

ORDINANCE NO. 21-1001

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the execution of an agreement between the City of SeaTac and the Washington State Transportation Improvement Board for grant funding up to the amount of \$2.0 million; and amending the City's 2021-2022 Biennial Budget.

WHEREAS, the City of SeaTac implements a transportation improvement program, which identifies capital improvement projects for the City's transportation network; and

WHEREAS, the 34th Avenue South Project ("Project"), Public Works Capital Improvement Project ST-015, is part of the City's current transportation improvement program; and

WHEREAS, the Washington State Transportation Improvement Board ("TIB") is a state agency that uses fuel tax to fund high priority transportation construction and maintenance projects in communities throughout the state to enhance the movement of people, goods and services; and

WHEREAS, the TIB awarded a \$2.0 million grant to the City on November 20, 2020 for construction of the Project; and

WHEREAS, an amendment to the City's 2021-2022 Biennial Budget is requested to account for the receipt of the TIB grant funding;

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

Section 1. The City's 2021-2022 Biennial Budget shall be amended to increase revenues in the Transportation CIP Fund (#307) by \$2,000,000 in order to account for the receipt of the TIB grant funding.

Section 2. The City Manager is authorized to execute a Fuel Tax Grant Agreement between the City of SeaTac and the Washington State Transportation Improvement Board, in substantially similar form as attached as Exhibit "A".

Section 3. This Ordinance shall be in full force and effect five (5) days after passage and

publication as required by law.

ADOPTED this 12th day of January, 2021, and signed in authentication thereof on this 12th day of January, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 01/23/2021]

[34th Avenue South Project TIB Grant acceptance and Budget Amendment]



City of SeaTac
8-1-121(009)-1
34th Avenue S
S 160th St to S 166th St

STATE OF WASHINGTON
TRANSPORTATION IMPROVEMENT BOARD
AND
City of SeaTac
AGREEMENT

THIS GRANT AGREEMENT (hereinafter "Agreement") for the 34th Avenue S, S 160th St to S 166th St (hereinafter "Project") is entered into by the WASHINGTON STATE TRANSPORTATION IMPROVEMENT BOARD (hereinafter "TIB") and City of SeaTac, a political subdivision of the State of Washington (hereinafter "RECIPIENT").

1.0 PURPOSE

For the project specified above, TIB shall pay 30.7213 percent of approved eligible project costs up to the amount of \$2,000,000, pursuant to terms contained in the RECIPIENT'S Grant Application, supporting documentation, chapter 47.26 RCW, title 479 WAC, and the terms and conditions listed below.

2.0 SCOPE AND BUDGET

The Project Scope and Budget are initially described in RECIPIENT's Grant Application and incorporated by reference into this Agreement. Scope and Budget will be further developed and refined, but not substantially altered during the Design, Bid Authorization and Construction Phases. Any material alterations to the original Project Scope or Budget as initially described in the Grant Application must be authorized by TIB in advance by written amendment.

3.0 PROJECT DOCUMENTATION

TIB requires RECIPIENT to make reasonable progress and submit timely Project documentation as applicable throughout the Project. Upon RECIPIENT's submission of each Project document to TIB, the terms contained in the document will be incorporated by reference into the Agreement. Required documents include, but are not limited to the following:

- a) Project Funding Status Form
- b) Bid Authorization Form with plans and engineers estimate
- c) Award Updated Cost Estimate
- d) Bid Tabulations
- e) Contract Completion Updated Cost Estimate with final summary of quantities
- f) Project Accounting History

4.0 BILLING AND PAYMENT

The local agency shall submit progress billings as project costs are incurred to enable TIB to maintain accurate budgeting and fund management. Payment requests may be submitted as



often as the RECIPIENT deems necessary, but shall be submitted at least quarterly if billable amounts are greater than \$50,000. If progress billings are not submitted, large payments may be delayed or scheduled in a payment plan.

5.0 TERM OF AGREEMENT

This Agreement shall be effective upon execution by TIB and shall continue through closeout of the grant or until terminated as provided herein, but shall not exceed 10 years unless amended by the Parties.

6.0 AMENDMENTS

This Agreement may be amended by mutual agreement of the Parties. Such amendments shall not be binding unless they are in writing and signed by persons authorized to bind each of the Parties.

7.0 ASSIGNMENT

The RECIPIENT shall not assign or transfer its rights, benefits, or obligations under this Agreement without the prior written consent of TIB. The RECIPIENT is deemed to consent to assignment of this Agreement by TIB to a successor entity. Such consent shall not constitute a waiver of the RECIPIENT's other rights under this Agreement.

8.0 GOVERNANCE & VENUE

This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington and venue of any action brought hereunder shall be in the Superior Court for Thurston County.

9.0 DEFAULT AND TERMINATION

9.1 NON-COMPLIANCE

- a) In the event TIB determines, in its sole discretion, the RECIPIENT has failed to comply with the terms and conditions of this Agreement, TIB shall notify the RECIPIENT, in writing, of the non-compliance.
- b) In response to the notice, RECIPIENT shall provide a written response within 10 business days of receipt of TIB's notice of non-compliance, which should include either a detailed plan to correct the non-compliance, a request to amend the Project, or a denial accompanied by supporting details.
- c) TIB will provide 30 days for RECIPIENT to make reasonable progress toward compliance pursuant to its plan to correct or implement its amendment to the Project.
- d) Should RECIPIENT dispute non-compliance, TIB will investigate the dispute and may withhold further payments or prohibit the RECIPIENT from incurring additional reimbursable costs during the investigation.

9.2 DEFAULT

RECIPIENT may be considered in default if TIB determines, in its sole discretion, that:



- a) RECIPIENT is not making reasonable progress toward correction and compliance.
- b) TIB denies the RECIPIENT's request to amend the Project.
- c) After investigation TIB confirms RECIPIENT'S non-compliance.

TIB reserves the right to order RECIPIENT to immediately stop work on the Project and TIB may stop Project payments until the requested corrections have been made or the Agreement has been terminated.

9.3 TERMINATION

- a) In the event of default by the RECIPIENT as determined pursuant to Section 9.2, TIB shall serve RECIPIENT with a written notice of termination of this Agreement, which shall be served in person, by email or by certified letter. Upon service of notice of termination, the RECIPIENT shall immediately stop work and/or take such action as may be directed by TIB.
- b) In the event of default and/or termination by either PARTY, the RECIPIENT may be liable for damages as authorized by law including, but not limited to, repayment of grant funds.
- c) The rights and remedies of TIB provided in the AGREEMENT are not exclusive and are in addition to any other rights and remedies provided by law.

9.4 TERMINATION FOR NECESSITY

TIB may, with ten (10) days written notice, terminate this Agreement, in whole or in part, because funds are no longer available for the purpose of meeting TIB's obligations. If this Agreement is so terminated, TIB shall be liable only for payment required under this Agreement for performance rendered or costs incurred prior to the effective date of termination.

10.0 USE OF TIB GRANT FUNDS

TIB grant funds come from Motor Vehicle Fuel Tax revenue. Any use of these funds for anything other than highway or roadway system improvements is prohibited and shall subject the RECIPIENT to the terms, conditions and remedies set forth in Section 9. If Right of Way is purchased using TIB funds, and some or all of the Right of Way is subsequently sold, proceeds from the sale must be deposited into the RECIPIENT's motor vehicle fund and used for a motor vehicle purpose.

11.0 INCREASE OR DECREASE IN TIB GRANT FUNDS

At Bid Award and Contract Completion, RECIPIENT may request an increase in the maximum payable TIB funds for the specific project. Requests must be made in writing and will be considered by TIB and awarded at the sole discretion of TIB. All increase requests must be made pursuant to WAC 479-05-202 and/or WAC 479-01-060. If an increase is denied, the recipient shall be liable for all costs incurred in excess of the maximum amount payable by TIB. In the event that final costs related to the specific project are less than the initial grant award, TIB funds will be decreased and/or refunded to TIB in a manner that maintains the intended ratio between TIB funds and total project costs, as described in Section 1.0 of this Agreement.



12.0 INDEPENDENT CAPACITY

The RECIPIENT shall be deemed an independent contractor for all purposes and the employees of the RECIPIENT or any of its contractors, subcontractors, and employees thereof shall not in any manner be deemed employees of TIB.

13.0 INDEMNIFICATION AND HOLD HARMLESS

The PARTIES agree to the following:

Each of the PARTIES, shall protect, defend, indemnify, and save harmless the other PARTY, its officers, officials, employees, and agents, while acting within the scope of their employment as such, from any and all costs, claims, judgment, and/or awards of damages, arising out of, or in any way resulting from, that PARTY's own negligent acts or omissions which may arise in connection with its performance under this Agreement. No PARTY will be required to indemnify, defend, or save harmless the other PARTY if the claim, suit, or action for injuries, death, or damages is caused by the sole negligence of the other PARTY. Where such claims, suits, or actions result from the concurrent negligence of the PARTIES, the indemnity provisions provided herein shall be valid and enforceable only to the extent of a PARTY's own negligence. Each of the PARTIES agrees that its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by, or on behalf of, any of its employees or agents. For this purpose, each of the PARTIES, by mutual negotiation, hereby waives, with respect to the other PARTY only, any immunity that would otherwise be available to it against such claims under the Industrial Insurance provision of Title 51 RCW. In any action to enforce the provisions of the Section, the prevailing PARTY shall be entitled to recover its reasonable attorney's fees and costs incurred from the other PARTY. The obligations of this Section shall survive termination of this Agreement.

