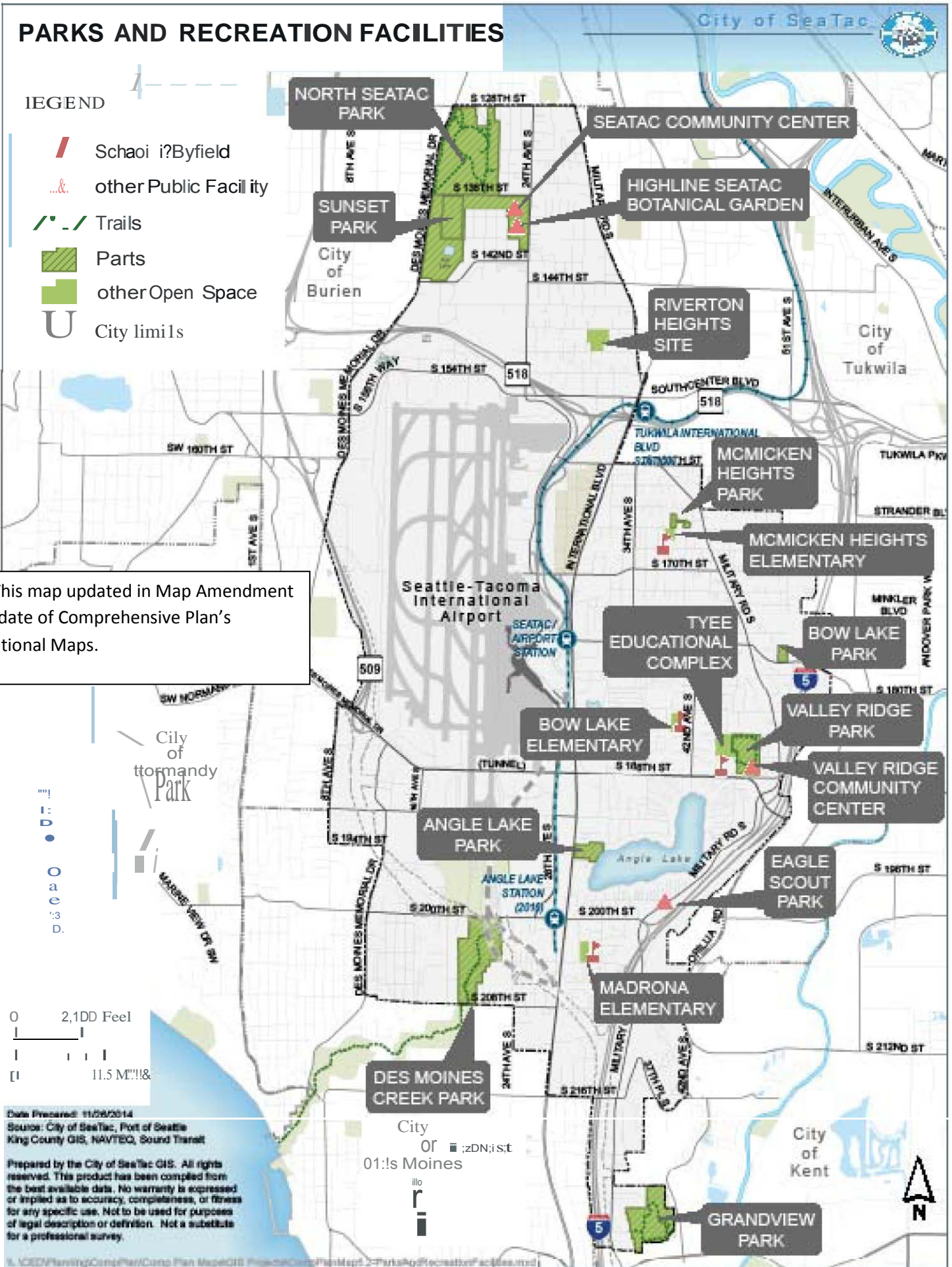
- Construction of new two acre Riverton Heights Park, including playground
- Construction of new 1.8 acre Angle Lake Nature Park Trail
- Construction of SeaTac Community Garden in North SeaTac Park

# PARKS AND RECREATION FACILITIES

## LEGEND

-  School Byfield
-  other Public Facility
-  Trails
-  Parks
-  other Open Space
-  City limits

Note: This map updated in Map Amendment M-6 Update of Comprehensive Plan's Informational Maps.



Map BR5.1. Parks and Recreation Facilities

## Community Parks

Community parks within the City are primarily highly developed and used for active recreation. They include amenities from picnic tables, and a boat launch at Angle Lake Park to courts and fields for tennis, softball, and soccer. Typically, community parks serve population within a mile radius of the park.

The inventory of current Community Parks includes the following:

Table BR5.8 Community Parks: Parks Inventory				
NAME	DEVELOPED*	UNDEVELOPED	TOTAL	LOCATION
Angle Lake Park	10.5 acres	0 acres	10.5 acres	19408 International Blvd
<u>Angle Lake Park Nature Trail</u>	<u>1.8 acres</u>	<u>0 acres</u>	<u>1.8 acres</u>	<u>S. 196<sup>th</sup> St. &amp; International Blvd.</u>
Grandview Park**	14.0 acres	24.0 acres	38.0 acres	3600 S. 228th Street
Sunset Playfield	14.4 acres	0 acres	14.4 acres	13659 – 18th Ave. S.
Valley Ridge Park	21 acres	0 acres	21 acres	4644 S. 188th St.
NST Community Park	0.6 acres	11 acres	11.6 acres	S. 128th St. & 20th
Tyee H.S. Playfields	2.5 acres	0 acres	2.5 acres	4424 S. 188th St.
TOTAL	<del>49</del> <u>50.8</u> acres	35 acres	<del>84</del> <u>85.8</u> acres	

\* Developed acres are used to calculate current capacity.

\*\*Grandview Park's developed acres are not included in the inventory of Community Parks- they are instead counted separately as the Off-Leash Dog Park.

Table BR5.9 Community Parks: Capital Projects LOS Capacity Analysis				
City LOS = 1.7 acres per 1,000 population				
(1)	(2)	(3)	(4)	(5)
Time Period	City Population	Dev. Acres Required @ 0.0017 per capita	Current Acres Available	Net Reserve or Deficiency
<del>2014-</del> 2017 Actual Pop.	<del>27,620</del> 28,850	<del>47</del> 49	49.50.8	<del>2</del> 1.8
<del>2015--2020</del> 2018-2023 Growth	<del>1,032</del> 2,105	<del>1.8</del> 3.6	<del>-1.8</del> 6.8	<del>0</del> -3.2
Total as of <del>2020</del> 2023	<del>28,652</del> 30,955	<del>48.8</del> 52.6	49.57.6	<del>0.2</del> 5
Total as of 2035	<del>39,474</del> 37,329	<del>67.1</del> 63.5	49.57.6	<del>-18.1</del> -5.9
Capacity Projects	<del>None</del> 6.8 acres in column (4) is from sports fields to be constructed as part of the middle school to be built on the former Glacier HS site			

Neighborhood Parks

Neighborhood parks are typically located within a residential area and provide passive, multiuse space, as well as opportunities for active recreation. They typically serve the population within a 1/2 mile radius of the park. Elementary school playfields and other school outdoor facilities (e.g., Tyee High School tennis courts) are counted in the City’s inventory of parks facilities because they are available for the community’s use. The City is not obligated to pay for maintenance or replacement of these facilities, except in cases where the City has entered into specific agreements with the Highline School District for provision or maintenance of specific facilities.

The inventory of current Neighborhood Parks includes the following:

Table BR5.10 Neighborhood Parks: Parks Inventory				
NAM E	DEVELOPED*	UNDEVELOPED	TOTAL	LOCATION
Bow Lake Park	3.5 acres	.5 acres	4 acres	S. 178th St. at 51st Ave.
McMicken Heights Park	2.5 acres	0 acres	2.5 acres	S. 166th St. & 40th Ave. S.
<u>Riverton Heights Park</u>	<u>2 acres</u>	<u>0 acres</u>	<u>2 acres</u>	<u>3011 S. 148th St.</u>
McMicken Hts.	1 acre	0 acres	1 acre	3708 S. 168th St.
Valley View Elem.	1 acre	0 acres	1 acre	17622 46th Ave. So.
Madrona Elem.	1 acre	0 acres	1 acre	3030 S. 204th St.
Bow Lake Elem.	1 acre	0 acres	1 acre	18237 42nd Ave. So.
TOTAL	<del>10.1</del> <u>12</u> acres	0.5 acres	<del>10.5</del> <u>12.5</u> acres	

\*Developed acres are used to calculate current capacity.  
\*School playfields also serve as neighborhood parks for local residents.

Table BR5.11 Neighborhood Parks: Capital Projects LOS Capacity Analysis				
City LOS = 0.27 acres per 1,000 population				
(1)	(2)	(3)	(4)	(5)
TIME PERIOD	CITY POPULATION	DEV. ACRES REQUIRED @ 0.00027 PER CAPITA	CURRENT ACRES AVAILABLE	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> Actual Pop.	<del>27,620</del> <u>28,850</u>	<del>7.5</del> <u>7.8</u>	<del>10.1</del> <u>12</u>	<del>2.5</del> <u>4.2</u>
<del>2015-2020</del> <u>2018-2023</u>	<del>1,032</del> <u>2,105</u>	<del>0.3</del> <u>0.5</u>	0	<del>-0.3</del> <u>-</u>
Total as of <del>2020</del> <u>2023</u>	<del>28,652</del> <u>30,955</u>	<del>7.8</del> <u>8.4</u>	<del>10.1</del> <u>12</u>	<del>2.2</del> <u>3.6</u>
Total as of 2035	<del>39,474</del> <u>7,336</u>	<del>11</del> <u>1.9</u>	<del>10.1</del> <u>12</u>	<del>-1.0</del> <u>11</u>
Capacity Projects	None			

## Regional Parks

Regional/District parks typically serve a 10+ mile radius. They may include active recreational facilities, as well as passive open space areas.

### North SeaTac Park

Due to its wide service area extending beyond the City of SeaTac, North SeaTac Park has not been treated as a typical SeaTac park. The City, working with King County, has established policies for park jurisdiction and maintenance.

The City has a Master Plan for the whole park, and approximately 80 acres have been developed with facilities for active recreation. A 0.2 acre community garden, a feature identified in the Master Plan, was constructed in 2017. No projects for additional development are proposed for the six-year CFP.

### Des Moines Creek Park

Des Moines Creek Park is a wooded, natural area of 95 acres surrounding Des Moines Creek that was purchased with Forward Thrust funds for preservation as open space and recreation. Currently the area is underdeveloped and contains dirt bike trails. A connecting trail was completed along Des Moines Creek in 1997. Some additional improvements may be planned after discussion and master planning in conjunction with the community. However, the park will continue to offer passive recreational opportunities. Its large size and proximity at the southern end of the City contribute to its classification as a regional park. It will also play a key role in the future as a part of the regional Lake to Sound Trail, which is intended to link Lake Washington to Puget Sound. ~~as additional trails are developed to form a linked network of natural areas in the Puget Sound.~~

**Table BR5.12 Regional Parks: Current Facilities Inventory**

NAME	DEVELOPED*	UNDEVELOPED	TOTAL	LOCATION
North SeaTac Park	<del>80.0</del> <u>80.2</u> acres	<del>116.4</del> <u>116.2</u> acres	196.4 acres	City's Northwest Corner
Des Moines Creek Park	0.0 acres	95.0 acres	95.0 acres	City's South End
TOTAL	<del>80.0</del> <u>80.2</u> acres	<del>211.4</del> <u>211.2</u> acres	291.4 acres	

## Pocket/Mini Parks

"Pocket parks" are envisioned as small parks near workplaces. They are characterized by urban plazas with hardscape surfaces, benches, lighting, and other pedestrian amenities. They may also include special interest areas such as the Flag Pavilion that highlights unique features of SeaTac, adding variety and interest to the commercial environment. City standards also encourage the inclusion of pocket parks within new developments, especially in the Urban Center.

Mini parks are small parks of 1/4 to 1/2 acre serving residential developments. Smaller than neighborhood parks, mini parks allow recreation areas to be accessible to children without the need to cross major streets. Such parks are especially needed in several existing multi-family areas that lack access to neighborhood parks. The inventory of current pocket/mini parks includes the following.

<b>Table BR5.13 Pocket/Mini Parks: Parks Inventory</b>			
<b>TYPE</b>	<b>NAME</b>	<b>DEVELOPED SQ. FT.</b>	<b>LOCATION</b>
Pocket Parks	SeaTac Office Center Plaza	8,500 square feet	18000 International Blvd.
	Hilton Plaza	45,748 square feet	17620 International Blvd.
	Sound Transit Plaza	15,000 square feet	Intl. Blvd. at 176th Street
Mini Parks	Eagle Scout Park	1,800 square feet	196th & Military Road
<b>TOTAL</b>		<b>71,048 square feet</b>	

None of the pocket parks listed are owned by the City, and only Eagle Scout Park is maintained by the City. They are accessible to the public through the desire of property owners to create urban amenities that will enhance commercial areas. Both the City and local business can benefit from such parks which typically remain under the commercial property owner's operation. Currently there are neither guidelines for the use of such parks nor guarantees that they will remain as parks. The City would like to encourage creation of additional parks in conjunction with guidelines for their use. Guidelines can serve both to protect property owners and to ensure the long term availability of pocket parks for the public.

The zoning code currently gives density bonuses to developers for including open space or park in their development, or for dedicating land for park development. Additionally, within the Urban Center, pedestrian plazas can count toward the landscaping requirements in certain situations. These zoning code provisions are intended to encourage the creation of pocket parks as the City grows.

The City has recently identified the need for mini parks in existing residential developments, and will continue to work with the community to identify opportunities to develop such parks.

<b>Table BR5.14 Pocket/Mini Parks: Capital Projects LOS Capacity Analysis</b>				
City LOS = 500 square feet per 1,000 population				
(1)	(2)	(3)	(4)	(5)
<b>TIME PERIOD</b>	<b>CITY POPULATION</b>	<b>SQUARE FEET REQUIRED @ 0.5 PER CAPITA</b>	<b>CURRENT ACRES AVAILABLE</b>	<b>NET RESERVE OR DEFICIENCY</b>
2014 Actual Pop.	27,620	13,810	71,048	57,238
2015 -- 2020 Growth	1,032	516	0	-516

Total as of 2020	28,652	14,326	71,048	56,722
Total as of 2035	39,474	19,737	71,048	51,311
Capacity Projects:	None			

## Trails/Linear Parks

Recreational trails create pedestrian linkages between existing parks and enhance public enjoyment of natural features.

The inventory of current Trails includes the following:

Table BR5.15 Trails/Linear Parks: Current Facilities Inventory		
NAME	CAPACITY (LINEAL FEET)	LOCATION
North SeaTac Park Trails	12,430	City's Northwest Corner
West Side Trail	7,200	Adjacent to <del>DM</del> Des Moines Memorial Drive, <del>NSTP</del> N SeaTac Park to Sunnysdale
<a href="#">Angle Lake Park Nature Trail</a>	387	<a href="#">Links Angle Lake Park to Angle Lake Nature Park</a>
Des Moines Creek Park Trail	3,000	City's South End
TOTAL	<del>22,630</del> <a href="#">23,017</a> Lineal Feet	

Table BR5.16 Trails/Linear Parks: Capital Projects LOS Capacity Analysis				
City LOS = 251.6 lineal feet per 1,000 population				
(1)	(2)	(3)	(4)	(5)
TIME PERIOD	CITY POPULATION	LINEAL FEET REQUIRED @ 0.2516 PER CAPITA	CURRENT LINEAL FEET AVAILABLE	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> Actual Pop.	<del>27,620</del> <a href="#">28,850</a>	<del>6,949</del> <a href="#">7,259</a>	<del>22,630</del> <a href="#">23,017</a>	<del>15,681</del> <a href="#">15,758</a>
<del>2015-2020</del> <a href="#">2018-2023</a> Growth	<del>1,032</del> <a href="#">2,105</a>	<del>260</del> <a href="#">530</a>	0	<del>-260</del> <a href="#">-530</a>
Total as of <del>2020</del> <a href="#">2023</a>	<del>28,652</del> <a href="#">30,955</a>	<del>7,209</del> <a href="#">7,789</a>	<del>22,630</del> <a href="#">23,017</a>	<del>15,421</del> <a href="#">15,228</a>
Total as of 2035	<del>39,474</del> <a href="#">37,329</a>	<del>9,932</del> <a href="#">9,392</a>	<del>22,630</del> <a href="#">23,017</a>	<del>12,698</del> <a href="#">13,625</a>
Capacity Projects:	None			

## Off-Leash Dog Park

SeaTac's Off-Leash Dog park serves residents of the city and parts of the larger South King County community of dog owners.

The current inventory of off-leash dog parks includes the following:

Table BR5.17 Off-Leash Dog Parks: Current Facilities Inventory		
NAME	CAPACITY (ACRES)	LOCATION
Grandview Park Off- Leash Dog	14 acres	3600 S. 228th Street
TOTAL	14 acres	

Table BR5.18 Off-Leash Dog Parks: Capital Projects LOS Capacity Analysis				
City LOS= 0.4 Acres per 1,000 population				
[1]	[2]	[3]	[4]	[5]
TIME PERIOD	CITY POPULATION	ACRES REQUIRED @ 0.0004 PER CAPITA	CURRENT ACRES AVAILABLE	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> Actual Pop.	<del>27,620</del> <u>28,850</u>	<del>11.0</del> <u>12</u>	14	<del>3.0</del> <u>2</u>
<del>2015-2020</del> <u>2018-2023</u> Growth	<del>1,032</del> <u>2,105</u>	<del>0.4</del> <u>1</u>	0	<del>-0.4</del> <u>-1</u>
Total as of <del>2020</del> <u>2023</u>	<del>28,652</del> <u>30,955</u>	<del>11.4</del> <u>13</u>	14	<del>2.6</del> <u>1</u>
Total as of 2035	<del>39,474</del> <u>37,329</u>	<del>15.8</del> <u>15</u>	14	<del>-1.8</del> <u>-1</u>
CAPACITY PROJECTS	None			

## Recreational Facilities

### Facilities-Based LOS

The LOS provided by recreational facilities in the City is based on the number of each facility divided by the estimated number of people each one can serve annually. The second table in each category analyzes capacity through the years ~~2020-2023~~ and 2035. Several projects are planned to increase capacity, including various sports field improvements. Current facilities and planned improvements enable the City to maintain service levels through ~~2020~~2023.

By 2035 this plan anticipates a need for ~~1.5 additional playgrounds, 1.5 additional skateboard parks, and 1.8~~1.2 additional tennis courts.

Table BR5.19 Baseball/Softball Fields, Adult: Inventory		
PARK	LOCATION	NUMBER OF FACILITIES
Valley Ridge Park	4644 S. 188th Street	2
NST Community Park	S. 128th Street & 20th Avenue	2
TOTAL		4

Table BR5.20 Baseball/Softball Fields, Adult: Capital Projects LOS Capacity Analysis					
Adopted City LOS = 0. <del>18-083</del> fields per 1,000 population					
[1]	[2]	[3]	[4]	[5]	[6]
TIME PERIOD	CITY-WIDE POPULATION	FACILITIES @ <del>0.0001800008</del> PER CAPITA	CURRENT FACILITIES AVAILABLE	ADDED CAPACITY TO FACILITIES	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> Actual Pop.	<del>27,620</del> 28,850	<del>5.0</del> 2.3	<del>7</del> 4		<del>2.0</del> 1.7
<del>2015--2020</del> 2018-2023 Growth	<del>1,032</del> 2,105	0.2	0	0.5	0.3
Total as of <del>2020</del> 2023	<del>28,652</del> 30,955	<del>5.2</del> 2.5	<del>7</del> 4	0.5	<del>2.3</del> 2
Total as of 2035	<del>39,474</del> 37,329	<del>7.1</del> 3	<del>7</del> 4	0.5	<del>0.4</del> 1.5
CAPACITY PROJECTS					
Football/Soccer Fields Acquisition/Development:					
*Improved surface and outdoor lighting on Field #4 @ Valley Ridge Park.					
* Column [5] refers to these improvements.					

Table BR5.21 Baseball/Softball Fields, Youth: Inventory		
PARK	LOCATION	NUMBER OF FACILITIES
Sunset Playfield	13659 18th Ave. South	2
Valley Ridge Park	4644 S. 188th Street	4
TOTAL		6

Table BR5.22 Baseball/Softball Fields, Youth: Capital Projects LOS Capacity Analysis					
Adopted City LOS = 0.15 fields per 1,000 population					
[1]	[2]	[3]	[4]	[5]	[6]
TIME PERIOD	CITY-WIDE POPULATION	FACILITIES @ 0.00015 PER CAPITA	CURRENT FACILITIES AVAILABLE	ADDED CAPACITY TO FACILITIES	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> Actual Pop.	<del>27,620</del> <u>28,850</u>	<del>4.1</del> <u>4.3</u>	<del>6.0</del>		<del>1.9</del> <u>1.7</u>
<del>2015--2020</del> <u>2018-2023</u> Growth	<del>1,032</del> <u>2,105</u>	<del>0.2</del> <u>0.3</u>	0.0	0.5	<del>0.3</del> <u>0.2</u>
Total as of <del>2020</del> <u>2023</u>	<del>28,652</del> <u>30,955</u>	<del>4.3</del> <u>4.6</u>	6	0.5	<del>2.2</del> <u>1.9</u>
Total as of 2035	<del>39,474</del> <u>37,329</u>	<del>5.9</del> <u>5.6</u>	6	0.5	<del>0.6</del> <u>0.9</u>
CAPACITY PROJECTS					
Youth Baseball/softball Acquisition/Development:					
*Improved surface and outdoor lighting on Field #4 @ Valley Ridge Park.					
* Column [5] refers to these improvements.					

Table BR5.23 Basketball Courts, Outdoor: Inventory		
PARK	LOCATION	NUMBER OF FACILITIES
Valley Ridge Park	4644 S. 188th Street	3
NST Community Park	S. 128th Street & 20th <del>Avenue South</del> <u>Ave. S.</u>	2
Bow Lake School	18237 42nd Ave. Street	2
Madrona School	440 S. 186th Street	4
<u>Riverton Heights Park</u>	<u>3011 S. 148th Street</u>	<u>1</u>
TOTAL		<del>11</del> <u>12</u>

Table BR5.24 Basketball Courts, Outdoor: Capital Projects LOS Capacity Analysis				
Adopted City LOS = 0.23 courts per 1,000 population				
[1]	[2]	[3]	[4]	[5]
TIME PERIOD	CITY-WIDE POPULATION	FACILITIES @ 0.00023 PER CAPITA	CURRENT FACILITIES AVAILABLE	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> <u>Actual Pop.</u>	<del>27,620</del> <u>28,850</u>	<del>6.4</del> <u>6.6</u>	<del>11</del> <u>14</u>	<del>4.6</del> <u>5.4</u>
<del>2015-2020</del> <u>2018-2023</u> Growth	<del>1,032</del> <u>2,105</u>	<del>0.2</del> <u>0.5</u>	0	<del>-0.2</del> <u>-0.5</u>
Total as of <del>2020</del> <u>2023</u>	<del>28,652</del> <u>30,955</u>	<del>6.6</del> <u>7.1</u>	<del>11</del> <u>14</u>	<del>4.4</del> <u>4.9</u>
Total as of 2035	<del>39,474</del> <u>37,329</u>	<del>9.1</del> <u>8.6</u>	<del>11</del> <u>14</u>	<del>1.9</del> <u>3.4</u>
CAPACITY PROJECTS				
Outdoor Basketball Courts Acquisition/Development:				
<del>No Projects</del> <u>None</u>				

Table BR5.25 Football/Soccer Fields: Inventory		
PARK	LOCATION	NUMBER OF FACILITIES
Sunset Playfield	13659 18th Ave. South	1
Valley Ridge Park	4644 S. 188th Street	4
NST Community Park	S. 128th Street & 20th Avenue	2
TOTAL		7

Table BR5.26 Football/Soccer Fields: Capital Projects LOS Capacity Analysis					
Adopted City LOS = 0.18 fields per 1,000 population					
[1]	[2]	[3]	[4]	[5]	[6]
TIME PERIOD	CITY-WIDE POPULATION	FACILITIES @ 0.00018 PER CAPITA	CURRENT FACILITIES AVAILABLE	ADDED CAPACITY TO FACILITIES	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> Actual Pop.	<del>27,620</del> <u>28,850</u>	<del>5.0</del> <u>5.2</u>	7		<del>2.0</del> <u>1.8</u>
<del>2015-2020</del> 2018-2023 Growth	<del>1,032</del> <u>2,105</u>	<del>0.2</del> <u>0.4</u>	0	0.5	<del>0.3</del> <u>0.1</u>
Total as of <del>2020</del> <u>2023</u>	<del>28,652</del> <u>30,955</u>	<del>5.2</del> <u>5.6</u>	7	0.5	<del>2.3</del> <u>1.9</u>
Total as of 2035	<del>39,474</del> <u>37,329</u>	<del>7.1</del> <u>6.7</u>	7	0.5	<del>0.4</del> <u>0.8</u>
CAPACITY PROJECTS					
Football/Soccer Fields Acquisition/Development:					
*Improved surface and outdoor lighting on Field #4 @ Valley Ridge Park.					
* Column [5] refers to these improvements.					

Table BR5.27 Picnic Shelters: Inventory		
PARK	LOCATION	NUMBER OF FACILITIES
Angle Lake Park	19408 International Boulevard	<del>3</del> <u>4</u>
NST Community Park	S. 128th Street & 20th Avenue	1
TOTAL		<del>4</del> <u>5</u>

Table BR5.28 Picnic Shelters: Capital Projects LOS Capacity Analysis				
Adopted City LOS = 0.06 shelters per 1,000 population				
[1]	[2]	[3]	[4]	[5]
TIME PERIOD	CITY-WIDE POPULATION	FACILITIES @ 0.00006 PER CAPITA	CURRENT FACILITIES AVAILABLE	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> Actual Pop.	<del>27,620</del> <u>28,850</u>	1.7	<del>4</del> <u>5</u>	<del>2</del> <u>3</u> .3
<del>2015-2020</del> <u>2018-2023</u> Growth	<del>1,032</del> <u>2,105</u>	0.1	0	-0.1
Total as of <del>2020</del> <u>2023</u>	<del>28,652</del> <u>30,955</u>	1.8	4 <u>5</u>	<del>2.2</del> <u>3.2</u>
Total as of 2035	<del>39,474</del> <u>37,329</u>	<del>2.4</del> <u>2.2</u>	4 <u>5</u>	<del>1.6</del> <u>2.8</u>
CAPACITY PROJECTS				
Picnic Shelter Acquisition/Development				
<del>No Projects</del> <u>None</u>				

Table BR5.29 Playgrounds: Inventory		
PARK	LOCATION	NUMBER OF FACILITIES
NST Community Park	S. 128th Street & 20th Avenue South	1
<u>Riverton Heights Park</u>	<u>3011 S. 148th St.</u>	<u>1</u>
McMicken Heights Park	S. 166th Street & 40th Avenue South	1
Valley Ridge Park	4644 S. 188th Street	1
Angle Lake Park	19408 International Blvd.	1
Spray Park at Angle Lake Park	19408 International Blvd.	1
McMicken School	S. 166th Street & 37th Avenue South	2
Bow Lake School	18237 42nd Ave. S.	1
<u>Madrona Elementary School</u>	<u>20301 32nd Ave S</u>	<u>1</u>
TOTAL		<del>8</del> <u>10</u>

Table BR5.30 Playgrounds: Capital Projects LOS Capacity Analysis				
Adopted City LOS = 0.24 playgrounds per 1,000 population				
[1]	[2]	[3]	[4]	[5]
TIME PERIOD	CITY-WIDE POPULATION	FACILITIES @ 0.00024 PER CAPITA	CURRENT FACILITIES AVAILABLE	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> Actual Pop.	<del>27,620</del> <u>28,850</u>	<del>6.6</del> <u>6.9</u>	<del>8</del> <u>10</u>	<del>1.4</del> <u>3.1</u>
<del>2015-2020</del> <u>2018-2023</u> Growth	<del>1,032</del> <u>2,105</u>	<del>0.2</del> <u>0.5</u>	0	<del>-0.2</del> <u>-0.5</u>
Total as of <del>2020</del> <u>2023</u>	<del>28,652</del> <u>30,955</u>	<del>6.8</del> <u>7.4</u>	<del>8</del> <u>10</u>	<del>1.2</del> <u>2.6</u>
Total as of 2035	<del>39,474</del> <u>37,329</u>	<del>9.5</del> <u>8.9</u>	<del>8</del> <u>10</u>	<del>-1.5</del> <u>1.1</u>
Capacity Projects				
Playgrounds Acquisition/Development:				
<del>No Projects</del> <u>None</u>				

Table BR5.31 Skateboard Parks: Inventory		
PARK	LOCATION	NUMBER OF FACILITIES
Valley Ridge Park	4644 S. 188th Street	1*
<del>North SeaTac</del> <u>NST Community</u> Park	S. 128th Street & 20th Avenue South	1
TOTAL		2

Table BR5.32 Skateboard Parks: Capital Projects LOS Capacity Analysis				
Adopted City LOS = 0.0324 <del>playgrounds</del> <u>skateboard parks</u> per 1,000 population				
[1]	[2]	[3]	[4]	[5]
TIME PERIOD	CITY-WIDE POPULATION	FACILITIES @ 0.00024 PER CAPITA	CURRENT FACILITIES AVAILABLE	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> Actual	<del>27,620</del> <u>28,850</u>	<del>6.6</del> <u>0.9</u>	<del>8</del> <u>2</u>	<del>1.4</del> <u>1.1</u>
<del>2015-2020</del> <u>2018-2023</u> Growth	<del>1,032</del> <u>2,105</u>	<del>0.2</del> <u>0.1</u>	0	<del>-0.2</del> <u>-0.1</u>
Total as of <del>2020</del> <u>2023</u>	<del>28,652</del> <u>30,955</u>	<del>6.8</del> <u>1</u>	<del>8</del> <u>2</u>	<del>1.2</del> <u>1</u>
Total as of 2035	<del>39,474</del> <u>37,329</u>	<del>9.5</del> <u>1.2</u>	<del>8</del> <u>2</u>	<del>1.5</del> <u>0.8</u>
CAPACITY PROJECTS				
<del>Playgrounds</del> <u>Skateboard Park</u> Acquisition/Development:				
<del>No Projects</del> <u>None</u>				

\*In addition to the Skateboard Parks at Valley Ridge Park and North SeaTac Park, SeaTac residents use the facility at Foster High School in Tukwila. Since SeaTac does not contribute support to this facility, however, it is not listed here.

Table BR5.33 Tennis/ <u>Racquet</u> Courts: Inventory		
PARK	LOCATION	NUMBER OF FACILITIES
McMicken Heights Park	S. 166th Street & 20 Avenue	2
Sunset Playfield	13659 18th Ave. South	2
Valley Ridge Park	4644 S. 188th Street	2
Tyee High School	4424 S. 188th Street	4
TOTAL		10

Table BR5.34 Tennis/ <u>Racquet</u> Courts: Capital Projects LOS Capacity Analysis					
Adopted City LOS = 0.30 courts per 1,000 population					
[1]	[2]	[3]	[4]	[5]	[6]
TIME PERIOD	CITY-WIDE POPULATION	FACILITIES @ 0.00030 PER CAPITA	CURRENT FACILITIES AVAILABLE	ADDED CAPACITY TO FACILITIES	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> Actual Pop.	<del>27,620</del> <u>28,850</u>	<del>8.3</del> <u>8.7</u>	10		<del>1.7</del> <u>1.3</u>
<del>2015-2020</del> <u>2018-2023</u> Growth	<del>1,032</del> <u>2,105</u>	<del>0.3</del> <u>0.6</u>	0	0	<del>-0.3</del> <u>-0.6</u>
Total as of <del>2020</del> <u>2023</u>	<del>28,652</del> <u>30,955</u>	<del>8.6</del> <u>9.3</u>	10	0	<del>1.4</del> <u>0.7</u>
Total as of 2035	<del>39,474</del> <u>37,329</u>	<del>11.8</del> <u>11.2</u>	10	<del>0.0</del>	<del>-1.8</del> <u>-1.2</u>
CAPACITY PROJECTS					
Tennis Courts Acquisition/Development:					
<del>No projects</del> <u>None</u>					

## Community Center

### Current Facilities

The City of SeaTac operates one major community center to provide indoor recreation facilities and public meeting rooms.

- ~~The North SeaTac Community Center:~~ The community center is located at 13735 24th Avenue South and offers nearly 27,000 square feet of recreational space, meeting rooms, and administrative offices from which various recreational programs are run. The facilities include a weight room, gymnasium, locker rooms, a banquet room with cooking facilities, and a senior center.
- ~~In addition to North SeaTac Park,~~ Valley Ridge Community Center: ~~the~~ The City owns a small Community Center building at the Valley Ridge Community Park. This ~~2,000~~ 3,000 square-foot building provides a large meeting room, an office, and restrooms. A morning preschool program and afternoon teen program are now being offered at this facility. The Valley Ridge facility is rented out to the community on Sundays.
- ~~Also~~ Recreation Room at Bow Lake Elementary School: ~~a~~ The City recreation room at

Bow Lake Elementary School was completed in 2007. ~~that~~ It is used for before and after school activities and meetings.

#### Level of Service (LOS)

The City adopted LOS is 1,020 square feet per 1,000 people, ~~marginally lower than the current LOS of 1,106 square feet per 1,000 people.~~ Based on projected population growth, the adopted LOS will result in a need for the following additional square feet of community center space: a reserve of 884 square feet of community center space by the year 2018. this plan anticipates the need for approximately an additional 8,600 square feet of community center space to maintain the adopted LOS.

- By 2023: 465 sf
- By 2035: 6,967 sf

#### Capital Facilities Projects Completed in ~~2013-2014~~ 2015-2017

In 2015-2017 the City completed the following projects:

- Construction of 1,500 of additional space at the Valley Ridge Community Center. No new projects were scheduled for the North SeaTac Community Center in 2013-2014.

**Table BR5.35 Community Center Facilities: Current Facilities Inventory**

NAME	CAPACITY	LOCATION
<del>North</del> SeaTac Community Center	26,809 square feet	4644 S. 188th St.
Valley Ridge Community Center	<del>2,000 square feet</del>	18237 42nd Ave S
Recreation Room at Bow Lake Elementary School	1,300 square feet	18237 42nd Ave S
TOTAL	<del>30,109 square feet</del> <u>31,109 square feet</u>	

**Table BR5.36 Community Center Facilities: Capital Projects LOS Capacity Analysis**

City LOS = 1020 Square Feet per 1,000 population				
[1]	[2]	[3]	[4]	[5]
TIME PERIOD	CITY POPULATION	SQUARE FEET REQUIRED @ 1.02	SQUARE FEET AVAILABLE	NET RESERVE OR DEFICIENCY
<del>2014-2017</del> Actual Pop.	<del>27,620</del> <u>28,850</u>	<del>28,172</del> <u>29,427</u>	<del>30,109</del> <u>31,109</u>	<del>1,937</del> 1,682
<del>2015-2020</del> <u>2018-2023</u> Growth	<del>1,032</del> <u>2,105</u>	<del>1,053</del> <u>2,147</u>	<del>1,500</del> <u>0</u>	<del>447</del> <u>-2,147</u>
Total as of <del>2020</del> <u>2023</u>	<del>28,652</del> <u>30,955</u>	<del>29,225</del> <u>31,574</u>	<del>31,609</del> <u>31,109</u>	<del>2,384</del> <u>-465</u>
Total as of 2035	<del>39,474</del> <u>37,329</u>	<del>40,263</del> <u>38,076</u>	<del>31,609</del> <u>31,109</u>	<del>-8,654</del> <u>-6,967</u>
Capacity Projects:				
Community Center Acquisition/Development				
<del>Valley Ridge Community Center Addition: approx. 1,500 sq. ft.</del> <u>None</u>				

# Surface Water Management

## Current Facilities

Information about the surface water management facilities inventory is available from the Public Works Department. Map BR5.1 in this section identifies the major drainage basins within the City. The City completed a Comprehensive Surface Water Plan for the Des Moines Creek Basin in the autumn of 1997 that identified needs for bringing the basin up to the adopted LOS. This multi-year project was completed in 2011.

## Level of Service (LOS)

The City has adopted the current King County Surface Water Design Manual, together with revisions and amendments for flow control and water quality treatment as the LOS for all five of the major drainage basins in the City. The standards and requirements of the King County Surface Water Design Manual are intended to ensure that peak storm water flows from new development are equivalent to or less than pre-development conditions, and that new development does not have a degrading effect on ambient water quality. The City of SeaTac also worked in conjunction with the cities of Burien, Normandy Park, the Port of Seattle, and King County to complete a Comprehensive Surface Water Plan for the Miller Creek Basin.

## Capital Facilities Projects Completed in ~~2013-2014~~2015-2017

Surface Water Management projects completed in 2015-2017 include:

~~Street improvement spot drainage and other spot drainage improvements were completed in 2013-2014. An update of the Stormwater Comprehensive Plan was also completed.~~

- S 168<sup>th</sup> Stormwater System Improvements
- Construction of Military Rd S (S 176<sup>th</sup> to S 166<sup>th</sup> St) storm drainage improvements.
- Completion of 2014-2015 Neighborhood Sidewalk Program projects on 37<sup>th</sup> Ave S (S 172<sup>nd</sup>-S 166<sup>th</sup> St) and 40<sup>th</sup> Ave S (S 170<sup>th</sup>-S 166<sup>th</sup> St) including storm drainage improvements.