14.0 DISPUTE RESOLUTION

- a) The PARTIES shall make good faith efforts to quickly and collaboratively resolve any dispute arising under or in connection with this AGREEMENT. The dispute resolution process outlined in this Section applies to disputes arising under or in connection with the terms of this AGREEMENT.
- b) Informal Resolution. The PARTIES shall use their best efforts to resolve disputes promptly and at the lowest organizational level.
- c) In the event that the PARTIES are unable to resolve the dispute, the PARTIES shall submit the matter to non-binding mediation facilitated by a mutually agreed upon mediator. The PARTIES shall share equally in the cost of the mediator.
- d) Each PARTY agrees to compromise to the fullest extent possible in resolving the dispute in order to avoid delays or additional incurred cost to the Project.
- e) The PARTIES agree that they shall have no right to seek relief in a court of law until and unless the Dispute Resolution process has been exhausted.



15.0 ENTIRE AGREEMENT

This Agreement, together with the RECIPIENT'S Grant Application, the provisions of chapter 47.26 Revised Code of Washington, the provisions of title 479 Washington Administrative Code, and TIB Policies, constitutes the entire agreement between the PARTIES and supersedes all previous written or oral agreements between the PARTIES.

16.0 RECORDS MAINTENANCE

The RECIPIENT shall maintain books, records, documents, data and other evidence relating to this Agreement and performance of the services described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement. RECIPIENT shall retain such records for a period of six years following the date of final payment. At no additional cost, these records, including materials generated under the Agreement shall be subject at all reasonable times to inspection, review or audit by TIB personnel duly authorized by TIB, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

Approved as to Form
Attorney General

By:

Signature on file

Guy Bowman
Assistant Attorney General

Lead Agency

Transportation Improvement Board

Chief Executive Officer

Date

Executive Director

Date

Print Name

Print Name

ORDINANCE NO. 21-1002

AN ORDINANCE of the City Council of the City of SeaTac, Washington, retaining a Part-Time Prosecutor position within the Legal Department in 2021 - 2022, and amending the 2021-2022 Biennial Budget to fund this position.

WHEREAS, on January 14, 2021, the Administration and Finance Committee reviewed a Decision Card that was submitted by the Legal Department to retain funding for a Part-Time Prosecutor during the 2021-2022 biennium; and

WHEREAS, it is necessary for the City Council to amend the 2021-2022 Biennial Budget to provide additional appropriation authority to fund certain expenditures identified in Exhibit A;

WHEREAS, the Administration and Finance Committee recommended approval of the Decision Card and amending the 2021 – 2022 Biennial Budget to fund this position;

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

Section 1. The Decision Card submitted by the Legal Department to retain funding for a Part-Time Prosecutor during the 2021-2022 biennium is approved.

Section 2. 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 3. The 2021-2022 Biennial Budget for the City of SeaTac, covering the period from January 1, 2021, through December 31, 2022, is hereby amended with a total 2022 ending fund balance in the amount of \$71.4 million for all budgeted funds. The City's 2021-2022 biennial budget is attached as Exhibit B, and includes budgeted revenues and expenditures for the 2021-2022 biennium in the amounts and for the purposes shown separately and in the aggregate totals for all such funds as displayed.

Section 4. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 26th day of January, 2021, and signed in authentication thereof on this 26th day of January, 2021.

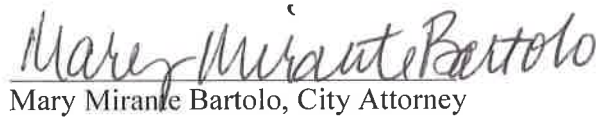
CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary Mirante Bartolo, City Attorney

[Effective Date: 2/6/2021]

[2021-2022 Biennial Budget Amendment Ordinance]

EXHIBIT A
2021-2022 Biennial Budget Amendment

Revenue

2021-2022
TOTAL
\$0

Expenditures

<u>FUND #</u>	<u>BARS#</u>	<u>TOTAL</u>	<u>Description</u>
001	001.000.06.515.31.XX.XXX	\$78,796	Part-Time Prosecutor Decision Card (Salaries & Benefits)
Total General Fund		\$78,796	
Grand Total - ALL FUNDS		\$78,796	

CITY OF SEATAC, WASHINGTON
2021-2022 BIENNIAL BUDGET: EXHIBIT B

1/26/2021

2021-2022 BIENNIAL BUDGET (EXPENDITURES + ENDING BALANCES) = \$ 226,437,160					
FUND		BEGINNING BALANCE	REVENUES & OTHER SOURCES	EXPENDITURE APPROPRIATION	ENDING BALANCE
001	General Fund	\$ 29,372,543	\$ 78,015,188	\$ 85,452,833	\$ 21,934,897
102	Street Fund	9,235,658	15,567,442	19,398,969	\$ 5,404,130
105	Port ILA	8,642,246	2,904,235	3,799,285	\$ 7,747,196
106	Transit Planning	443,402	787,260	929,301	\$ 301,361
107	Hotel/Motel Tax	8,417,339	1,662,829	1,401,665	\$ 8,678,503
108	Building Management	3,345,506	652,710	490,432	\$ 3,507,784
110	Facility Repair & Replacement	-	-	-	\$ -
111	Des Moines Creek Basin ILA	2,993,957	662,400	1,190,870	\$ 2,465,487
112	Affordable Housing Sales Tax	42,600	144,000	-	\$ 186,600
206	2009 LTGO Bond Fund	-	-	-	\$ -
207	SCORE Bond Servicing	273,088	283,513	283,113	\$ 273,488
301	Municipal Capital Improvements	9,465,606	6,275,000	5,329,743	\$ 10,410,863
306	Facility Construction CIP	1,778,535	4,800	-	\$ 1,783,335
307	Transportation CIP	7,822,039	19,389,400	25,191,686	\$ 2,019,753
308	Light Rail Station Areas CIP	2,970,194	54,270	-	\$ 3,024,464
403	SWM Utility	2,897,393	8,253,120	9,037,174	\$ 2,113,339
404	Solid Waste & Environmental	794,787	694,854	497,684	\$ 991,957
501	Equipment Rental	703,038	1,888,208	1,948,659	\$ 642,587
TOTAL BIENNIAL BUDGET		\$ 89,197,931	\$ 137,239,229	\$ 154,951,414	\$ 71,485,745

ORDINANCE NO. 21-1003

AN ORDINANCE of the City Council of the City of SeaTac, Washington adding a new Chapter 8.05.760 to the SeaTac Municipal Code related to Vehicle Trespass

WHEREAS, vehicle theft and vehicle prowl cases have recently been increasing in King County; and

WHEREAS, due to the volume of these types of cases, it is becoming increasingly challenging for King County to prosecute these offenders and

WHEREAS, despite the King County Sheriff Department's considerable efforts to bring these offenders to justice, an increasing number of them are not prosecuted and not punished adequately and

WHEREAS, a significant increase in vehicle theft and vehicle prowl cases have been occurring in the City of SeaTac; and

WHEREAS, adopting this Ordinance making vehicle trespass a misdemeanor crime would allow the City to more effectively deter and prosecute unlawful entry and/or unlawful attempts to enter into vehicles;

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

Section 1. A new Chapter 8.05.760 entitled "Vehicle Trespass" is hereby added to the SeaTac Municipal Code to read as follows:

Chapter 8.05.760 Vehicle Trespass

Sections:

- 8.05.760 Definitions
- 8.05.770 Vehicle Trespass Prohibited
- 8.05.780 Penalty

8.05.760 Definitions.

The following definitions are applicable to this Chapter:

- A. The word “enter” shall include the entrance of the person, or the insertion of any part of his or her body, or any instrument or weapon held in his or her hand.
- B. A person “enters” or attempts to enter, or remains unlawfully in or upon a vehicle when he or she is not licensed, invited, or otherwise privileged to so enter or remain.
- C. “Vehicle” adopts the meaning contained within RCW 46.04.670.
- D. A person acts “knowingly” when he or she has information which would lead a reasonable person in the same situation to believe that facts exist which facts are described by a statute defining an offense

8.05.770 Vehicle Trespass Prohibited.

A person is guilty of vehicle trespass if he or she knowingly enters, or attempts to enter, or remains unlawfully in a vehicle belonging to another.

8.05.780 Penalty for Violations.

Violation of any of the provisions of this Chapter is a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000) or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.