# Transportation

## Current Facilities

Regional freeway facilities serving the City of SeaTac include I5, S.R. 509, and S.R. 518. The City of SeaTac is served by interchanges with I-5 at S. 200th and S. 188th Streets. S.R. 518 also provides access to I-5 from the north end of the City. The 509 freeway currently terminates at S.188th Street; arterial streets south of S. 188th Street are designated as the current S.R. 509 route to Des Moines, Federal Way, and Tacoma. S.R. 518 provides the primary access to Sea-Tac Airport.

The City of SeaTac's Public Works Department's road system inventory consists of roads in 4 categories: principal arterials, minor arterials, collector arterials, and non-arterials.

Table BR5.35 "Current Facilities Inventory," lists each of the principal arterials, minor arterials, and collector arterials, along with the policy LOS for each of these arterial categories.

Map BR5.2 shows the geographic location of freeways, principal arterials, minor arterials, collector arterials, and non-arterial city streets.

## Level of Service (LOS)

Policy 3.2A of the City's Transportation Plan establishes an LOS standard for intersections and roadways with LOS E or better as being acceptable on principal or minor arterials. LOS D or better is acceptable on collector arterials and lower classification streets, as calculated on a delay-basis.

The City's Director of Public Works, utilizing established criteria, has the authority to provide for exceptions to the LOS E standard along minor and principal arterials if future improvements are included in the City's transportation plan, or where the City determines improvements beyond those identified in the transportation plan are not desirable, feasible, or cost-effective. The recommended plan would require exceptions to the LOS policy at the following three intersections: S. 188th Street/International Boulevard; S. 200th Street/International Boulevard; and S. 188th Street/I5 southbound ramps.

## Capital Facilities Projects Completed in ~~2013-2014~~2015-2017

Transportation projects completed in ~~2013-2014~~2015-2017 include:

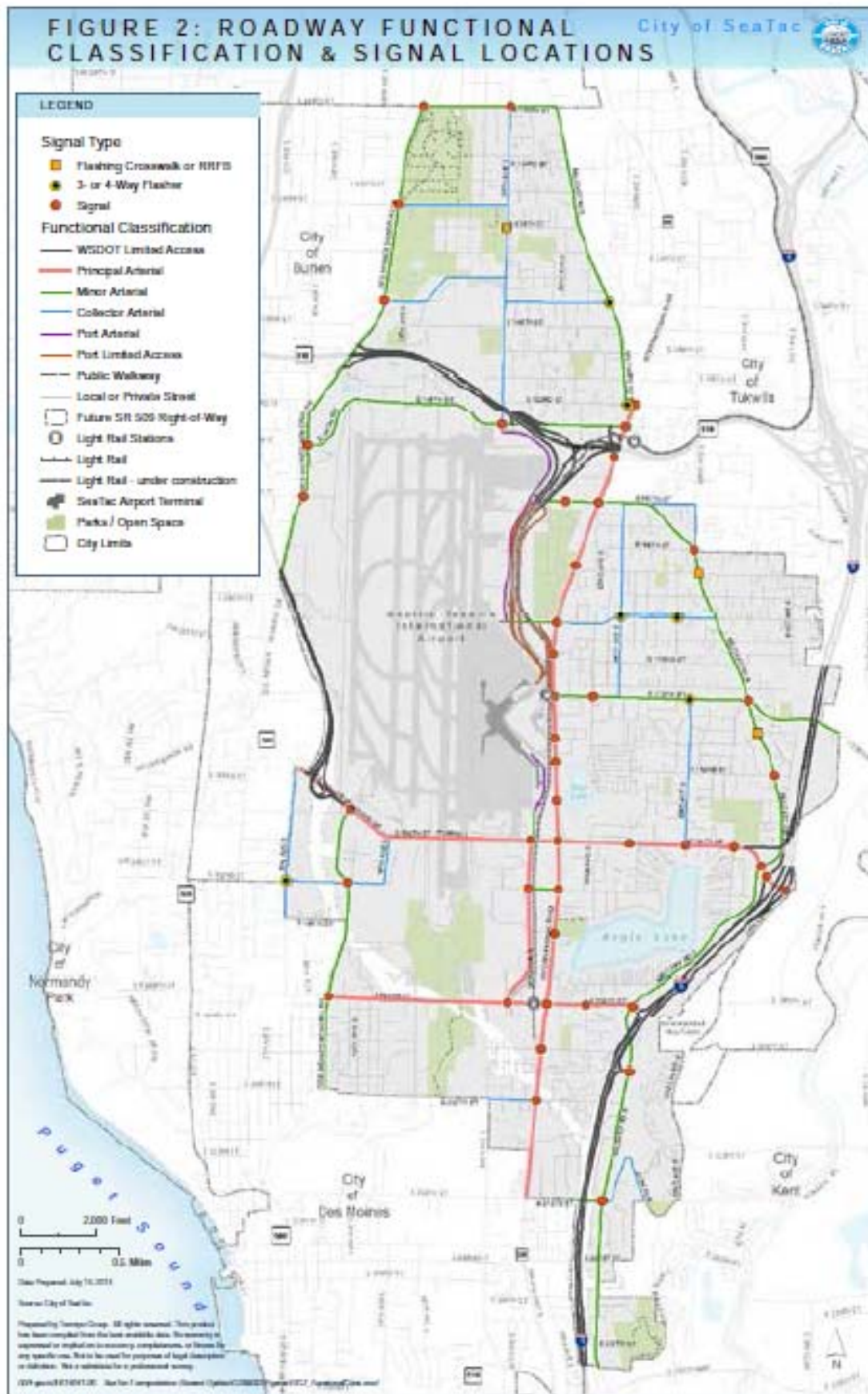
- ~~• Design and construction of the S. 168th St. Sidewalk Improvements as part of the 2013-2014 Neighborhood Sidewalk Program; and~~

- ~~• Design and partial construction of the S. 179th St. Sidewalk Improvements as part of the 2014-2015 Neighborhood Sidewalk Program.~~
- ~~• Design of the 28/24 Avenue extension project.~~
  - Completion of "Connecting 28th/24th Ave S" project extending new roadway and non-motorized improvements, completing principal arterial (5 lanes, bike lanes, sidewalks)
  - Construction of Military Rd S (S 176<sup>th</sup> to S 166<sup>th</sup> St) improvements including adding 10 blocks of sidewalk, bike lanes, and turn lanes.
  - Completion of 2014-2015 Neighborhood Sidewalk Program projects on 37<sup>th</sup> Ave S (S 172<sup>nd</sup>-S 166<sup>th</sup> St) and 40<sup>th</sup> Ave S (S 170<sup>th</sup>-S 166<sup>th</sup> St) including approximately 0.75 centerline miles of new sidewalk on both sides of the street with curb, gutter.
  - Completed 2015-2016 Neighborhood Sidewalk Program project on 32<sup>nd</sup> Ave S (S 188<sup>th</sup> St-S 192<sup>nd</sup> St) with new sidewalk on both sides of street

### Concurrency (Adequate Public Facilities)

In compliance with GMA and City Policy 5.1B, adequate Roads and Transit facilities must be available within six years of the occupancy and use of any projects that cause the roadway LOS to be exceeded.

Table BR5.37 Transportation: Current Facilities Inventory	
PRINCIPAL ARTERIALS (CURRENT LEVEL OR LOS E)	International Boulevard
	S. 188th St.
	S. 200th St.
	28th/24th Ave. S. (S. 188th St. to S. 202th St.)
MINOR ARTERIALS (MIN LOS E)	Des Moines Memorial Dr. S.
	Military Rd. S.
	S. 128th St.
	S. 154th St.
	S. 160th St. (Air Cargo Rd. - Military Rd. S.)
	S. 176th St. (International Blvd. - Military Rd. S.)
	S. 178th St. (East of Military Rd. S.)
	S. 216th St.
COLLECTOR ARTERIALS (MIN LOS D)	24th Ave. S. (S. 128th - S. 154th St.)
	34th Ave. S. (S. 160th - S. 176th St.)
	42nd Ave. S. (S. 176th - S. 188th St. )
	35th Ave. S (S. 216th - 37th Pl. S.)
	40th Pl. S. (37th Pl. S. - 42nd Ave. S.)
	42nd Ave. S. (S. 164th St. - S. 160th St.)
	S. 136th St. (West of 24th Ave. S.)
	S. 142nd Pl.
	S. 142nd St. (West of 24th Ave. S.)
	S. 144th St.
	S. 170th St. (Air Cargo Rd. - Military Rd. S.)
	S. 192nd St. (8th Ave. S. - 16th Ave. S)
	S. 208th St. (24th Ave. S, - International Boulevard)



Map BR3.2. Existing Roadway System

**Text Amendment T-8:**

Eliminate Business Park from  
Comprehensive Plan & Zoning Code

**SeaTac Comprehensive Plan Volume 1**

*\*Note: Text Amendment #1 identifies “Business Park” deletions in the Land Use Element.*

**Ch.7 Community Design****Goal 7.4**

Promote well-designed developments in the ~~Business Park~~, Industrial, and Aviation Commercial zones that respect the natural environment.

**Policy 7.4A**

Ensure that ~~Business Park~~, Industrial, and Aviation Commercial developments apply high design standards with respect to site planning, natural areas, transit use, pedestrian movement, and parking facilities.

Implement design and lot coverage

standards for commercial and light industrial areas outside the Urban Center to foster high quality development and to minimize their impacts on nearby land uses. Consider the preservation of natural areas as well as the function of the business area, and the movements of pedestrians and transit as well as that of motorized vehicles.

**Ch 7 Community Design - Recommended Implementation Strategies**

Land Use Policies	Implementation Strategies	Primary Responsibility	Time Frame
<b>7.4A</b> Ensure high design standards in <del>Business Park</del> , Industrial, and Aviation Commercial development.	Develop and apply design standards to <del>Business Park</del> , Industrial, and Aviation Commercial that address: <ul style="list-style-type: none"> <li>• Site planning,</li> <li>• Natural areas preservation,</li> <li>• Transit use,</li> <li>• Pedestrian movement, and</li> <li>• Parking facilities.</li> </ul>	Staff Planning Commission, City Council	Short-Term

## SeaTac Comprehensive Plan Volume 2: Land Use Background Report

**CH 2 LAND USE BACKGROUND REPORT**

Table BR2.8 Comprehensive Land Use Designations' Corresponding Zones

<b>COMPREHENSIVE PLAN DESIGNATIONS</b>	<b>ZONING CLASSIFICATIONS</b>
--	-------------------------------

Residential Low Density:	UL-15,000
	UL-9,600
	UL-7,200
	UL-5,000 Floating Overlay
Townhouse:	Townhouse

Table BR2.8 Comprehensive Land Use Designations' Corresponding Zones

<b>COMPREHENSIVE PLAN DESIGNATIONS</b>	<b>ZONING CLASSIFICATIONS</b>
--	-------------------------------

Residential Medium Density:	UM-3,600
	UM-2,400
	MHP
Residential High Density:	UH-1,800
	UH-900
Residential High – Mixed Use:	UH-UCR
Commercial Low-Density:	NB (Neighborhood Business)
Office/Commercial/Mixed Use:	O/C/MU (Office/Commercial/Mixed Use)
Commercial Medium-Density:	OCM (Office/Commercial Medium)
Commercial High-Density:	CB (Community Business) and CB-C (Community Business in the Urban Center)
<u>Regional Business Mix</u> <del>Aviation Business Center:</del>	<u>Regional Business Mix (RBX)</u> <del>Aviation Business Center (ABC)</del>
<del>Business Park:</del>	<del>BP</del>
Industrial:	Industrial (I)
Airport:	AVC (Aviation Commercial)
	AVO (Aviation Operations)
Park:	Park

# Exhibit B

## Proposed Amendments to Comprehensive Plan: M-2 & M-2A

*Note: This Exhibit includes the Planning Commission's recommendations  
for the following amendments.*

### LIST OF PROPOSALS

**M-2:** Hillside Park Map Amendment & Rezone

**M-2A:** Tombs Parcel Map Amendment & Rezone

## **Map Amendment M-2**

### Proposal: Hillside Park Map Amendment

<b>Description</b>	<b><u>Current</u> Comprehensive Plan Land Use Designation</b>	<b><u>Proposed</u> Comprehensive Plan Land Use Designation</b>
Vacant	Residential Medium	Residential High

Existing Comprehensive Plan Land Use Designation



Proposed Comprehensive Plan Land Use Designation



# Map Amendment M-2A

## Proposal: Tombs Parcel Map Amendment

Description	<u>Current</u> Comprehensive Plan Land Use Designation	<u>Proposed</u> Comprehensive Plan Land Use Designation
Vacant	Residential Low	Residential High

Existing Comprehensive Plan Land Use Designation



Proposed Comprehensive Plan Land Use Designation



**ORDINANCE NO. 17-1023**

An ORDINANCE of the City Council of the City of SeaTac, Washington, amending portions of Title 15 of the SeaTac Municipal Code, including the City's Official Zoning Map, related to the Zoning Code and the 2017 Comprehensive Plan Amendment Process.

**WHEREAS**, pursuant to the requirements of the Washington State Growth Management Act the City of SeaTac is required to develop and adopt development regulations, including the Official Zoning Map, which are consistent with and implement the adopted Comprehensive Plan and applicable subarea plans; and

**WHEREAS**, the Comprehensive Plan's Land Use Element has been amended to clarify policies related to existing land use designations and to add criteria for each land use designation; and

**WHEREAS**, the Comprehensive Plan's Land Use and Community Design Elements have been amended to eliminate the Business Park land use designation and related policies; and

**WHEREAS**, the Comprehensive Plan's Land Use Element and Housing and Human Services Background Report have been amended to replace the name of the Aviation Business Center land use designation with the Regional Business Mix land use designation and update related policies; and

**WHEREAS**, the Comprehensive Plan Land Use Map has been amended to eliminate the Business Park land use designation and replace the name of the Aviation Business Center land use designation with the Regional Business Mix land use designation; and

**WHEREAS**, the Comprehensive Plan's Land Use Plan Map has been amended to show future land uses for specific properties which authorize a change in zoning of said properties; and

**WHEREAS**, the Official Zoning Map must be amended to implement the Comprehensive Plan's Land Use Plan Map; and

**WHEREAS**, notices were published, public participation was obtained, comments were received, and a public hearing was held during the course of amending the development standards; and

**WHEREAS**, the environmental impacts of the proposed amendments have been assessed, and a Determination of Nonsignificance, File No. SEP17-0007, was issued October 10, 2017, and no appeals were received; and

**WHEREAS**, after a duly-noticed public hearing on October 17, 2017, continued to November 7, 2017, to consider proposed amendments to the Comprehensive Plan and related amendments to the SMC Title 15 Zoning Code, the Planning Commission recommended adoption of proposed amendments, and made its recommendation to the City Council; and

**WHEREAS**, after the consideration of testimony received at the Public Hearing, the Land Use and Parks (LUP) Committee made its recommendation to the City Council, and

**WHEREAS**, copies of these proposed amendments were filed with the Washington Department of Commerce not less than sixty days prior to final action, pursuant to RCW 36.70A.106 and WAC 365-195-620, and no comments were received; and

**WHEREAS**, the amendments of the zoning of properties and the amendments to the development regulations of SMC Title 15 Zoning Code as shown in Exhibit A and Exhibit B implement the Comprehensive Plan; and

**WHEREAS**, all of the foregoing recitals are deemed by the City Council to be findings of fact;

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

**Section 1.** Title 15 of the SeaTac Municipal Code (City Zoning Code), including the Official Zoning Map, is hereby amended as set forth in Exhibit A.

**Section 2.** In addition to the Zoning Code amendments set forth in Section 1 of this Ordinance, Title 15 of the SeaTac Municipal Code and the Official Zoning Map, are also amended as set forth in Exhibit B, to include Map Amendment M-2 and Map Amendment M-2A.

**Section 3.** The City Clerk is directed to transmit a complete and accurate copy of this Ordinance, as adopted, to the Department of Commerce within ten days after final adoption, pursuant to RCW 36.70A.106 and WAC 365-195-620. The City Clerk is further directed to transmit a copy of this Ordinance to the King County Assessor pursuant to RCW 35A.63.260.

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

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

ADOPTED this 12<sup>th</sup> day of December, 2017, and  
signed in authentication thereof on this 12<sup>th</sup> day of December, 2017.