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

ADOPTED this 9th day of February, 2021 and signed in authentication thereof on this 9th day of February, 2021.


CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

APPROVED AS TO FORM:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 2/20/2021]

[Vehicle Trespass]

ORDINANCE NO. 21-1004

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to select and retain a consultant to assist the City in properly scoping and developing a project on surplus properties that furthers the City's priorities near Angle Lake Station, and amending the 2021-2022 Biennial Budget.

WHEREAS, on January 12, 2021, the City Council directed the City Manager to negotiate with Sound Transit to acquire two surplus properties near the Angle Lake Station, and retain a consultant to scope and provide a cost estimate for the City to engage in the development of these properties consistent with City Council priorities; and

WHEREAS, it is necessary for the City Council to amend the City's 2021-2022 Biennial Budget to provide additional appropriation authority to fund this consultant;

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

Section 1. The City Manager is authorized to select and retain a consultant, to assist the City in properly scoping and developing a project on surplus properties that furthers the City's priorities near Angle Lake Station.

Section 2. The City's 2021-2022 Biennial Budget is amended by increasing expenditures in the General Fund (Fund #001) by \$35,000 in order to pay for consultant services referenced in Section 1 of this Ordinance.

Section 3. This Ordinance shall not be codified, and shall be in full force and effect five (5) days after passage and publication as required by law.

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ADOPTED this 23rd day of February, 2021, and signed in authentication thereof on this 23rd day of February, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 3/6/2021]

[Consultant Services re: ST Surplus Properties and Budget Amendment]

ORDINANCE NO. 21-1005

AN ORDINANCE of the City Council of the City of SeaTac, Washington, providing for the acquisition, condemnation, appropriation, and taking of temporary and permanent real property rights in order to construct 34th Avenue South project (Public Works CIP ST-015); providing that the entire cost hereof shall be paid from available funds in the City's Transportation CIP Fund (#307); and authorizing the City Attorney Office to prosecute the appropriate action and proceedings in the manner provided by law for said condemnation.

WHEREAS, the 34th Avenue South Project ("Project") will consist of building road improvements along 34th Avenue South between South 160th Street and South 166th Street and more specifically the construction of curbs, gutters, sidewalk, bike lanes, storm drainage infrastructure, conversion of utilities to underground, utility infrastructure, street lighting, landscaping, and paving; and

WHEREAS, the Project is contained in the City's 2021-2026 Transportation Improvement Program (TIP), the 2021-2026 Capital Improvement Program (CIP), and the Capital Facilities Element of the City's Comprehensive Plan; and

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

WHEREAS, public use and necessity require that the property and property rights herein identified be condemned, appropriated, and taken for public use for Project purposes as it may now or hereafter declare in the public interest; and

WHEREAS, in the event that negotiated acquisition is not fully successful in advance of the anticipated commencement of construction, it is essential that the City Attorney's Office be authorized to initiate condemnation proceedings; and

WHEREAS, notice of the planned final action set forth herein was provided in accordance with RCW 8.25.290;

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

Section 1. The temporary or permanent acquisition of easements or real property identified and depicted in Exhibit A, which are attached and made a part of this Ordinance, is necessary to the public use to construct the Project.

Section 2. Reservation. Nothing in this Ordinance limits the City in its identification and acquisition of property and property rights necessary for its system of streets and roads, and utility improvements therein. The City reserves the right to acquire other or different properties for the Project.

Section 3. Prosecution. The City's Legal Department, at the direction of the City Attorney, is hereby authorized to commence condemnation proceedings, pursuant to law. In conducting said condemnation proceedings, the City's Legal Department and/or City Manager is hereby authorized to enter into any agreements necessary to effectuate the property acquisitions described in Exhibit A, including any stipulations necessary for the purpose of minimizing damages, including but not limited to, the modification of the interest to be acquired by the City. The Public Works Director, in consultation with the City's Legal Department, is authorized to make minor amendments to the legal description and depiction of easements or real property being acquired by the City as described in Exhibit A, as may be necessary to correct scrivener's errors and/or to conform the legal description to the precise boundaries of the property required for the Project.

Section 4. Funding. The entire cost of the property rights acquisitions authorized by this Ordinance, including all costs and expenses of condemnation proceedings, shall be paid from available funds in the City's Transportation CIP Fund (Fund #307).

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

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

ADOPTED this 23rd day of February, 2021, and signed in authentication thereof on this 23rd day of February, 2021.

CITY OF SEATAC

Erin Sitterley
Erin Sitterley, Mayor

ATTEST:

Kristina Gregg
Kristina Gregg, City Clerk

Approved as to Form:

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

[Effective Date: 3/6/2021]

[34th Avenue South (Public Works CIP ST-015)]

EXHIBIT A
FOR PERMANENT ACQUISITION
IN THE NW 1/4 OF THE NW 1/4 SEC. 27, T 23 N, R 4 E, W.M.
CITY OF SEATAC, KING COUNTY, WA

A PORTION OF THE PARCEL DESCRIBED IN STATUTORY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 20190701001250, KING COUNTY RECORDS, SAID PORTION LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M. IN KING COUNTY, WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

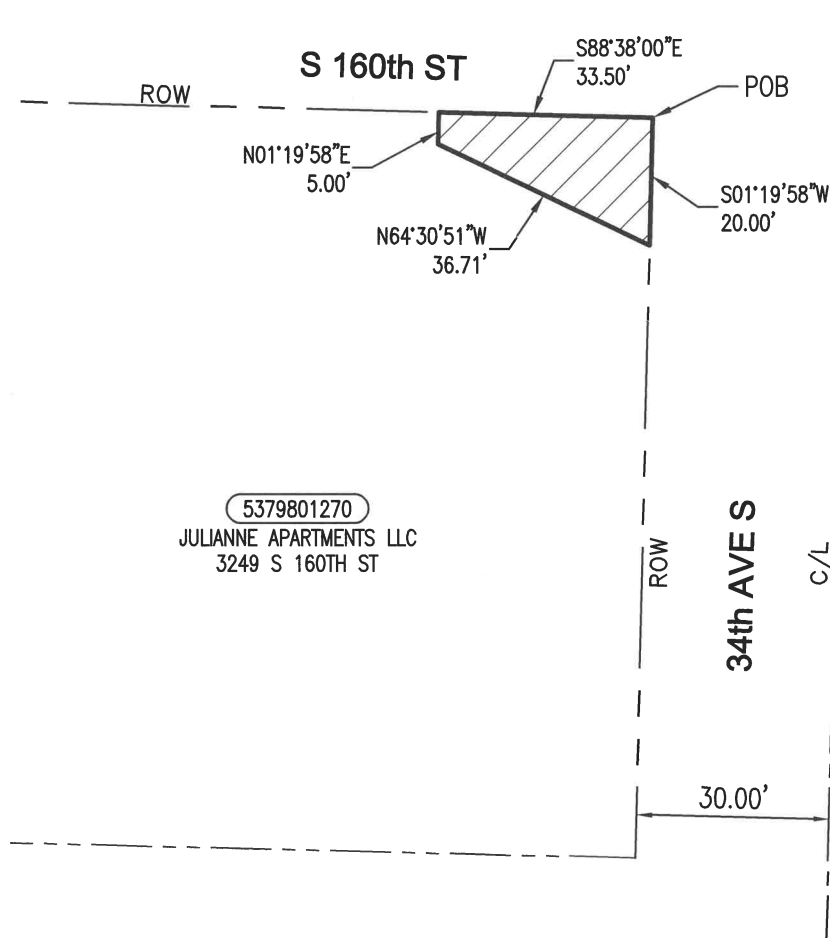
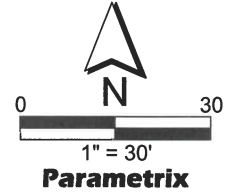
BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL;
THENCE SOUTH 01°19'58" WEST 20.00 FEET ALONG THE WEST MARGIN OF 34TH AVENUE SOUTH, ALSO BEING THE EAST LINE OF SAID PARCEL;
THENCE NORTH 64°30'51" WEST 36.71 FEET;
THENCE NORTH 01°19'58" EAST 5.00 FEET TO THE SOUTH MARGIN OF SOUTH 160TH STREET, ALSO BEING THE NORTH LINE OF SAID PARCEL;
THENCE SOUTH 88°38'00" EAST 33.50 FEET ALONG SAID SOUTH MARGIN AND SAID NORTH LINE TO THE POINT OF BEGINNING.

CONTAINING 419 SQUARE FEET, MORE OF LESS.