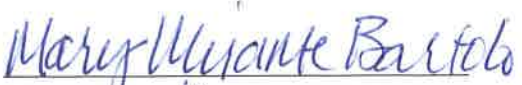
CITY OF SEATAC

  
\_\_\_\_\_  
Michael J. Siefkes, Mayor

ATTEST:

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

Approved as to Form:

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

[Effective Date: 1/17/18]

[Zoning Code and Official Zoning Map Amendment-2017 Comprehensive Plan]

# Exhibit A

Proposed Amendments to SMC Title 15, SeaTac Zoning Code, including the Official Zoning Map, per 2017 Comprehensive Plan Amendment Process

*Note: This Exhibit includes the Planning Commission's recommendations for the following amendments.*

LIST OF PROPOSALS
<b>M-1:</b> Segale Properties Map Amendment & Rezone
<b>M-3:</b> Address Zoning & Comprehensive Plan Map Consistency
<b>M-4:</b> Eliminate "Business Park" Zone & Land Use Designation
<b>M-5:</b> Correct/Update Land Use Designations of City-Owned & Adjacent Properties
<b>M-6:</b> Update Comprehensive Plan's Informational Maps
<b>T-8:</b> Remove Business Park References from Comprehensive Plan & Zoning Code

# Map Amendment M-1

## Proposal: Segale Properties Rezone

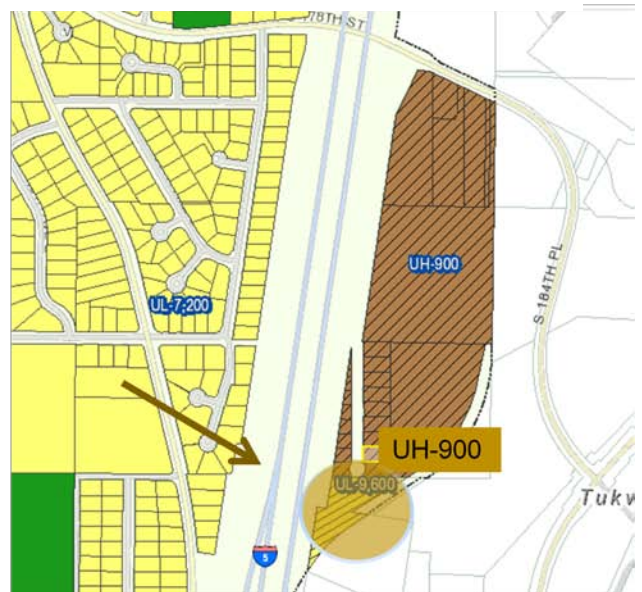
Description	Current Zoning	Proposed Zoning
Vacant*	UL-9,600	UH-900

*\*Includes area of vacated ROW (Ordinance #17-1012)*

Existing Zoning



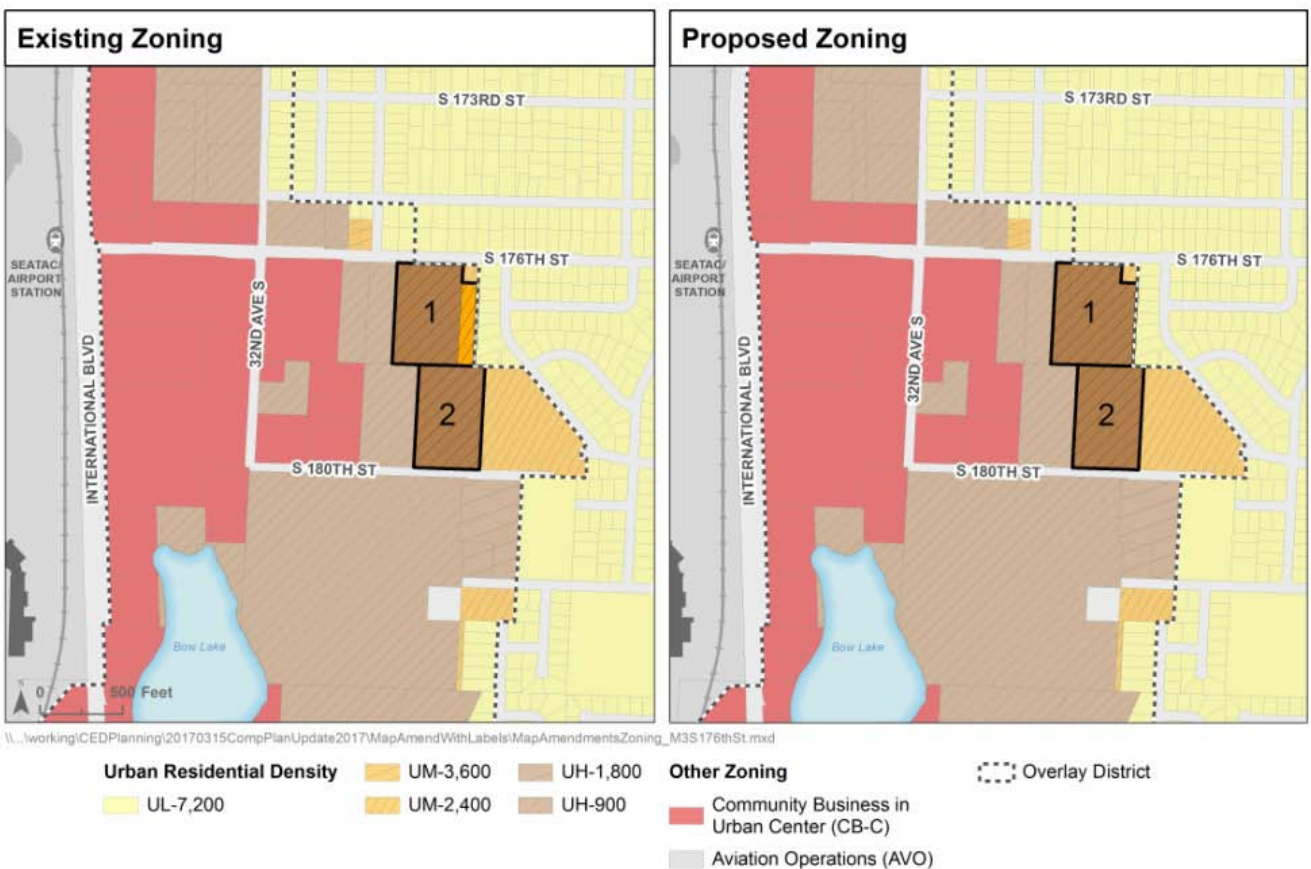
Proposed Zoning



## Map Amendment M-3

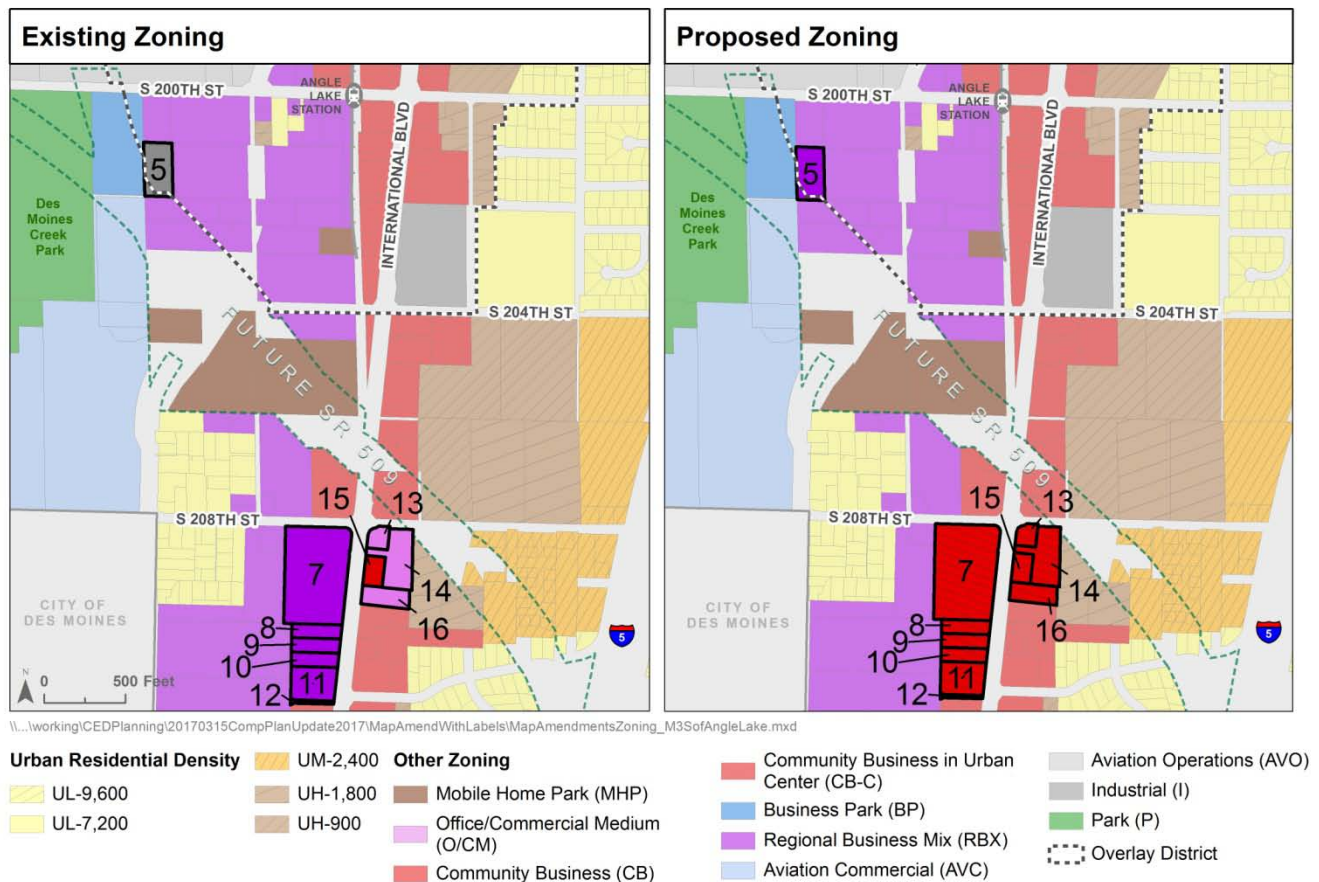
### Proposal: Address Zoning & Comprehensive Plan Map Consistency

ID#	Description	Current Zoning	Proposed Zoning
1	Condominiums	Split designation: <ul style="list-style-type: none"> <li>- UH-900</li> <li>- UM-2,400</li> </ul>	UH-900 <ul style="list-style-type: none"> <li>- Entire parcel</li> </ul>



# Map Amendment M-3 (continued)

ID#	Description	Current Zoning	Proposed Zoning
5	Warehouse	I	RBX
7	Office Building	ABC	CB-C
8	Vacant	ABC	CB-C
9	Vacant	ABC	CB-C
10	Vacant	ABC	CB-C
11	Retail & Service Garage	ABC	CB-C
12	Private ROW/Utility Rd	ABC	CB-C
13	Service Building	O/CM	CB-C
14	Industrial Park	O/CM	CB-C
16	Service Building	O/CM	CB-C



# Map Amendment M-3 (continued)

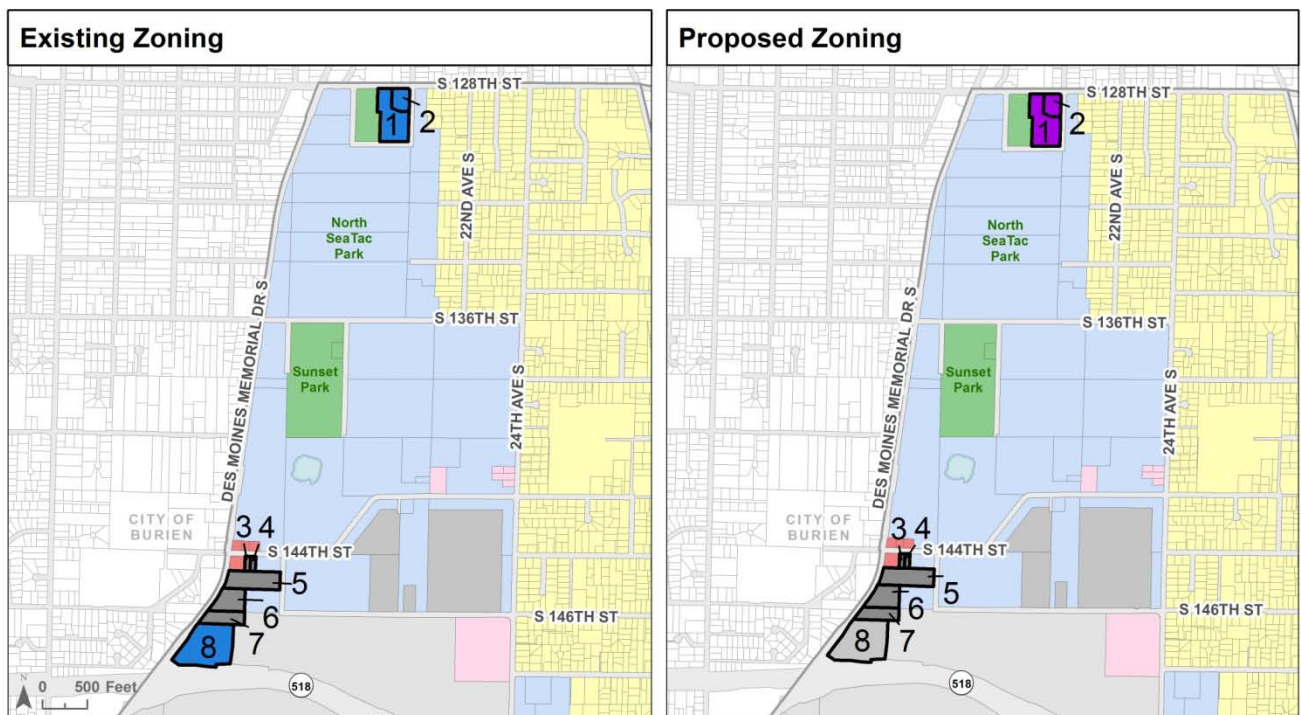
ID#	Description	Current Zoning	Proposed Zoning
17	Vacant	AVC	I



# Map Amendment M-4

## Proposal: Eliminating Business Park Designation & Zone

ID#	Description	Current Zoning	Proposed Zoning
1	Vacant	BP	RBX
2	Utility	BP	RBX
8	Vacant	BP	AVO

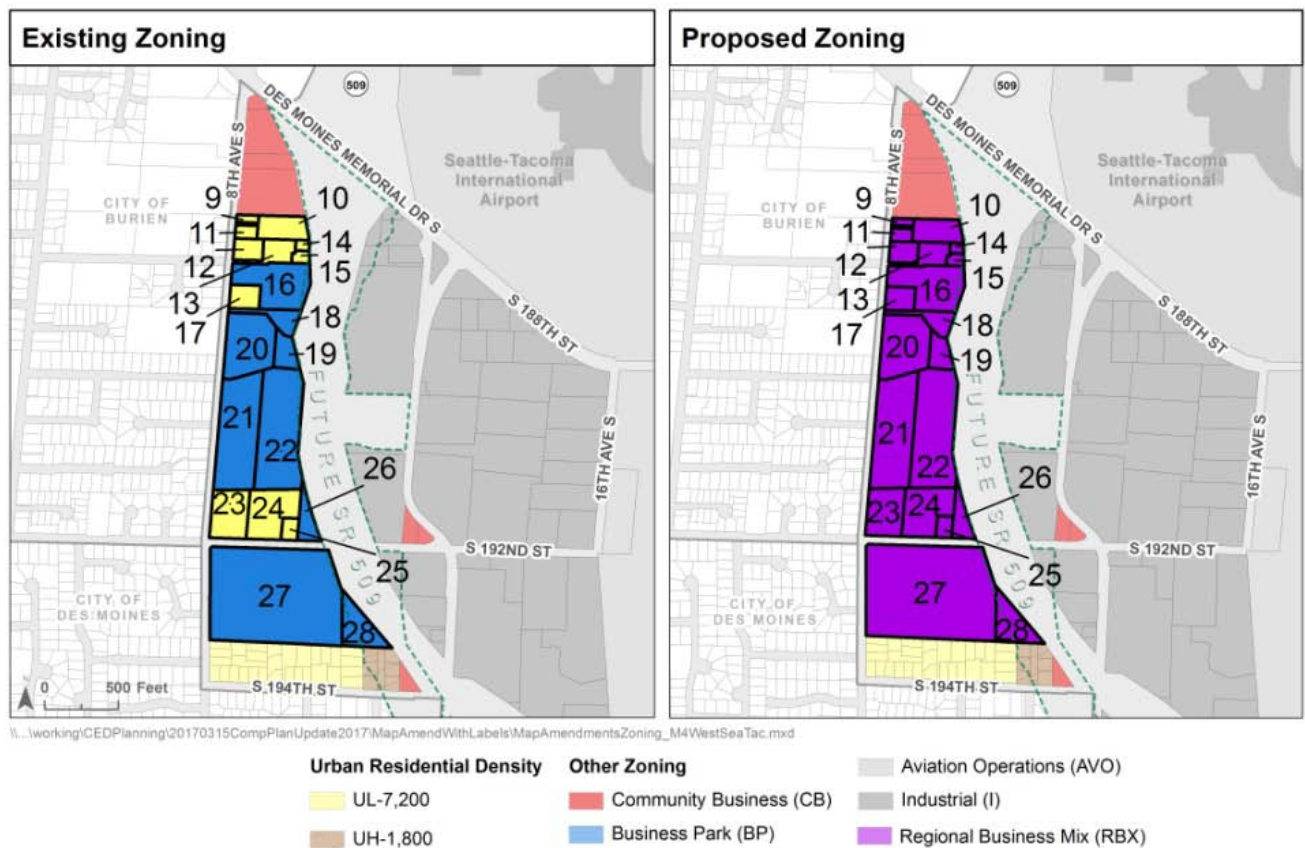


\\...working\CED\Planning\20170315CompPlanUpdate2017\MapAmendWithLabels\MapAmendmentsZoning\_M4NorthSeaTac.mxd

- |                                  |                            |                           |
|----------------------------------|----------------------------|---------------------------|
| <b>Urban Residential Density</b> | Neighborhood Business (NB) | Aviation Operations (AVO) |
| UL-7,200                         | Community Business (CB)    | Industrial (I)            |
| <b>Other Zoning</b>              | Business Park (BP)         | Park (P)                  |
| Regional Business Mix (RBX)      | Aviation Commercial (AVC)  |                           |

# Map Amendment M-4 (continued)

ID#	Description	Current Zoning	Proposed Zoning
9	Single Family Residence	UL-7,200	RBX
10	Vacant	UL-7,200	RBX
11	Single Family Residence	UL-7,200	RBX
12	Single Family Residence	UL-7,200	RBX
13	Single Family Residence	UL-7,200	RBX
14	Single Family Residence	UL-7,200	RBX
15	Single Family Residence	UL-7,200	RBX
16	Vacant	BP	RBX
17	Single Family Residence	UL-7,200	RBX
18	Vacant	BP	RBX
19	Vacant	BP	RBX



# Map Amendment M-4 (continued)

ID#	Description	Current Zoning	Proposed Zoning
29	Warehouse	BP	RBX



## **Map Amendment M-5**

Proposal: Correcting/Updating Land Use Designations of City –Owned & Adjacent Properties

<b>ID#</b>	<b>Description</b>	<b><u>Existing</u> Zoning</b>	<b><u>Proposed</u> Zoning</b>
1	McMicken Heights Park	UL-7,200	Park

Existing Zoning: UL-7,200

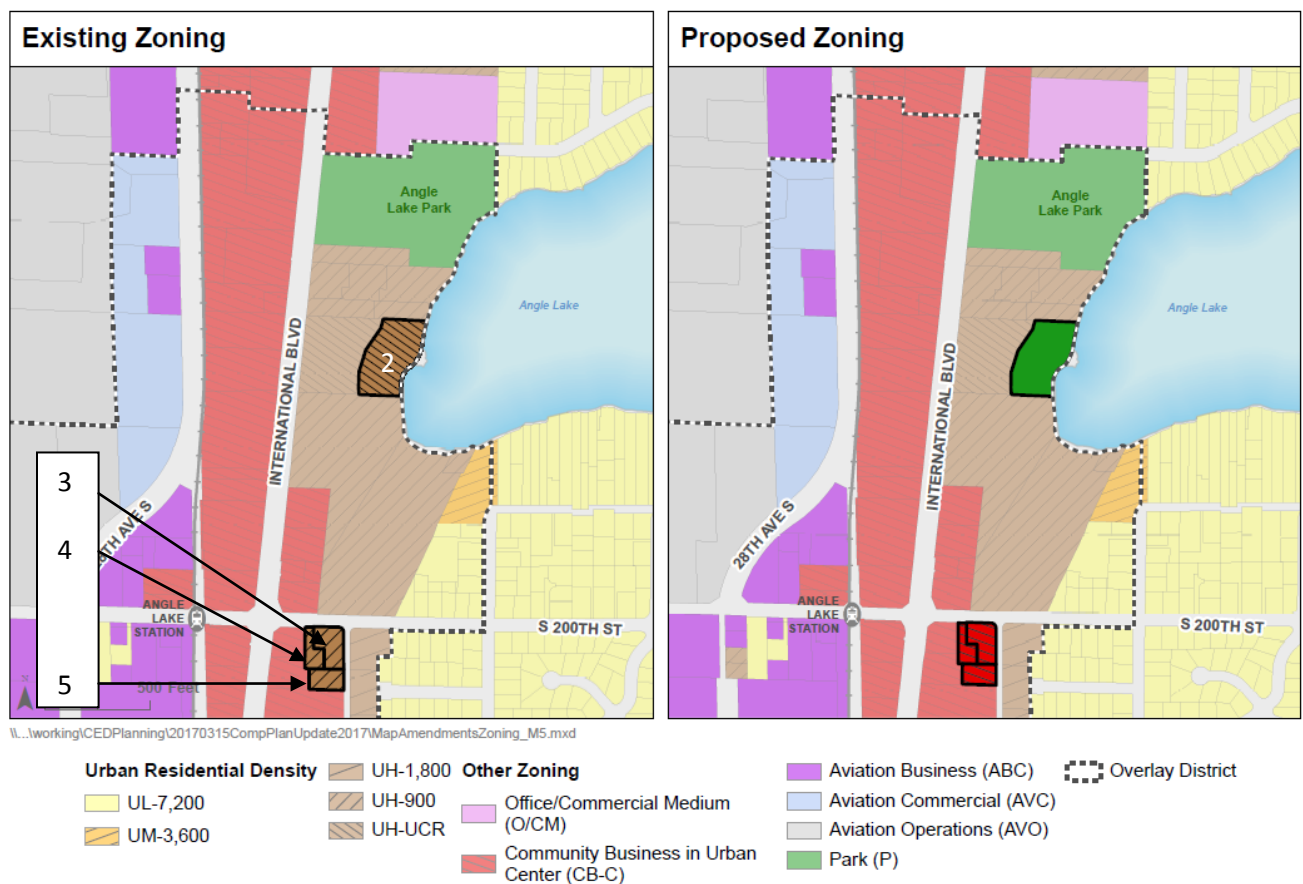


Proposed Zoning: Park



# Map Amendment M-5 (continued)

ID#	Description	Current Zoning	Proposed Zoning
2	Park	UH-UCR	Park
3	Vacant (Former Station 45)	UH-900	CB-C
4	Apartment	UH-900	CB-C
5	Apartment	UH-900	CB-C



**Text Amendment T-8:**

Eliminate Business Park from  
Comprehensive Plan & Zoning Code

**SMC TITLE 15 LIST OF PROPOSED SECTIONS TO BE AMENDED:**

*Note: Amendments include deletions of BP zone and proposed name change of ABC to RBX zone.*

**Division I. General Provisions**

**Chapter 15.105 DEFINITIONS**

15.105.210 “U” Definitions

**Division II. Zone Classifications and Land Use Charts**

**Chapter 15.200 ESTABLISHMENT OF ZONES**

15.200.010 Zones and Map Designations – Established

15.200.030 Zones and Map Designations – Purpose Statements

15.205.040 Use Chart

**Division III. Overlay Districts and Zones**

**Chapter 15.310 ANGLE LAKE STATION AREA OVERLAY DISTRICT**

15.310.055 Angle Lake Station Area Overlay District Use Chart

15.310.210 Building Placement/Setbacks

**Chapter 15.315 OVERLAY ZONES (OZ)**

15.315.200 Pedestrian-Oriented Commercial Development Overlay Zone

**Division IV. Citywide Development Standards, Regulations and Incentives**

**Chapter 15.400 DIMENSIONAL STANDARDS AND REGULATIONS**

15.400.200 Commercial, Industrial, Park Standards Chart

**Chapter 15.410 CARGO CONTAINERS**

15.410.010 Authority and Application

**Chapter 15.425 DEVELOPMENT INCENTIVES**

15.425.010 Authority and Application

15.425.500 Tree Retention, Landscaping, and Other Development Standards

**Chapter 15.445 LANDSCAPING AND TREE RETENTION**

15.445.140 Irrigation Requirements

15.445.150 Maintenance Requirements

15.445.160 Bonds/Security Requirements

**Division V. Design Standards**

**Chapter 15.515 SPECIAL DESIGN STANDARDS FOR THE RBX, CB-C, UH-UCR AND O/CM ZONES**

15.515.010 Authority and Application

15.515.100 Standards Common to the RBX, CB-C, UH-UCR and O/CM Zones

15.515.300 Standards Specific to the RBX Zone

**Division VI. Sign Code**

**Chapter 15.600 SIGN CODE**

15.600.030 Commercial/Office/Industrial Zone Classification Signs

15.600.130 Electronic Signs

## Division I. General Provisions

### Chapter 15.105 DEFINITIONS

#### 15.105.210 "U" Definitions

##### Urban Center

An area of the City of SeaTac that is delineated on the City of SeaTac Official Zoning Map where urban densities and design standards are required, specifically within the UH-UCR, CB-C, O/CM, and ~~ABC~~ RBX zones.

## Division II. Zone Classifications and Land Use Charts

### Chapter 15.200 ESTABLISHMENT OF ZONES

#### 15.200.010 Zones and Map Designations – Established

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

ZONE	MAP SYMBOL
Urban Low Density (followed by a designation indicating minimum lot area in square feet)	UL-15,000 UL-9,600 UL-7,200
Urban Medium Density (followed by a designation indicating minimum lot area in square feet)	UM-3,600 UM-2,400
Urban High Density (followed by a designation indicating minimum lot area in square feet)	UH-1,800 UH-900
Urban High – Urban Center Residential	UH-UCR
Townhouse	T
Mobile Home Park	MHP
Neighborhood Business	NB
Office/Commercial/Mixed-Use	O/C/MU
Office/Commercial Medium	O/CM
<del>Aviation Business Center</del>	<del>ABC</del>
Community Business	CB
Community Business in the Urban Center	CB-C
<del>Aviation Business Center</del> <u>Regional Business Mix</u>	<del>ABC</del> <u>RBX</u>
<del>Business Park</del>	<del>BP</del>
Industrial	I
Park	P
Aviation Commercial	AVC
Aviation Operations	AVO

(Ord. 16-1007 § 1; Ord. 15-1018 § 1)

#### 15.200.030 Zones and Map Designations – Purpose Statements

J. Regional Business Mix (RBX) ~~Aviation Business Center Zone (ABC)~~. The purpose of this zone is to provide a higher intensity commercial zone providing areas for the compatible development of heavy commercial uses such as warehouse/distribution, light assembly and service commercial in tandem with people-intensive commercial uses, such as office and related retail uses. It is a transitional zone between industrial areas and less intensive commercial, mixed use or residential zones. The Regional Business Mix zone implements the Comprehensive Plan's Regional Business Mix land use designation. ~~The purpose of this zone is to promote a major commercial~~

~~center supporting high concentrations of customers, visitors, employees, and pedestrian activity; to create a quality development in which people can work, shop and access child care; and to create a market geared toward a business orientation to the airport which is compatible with airport operations. These purposes are accomplished by encouraging flexible development programs to improve the design, character, and quality of new development; facilitating the provisions of streets and utilities; preserving natural and scenic features; establishing minimum lot sizes to encourage projects of sufficient scale to increase the viability of high capacity transit and encourage ride-share alternatives; and promoting a balanced multimodal transportation network consisting of motor vehicle transportation, public transportation, pedestrian circulation, and integrated parking.~~

~~K. **Business Park Zone (BP).** The purpose of this zone is to provide a wide range of nonpolluting business activities. The business park designation allows for light and high technological industries, such as biotechnology, nonpolluting light manufacturing, computer technology and communications equipment establishments. Land uses with any significantly adverse impacts (such as excessive noise levels, or emitting significant quantities of dirt, dust, odor, radiation, glare or other pollutants) shall be strictly prohibited. Design and development standards for business park areas will be administered to foster high quality developments.~~

~~L.~~ **Industrial Zone (I).** The purpose of the industrial zone is to provide for the location and grouping of industrial enterprises, regional airport, airport related facilities, and activities involving manufacturing, assembly, fabrication, processing, bulk handling, storage, research, warehousing and heavy trucking. These purposes are accomplished by permitting a wide range of industrial uses, establishing appropriate development standards and public review for developments that have potential adverse impacts, and ensuring the location of clean industries.

~~M.~~ **Park Zone (P).** The purpose of this zone is to establish park and open space areas for residential and commercial uses, and to designate areas on hillsides, steep slopes, wetlands, and critical sensitive areas in order to protect them. This purpose is accomplished by providing for outdoor passive and active recreation uses, conservation and protection of municipal watersheds, wildlife corridors and habitats.

~~MN.~~ **Aviation Commercial (AVC).** The purpose of this designation is to create a zone for development that provides support to operations of the airport, the traveling public, and air cargo, and for other development that provides economic benefit to the airport and community while maintaining compatibility with airport operations and activities.

~~NO.~~ **Aviation Operations (AVO).** The purpose of this designation is to create a zone for development of the range of facilities that provide for safe and efficient commercial operations and support, together with security, access, the needs and convenience of the traveling public, and handling of air cargo. (Ord. 15-1018 § 1)

**15.205.040 Use Chart**

ZONES:

UL – Urban Low

UM – Urban Medium

UH – Urban High

UH-UCR – Urban High-Urban Center Residential

T – Townhouse

MHP – Mobile Home Park

NB – Neighborhood Business

O/C/MU – Office/Commercial/Mixed Use

O/CM – Office/Commercial Medium

CB – Community Business

CB-C – Community Business in the Urban Center

~~ABC – Aviation Business Center~~ RBX – Regional Business Mix~~BP – Business Park~~

I – Industrial

P – Park

P – Permitted Use; C – Conditional Use Permit required

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	<del>ABC</del> RBX	<del>BP</del>	I	P	ADDITIONAL STANDARDS
<b>ANIMALS</b>																
Butterfly/Moth Breeding							P			P	P	P	-	P		
Kennel/Cattery							P			P	P		-	P		
Stables	P(1)												-		P	(1) Permitted only in an adopted Equestrian Overlay Zone. See SMC 15.315.300, Equestrian Overlay Zone.
Veterinary Clinic							P	C	P(1)	P	P	P(2)	-	P		(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
<b>BUSINESS SERVICES</b>																
Airport Support Facility												P	-			
Cargo Containers	P(1,2)	P(1,2)	P(1,2)	P(1,2)	P(1,2)	P(1,2)	P(1,2)	P(1,2)	P(1,2)	P	P(3)	P	<del>P(1)</del>	P	P(1,2)	See Chapter 15.410 SMC, Cargo Containers. (1) Permitted as accessory to primary use.

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
																(2) Not permitted as accessory to dwelling units. (3) Not to be used for distribution/warehouse as the primary use of property.
Commercial/Industrial Accessory Uses							P		C	P	P	P	-	P		
Conference/Convention Center							P		P	P	P	P	<del>C(+)</del>	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Construction/Trade									C	C	C	P(1)	-	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Distribution Center/Warehouse							C		C	C		P	<del>P</del>	P		
Equipment Rental, Large												C	-	P		
Equipment Rental, Small							C		P(1)	P	P		-	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Equipment Repair, Large													-	P		
Equipment Repair, Small							P		P(1)	P	P	P(2)	-	P		(1) Permitted only as part of a mixed used development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted only as accessory to primary use not to exceed 20% of total square footage of building(s).
Helipad/Airport and Facilities													-	P		
Landscaping Business										P	P	P	<del>P</del>	P		
Professional Office			P	P			P	P	P	P	P	P	<del>P(+)</del>	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Storage, Self-Service										P	P	C	<del>P</del>	P		

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
Truck Terminal									C	C		P(1)	-	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
CIVIC AND INSTITUTIONAL																
Cemetery		C	C	C			C			P	P	P	-		C	
City Hall	P	C	C	C				P	P	P	P	P	€			
Court								P	P	P	P	P	€(+)	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Fire Facility	C	P	P	P			P	P	P	P	P	P	P	P	P	
Funeral Home/Crematory							P		P(1)	P	P	P(2)	-	P	C	(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Police Facility	C	P	P	P			P	P	P	P	P	P	P	P	P	
Public Agency Office			P	P			P	P	P	P	P	P	€(+)	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Public Agency Yard								C	C	P	P	C	€	P		
Public Archives							C	P	P	P	P	P	€	P	C(1)	(1) Limited to existing structures.
Social Service Office			C	C			P	P	P	P	P	P	€(+)	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
EDUCATIONAL																
College/University	C	C	C	C				P(1)	P	P	P	P	€			(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
Elementary/Middle School	C	C	C	C								C	-			
High School	C	C	C	C			P			C	C	C	-			
Specialized Instruction School	P(1,2)/C(3)	P(1,2)/C(3)	P(1,2)/C(3)	P(1,2)/C(3)			P	P(4)	P(4)	P	P	P	€	P		(1) Limited to 3 students per day. (2) Permitted as a subsidiary use, subject to criteria in Chapter 15.470 SMC, Subsidiary Uses. (3) Permitted as a minor conditional use, subject to criteria in SMC 15.115.020(E), Conditional Use Permit (CUP). (4) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
Vocational/Technical School							C	P(1)	P(1)	P	P	C	€	C		(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
HEALTH AND HUMAN SERVICES																
Crisis Diversion Facility (CDF)												C		C		Subject to a Conditional Use Permit (CUP) and Essential Public Facility (EPF) siting process.
Crisis Diversion Interim Facility (CDIF)												C	-	C		Subject to a Conditional Use Permit (CUP) and Essential Public Facility (EPF) siting process.
Day Care I	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1,2)	P(1,2)			P(1,3)	P(1)			See Chapter 15.420 SMC, Day Care Facilities. (1) If family day care providing in-home care, regulations in SMC 15.420.200, Family Day Care Facilities apply. (2) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (3) Permitted as accessory to primary use not to exceed 20%

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
																of total square footage of building(s).
Day Care II	C(1)	P	P	P		C	P	P(2)	P(2)	P	P	P	-			See Chapter 15.420 SMC, Day Care Facilities. (1) Permitted as a minor conditional use, subject to criteria in SMC 15.115.020(E), Conditional Use Permit (CUP). (2) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
Halfway House									C	C	C	C	-			As part of the CUP process a determination will be made as to whether an essential public facility (EPF) siting process is needed. See SMC 15.115.040, Essential Public Facilities. These requirements shall not be construed to limit the appropriate use of schools and other facilities for emergency shelters in disaster situations.
Hospital							P		C	P	P	P	P			
Medical Dental Lab			C	C			P	P	P	P	P	P	P	P		
Medical Office/Outpatient Clinic			P	P			P	P	P	P	P	P	P	P		
Miscellaneous Health							P	C	C	P	P	P	P			
Opiate Substitution Treatment Facility										C	C	C	C	C		Subject to a Conditional Use Permit (CUP) and Essential Public Facility (EPF) siting process.
Overnight Shelter	P(1)	P(1)	P(1)	P(1)			P(1)		P(1)/C(2)	P(1)/C(2)	P(1)/C(2)	P(1)/C(2)	-			(1) Allowed only as part of permitted Religious Use Facility Accessory not to exceed 20% of total building square footage, providing operating plan is approved ensuring there are no significant traffic or noise impacts to neighbors, and that

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
																health and safety standards are met. (2) As part of the CUP process a determination will be made as to whether an essential public facility (EPF) siting process is needed. See SMC 15.115.040, Essential Public Facilities. These requirements shall not be construed to limit the appropriate use of schools and other facilities for emergency shelters in disaster situations.
Secure Community Transition Facility									C	C	C	C	€	C		Subject to a Conditional Use Permit (CUP) and Essential Public Facility (EPF) siting process.
Transitional Housing			C	C					C	P	P	P	-			Must have adequate on-site and program management, and satisfactory written policies and procedures, including those describing tenant selection, assistance, denial or termination, and housing safety standards. Screening must not allow as residents persons who have been classified as Class III sexual offenders.
MANUFACTURING																
Aerospace Equipment													P	C		
Apparel/Textile Products										C	C		-	P		
Batch Plants													-	C		Cement batch plants are prohibited.
Biomedical Product Facility												P	P	P		
Chemical/Petroleum Products													-	P		
Commercial/Industrial Machinery													-	P		
Computer/Office Equipment												C	P	P		

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
Electronic Assembly												C	P	P		
Fabricated Metal Products													-	P		
Food Processing							P		C	P	P		C	P		
Furniture/Fixtures													P	P		
Laboratories, Research, Development and Testing							C		C	C	C	P	P	P		
Manufacturing, Light Misc.													P	P		
Winery/Brewery/Distillery								C(1)	P(1)	P	P	P(1)	C	P		(1) Micro winery/brewery/distillery shall have a retail section.
Off-Site Hazardous Waste Treatment and Storage Facilities													-	C		Must comply with RCW 70.105.210.
Paper Products													-	P		
Primary Metal Industry													-	P		
Printing/Publishing										P	P	C	C	P		
Recycling Processing													-	C		
Rubber/Plastic/Leather/Mineral Products													-	P		
Textile Mill										C			-	P		
Wood Products	C(1)												C	P		(1) Minimum lot size of 5 acres.
MOTOR VEHICLES																
Auto/Boat Dealer									C(1)	P	P		-	P		(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
Auto Service Center							P			P	P	P(1)	-	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Auto Supply Store							P	C(1)	C(1)	P	P		-	P		(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
Auto Wrecking													-	C		
Commercial Marine Supply							C			P	P		P	P		
Electric Vehicle Infrastructure	P(1)	P(1)	P(2)	P(2)	P(1)	P(1)	P	P(3)	P	P	P	P	P(2)	P	P(1)	(1) Restricted electric vehicle charging stations only (2) Battery charging stations only, limited in use only to the tenants or customers of the development located on site. (3) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Fueling/Service Station							P			P	P		-	P		See SMC 15.415.100, Fueling/Service Stations
Mobile Refueling Operations	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P(1)	P	P	P	P	P	P(1)	See Chapter 15.450 SMC, Mobile Refueling Operations. (1) Permitted only to refuel heavy equipment at a construction site.
Public/Private Parking							C		C(1)	P	P	P	-	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Tire Retreading													-	P		
Towing Operation													-	C		
Vehicle Rental/Sale									C(1)	P	P	P(1)	-	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Vehicle Repair, Large													-	P		
Vehicle Repair, Small							C			P	P		-	P		
RECREATIONAL AND CULTURE																
Amusement Park									C	C	C		C		C(1)	(1) Site must be adjacent to an improved arterial.
Community Center		C	C	C			P	P	P	P	P	P(1)	-		P	(1) Permitted as accessory to primary use not to exceed 20% of total square footage of

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
																building(s).
Drive-In Theater										P			-			
Golf Course	C									C			P		P	
Health Club			C(1)	C(1)			P	P	P	P	P	P	P	P(1)		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Library	P	P	C	C	C		P	P	P	P	P	P	E			
Museum		C	C	C			P		P	P	P	P	E			
Nonprofit Organization	P(1)/C(2)	P(1)/C(2)	P	P			P	P	P	P	P	P	-		P(1)/C(2)	(1) Permitted as subsidiary use, subject to criteria in Chapter 15.470 SMC, Subsidiary Uses. (2) Permitted as a minor conditional use, subject to criteria in SMC 15.115.020(E), Conditional Use Permit (CUP).
Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreational Center	P(1)	P(1)	P(1)	P(1)			C	P	P	P	P	P(2)	P(2)	P	P	(1) The hours to conduct outdoor activities may be limited dependent on their location relative to adjacent residential properties. Such activities may be limited due to potential noise impacts, activities between the hours of 10:00 p.m. to 8:00 a.m. or lighting that cannot be screened that would cast glare on adjacent residents. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s). (3) Site must be adjacent to an improved arterial.
Religious Use Facility	P(1)/C(2)	P(1)/C(2)	P	P	C		P	P	P	P	P	P	P(2)		P(1)/C(2)	(1) Permitted as a subsidiary use, subject to criteria in Chapter 15.470 SMC, Subsidiary Uses.