3-5-2020

EXHIBIT B
FOR PERMANENT ACQUISITION
IN THE NW 1/4 OF THE NW 1/4 SEC. 27, T 23 N, R 4 E, W.M.
CITY OF SEATAC, KING COUNTY, WA



LEGEND



PERMANENT ACQUISITION AREA

POB POINT OF BEGINNING

TOTAL AREA

419 SQ. FT.



3-5-2020

EXHIBIT A
FOR PERMANENT UTILITY EASEMENT
IN THE NW 1/4 OF THE NW 1/4 SEC. 27, T 23 N, R 4 E, W.M.
CITY OF SEATAC, KING COUNTY, WA

A PORTION OF THE PARCEL DESCRIBED IN STATUTORY WARRANTY DEED
RECORDED UNDER AUDITOR'S FILE NUMBER 20190701001250, KING COUNTY
RECORDS, SAID PORTION LYING IN THE NORTHWEST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 23 NORTH, RANGE 4 EAST,
W.M. IN KING COUNTY, WASHINGTON AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL;

THENCE SOUTH 01°19'58" WEST 20.00 FEET ALONG THE WEST MARGIN OF
34TH AVENUE SOUTH, ALSO BEING THE EAST LINE OF SAID PARCEL TO THE
POINT OF BEGINNING;

THENCE CONTINUING SOUTH 01°19'58" WEST 20.00 FEET ALONG SAID WEST
MARGIN AND SAID EAST LINE;

THENCE NORTH 88°40'40" WEST 8.00 FEET;

THENCE NORTH 01°19'58" EAST 20.00 FEET;

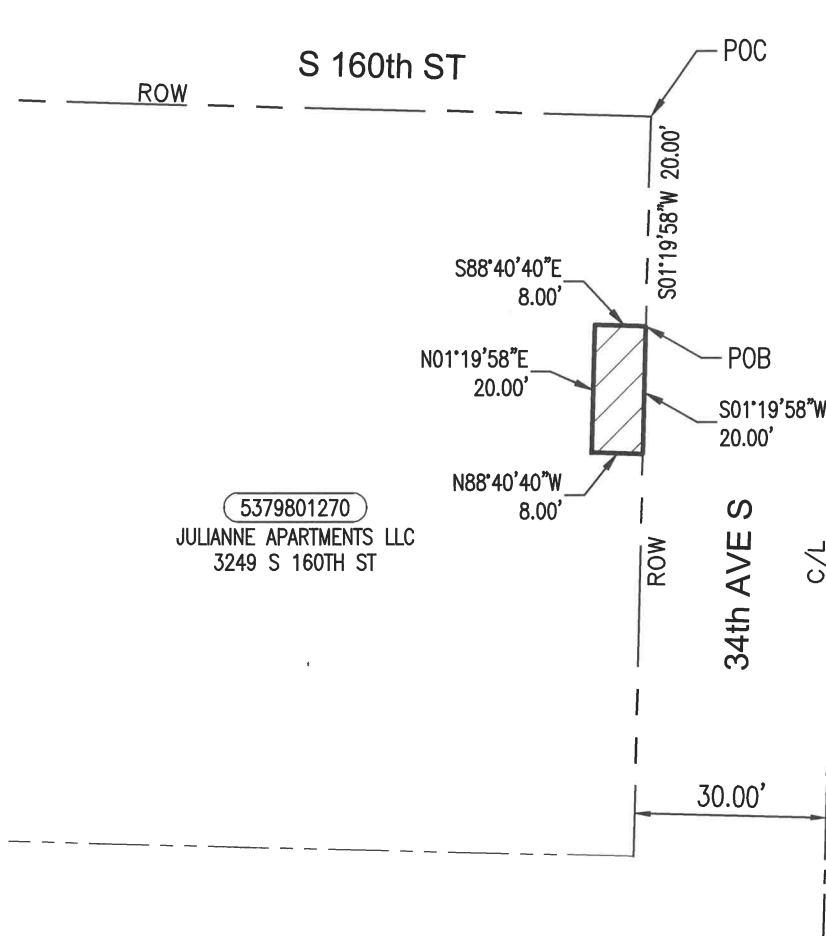
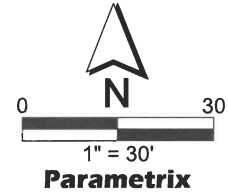
THENCE SOUTH 88°40'40" EAST 8.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 160 SQUARE FEET, MORE OF LESS



3-5-2020

EXHIBIT B
FOR PERMANENT UTILITY EASEMENT
IN THE NW 1/4 OF THE NW 1/4 SEC. 27, T 23 N, R 4 E, W.M.
CITY OF SEATAC, KING COUNTY, WA



LEGEND



PERMANENT UTILITY
EASEMENT AREA

POB POINT OF BEGINNING

POC POINT OF COMMENCEMENT

TOTAL AREA

160 SQ. FT.



3-5-2020

EXHIBIT A
FOR TEMPORARY CONSTRUCTION EASEMENT
IN THE NW 1/4 OF THE NW 1/4 SEC. 27, T 23 N, R 4 E, W.M.
CITY OF SEATAC, KING COUNTY, WA

A PORTION OF THE PARCEL DESCRIBED IN STATUTORY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 20190701001250, KING COUNTY RECORDS, SAID PORTION LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M. IN KING COUNTY, WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL;
THENCE NORTH 88°40'40" WEST 8.00 FEET ALONG THE SOUTH LINE OF SAID PARCEL;
THENCE NORTH 01°19'58" EAST 36.50 FEET;
THENCE NORTH 88°40'40" WEST 12.00 FEET;
THENCE NORTH 01°19'58" EAST 9.24 FEET;
THENCE SOUTH 88°40'40" EAST 12.00 FEET;
THENCE NORTH 01°19'58" EAST 17.27 FEET;
THENCE SOUTH 88°40'40" EAST 8.00 FEET TO THE WEST MARGIN OF 34TH AVENUE SOUTH, ALSO BEING THE EAST LINE OF SAID PARCEL;
THENCE SOUTH 01°19'58" WEST 63.01 FEET ALONG SAID WEST MARGIN AND SAID EAST LINE TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF SAID PARCEL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL;
THENCE NORTH 01°19'58" EAST 83.01 FEET ALONG THE WEST MARGIN OF 34TH AVENUE SOUTH, ALSO BEING THE EAST LINE OF SAID PARCEL TO THE POINT OF BEGINNING;
THENCE NORTH 88°40'40" WEST 8.00 FEET;
THENCE NORTH 01°19'58" EAST 16.41 FEET;
THENCE SOUTH 64°30'51" EAST 8.77 FEET TO SAID WEST MARGIN AND SAID EAST LINE;
THENCE SOUTH 01°19'58" WEST 12.82 FEET ALONG SAID WEST MARGIN AND SAID EAST LINE TO THE POINT OF BEGINNING.

CONTAINING 732 SQUARE FEET, MORE OR LESS.



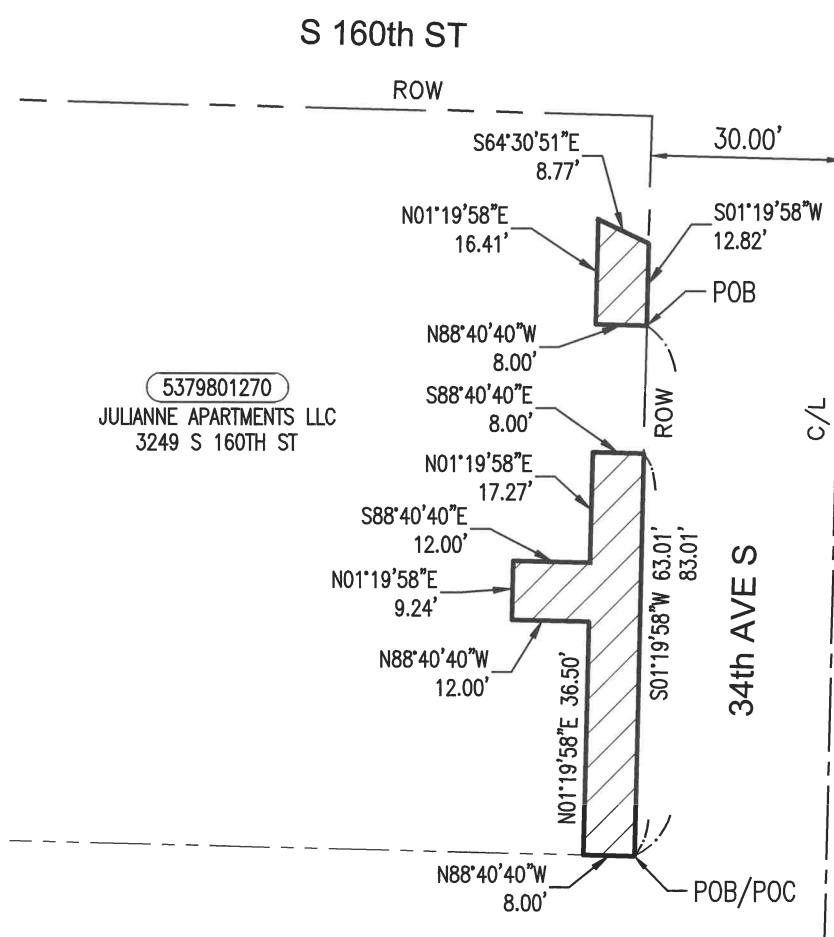
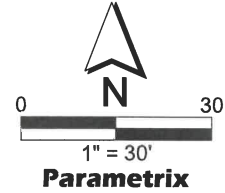
3-5-2020

EXHIBIT B

FOR TEMPORARY CONSTRUCTION EASEMENT

IN THE NW 1/4 OF THE NW 1/4 SEC. 27, T 23 N, R 4 E, W.M.

CITY OF SEATAC, KING COUNTY, WA



LEGEND



TEMPORARY CONSTRUCTION
EASEMENT AREA

POB POINT OF BEGINNING

POC POINT OF COMMENCEMENT

TOTAL AREA

732 SQ. FT.



3-5-2020

EXHIBIT A
FOR TEMPORARY CONSTRUCTION EASEMENT
IN THE NW 1/4 OF THE NW 1/4 SEC. 27, T 23 N, R 4 E, W.M.
CITY OF SEATAC, KING COUNTY, WA

A PORTION OF THE PARCEL DESCRIBED IN STATUTORY WARRANTY DEED
RECORDED UNDER AUDITOR'S FILE NUMBER 20111123001519, KING COUNTY
RECORDS, SAID PORTION LYING IN THE NORTHWEST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 23 NORTH, RANGE 4 EAST,
W.M. IN KING COUNTY, WASHINGTON AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

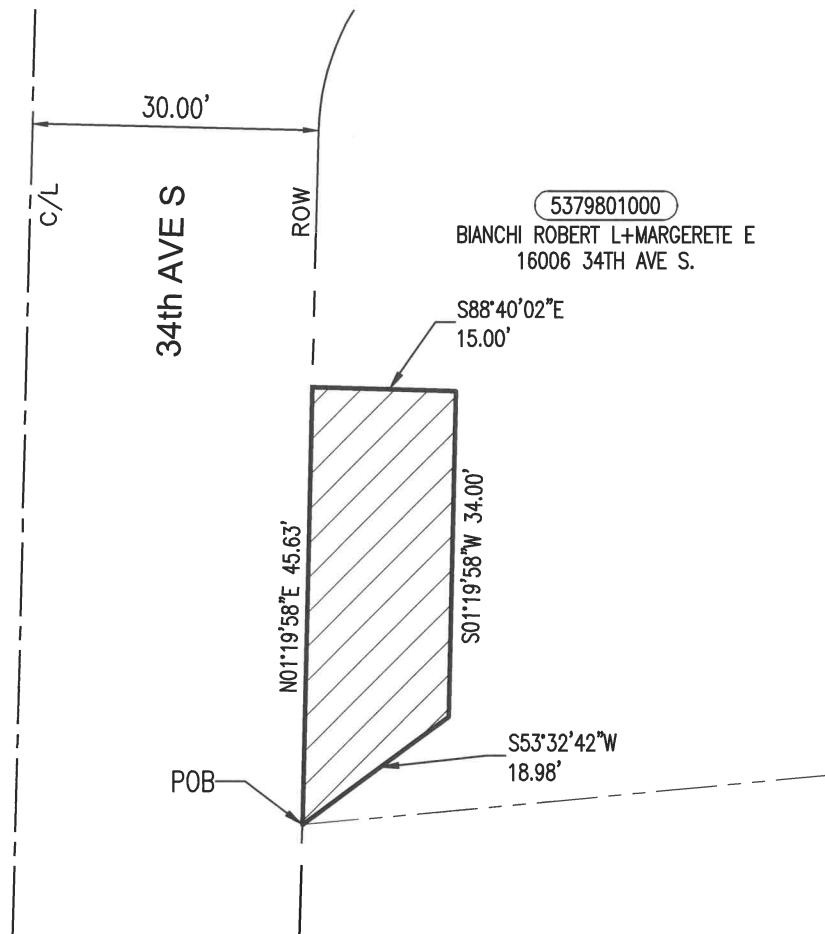
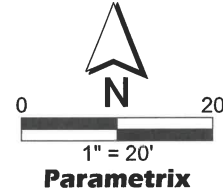
BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL;
THENCE NORTH 01°19'58" EAST 45.63 FEET ALONG THE EAST MARGIN OF
34TH AVENUE SOUTH, ALSO BEING THE WEST LINE OF SAID PARCEL;
THENCE SOUTH 88°40'02" EAST 15.00 FEET;
THENCE SOUTH 01°19'58" WEST 34.00 FEET;
THENCE SOUTH 53°32'42" WEST 18.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 597 SQUARE FEET, MORE OR LESS.



3-5-2020

EXHIBIT B
FOR TEMPORARY CONSTRUCTION EASEMENT
IN THE NW 1/4 OF THE NW 1/4 SEC. 27, T 23 N, R 4 E, W.M.
CITY OF SEATAC, KING COUNTY, WA



LEGEND



TEMPORARY CONSTRUCTION
EASEMENT AREA

POB POINT OF BEGINNING

TOTAL AREA

597 SQ. FT.



3-5-2020

EXHIBIT A
FOR TEMPORARY CONSTRUCTION EASEMENT
IN THE NW 1/4 OF THE NW 1/4 SEC. 27, T 23 N, R 4 E, W.M.
CITY OF SEATAC, KING COUNTY, WA

A PORTION OF THE PARCEL DESCRIBED IN EXHIBIT A OF DECLARATION OF CONDOMINIUMS RECORDED UNDER AUDITOR'S FILE NUMBER 20080930001975, KING COUNTY RECORDS, SAID PORTION LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M. IN KING COUNTY, WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

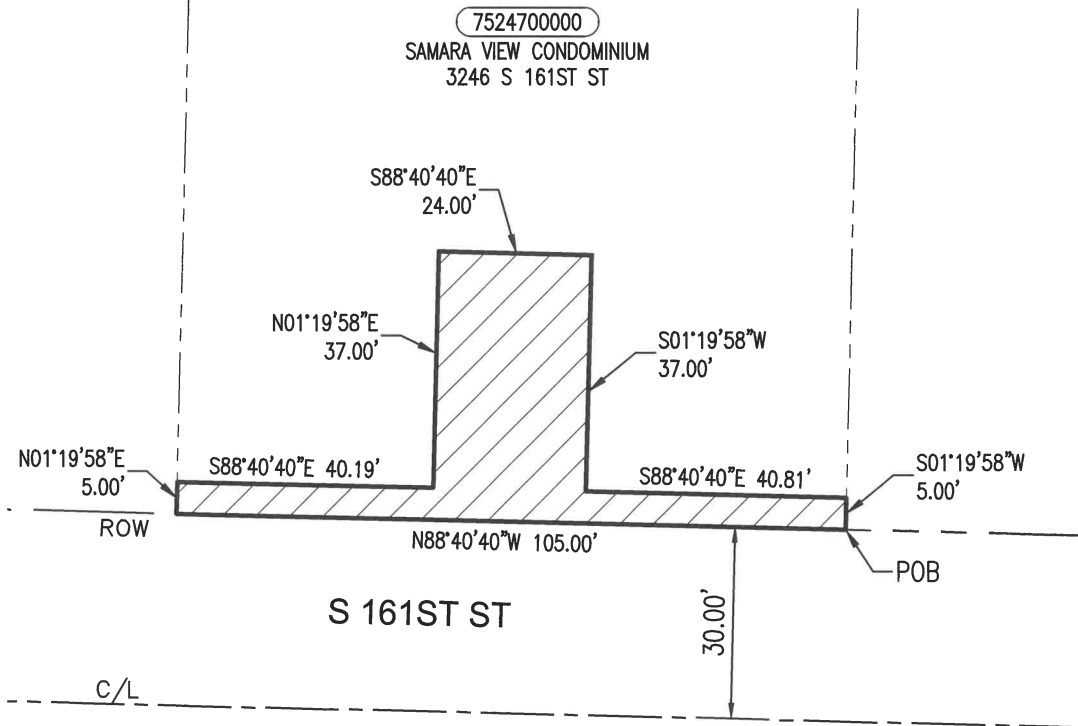
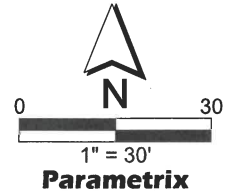
BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL;
THENCE NORTH 88°40'40" WEST 105.00 FEET ALONG THE NORTH MARGIN OF SOUTH 161ST STREET, ALSO BEING THE SOUTH LINE OF SAID PARCEL, TO THE WEST LINE OF SAID PARCEL;
THENCE NORTH 01°19'58" EAST 5.00 FEET ALONG SAID WEST LINE;
THENCE SOUTH 88°40'40" EAST 40.19 FEET;
THENCE NORTH 01°19'58" EAST 37.00 FEET;
THENCE SOUTH 88°40'40" EAST 24.00 FEET;
THENCE SOUTH 01°19'58" WEST 37.00 FEET;
THENCE SOUTH 88°40'40" EAST 40.81 FEET TO THE EAST LINE OF SAID PARCEL;
THENCE SOUTH 01°19'58" WEST 5.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

CONTAINING 1,412 SQUARE FEET, MORE OR LESS.