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
																(2) Permitted as a minor conditional use, subject to criteria in SMC 15.115.020(E), Conditional Use Permit (CUP). (3) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Religious Use Facility Accessory	C(1,2)	C(1,2)	C(2)	C(2)	C(1)		P(2)	P	P(2)	P(2)	P(2)	P(2)	-		P(3)/C(4)	(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s). (2) May include an overnight shelter, not to exceed 20% of total building square footage, providing an operating plan is approved ensuring there are no significant traffic or noise impacts to neighbors, and that health and safety standards are met. (3) Permitted as a subsidiary use, subject to criteria in Chapter 15.470 SMC, Subsidiary Uses. (4) Permitted as a minor conditional use, subject to criteria in SMC 15.115.020(E), Conditional Use Permit (CUP).
Sports Club	P(1)/C(2)						C			P	P	P		P		(1) Permitted as a subsidiary use, subject to criteria in Chapter 15.470 SMC, Subsidiary Uses. (2) Permitted as a minor conditional use, subject to criteria in SMC 15.115.020(E), Conditional Use Permit (CUP).
Stadium/Arena									C	C	C		P	C	C	
RESIDENTIAL																
College Dormitory							C	P(1)	P	P	P	P	P			(1) Permitted as part of a mixed use development, as described in SMC 15.520.100Definition of

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
																Mixed Use.
Duplex		P(1)	P(1)	P(1)	P(1)								-			See Chapter 15.505 SMC, Townhouse and Duplex Development Design Standards. (1) Duplexes are only permitted as part of a townhouse development.
Dwelling Unit, Caretaker/Manager										P	P	P	-			
Dwelling Unit, Detached	P(1)	P(1) (2)	P(2)	P									-			(1) Efficiency unit permitted within primary dwelling, not to exceed 25% of gross square feet of dwelling. (2) Small lot single-family allowed subject to design standards in Chapter 15.500SMC, Small Lot Single-Family Design Standards.
Manufactured/Modular Home	P	P				P										See SMC 15.465.600, Mobile/Manufactured/Modular Homes and Mobile Home Parks.
Mobile Home						P										See SMC 15.465.600, Mobile/Manufactured/Modular Homes and Mobile Home Parks.
Mobile Home Park	C(1)	C(1)	C(1)	C(1)		P										See SMC 15.465.600, Mobile/Manufactured/Modular Homes and Mobile Home Parks. (1) A park outside established or proposed mobile home park zone is permitted after approval through the CUP process.
Multi-Family		P	P	P			C	P	P(1)	P(1)(2)	P(1)	C(1)				(1) For projects fronting International Blvd or S 188th St, at least 50% of the building's ground floor shall be a retail, service, or commercial use as

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
																described in SMC 15.520.300, Mixed Use in Residential Projects. (2) Front yard setbacks for projects fronting International Blvd and S 188th St shall be as follows: 0' minimum/10' maximum. These front yard setbacks supersede those in SMC 15.400.200, Commercial, Industrial, Park Standards Chart.
Townhouse		P	P	P	P			P								See Chapter 15.505 SMC, Townhouse and Duplex Development Design Standards.
RESIDENTIAL, RETIREMENT AND ASSISTED LIVING																
Assisted Living Facility			P	P			C	P	P	P	P					
Community Residential Facility I	P	P	P	P			P	P		P	P	P				See SMC 15.465.400, Community Residential Facilities Standards.
Community Residential Facility II			P	P			C	P(1)	P	P	P	P				See SMC 15.465.400, Community Residential Facilities Standards. (1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
Continuing Care Retirement Community			P	P			C	P	P	P	P					
Convalescent Center/Nursing Home			P	P			P		P	P	P	P				
Retirement Apartments		P	P	P			C	P	P	P	P					
RESIDENTIAL, ACCESSORY																
Accessory Dwelling Unit	P	P											-			See SMC 15.465.100, Accessory Dwelling Units (ADUs).
Home Occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P		See SMC 15.465.500, Home Occupations.

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
Shed/Garage	P	P	P	P	P								-			See Chapter 15.405 SMC, Accessory and Tent Structures.
Tent Structure	P												-			See Chapter 15.405 SMC, Accessory and Tent Structures.
Tent Structure, Canopy	P												-			See Chapter 15.405 SMC, Accessory and Tent Structures.
RETAIL AND COMMERCIAL																
Agricultural Crop Sales (Farm Only)	P(1)						P			P	P	P	-	P		(1) No permanent retail sales structures permitted. Retail sales allowed on a seasonal basis for no more than 90 days in a calendar year. Wholesale sales permitted year round only for products produced/grown on site.
Antique/Secondhand Store							P	P(1)	P(1)	P	P		-			(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
Apparel/Accessory Store								P(1)	P	P	P	P(2)	-			(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Arcade (Games/Food)			P(1)	P(1)			P	P(1)	P(1)	P(1)	P(1)	P(1)	<del>P(1)</del>		P	(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Beauty Salon/Personal Grooming Service			C(1)	C(1)			P	P(2)	C(2)	P	P	P	-			(1) Small resident-oriented use only, not to exceed 2,000 square footage of building(s). (2) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
Coffee Shop/Retail Food Shop			P(1)	P(1)			P	P(2)	P	P	P	P	<del>P(2)</del>			(1) Small resident-oriented use only, not to exceed 2,000

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
																square footage of building(s). (2) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (3) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Department/Variety Store							P	P(1)	P(1)	P	P	P(2)	-			(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Drug Store							P	P(1)	P(1)	P	P	P	P(2)			(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Dry Cleaner			P(1,2)	P(1,2)			P	P(1)	P(1)	P	P	P(2)	P(1)			(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Espresso Stand			P(1)	P(1)			P	P(2)	P	P	P	P	P	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s). (2) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
Fabric Store								P(1)	P(1)	P	P	P(2)	-			(1) Permitted as part of a mixed

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
																use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Financial Institution							P	P	P	P	P	P	<del>C(1)</del>	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Florist Shop			P(1)	P(1)			P	P(2)	P(2)	P	P	P(3)	-			(1) Small resident-oriented use only, not to exceed 2,000 square footage of building(s), as part of a residential mixed use project. (2) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (3) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Food Store			P(1)	P(1)			P	P(2)	P(2)	P	P	P(3)				(1) Small resident-oriented use only, not to exceed 2,000 square footage of building(s). (2) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (3) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Forest Products							P(1)		P(2)	(P1)	P(1)			C(3)		(1) Temporary forest product sales related to holidays. Merchandise limited to Christmas trees, wreaths, herbs and associated decorations. (2) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
																of Mixed Use. (3) Forest product related businesses shall provide the following: minimum of 10 acres; access to major arterial; and minimum 30 foot buffers around the perimeter of property (Type II landscaping).
Furniture Store								P(1)	P	P	P					(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
Hardware/Garden Material							P	P(1)	P(1)	P	P					(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
Hobby/Toy Store							P	P(1)	P(1)	P	P	P(2)				(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Jewelry Store							P	P(1)	P(1)	P	P	P(2)				(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Laundromat		P(1)	P	P			P			P	P		P(2)	P		(1) Small resident-oriented use only, not to exceed 2,000 square footage of building(s), as part of a residential mixed use project. (2) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
Liquor Store								C	P	P	P					

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
Media Material			P(1)	P(1)			P	P(2)	P	P	P	P(3)				(1) Small resident-oriented use only, not to exceed 2,000 square footage of building(s), as part of a residential mixed use project. (2) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (3) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Other Retail Uses							C	C	P	P	P	C				
Pet Store								P(1)	P(1)	P	P	P(2)				(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Photographic and Electronic Store							P	P(1)	P(1)	P	P	P(2)				(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Produce Stand							P		C	P	P	P	C	P		No more than 25% of the gross floor area of the produce stand shall be used for the sale of incidental or accessory uses.
Restaurant			C(1,2)	C(1,2)			P(2)	P(2,3)	P(3)	P	P	P	P(1)	P		(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s). (2) No drive-through facilities allowed. (3) Permitted as part of a mixed use development, as described

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
																in SMC 15.520.100, Definition of Mixed Use.
Restaurant, Fast Food									P(1)	P	P	P	P(2)	P		(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Sexually Oriented Business										C	C	C	-	C		See SMC 15.415.200, Sexually Oriented Business.
Sporting Goods and Related Stores								P(1)	P(1)	P	P	P(2)	-			(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use. (2) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Tavern							P(1)	C	P	P	P		-			(1) Small resident-oriented use only, not to exceed 2,000 square footage of building(s).
Theater							P		P	P	P	P(1)	€	P	P(1)	(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Wholesale/Bulk Store								P(1)	C(1)	C	C	C	-	P		(1) Permitted as part of a mixed use development, as described in SMC 15.520.100, Definition of Mixed Use.
RETAIL AND COMMERCIAL, LODGING																
Bed and Breakfast	P	P	P	P			P	P	C				-			See SMC 15.465.300, Bed and Breakfast Standards.
Hostel		C	C	C			P	C	P	P	P	P	€			
Hotel/Motel and Associated Uses			C	C			P	C	P	P	P	P	€			
UTILITIES																

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABCRBX	BP	I	P	ADDITIONAL STANDARDS
Communications Facility	C/P	C/P	C/P	C/P	C/P		C/P	C/P	C/P	C/P	C/P	C/P	<del>C/P</del>	C/P		See Chapter 15.480 SMC, Wireless Communications Facilities, for specific use and development standards.
Utility Substation	C	C	C	C			C	C	C	P	P	P	<del>C</del>	P		
Utility Use	C	C	C	C			C	C	C	C	C	P	<del>C</del>	P		
Wireless Communications Facilities	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	C/P	<del>C/P</del>	C/P	C/P	See Chapter 15.480 SMC, Wireless Communications Facilities, for specific use and development standards.

(Ord. 17-1013 § 1 (Exh. A); Ord. 15-1018 § 1)

## Division III. Overlay Districts and Zones

### Chapter 15.310 ANGLE LAKE STATION AREA OVERLAY DISTRICT

#### 15.310.055 Angle Lake Station Area Overlay District Use Chart

ZONES:

UM – Urban Medium

~~ABC – Aviation Business Center~~ RBX – Regional Business Mix

UH – Urban High

CB-C – Community Business in the Urban Center

UH-UCR – Urban High-Urban Center Residential

I – Industrial

P – Permitted Use; C – Conditional Use Permit required

LAND USE	UM	UH	UH-UCR	<del>ABC</del> RBX	CB-C	I	Additional Regulations
<b>ANIMALS</b>							
Butterfly/Moth Breeding							
Kennel/Cattery					P(1)(2)	P(1)	(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s). (2) Not permitted within the District Center
Stables							
Veterinary Clinic			P(1)	P	P	P	(1) Permitted as a part of a mixed use development, as described in SMC 15.310.720, Definition of Mixed Use.
<b>BUSINESS SERVICES</b>							
Airport Support Facility							
Cargo Containers							
Commercial/Industrial Accessory Uses							
Conference/Convention Center				P	P	P	
Construction/Landscaping Yard							
Distribution Center/Warehouse				C(1)			(1) Not permitted within the District Center. See map in SMC 15.310.010.
Equipment Rental, Large							
Equipment Rental, Small				P(1)	P(1)	P	(1) Not permitted within the District Center. See map in SMC 15.310.010.
Equipment Repair, Large							
Equipment Repair, Small				P(1)	P(1)	P	(1) Not permitted within the District Center. See map in SMC 15.310.010.
Helipad/Airport and Facilities							

LAND USE	UM	UH	UH-UCR	ABCRBX	CB-C	I	Additional Regulations
Professional Office		P(1)	P(1)	P	P	P	(1) Permitted as part of a residential mixed use development, as described in SMC 15.310.720, Definition of Mixed Use.
Storage, Self-Service				P(1)(2)			(1) Permitted in a structure with the appearance of an office building. (2) Not permitted within the District Center. See map in SMC 15.310.010.
Truck Terminal							
<b>CIVIC AND INSTITUTIONAL</b>							
Cemetery							
Fire Facility	P	P	P	P(1)	P(1)	P	(1) Not permitted within the District Center. See map in SMC 15.310.010.
Funeral Home/Crematory				P(1)			(1) Not permitted within the District Center. See map in SMC 15.310.010.
Police Facility	P	P	P	P	P	P	
Public Agency Office		P	P	P	P	P	
Public Agency Yard							
<b>EDUCATIONAL</b>							
College/University	C	P	P	P	P	P	
Elementary/Middle School	C	C	C				
High School	C	C	C		C(1)	C	(1) Not permitted within the District Center. See map in SMC 15.310.010.
Specialized Instruction School			P(1)	P	P	P	(1) Permitted as a part of a residential mixed use development, as described in SMC 15.310.720, Definition of Mixed Use.
Vocational/Technical School				P	P	P	
<b>HEALTH AND HUMAN SERVICES</b>							
Crisis Diversion Facility (CDF)							
Crisis Diversion Interim Facility (CDIF)							
Day Care I	P(1)	P(1)	P(1)	P	P	P	See Chapter 15.420 SMC, Day Care Facilities. (1) If family day care providing in-home care, regulations in SMC 15.420.200, Family Day Care Facilities, apply.
Day Care II	P	P	P	P	P	P	See Chapter 15.420 SMC, Day Care Facilities.
Halfway House							
Hospital							
Medical Lab				P(2)	P(2)	P	(1) Permitted as part of a residential mixed use development, as described in SMC 15.310.720,

LAND USE	UM	UH	UH-UCR	ABCRBX	CB-C	I	Additional Regulations
							Definition of Mixed Use. (2) Not permitted within the District Center. See map in SMC 15.310.010.
Medical Office/Outpatient Clinic			P	P	P	P	
Opiate Substitution Treatment Facility					C(1)	C	Subject to the CUP-EPF siting process (SMC 15.115.040, Essential Public Facilities). (1) Not permitted within the District Center. See map in SMC 15.310.010.
Overnight Shelter							
Secure Community Transition Facility					C(1)	C	Subject to the CUP-EPF siting process (SMC 15.115.040, Essential Public Facilities). (1) Not permitted within the District Center. See map in SMC 15.310.010.
Transitional Housing		C	C		P(1)	P	Must have adequate on-site and program management, and satisfactory written policies and procedures, including those describing tenant selection, assistance, denial or termination, and housing safety standards. Screening must not allow as residents persons who have been classified as Class III sexual offenders. (1) Not permitted within the District Center. See map in SMC 15.310.010.
<b>MANUFACTURING</b>							
Assembly and Packaging				P(1)			(1) Not permitted within the District Center. See map in SMC 15.310.010.
Food Processing				P(1)	P(1)(2)	P(2)	(1) Not permitted within the District Center. See map in SMC 15.310.010. (2) Food processing with retail section or restaurant to be oriented to the public street.
Laboratories, Research, Development and Testing				P(1)	P(1)	P	(1) Not permitted within the District Center. See map in SMC 15.310.010.
Micro-winery/Brewery/Distillery				P(1)	P(1)	P(1)	(1) Permitted in conjunction with the following retail uses: restaurant, tavern, retail sales or tasting room. Retail uses to be oriented to the public street and located at the ground floor.
Manufacturing and Fabrication, Light				P(1)			(1) Not permitted within the District Center. See map in SMC 15.310.010.
Manufacturing and Fabrication, Medium							
Recycling Processing							
<b>MOTOR VEHICLES</b>							
Auto Service Center							
Auto Wrecking							
Electric Vehicle Infrastructure	P(1)	P(2)	P(2)	P	P	P	(1) Restricted electric vehicle charging stations only. (2) Battery charging stations only, limited in use only to the tenants or customers of the development located on site.
Fueling/Service Station				P(1)	P(1)	P	(1) Not permitted within the District Center. See map in SMC 15.310.010.
Public/Private Parking				P(1)	P(1)	P	Permitted as structured parking only. No surface lots permitted.

LAND USE	UM	UH	UH-UCR	ABCRBX	CB-C	I	Additional Regulations
							(1) Not permitted within the District Center. See map in SMC 15.310.010.
Tire Retreading							
Towing Operation							
Vehicle Rental/Sales							
Vehicle Rental/Sales, Large						P	
Vehicle Repair, Large						P	
Vehicle Repair, Small				P			
<b>RECREATIONAL AND CULTURAL</b>							
Amusement Park							
Community Center	C	P	P	P	P	P	
Drive-In Theater							
Golf Course							
Health Club		P	P	P	P	P	
Library	P	P	P	P	P	P	
Museum	C	C	P	P	P	P	
Park	P	P	P	P	P	P	
Recreational Center		P	P	P	P	P	
Religious Use Facility	P(1)/C(2)	P	P	P/C(3)	P/C(3)	P	(1) Permitted as a subsidiary use, subject to criteria in Chapter 15.470, Subsidiary Uses. (2) Permitted as a minor conditional use, subject to criteria under SMC 15.115.020(E), Conditional Use Permit (CUP). (3) Conditional use within the District Center. See map in CMC 15.310.010.
Religious Use Facility Accessory	C(1)	C(1)	P(1)	P/C(2)	P/C(2)	P	(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s). (2) Conditional use within the District Center. See map in CMC 15.310.010.
Stadium/Arena							
<b>RESIDENTIAL</b>							
College Dormitory		P	P(1)	P	P	P	(1) Permitted as a part of a mixed use development, as described in SMC 15.310.720, Definition of Mixed Use.
Duplex	P(1)	P(1)(2)					See Chapter 15.505 SMC, Townhouse and Duplex Development Design Standards. (1) Duplexes are only permitted as part of a townhouse development. (2) Townhouse and duplex development allowed only in UH-1800 zone.