3-5-2020

EXHIBIT B
FOR TEMPORARY CONSTRUCTION EASEMENT
IN THE NW 1/4 OF THE NW 1/4 SEC. 27, T 23 N, R 4 E, W.M.
CITY OF SEATAC, KING COUNTY, WA



LEGEND



TEMPORARY CONSTRUCTION
EASEMENT AREA

POB POINT OF BEGINNING

TOTAL AREA

1,412 SQ. FT.



3-5-2020

ORDINANCE NO. 21-1006

AN ORDINANCE authorizing the City Manager to enter into a contract with the Washington State Department of Transportation for the purchase of surplus property adjacent to Des Moines Creek Park and amending the City's 2021-2022 Biennial Budget.

WHEREAS, the Washington State Department of Transportation (WSDOT) is selling approximately eight acres of surplus property adjacent to the west side of Des Moines Creek Park; and

WHEREAS, the addition of this property will allow for the expansion of Des Moines Creek Park; and

WHEREAS, the City is able to acquire this property from WSDOT for \$5.5 million; and

WHEREAS, the City has applied for and has been awarded \$1.6 million in grant funding towards the property acquisition price; and

WHEREAS, with the addition of required matching funds, \$3.29 million of the purchase price has been funded; and

WHEREAS, the City Council finds that it is appropriate for the City to enter into a contract with WSDOT for the acquisition of this property; and

WHEREAS, an amendment to the City's 2021-2022 Biennial Budget is necessary, in order to appropriate the additional funds necessary to make the City's first installment payment towards the purchase price, should additional grant funding not become available;

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

Section 1. The City Manager is authorized to enter into a contract with the Washington State Department of Transportation, for the purchase of real property adjacent to the west side of Des Moines Creek Park.


Section 2. The contract identified in Section 1 of this Ordinance shall be reviewed and approved as to form by the City Attorney, to ensure that the terms are generally consistent with those listed in Agenda Bill #5617.

Section 3. The City's 2021-2022 Biennial Budget shall be amended to increase expenditures in the Municipal CIP Fund (Fund #301) by \$141,765. This increase shall be reflected in calendar year 2022.

Section 4. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 9th day of March, 2021, and signed in authentication thereof on this 9th day of March, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 3/20/2021]

[WSDOT Surplus Property and Budget Amendment]

ORDINANCE NO. 21-1007

AN ORDINANCE of the City Council of the City of SeaTac,
Washington adding a new Chapter 2.03 to the SeaTac Municipal Code
related to Risk Management.

WHEREAS, the duties related to Risk Management at the City were transferred from the Human Resources Department to the Legal Department on April 1, 2020; and

WHEREAS, the City Manager and City Attorney determined it was in the best interest of the City to create a Risk Management Division within the Legal Department; and

WHEREAS, the Risk Management Division is responsible for three separate but important functions: managing the City's property, casualty and liability insurance, claims and litigation, and reducing risk; and

WHEREAS, the Risk Management Division ensures that the City, through its insurance program, maintains the necessary property, casualty and liability insurance coverage at all times; and

WHEREAS, the Risk Management Division investigates, coordinates, manages, and handles claims made against the City; and

WHEREAS, the Risk Management Division is responsible for risk identification, analysis and control, and loss reduction or prevention; and

WHEREAS, the adoption of this Ordinance establishes a framework of the roles and responsibilities of the Risk Management Division; and

WHEREAS, the City Manager may direct staff to create any necessary administrative policies and procedures that allows the Risk Management Division to effectively carryout its functions and responsibilities;

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

Section 1. A new Chapter 2.03 entitled “Risk Management” is hereby added to the SeaTac Municipal Code to read as follows:

Chapter 2.03 Risk Management

Sections:

- 2.03.010 Purpose
- 2.03.020 Core Functions
- 2.03.030 Appointed Agent and Filing Process
- 2.03.040 Legal Representation
- 2.03.050 Settlement of Claims
- 2.03.060 Recovery of Losses

2.03.010 Purpose.

- A. Risk Management is a division of the Legal Department. The purpose of this Chapter is to create a framework for the administration and operation of the Risk Management Division.
- B. The City Manager or designee may create necessary administrative policies or procedures that allow the Risk Management Division to carry out its core functions.

2.03.020 Core Functions.

The Risk Management Division shall do the following:

- A. Procure and administer all property, casualty and liability coverage programs for the City;
- B. Investigate, evaluate, and manage all claims filed against the City;
- C. Coordinate with City Departments to identify, analyze, and help implement cost effective actions that will prevent loss and reduce risk; and,
- D. In coordination with the City Attorney or designee, provide recommendations to all City departments regarding the allocation of risk in all City-related functions, including contract issues related to indemnity, hold harmless, and insurance.

2.03.030 Appointed Agent and Filing Process.

- A. Claims for damages against the City, and/or its officers, employees, or volunteers, acting in such capacity, shall be filed with the City Clerk, who is hereby appointed the City’s agent to receive claims. The City Clerk’s Office is located at SeaTac City Hall, 4800 S. 188th Street,

SeaTac, Washington 98188. The clerk's office is open to the public Monday through Friday, between the hours of 8:30 AM and 5:00 PM, except holidays. The City Clerk shall immediately forward copies of such claims to the Risk Management Division.

B. All claims for damages must comply with the requirements of RCW 4.96.020.

C. All service of process must comply with the requirements of RCW 4.28.080.

2.03.040 Legal Representation.

A. The City Attorney shall ensure that the City has legal representation in the defense of all claims made against the City. This includes, but is not limited to, the coordination of legal counsel assigned by the City's insurers or legal counsel representing the City through an indemnity agreement.

B. Subject to budget appropriations, the City Attorney is authorized to retain outside legal counsel if deemed necessary and would be in the best interests of the City.

2.03.050 Settlement of Claims.

A. The City Manager or designee shall have the authority settle any tort claim against the City in which the City's total monetary expenditure does not exceed \$125,000 per occurrence. For purposes of this Section, the total monetary expenditure includes the amount of any insurance deductibles or other direct costs necessary to investigate or defend against the claim. Furthermore, the City Attorney or designee must review and approve all settlements as to form and substance.

2.03.060 Recovery of Losses.

A. The City Attorney or designee shall be responsible for bringing all actions, including claims and lawsuits, for recovery of losses to the City arising out of the acts of others. Such losses may include property damage or losses which impact the City as a result of personal injuries to City officers, employees, or volunteers. In addition, the City Attorney may join the City as a party with any third-party in a lawsuit involving recovery of loss to the City.

Section 2. Resolution No. 03-014 is hereby repealed.

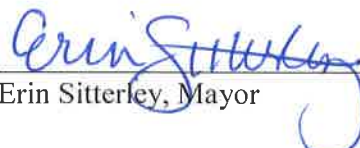
Section 3. If any provision of this Chapter, or its application to any person or circumstance is held invalid, the remainder of this Chapter, or the application of the provision to other persons or circumstances is not affected.

Section 4. Upon approval of the City Attorney's Office, the City Clerk and the Code Reviser are authorized to make necessary corrections without altering intent, 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 5. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 23rd day of March, 2021 and signed in authentication thereof on this 23rd day of March, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

APPROVED AS TO FORM:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 4/3/2021]

[Risk Management]

ORDINANCE NO. 21-1008

AN ORDINANCE of the City Council of the City of SeaTac,
Washington, amending certain Sections of Chapters 14, 15, and 16A
of the SeaTac Municipal Code related to Land Use regulations.

WHEREAS, from time to time, the City considers amendments to the Subdivision Code (Title 14, SeaTac Municipal Code), Zoning Code (Title 15, SeaTac Municipal Code), and Development Review Code (Title 16A, SeaTac Municipal Code) in order to eliminate redundancies; repeal outdated provisions; provide clarification; provide greater efficiencies; or to respond to changing community concerns and needs; and

WHEREAS, certain provisions of the Zoning Code are no longer applicable or necessary;
and

WHEREAS, certain procedures can be added to provide greater flexibility to the development community; and

WHEREAS, on June 1, 2020, City staff transmitted a copy of the proposed code amendments 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, on July 9, 2020, a SEPA threshold Determination of Nonsignificance was issued for the proposed amendments and no appeals were filed; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing regarding these proposed changes on August 4, 2020 and continued on September 15, 2020;

WHEREAS, on January 5, 2021, the Planning Commission 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. Purpose. The purpose of this Ordinance is to make necessary revisions to the SeaTac Municipal Code related to zoning code, subdivision code, and development review code, as well as changes in the mobile home park relocation standard.

Section 2. Findings in Support of Establishing Regulations. The City Council hereby adopts the recitals set forth above as its findings in support of the adoption of this Ordinance.