LAND USE	UM	UH	UH-UCR	ABCRBX	CB-C	I	Additional Regulations
Dwelling Unit, Caretaker/Manager		P	P		P	P	
Dwelling Unit, Detached							
Manufactured/Modular Home							
Mobile Home							
Mobile Home Park							
Multi-Family	P	P	P	P	P	P	
Townhouse	P	P(1)					(1) Townhouse and duplex development allowed only in UH-1800 zone.
<b>RESIDENTIAL, RETIREMENT AND ASSISTED LIVING</b>							
Assisted Living		P	P	P	P		
Community Residential Facility I	P	P	P		P(1)		See SMC 15.465.400, Community Residential Facility Standards. (1) Not permitted within the District Center. See map in SMC 15.310.010.
Community Residential Facility II		P	P	P	P	P	See SMC 15.465.400, Community Residential Facility Standards.
Continuing Care Retirement Community		P	P	P	P	P	
Convalescent Center/Nursing Home	P	P	P	P(1)	P(1)	P	(1) Not permitted within the District Center. See map in SMC 15.310.010.
Retirement Apartments	P	P	P	P	P	P	
<b>RESIDENTIAL, ACCESSORY</b>							
Home Occupation	P	P	P		P	P	See SMC 15.465.500, Home Occupations.
Shed/Garage	P(1)	P(1)	P(1)				(1) Limited to 1,000 gross square feet and a 20-foot height limit (highest point).
<b>RETAIL AND COMMERCIAL</b>							
Agricultural Crop Sales (Farm Only)							
Arcade (Games/Food)		P(1)	P(1)	P	P	P	(1) Permitted as a part of a residential mixed use development, as described in SMC 15.310.720, Definition of Mixed Use.
Beauty Salon/Personal Grooming Service		P(1)	P(1)	P	P	P	(1) Permitted as a part of a residential mixed use development, as described in SMC 15.310.720, Definition of Mixed Use.
Mobile Vending				P(1)	P(1)		Permitted outside the public right-of-way within the District Center. See map in SMC 15.310.010.
Dry Cleaner		P(1)	P(1)	P	P	P	(1) Permitted as a part of a residential mixed use development, as described in SMC 15.310.720, Definition of Mixed Use.
Entertainment Club				P	P	P	
Financial Institution		P(1)	P(1)	P(2)	P(2)	P	(1) Permitted as a part of a residential mixed use development, as described in SMC 15.310.720,

LAND USE	UM	UH	UH-UCR	ABCRBX	CB-C	I	Additional Regulations
							Definition of Mixed Use. (2) No drive-through facilities allowed within the District Center. See map in SMC 15.310.010.
Laundromat		P(1)	P(1)	P	P	P	(1) Permitted as a part of a residential mixed use development, as described in SMC 15.310.720, Definition of Mixed Use.
Restaurant		P(1,2)	P(1,2)	P(3)	P(3)	P	(1) No drive-through facilities allowed. (2) Permitted as a part of a residential mixed use development, as described in SMC 15.310.720, Definition of Mixed Use. (3) No drive-through facilities allowed within the District Center. See map in SMC 15.310.010.
Restaurant, Fast Food				P(1)	P(1)	P	(1) No drive-through facilities allowed within the District Center. See map in SMC 15.310.010.
Retail, Big Box				P(1)			(1) Not permitted within the District Center.
Retail, General		P(1)	P(1)	P	P	P	(1) Permitted as a part of a residential mixed use development, as described in SMC 15.310.720, Definition of Mixed Use.
Sexually Oriented Business					C(1)	C	See SMC 15.415.200, Sexually Oriented Business. (1) Not permitted within the District Center. See map in SMC 15.310.010.
Tavern				P	P	P	
Theater				P	P(1)	P	(1) Not permitted within the District Center. See map in SMC 15.310.010.
Wholesale/Bulk Store					C(1)	C	(1) Not permitted within the District Center. See map in SMC 15.310.010.
<b>RETAIL AND COMMERCIAL, LODGING</b>							
Bed and Breakfast	P	P	P				See SMC 15.465.300, Bed and Breakfast Standards.
Hotel/Motel and Associated Uses				P	P	P	Hotel/motel lobby and restaurant to be located at, and oriented to, the public street and located at the ground floor.
<b>UTILITIES</b>							
Communications Facility	C/P	C/P	C/P	C/P	C/P	C/P	See Chapter 15.480 SMC, Wireless Communications Facilities, for specific use and development standards.
Utility Substation		C	C	C	C	C	
Utility Use	C	C	C		C	C	
Wireless Communications Facility	C/P	C/P	C/P	C/P	C/P	C/P	See Chapter 15.480 SMC, Wireless Communications Facilities, for specific use and development standards.

**15.310.210 Building Placement/Setbacks**

H. Setbacks and Landscaping Standards for CB-C, ~~ABC-RBX~~ and I Zone. In the CB-C, ~~ABC-RBX~~ and I zone, where required landscaping in Chapter 15.445 SMC exceeds the required side and rear setbacks in SMC 15.400.200, the landscape standards shall supersede the setback standards. This shall not apply where side and rear property lines abut a residential comprehensive plan designation as per SMC 15.300.240. (Ord. 16-1009 § 1)

**Chapter 15.315 OVERLAY ZONES (OZ)****15.315.200 Pedestrian-Oriented Commercial Development Overlay Zone**

A. Purpose. The purpose of this overlay zone is to provide for high-density, pedestrian-oriented retail/employment uses. Pedestrian-oriented commercial use overlays shall only be established in areas zoned CB and ~~ABC-RBX~~, high density commercial areas. Permitted uses shall be those permitted in the underlying zone, excluding the following:

**Division IV. Citywide Development Standards, Regulations and Incentives****Chapter 15.400 DIMENSIONAL STANDARDS AND REGULATIONS****15.400.200 Commercial, Industrial, Park Standards Chart**

DEVELOPMENT STANDARDS	ZONES									ADDITIONAL REGULATIONS
	NB	O/C/MU	O/CM (1)	<del>ABC-RBX</del> (1)	CB	CB-C (1)	<del>BP</del> (2)	I	P	
MINIMUM LOT AREA	N/A	N/A	N/A	N/A	N/A	N/A	5 acres (+)	N/A	N/A	(1) See Chapter 15.515 SMC for additional development standards for the <del>ABC-RBX</del> , CB-C and O/CM zones. (2) See Chapter 15.525 SMC for additional standards for the BP zone.
MINIMUM AREA – DEVELOPMENT SITE	N/A	N/A	N/A	N/A	N/A	N/A	5 acres (+)	N/A	N/A	(1) See SMC 15.525.200(A)(1)(b) for lot size waiver requirements.
MINIMUM LOT WIDTH	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
MINIMUM FRONT YARD SETBACK	10'	0' (1)	0'	N/A	10'	0'	10'	10'	N/A	Setback dimensions may change subject to landscape requirements. See SMC 15.445.010(C) in the landscaping chapter for applicable standards. (1) Ten-foot setback if adjacent to a UL zone. (2) Within the City Center and S. 154th St. Station Area overlay districts, may have zero (0) foot minimum setback.

DEVELOPMENT STANDARDS	ZONES									ADDITIONAL REGULATIONS
	NB	O/C/MU	O/CM (1)	ABC RBX(1)	CB	CB-C (1)	BP (2)	I	P	
MAXIMUM FRONT YARD SETBACK	N/A	10' (1)	10' (1)(2)	N/A	N/A	10' (1) (2) (3) (4)	N/A	N/A	N/A	<p>(1) See Chapter <a href="#">15.515</a> SMC for additional development standards for the <del>ABC RBX</del>, CB-C and O/CM zones.</p> <p><del>(2) See Chapter 15.525 SMC for additional standards for the BP zone.</del></p> <p>Setback dimensions may change subject to landscape requirements. See SMC <a href="#">15.445.010</a>(C) in the landscaping chapter for applicable standards.</p> <p>(1) Within the City Center Overlay District, maximum setback is 20 feet adjacent to International Blvd. Ten feet adjacent to all other streets. See SMC <a href="#">15.300.310</a> for additional standards.</p> <p>(2) See SMC <a href="#">15.515.200</a> for additional standards and maximum setback waiver requirements for the O/CM and CB-C zones outside of the City Center, S. 154th Street Station Area, and Angle Lake Station Area overlay districts.</p> <p>(3) Within the S. 154th St. Station Area Overlay District, maximum setback is 20 feet adjacent to International Blvd. Ten feet adjacent to all other streets. See SMC <a href="#">15.305.310</a> for additional standards.</p> <p>(4) Within the Angle Lake Station Area Overlay District, see SMC <a href="#">15.310.210</a> for additional standards.</p>
MINIMUM SIDE YARD SETBACK	5'	5'	5'	N/A	N/A	N/A	5'	5'	10'	Setback dimensions may change subject to landscape requirements. See SMC <a href="#">15.445.010</a> (C) in the landscaping chapter for applicable standards.
MINIMUM REAR YARD SETBACK	5'	5'	5'	N/A	N/A	N/A	5'	5'	10'	Setback dimensions may change subject to landscape requirements. See SMC <a href="#">15.445.010</a> (C) in the landscaping chapter for applicable standards.
MAXIMUM BUILDING LOT COVERAGE	65%	65%	75%	75%, 85%	75%	75%	N/A	85%	N/A	
MAXIMUM IMPERVIOUS SURFACE	N/A	N/A	N/A	N/A	N/A	N/A	75%	N/A	N/A	
MAXIMUM STRUCTURE HEIGHT	35'	45'	45'	(1)	(1)	(1)	45'	75'	N/A	(1) Limited by FAA and Fire Department regulations.

## Chapter 15.410 CARGO CONTAINERS

### ***15.410.010 Authority and Application***

The provisions of this chapter shall apply to all cargo containers within the following zones: Community Business (CB), Community Business in the Urban Center (CB-C), ~~Aviation Business Center (ABC)~~ Regional Business Mix (RBX) and Industrial (I). (Ord. 15-1018 § 1)

## Chapter 15.425 DEVELOPMENT INCENTIVES

### ***15.425.010 Authority and Application***

A. **Permitted Locations of Residential Density Incentives.** Residential density incentives (RDI) shall be used only on sites served by public sewers and public water and only in the:

1. UL, UM, UH, and MHP zones; or
2. CB, O/CM, and ~~ABC-RBX~~ zones when part of a mixed use development that includes a residential component.

B. **Permitted Locations of Commercial Density Incentives.** Commercial density incentives (CDI) shall be used only on sites served by public sewers and public water and only in the:

1. CB and ~~ABC-RBX~~ zones; or
2. ~~I and BP~~ zones when part of a mixed use development. (Ord. 15-1018 § 1)

### ***15.425.500 Tree Retention, Landscaping, and Other Development Standards***

A. Any RDI development in the UM, UH, CB and ~~ABC-RBX~~ zones which is made up of seventy-five percent (75%) or more townhouse and apartment dwellings shall provide perimeter landscaping and tree retention in accordance with the standards of Chapter 15.505SMC, Townhouse and Duplex Development Design Standards, and Chapter 15.445 SMC, Landscaping and Tree Retention, for townhouse and apartment projects.

## Chapter 15.445 LANDSCAPING AND TREE RETENTION

### ***15.445.140 Irrigation Requirements***

All planting required for new development in multi-family, commercial, ~~business park~~, and industrial zones and in long subdivisions (street trees only) shall receive sufficient water to ensure survival as follows:

### ***15.445.150 Maintenance Requirements***

Within the multi-family, commercial, ~~business park~~, and industrial zones, the applicant shall provide the following maintenance or shall be subject to enforcement action as provided in Chapter 15.125 SMC, Code Enforcement:

### ***15.445.160 Bonds/Security Requirements***

A. Prior to issuance of any construction, grading, or building permits within the multi-family, commercial, ~~business park~~, and industrial zones and within long subdivisions (for street trees only), a landscape bond or other suitable financial guarantee as approved by the City Attorney shall be submitted to the Department. The amount of the landscape bond or other financial guarantee shall equal one hundred fifty percent (150%) of the estimated cost of the required landscaping.

B. Prior to issuance of a final certificate of occupancy in the multi-family, commercial, ~~business park~~, or industrial zones, or before a final inspection of the last home in a long subdivision, a maintenance bond or other acceptable financial guarantee equal to thirty percent (30%) of the replacement cost of the required landscaping shall be submitted. The bond shall be maintained for a three (3) year period, at which point the Building Official and the Director will determine if the bond shall be released or is needed for maintenance within the landscaped areas. (Ord. 15-1018 § 1)

## Chapter 15.475 TEMPORARY USES

### 15.475.020 Temporary Uses

H. Temporary emergency evacuation sites in the commercial, ~~business park~~, and industrial zones, subject to the criteria under SMC 15.475.080;

### 15.475.080 Temporary Emergency Evacuation Storage Sites

In lieu of the criteria set forth in SMC 15.475.040, the Director may issue a temporary and revocable permit for a temporary emergency evacuation storage site in the commercial, ~~business park~~, and industrial zones, subject to the following requirements and criteria:

## Chapter 15.480 WIRELESS COMMUNICATIONS FACILITIES

### 15.480.020 Definitions

#### Zones, High Intensity

Zones that typically involve commercial or industrial rather than residential uses. Such zones are limited to Community Business (CB and CB-C), Industrial (I), ~~Aviation Business Center (ABC)~~ ~~Regional Business Mix (RBX)~~, ~~Business Park (BP)~~, Office Commercial Medium (O/CM), Aviation Commercial (AVC) and Aviation Operations (AVO).

### 15.480.030 Review and Approval Process

B. The following table summarizes the types of WCFs that are permitted in each zone subject to the siting hierarchy in SMC 15.480.040 and the type of permits required:

	Concealed Attached WCF	Concealed Collocation on Existing Concealed Freestanding WCF	New Concealed Freestanding WCF	Mitigation of Existing WCF	Flush-Mounted Collocation on an Existing Nonconcealed WCF <sup>1</sup>	Antenna Element Replacement or Combining <sup>2</sup>
<b>High Intensity Zones</b>						
I	Building/Electrical	Building/Electrical	Building/Electrical	Building/Electrical	Major CUP and Building/Electrical	Building/Electrical
<del>BP</del>	<del>Building/Electrical</del>	<del>Building/Electrical</del>	<del>Building/Electrical</del>	<del>Building/Electrical</del>	<del>Major CUP and Building/Electrical</del>	<del>Building/Electrical</del>
<del>ABCRBX</del>	Building/Electrical	Building/Electrical	Building/Electrical	Building/Electrical	Major CUP and Building/Electrical	Building/Electrical
CB	Building/Electrical	Building/Electrical	Building/Electrical	Building/Electrical	Major CUP and Building/Electrical	Building/Electrical
CB-C	Building/Electrical	Building/Electrical	Building/Electrical	Building/Electrical	Major CUP and Building/Electrical	Building/Electrical
O/CM	Building/Electrical	Building/Electrical	Building/Electrical	Building/Electrical	Major CUP and Building/Electrical	Building/Electrical

---

## Division V. Design Standards

---

**15.500 Small Lot Single-Family Design Standards****15.505 Townhouse and Duplex Development Design Standards****15.510 Special Design Standards for the ~~ABC~~RBX, CB-C, UH-UCR, and O/CM Zones****15.515 Mixed Use Development Design Standards**~~**15.525 Business Park Design Standards**~~**15.530 High Capacity Transit Facilities Design Standards**


---

### **Chapter 15.515 SPECIAL DESIGN STANDARDS FOR THE ~~ABC~~RBX, CB-C, UH-UCR AND O/CM ZONES**

**15.515.010*****Authority and Application***

A. The following standards will apply to properties, except within the City Center, Angle Lake Station Area, and S. 154th Street Station Area Overlay Districts, zoned ~~aviation business center (ABC)~~ regional business mix (RBX), community business in the urban center (CB-C), office/commercial medium (O/CM), and urban high-urban center residential (UH-UCR). See Chapter 15.300 SMC for standards specific to the City Center Overlay District, Chapter 15.305 SMC for standards specific to the S. 154th Street Station Area Overlay District, and Chapter 15.310 SMC for standards specific to Angle Lake Station Area Overlay District.

**15.515.100 Standards Common to the ~~ABC~~RBX, CB-C, UH-UCR and O/CM Zones**

The following standards apply to properties zoned ~~aviation business center (ABC)~~ regional business mix (RBX), community business in the urban center (CB-C), urban high-urban center residential (UH-UCR) and office/commercial medium (O/CM), that are located outside of the designated City Center, Angle Lake Station Area, and S. 154th Street Station Area Overlay Districts.

B. **Circulation.** The following circulation standards apply to all parcels in the ~~ABC~~RBX, CB-C, UH-UCR and O/CM zones, and are especially relevant to large parcels within these zones:

**15.515.300 Standards Specific to the ~~ABC~~RBX Zone**

The following standards apply to properties zoned ~~aviation business center (ABC)~~ regional business mix (RBX).

**A. Landscaping Bufferyard Requirements in the ~~ABC~~RBX Zone.** Bufferyard requirements shall be as stated in SMC 15.445.210, Landscaping Standards Chart, except as follows: In the ~~ABC~~RBX zone, Type III landscaping, fifteen (15) feet wide berm to conceal service areas, backs of buildings, and parking areas from street level view. (Ord. 15-1018 § 1)

**Chapter 15.525 BUSINESS PARK DESIGN STANDARDS****SECTIONS:****15.25.005 Purpose****15.25.010 Authority and Application****15.25.100 Performance Standards 15.25.200 General Standards****15.525.005 Purpose**

The purpose of this chapter is to establish design standards to ensure high quality business and industrial park developments. (Ord. 15-1018 § 1)

**15.525.010 Authority and Application**

The regulations of this chapter shall apply to all properties and developments located within the Business Park (BP) Zone. (Ord. 15-1018 § 1)

**15.525.100 Performance Standards**

In addition to the performance standards listed in Chapter 15.460 SMC, Performance Standards—General, uses in the Business Park zone shall conform with the following performance standards:

- A. Does not emit significant quantities of dust, dirt, cinders, smoke, gases, fumes, odors or vapors into the atmosphere.
- B. Does not emit any liquid or solid wastes or other matter into any stream, river, or other waterway.
- C. Does not emit radiation or discharge glare or heat, or emit electromagnetic, microwave, ultrasonic, laser or other radiation levels over what is considered safe by the FCC.
- D. Does not emit radiation or discharge glare or heat, or emit electromagnetic, microwave, ultrasonic, laser or other radiation levels that would adversely impact electronic equipment of residences or businesses outside of the boundaries of the property the business is located.
- E. Does not use heavy trucking as a principal use such as truck terminals or heavy truck repair.
- F. Does not produce excessive noise or ground vibration perceptible without instruments at any point exterior to any lot.
- G. Does not utilize open/outdoor storage as a major component of the business. Incidental outside storage may be allowed upon approval of the Director and shall be screened pursuant with SMC 15.525.200(F)(3). (Ord. 15-1018 § 1)

**15.525.200 General Standards****A. Dimensional Standards.****1. Minimum Lot Size.**

- a. To encourage large projects, a minimum lot size of five (5) acres is required.
- b. Projects of less than five (5) acres may be approved by City Council after review and recommendation by the Planning Commission. Approval shall be based upon a determination that the project is consistent with the purpose of the zone.