Section 3. Section 14.18.020 of the SeaTac Municipal Code are hereby amended to read as follows:

General Limitations

The following general limitations shall apply to all short subdivision applications:

A. Only a separate lot, as defined by SMC 14.16.126, or a combination of two or more contiguous separate lots may be short subdivided;

B. A maximum of nine (9) lots, tracts, parcels, or sites may be created by any single application;

C. Except as provided in SMC 14.15.020(C), if the lot to be subdivided was created through a prior short subdivision, at least five (5) years must have passed since the recording of such prior short subdivision, except that when the short plat contains fewer than nine (9) lots, tracts, parcels, or sites, a short plat alteration may be requested to create additional lots, tracts, parcels, or sites, up to a maximum of nine (9) within the original short plat boundaries. A short plat alteration shall contain the same information as required in a short plat application.

Section 4. Section 15.105.150 “O definitions” of the SeaTac Municipal Code is hereby amended by deleting the definition of “Other Retail Uses.”

~~Other Retail Uses~~

~~A retail use that is substantially similar to other listed permitted retail uses within a zone and has similar impacts relating to but not limited to: traffic, storm drainage, the generation of light and glare, emissions or pollutants, odors, or electromagnetic radiation.~~

Section 5. Section 15.105.180 of the SeaTac Municipal Code is hereby amended and all other definitions in this section remain the same:

Retail, Big Box

A retail or wholesale establishment use in a building greater than fifty thousand (50,000) square feet of gross floor area that typically requires a high parking-to-building area ratio. Big-box retail buildings are typically single-story structures. Accessory outdoor display of some materials may occur.

Retail Establishment

A commercial enterprise which provides goods and/or services directly to the consumer, whose goods are available for immediate purchase and removal from the premises by the purchaser, and/or whose services are traditionally not permitted within an office use.

A. A retail establishment includes but is not limited to: antique/secondhand store; apparel/accessory store; department/variety store; drug store; florist shop; food/grocery store; furniture store; hardware/garden store; hobby/toy store; jewelry store; liquor store; pet store; and sporting goods store.

B. A retail establishment does not include pawn shops.

Retail, General

~~A retail establishment~~ Establishments within a permanent structure engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. This definition excludes retail, big box uses and pawn shops.

Section 6. Section 15.110.040 of the SeaTac Municipal Code is hereby amended to read as follows:

15.110.040 Yard Setbacks

A. To determine yard setbacks, lot lines shall be measured from the existing edge of the street right-of-way.

B. Determining Front, Rear and Side Yard Setbacks.

1. **Front Yard.** The front yard setback shall be measured from the front lot line as established in SMC 15.110.030(A), Designation of Lot Lines, Front Lot Lines.
2. **Rear Yard.** The rear yard setback shall be measured from the rear lot line as established in SMC 15.110.030(B), Designation of Lot Lines, Rear Lot Lines.
3. **Side Yard.** The side yard setback shall be measured from the side lot lines as established in SMC 15.110.030(C), Designation of Lot Lines, Side Lot Lines.

C. ~~Determining~~ Setbacks for Subdivisions and Short Plats with Access Easements.

1. ~~All Lots created through subdivisions and short plats shall maintain required front, side and rear setbacks from any access easement easements, except as follows:~~ a. ~~Short-short~~ plats of only two (2) lots shall not be required to meet the side yard setbacks from approved access easements.

Section 7. Section 15.115.005 under "Purpose" of the SeaTac Municipal Code is hereby amended to read as follows:

15.115.050 Purpose

The purposes of this chapter are to allow for consistent evaluation of land use applications and any other ~~quasi-judicial matters decisions~~ considered by the Hearing Examiner or Director pursuant to the applicable ordinances and authority. ~~This chapter also details decision criteria for administrative variances and minor conditional use permits rendered by the Director.~~

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

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

Section 8. Section 15.115.020 (E) of the SeaTac Municipal Code under “Minor Conditional Use Permit” is hereby amended, as follows and all other provisions of this section remain the same:

- E. A minor conditional use permit may be granted by the Director only in the following situations:
 - 1. The minor conditional use must conform to the criteria as set forth in this section and all other requirements of this code.
 - 2. To allow the expansion of an existing, legal conditional use which has previously been permitted within the zone classification, provided the requested expansion of the existing conditional use is either:
 - a. No greater than twenty percent (20%) of the gross floor area of the existing conditional use; and
 - b. Exempt from environmental review under the State Environmental Policy Act (SEPA).
 - 3. To allow location of a new concealed freestanding macro facility in a low intensity zone, subject to the requirements set forth in Chapter 15.480 SMC, Wireless Communication Facilities.

4. To allow subsidiary uses in:
 - a. School-school facilities or City facilities within the residential zones and Park zone; and
 - b. Religious use facilities in residential zones.

See criteria in Chapter 15.470 SMC, Subsidiary Uses.

Section 9. Section 15.115.030 (B) and Section 15.115.040 (C) of the SeaTac Municipal Code are hereby amended by replacing the term “Development Review Committee” (DRC) process with pre-application process and all other provisions of these sections remain the same:

SMC 15.115.030 Development Agreements

B. Terms of the proposed development agreement shall be subject to the pre-application meeting ~~Development Review Committee~~ process set forth at SMC 16A.05.020, Pre-application Meetings, and such other provisions of SMC Title 16A, Development Review Code, as may be deemed appropriate by the City.

SMC 15.115.040 Essential Public Facilities

C. Threshold Review. During or within forty-five (45) days subsequent to the mandatory pre-application ~~Development Review Committee~~ meeting required by SMC 16A.05.020, Pre-application Meetings, the Director shall make a threshold determination, and advise the potential applicant in writing of such determination, whether the proposed project is an EPF and, if so, whether it is difficult to site. In making said determinations, the Director shall broadly and liberally apply the definition of an EPF in consideration of the full range of proposed and potential services to be provided to the public, whether provided directly by, funded by, or contracted for by a governmental agency, or provided by a private entity or entities subject to public service obligations. The determination of whether an EPF will be difficult to site shall be made by the Director upon known or reasonably perceived and articulable facts. Proposed projects determined not to be EPFs, and proposed projects determined to be EPFs but also determined to be not difficult of siting, shall be reviewed and processed as any other similar project pursuant to the City Development Code without regard to this section.

These requirements shall not be construed to limit the appropriate use of schools and other facilities for emergency shelters in disaster situations.

Section 10. Section 15.205.040 of the SeaTac Municipal Code related to “Retail and Commercial” Use is hereby amended as follows, and all other provisions of this section remain the same:

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/C/M	CB	CB-C	RBX	I	P	ADDITIONAL STANDARDS
RETAIL AND COMMERCIAL															
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).
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			(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- UC R	T	MHP	NB	O/C/ MU	O/C M	CB	CB- C	RBX	I	P	ADDITIONAL STANDARDS
RETAIL AND COMMERCIAL															
Fabrie 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).
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).

LAND USE	UL	UM	UH	UH-UC R	T	MHP	NB	O/C/ MU	O/C M	CB	CB-C	RBX	I	P	ADDITIONAL STANDARDS
RETAIL AND COMMERCIAL															
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).
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).

LAND USE	UL	UM	UH	UH-UC R	T	MHP	NB	O/C/ MU	O/C M	CB	CB-C	RBX	I	P	ADDITIONAL STANDARDS
RETAIL AND COMMERCIAL															
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).
Liquor Store								C	P	P	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. (3) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Media Material			P(1)	P(1)			P	P(2)	P	P	P	P(3)			(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).
Other Retail Uses							C	C	P	P	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).
Pet Store								P(1)	P(1)	P	P	P(2)			

[illegible]

[illegible]

Section 11. Sections 15.300.055 “City Center Overlay District Use Chart” of the SeaTac Municipal Code is hereby amended by deleting and adding certain provision related to “Retail and Commercial” use, and all other provisions of this Use Chart section remain the same:

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

P – Permitted Use

O/CM – Office/Commercial Medium

O/C/MU – Office/Commercial/Mixed Use

T – Townhouse

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

C – Conditional Use Permit required

LAND USE	UM	UH	UH-UCR	NB	CB-C	O/C M	O/C/ MU	T	P	Additional Regulations
RETAIL AND COMMERCIAL										
Antique/Secondhand-Store			P(1)	P	P	P(1)	P(1)			(1) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Apparel/Accessory-Store		P(1)	P(2)		P	P(2)	P(2)			(1) Small, resident-oriented uses only, as part of a residential mixed use project. (2) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Department/Variety-Store				P	P	P(1)	P(1)			(1) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.

LAND USE	UM	UH	UH-UCR	NB	CB-C	O/C M	O/C/MU	T	P	Additional Regulations
RETAIL AND COMMERCIAL										
Drug Store		P(1)	P(2)	P	P	P(2)	P(2)			(1) — Small, resident-oriented uses only, as part of a residential mixed use project. (2) — Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Fabric Store		P(1)	P(2)		P	P(2)	P(2)			(1) — Small, resident-oriented uses only, as part of a residential mixed use project. (2) — Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Florist Shop		P(1)	P(2)	P	P	P(2)	P(2)			(1) — Small, resident-oriented uses only, as part of a residential mixed use project. (2) — Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Food Store		P(1)	P(2)	P	P	P(2)	P(2)			(1) Small, resident-oriented uses only. (2) — Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
										(3)
Furniture Store			P(1)		P	P(1)	P(1)			(1) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Hardware/Garden-Material				P	P	P(1)	P(1)			(1) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.