**2. Building Height.** The maximum building height shall be consistent with the Federal Aviation Administration regulations.

**3. Maximum Impervious Surface Coverage.** A maximum of seventy five percent (75%) impervious surfaces shall be allowed per site. Impervious surfaces are defined as "roads, streets, sidewalks and other paved areas, buildings (excluding overhangs), decks, terraces, and patios, incidental outside storage or any other material that would prevent water from percolating into the ground as if under natural conditions." Required landscaping may be counted as pervious surfaces.

**B. Landscaping.** Except for bufferyard requirements below under subsection (B)(1) of this section and the screening requirements under subsection (F)(4)(b) of this section, landscaping shall be required in conformance with the requirements of Chapter 15.445 SMC.

**1. Bufferyard requirements shall be as follows:**

- a. Type I landscaping of twenty (20) feet wide when adjacent to residential uses.

~~b. Type II landscaping of twenty (20) feet wide fronting rights-of-way.~~

~~C. Vehicular Access.~~

~~1. Shared vehicular access to lots shall be required to reduce impervious surfaces and the number of access points.~~

~~2. Access points for each property shall be limited to no more than two (2) locations to public rights-of-way. Corner lots shall be limited to two (2) access points. Additional access points may be permitted by the City Manager or designee upon review of the site and its traffic conditions.~~

~~3. Preferential location of vanpool, carpool, or other ride-sharing vehicle parking spaces shall be given in respect to building entries. These spaces shall be identified through appropriate markings and/or signs.~~

~~D. Parking Areas.~~ Off-street parking shall conform to the requirements of Chapter 15.455 SMC.

~~E. Design Standards.~~ All new development shall conform with the following design standards:

~~1. The development shall relate open space and pedestrian facilities to other developments within the same and adjoining street blocks.~~

~~2. Offsets of a minimum of ten (10) feet in the building facade facing a right-of-way if the facade is more than fifty (50) feet in length.~~

~~3. Earth tone colors shall be used on all exterior building surfaces.~~

~~4. Nonreflective glass shall be used for all development. It shall be the responsibility of the applicant and/or the property owner to provide the City documentation as to the nonreflectivity of the glass.~~

~~5. All outdoor lighting fixtures shall be screened to prevent glare from being visible from residential properties and from rights-of-way. It shall be the responsibility of the applicant and/or the property owner to provide the documentation of how the outdoor lighting will be screened.~~

~~6. Loading bays shall not be oriented towards or visible from residential properties or adjacent rights-of-way.~~

~~7. Rooftop mechanical equipment shall be screened with materials in the same architectural character of the structure.~~

~~8. Prefabricated pre-engineered metal buildings shall not be permitted. Metal building components may be incorporated as an exterior finish; provided, that the components fit the overall design concept for the structure.~~

~~F. Screening of Outdoor Storage Areas, Dumpsters, and Loading Bays.~~

~~1. All dumpsters shall be screened with material in the same architectural style of the building on the property. Dumpsters shall be screened from all residential areas, rights-of-way or adjacent properties.~~

~~2. The applicant and/or property owner shall submit written approval from the sanitation company to the City that any dumpster location provided for any development proposal is accessible by the sanitation company.~~

~~3. The incidental storage of all outside materials shall be screened from all residential properties, rights-of-way, or adjacent property. The type of screening shall be in the same architectural character of the building on the property.~~

~~4. Loading bays shall be screened from residential properties or adjacent rights-of-way using one of, or a combination of, the following methods:~~

~~a. Using building design and layout to screen the loading bays.~~

~~b. A twenty (20) foot Type I landscaped buffer backed by a decorative fence, approved by the City, of a minimum height of six (6) feet.~~

~~G. Signs (Project Identification Signs).~~

~~1. Signs may be attached to the building or monument signs. No pole or freestanding signs shall be permitted.~~

~~2. Tenant identification signs shall be located near entries to the building and shall be in scale with the design of the building and entryway.~~

~~3. Only one (1) monument sign per street frontage of the development shall be allowed.~~

~~4. Monument signs displaying the tenants' names shall be limited to eighty-five (85) square feet per face and fifteen (15) feet in height.~~

~~5. All signage shall be set back a minimum of five (5) feet from any right-of-way with the exception that if the signage is forty-two (42) inches in height or less, a one (1) foot setback will be allowed.~~

~~6. Signs may be internally or externally illuminated. If signs are externally illuminated, the applicant and/or property owner shall provide documentation showing that the exterior illumination does not create glare on residential properties, adjacent rights-of-way, or adjacent properties. (Ord. 15-1018 § 1)~~

## Division VI. Sign Code

### Chapter 15.600 SIGN CODE

#### *15.600.030 Commercial/Office/Industrial Zone Classification Signs*

##### A. General.

1. This section regulates signs in the following zones: NB, CB, CB-C, ~~ABC, RBX, I, and O/CM, and BP.~~

#### *15.600.130 Electronic Signs*

Electronic signs shall be allowed, provided they comply with the following requirements:

##### A. Size and Location.

##### 1. Freestanding/Monument Signs.

- a. That portion of the sign that constitutes the electronic changeable display shall be allowed as follows:

Zone	Maximum Electronic Portion of Sign	Maximum Total Size of Sign
CB, CB-C, O/CM, I, <del>ABC, RBX</del>	55 sf	85 sf
NB, <del>BP</del>	25 sf	85 sf
Churches, Schools, Community Uses in UL, T, UM, UH, O/C/MU, P	0 sf 0 sf 25 sf	35 sf not on an arterial 60 sf on a minor/collector arterial 85 sf on a principal arterial
Commercial Uses in O/C/MU, T, UM, UH	0 sf 0 sf 25 sf	35 sf 60 sf on a minor/collector arterial 85 sf on a principal arterial
Multi-Family Uses in T, O/CM, UM, UH	0 sf	35 sf

# Exhibit B

Proposed Amendments to SMC Title 15,  
SeaTac Zoning Code Official Zoning Map,  
per 2017 Comprehensive Plan Amendment Process  
for:

## **M-2 and M-2A**

*Note: This Exhibit includes the Planning Commission's recommended amendments.*

LIST OF PROPOSALS
<b>M-2:</b> Hillside Park Map Amendment & Rezone
<b>M-2A:</b> Tombs Parcel Map Amendment & Rezone

# Map Amendment M-2

## Proposal: Hillside Park Rezone

Description	Current Zoning	Proposed Zoning
Vacant	UL-15,000	UH-900

Existing Zoning



Proposed Zoning



# Map Amendment M-2A

## Proposal: Tombs Parcel Rezone

Description	Current Zoning	Proposed Zoning
Vacant	UL-15,000	UH-900

Existing Zoning



Proposed Zoning



## **Final Docket Review Dates**

### **Planning Commission:**

Reviews: 8/15/17, 9/19/17, 10/3/17

Recommendation: 11/7/17

### **Public Hearing:**

10/17/17, Continued Public Hearing 11/7/17

### **Land Use & Parks (LUP) Committee:**

9/28/17, 10/26/17

Recommendation: 11/1/17

Special LUP: 12/4/17

### **Council Study Session:**

11/28/17

**ORDINANCE NO. 17-1024**

AN ORDINANCE of the City Council of the City of SeaTac, Washington repealing Ordinance 17-1021, confirming the appointment of Robert Hamilton as the Municipal Court Judge, affixing the compensation of the Municipal Court Judge and Judges Pro-Tem, and authorizing entry into a Professional Services Contract.

**WHEREAS**, the City Council adopted Ordinance 17-1021, that confirmed the appointment of the Municipal Court Judge; and

**WHEREAS**, Ordinance 17-1021 is not yet effective, as the effective date of this Ordinance is December 23, 2017; and

**WHEREAS**, the City Council finds that it is appropriate to repeal Ordinance 17-1021; and

**WHEREAS**, the City Council deems it appropriate to consider the appointment of Robert Hamilton as the Municipal Court Judge;

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

**Section 1.** Ordinance 17-1021 is repealed.

**Section 2.** The SeaTac City Council confirms the City Manager's appointment of Robert Hamilton to serve as Municipal Court Judge for a four-year term commencing January 1, 2018.

**Section 3.** Commencing January 1, 2018, and adjusted annually each January 1 thereafter, the salary of the Municipal Court Judge shall be set at 95% of that of a District Court Judge as set by the Washington State Salary Commission, pro-rated to 55% (twenty-two hours per week). Judges Pro-Tem shall be compensated at \$65.00 per hour for hours worked (adjusted annually commencing January 1, 2019 and each January 1 thereafter to reflect a cost of living adjustment at the same percentage as that of non-represented City employees). In addition, the Municipal Court Judge shall receive benefits in accordance with City policy for exempt regular part-time employees.

**Section 4.** The City Manager is authorized to enter into a Professional Services Contract with Robert Hamilton in substantially similar form attached hereto as "Exhibit A."

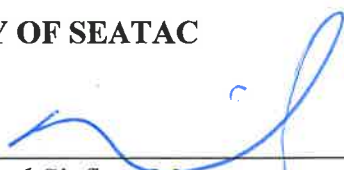
**Section 5.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances shall not be affected.

**Section 6.** This Ordinance shall not be codified.


**Section 7.** In accordance with RCW 35A.13.190, the City Council declares that adoption of this Ordinance is a public emergency ordinance necessary for the protection of public health, public safety, public property or the public peace, and as such shall be made effective upon adoption.

ADOPTED this 21<sup>st</sup> day of December, 2017, and signed in authentication thereof on this 21<sup>st</sup> day of December, 2017.

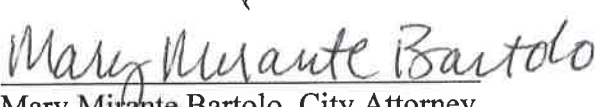
CITY OF SEATAC

  
Michael Siefkes, Mayor

ATTEST:

  
Kristina Gregg, City Clerk

Approved as to Form:

  
Mary Mirante Bartolo, City Attorney

[Effective Date: 12/21/17]

[Municipal Court Judge 2018-2022; Repeal 17-1021]

## **EMPLOYMENT AGREEMENT**

### **MUNICIPAL COURT JUDGE**

#### **FOR THE**

#### **CITY OF SEATAC**

This Agreement by and between the City of SeaTac, Washington, a municipal corporation, hereinafter referred to as the "City," and Robert W. Hamilton, hereinafter referred to as the "Municipal Court Judge" or "Judge", is as follows:

**WHEREAS**, the City Manager has appointed Robert W. Hamilton to serve as Judge of the City's Municipal Court; and

**WHEREAS**, the City Council has confirmed that appointment on December 21, 2017; and

**WHEREAS**, Robert W. Hamilton has accepted the appointment and confirmation; and

**WHEREAS**, Robert W. Hamilton understands this is a part time position covering seven days per week while overseeing full time court staff; and,

**WHEREAS**, in order to provide for the services of Judge of the Municipal Court and to establish compensation for such services, it is appropriate for the City to enter into an Employment Agreement with the Municipal Court Judge for such services;

**NOW, THEREFORE**, in consideration of the mutual covenants, conditions and terms contained herein, the City and Robert W. Hamilton agree as follows:

#### **1. TERM OF APPOINTMENT:**

Robert W. Hamilton accepts the position of Judge of the Municipal Court of the City of SeaTac in accordance with the provisions of RCW 3.50.090 and Chapter 2.10 of the City of SeaTac Municipal Code as supplemented by this Agreement for a four-year term commencing on January 1, 2018 and terminating on December 31, 2021.

The Judge shall be, and remain, an attorney admitted to practice law before the courts of record for the State of Washington. The Judge must also be a citizen of the United States of America, the State of Washington, and maintain residence in King County. The Judge must immediately report to the City Manager any change affecting his membership in good standing in the Washington State Bar Association, or change in residency outside of King County.

#### **2. SCOPE OF SERVICES:**

The Judge shall perform all duties legally prescribed for a judicial officer serving as a Judge of a lawfully constituted Municipal Court according to the requirements of the Washington Constitution, the Revised Code of Washington, the Code of Judicial Conduct, the General Rules of the Washington Court Rules, such other rules as may be prescribed by the Supreme Court of the State of Washington and Washington State Judge's Ethics Advisory Opinions. The Judge is a Presiding Judge within the meaning of General Rule (GR) 29 of

the Washington Court Rules.

The Judge shall at all times faithfully and to the best of his ability administer activities of the court, assign and hear all cases and fulfill obligations of the Court as established by State or local law, rule, statute, regulation and City ordinance.

The Judge shall appoint Judges Pro Tempore as provided in RCW 3.50.090 and GR 29(f) (12) for vacation, affidavits of prejudice, recusal from a pending case, illness and required judicial continuing education and training.

### **3. JUDICIAL INDEPENDENCE AND ADMINISTRATION:**

The Legislative, Executive and Judicial branches of government are co-equal. Each has the responsibility for the criminal justice system and cooperation with each other is necessary to meet its separate responsibility and is fundamental to our system of government.

The City is organized as a Council-Manager municipality, under which the City Manager is primarily accountable to assure that each branch of government cooperates with the other to assure an effective, efficient and just court system. The Judicial branch is accorded independence from the Executive and Legislative branches and nothing contained herein shall be construed to interfere with that independence. Furthermore, the Judge is responsible for ensuring that court staff and officials subject to the Judge's direction and control comply with applicable provisions of the Code of Judicial Conduct, court rules, ordinances and statutes.

The Court Administrator shall be appointed by the Judge and shall serve as an At-Will employee as defined by the City for Department Heads. The Court Administrator and all represented court staff are City employees subject to City rules and regulations. Their salaries, benefits, hours of work and working conditions shall be established by the City and/or negotiated through the collective bargaining agreement. The Judge understands that court staff adhere to the same applicable personnel policies as other City employees. The City Manager and the Judge agree that the Judge will participate in the review and amendment of any such policies to ensure that they recognize the unique nature of court employment and the Judge's rights and responsibilities with respect to court employees. The Judge acknowledges the Court Administrator is an invited member to the City's Leadership Team and may participate in discussions that are not in conflict with the separation of powers.

The Judge will confer with the City Manager to coordinate administrative activities concerning City procedures, policies and the budget in an effort to retain and insure consistency and common practices throughout the City.

**4. COMPENSATION:**

The Judge's salary, as set by Ordinance #17-10XX, and benefits shall be appropriated through the City's budget process.

The Judge's salary shall constitute compensation for all responsibilities and duties in the administration of the Municipal Court, including attendance at annual District and Municipal Court Judges' Association Spring Conference, the Annual State Judge's Conference, and for other approved classes and seminars necessary to maintain current knowledge and certifications, so long as the classes and seminars are necessary to fulfill the requirements of GR 26, "Mandatory Continuing Judicial Education."

The City will separately allocate a maximum of \$10,400 (allocated as such: 40 hrs. vacation, 40 hrs. illness, 40 hrs. conference/training, and 40 hrs. recusal/affidavits of prejudice calculated at the rate of \$65/hr) annually in the budget to cover Judges Pro-Tempore time necessary for any personal time off (vacation, illness, attending conferences and training, and recusals and affidavits of prejudice) by the Judge. Should the Judge exceed the maximum limit of \$10,400, the Judge authorizes the City to deduct the cost of missing court dates for personal time off from the Judges salary.

The City shall pay for the cost of professional membership, required professional classes and training, including registration and travel expenses similar to those provided to City Department Heads.

**5. METHOD OF PAYMENT:**

The Judge shall submit a timesheet for compensation on a bi-monthly basis for services in accordance with payroll procedures and timelines established by the City. A timesheet shall be submitted for the 1<sup>st</sup> through 15<sup>th</sup> and the 16<sup>th</sup> through the end of each month to the Court Administrator, who shall submit same to the City's Finance Department. Compensation will be paid on the same schedule as other City employees.

**6. BENEFITS:**

- a) The City will offer the Judge and his eligible dependents health care insurance benefits, to include medical, dental, and vision insurance per City policy for regular part time employees.
- b) The position of Municipal Court Judge is an "eligible position" as that term is defined under the present rules of the Washington State Department of Retirement Systems (DRS) for the Public Employees Retirement System (PERS). The Judge may enroll into the applicable retirement plan and program(s) allowed by DRS rules.

**7. INDEMNIFICATION:**

The Judge agrees to indemnify, defend and hold the City harmless for any and all claims, losses, actions or liabilities to or by any persons or entities including their respective agents (including attorney fees) for any acts of the Judge that are outside the scope of his official duties. The Judge shall carry and provide proof of professional liability insurance annually to the City Manager (or designee) no later than January 30<sup>th</sup>.

**8. TERM OF AGREEMENT:**

The Judge's term of office shall be for a period of four (4) years beginning January 1, 2018 and ending on December 31, 2021.

**9. CONTRACT ADMINISTRATION:**

This Agreement shall be administered by the City Manager and/or designee on behalf of the City and by Robert W. Hamilton on behalf of the Municipal Court Judge. Any written notices to be served on either party shall be served or mailed to the following addresses:

**IF TO THE CITY:**

City Manager  
  
City of SeaTac  
4800 S. 188<sup>th</sup> Street  
SeaTac, WA 98188

**IF TO THE JUDGE:**

Robert W. Hamilton  
  
1802 NW 197<sup>th</sup> St.  
Shoreline, WA 98177

**10. TERMINATION OF AGREEMENT:**

This Agreement may be terminated during the Judge's term of office as follows:

- a) By the Judge if he provides a minimum of 120 days written notice prior to his effective date of termination, unless otherwise mutually agreed by the parties.
- b) By the City only upon action of the Commission on Judicial Conduct or the Washington State Supreme Court as provided in Article IV, Section 31 of the Washington State Constitution.
- c) If the Judge is no longer eligible to serve as the Municipal Court Judge pursuant to State Law.

**11. MERGER AND AMENDMENT:**

This Agreement contains the entire understanding of the City and the Judge with respect to the matters set forth herein, and any prior or contemporaneous understandings are merged herein. This Agreement shall not be modified except by written instruments executed by the City and Judge hereto, and approved by the City Council.

This Employment Agreement shall be governed under the laws of the State of Washington, and any dispute regarding this Employment Agreement shall be resolved in King County Superior Court, State of Washington.

**12. SEVERABILITY**

If any provision of this Agreement or their application to any circumstance is held invalid, the remainder of this Agreement and their application to other circumstances is not affected.

**IN WITNESS WHEREOF** the parties hereto do hereby execute this Agreement.

CITY OF SEATAC

By: \_\_\_\_\_  
Joseph Scorcio, AICP  
City Manager

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

Approved as to Form:

\_\_\_\_\_  
City Legal Department

MUNICIPAL COURT JUDGE

By: \_\_\_\_\_  
Robert W. Hamilton  
Municipal Court Judge

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