LAND USE	UM	UH	UH-UCR	NB	CB-C	O/C M	O/C/MU	T	P	Additional Regulations
RETAIL AND COMMERCIAL										
Hobby/Toy Store		P(1)	P(2)	P	P	P(2)	P(2)			(1) — Small, resident-oriented uses only, as part of a residential mixed use project. (2) — Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Jewelry Store		P(1)	P(2)	P	P	P(2)	P(2)			(1) — Small, resident-oriented uses only, as part of a residential mixed use project. (2) — Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Liquor Store					P	P	€			
Media Material		P(1)	P(2)	P	P	P(2)	P(2)			(1) — Small, resident-oriented uses only, as part of a residential mixed use project. (2) — Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use. (3) —
Other Retail Uses		P(1)	P(2)	€	P	P	€			(1) — Small, resident-oriented uses only, as part of a residential mixed use project. (2) — Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Pet Store			P(1)		P	P(1)	P(1)			(1) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Photographic and Electronic Store			P(1)	P	P	P(1)	P(1)			(1) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.

[illegible]

Section 12. Section 15.305.055 of the SeaTac Municipal Code is hereby amended by adding certain sections to the South 154th Street Station Area Overlay District Use Chart, related to “Retail and Commercial” use charts as follows, and all other provisions in this section remain the same:

ZONES:

UM – Urban Medium CB-C – Community Business in the Urban Center

UH – Urban High T – Townhouse

UH-UCR – Urban High-Urban Center Residential

P – Permitted Use C – Conditional Use Permit required

RETAIL AND COMMERCIAL						
LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154th St. are exempt from mixed use requirements.
<u>Agricultural Crop Sales (Farm Only)</u>						
<u>Arcade (Games/ Food)</u>		<u>P(1)</u>	<u>P(1)</u>	<u>P</u>		<u>(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use.</u>
<u>Beauty Salon/ Personal Grooming Service</u>		<u>P(1)</u>	<u>P(1)</u>	<u>P</u>		<u>(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use.</u>

RETAIL AND COMMERCIAL						
LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154th St. are exempt from mixed use requirements.
<u>Coffee Shop/Retail Food Shop</u>		<u>P(1,2)</u>	<u>P(1,2)</u>	<u>P</u>		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use. (2) No drive-through facilities allowed.
<u>Dry Cleaner</u>		<u>P(1)</u>	<u>P(1)</u>	<u>P</u>		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use.
<u>Espresso Stand</u>		<u>P(1,2)</u>	<u>P(1,2)</u>	<u>P</u>		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use. (2) No drive-through facilities allowed.
<u>Financial Institution</u>		<u>P(1,2)</u>	<u>P(1,2)</u>	<u>P</u>		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use. (2) No drive-through facilities allowed.
<u>Laundromat</u>		<u>P(1)</u>	<u>P(1)</u>	<u>P</u>		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use.
<u>Produce Stand</u>						
<u>Restaurant</u>		<u>P(1,2)</u>	<u>P(1,2)</u>	<u>P</u>		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use. (2) No drive-through facilities allowed.

RETAIL AND COMMERCIAL						
LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154th St. are exempt from mixed use requirements.
<u>Restaurant, Fast Food</u>		<u>P(1,2)</u>	<u>P(1,2)</u>	<u>P</u>		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use. (2) No drive-through facilities allowed.
<u>Theater/Entertainment Club</u>						
<u>Theater, Movie</u>			<u>P(1)</u>	<u>P</u>		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use.

Section 13. Section 15.310.055 “Angle Lake Station Area Overlay District Use Chart” of the SeaTac Municipal Code related to “Retail and Commercial” use is hereby amended, as follows and all other provisions in this section remain the same:

15.310.055 Angle Lake Station Area Overlay District Use Chart

ZONES:

UM – Urban Medium

UH – Urban High

Urban High-Urban Center Residential

P – Permitted Use; C – Conditional Use Permit required

RBX – Regional Business Mix

CB-C – Community Business in the Urban Center UH-UCR –

I – Industrial

RETAIL AND COMMERCIAL							
LAND USE	UM	UH	UH-UCR	RBX	CB-C	I	Additional Regulations
Coffee Shop/Retail Food Shop		P(1,2)	P(1,2)	P(2)	P(2)		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.310.720, Definition of Mixed Use. (2) No drive-through facilities allowed within the District Center. See map in SMC 15.310.010.
Espresso Stand		P(1,2)	P(1,2)	P(2)	P(2)	P	(1) Permitted as a part of a residential mixed use development, as described in SMC 15.310.720, Definition of Mixed Use. (2) No drive-through facilities allowed within the District Center. See map in SMC 15.310.010.
Produce Stand							

LAND USE	UM	UH	UH-UCR	RBX	CB-C	I	Additional Regulations
RETAIL AND COMMERCIAL							
Theater/Entertainment Club				<u>P</u>	<u>P</u>	<u>P</u>	
Theater, <u>Movie</u>				P	P(1)	P	(1) Not permitted within the District Center. See map in SMC 15.310.010.
Wholesale/Bulk Store					€(1)	€	(1) Not permitted within the District Center. See map in SMC 15.310.010.

Section 14. Section 15.405.100 of the SeaTac Municipal Code is hereby amended by deleting the dimensional “setback” standard within the front yard of a structure. All other provisions of this use chart remain the same.

15.405.100 Accessory and Tent Structures Standards Chart

DEVELOPMENT STANDARDS	GARAGE, SHED, BARN, AND SIMILAR STRUCTURES						CANOPY		TENT		ADDITIONAL REGULATIONS
	UL-15,000	UL-9,600 UL-7,200	UM-3,6010 UM-2,400	UH-1,800 UH-900 UH-UCR	T	MHP	UL-15,000	UL-9,600 UL-7,200	UL-15,000	UL-9,600 UL-7,200	
MINIMUM FRONT YARD SETBACK	20'	20'	(1)	(1)	(1)	N/A	20' (2)	20' (2)	(3)	(3)	<p>(1) See front yard setbacks in SMC 15.400.100, Residential Standards Chart.</p> <p>(2) One canopy tent structure may be allowed in the front yard-setback per the criteria in SMC 15.405.400(A).</p> <p>(3) Not permitted in front yard-setback.</p>

Section 15. Section 15.415.300(E) of the SeaTac Municipal Code is hereby amended by deleting the sunset clause for mobile food truck vending in this section and reads as follows:

15.415.300 Mobile Food Vending

A. **Application.** The provisions of this section shall apply to all mobile food vending businesses in all zones where such use is permitted.

B. **Exemptions.** These provisions do not apply to catered, private events or permitted concession sales.

C. **Mobile Food Vending as Permitted Uses.** Mobile food vending may be permitted as follows:

1. Mobile food vending may be permitted as a primary or accessory use in applicable zones.
2. Mobile food vending may be allowed within parks, plazas, or schools as part of a special event, approved pursuant to either a temporary use permit or by concession contract or special use permit pursuant to SMC 2.45.520.
3. Mobile food vending shall not be located within any public right-of-way unless approved through a right-of-way use permit pursuant to Chapter 11.10 SMC.

D. **Standards for Mobile Food Vending.**

1. Mobile food vendors shall obtain a City of SeaTac business license and conform to all King County – Seattle Health Department standards.
2. All mobile food vending operations shall be self-contained; provided, that outdoor seating may be provided.
3. Parking and Circulation.
 - a. Drive-up and/or drive-through facilities are prohibited.
 - b. All mobile vending shall be located on an approved surface and maintain adequate pedestrian and vehicular circulation through parking lots.
 - c. Mobile food vending as a primary use shall provide paved parking adequate to serve customers.
4. Signage. In addition to advertising on the mobile vending vehicle, secondary signage shall also be allowed pursuant to SMC 15.600.070.

~~E. **Expiration.** The provisions of this section shall expire on March 31, 2020.~~

Section 16. Section 15.445.210 of the SeaTac Municipal Code is hereby amended by adding, deleting and changing certain landscaping requirements standards, as follows and all other provisions in this section remain the same:

15.445.210

15.445.210 Landscaping Standards Chart

LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NONCOMPATIBLE ZONES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE (See SMC 15.445.250)	ADDITIONAL REGULATIONS
Manufacturing and Fabrication, Medium	III/10 ft.	V/5 ft.	II/10 ft. H/5 ft.	I/10 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UM, UH, or MHP) for buffering purposes.
RESIDENTIAL						
Multi-Family	III/10 ft. (1)	V/5 ft. IV/5 ft.	III/5 ft.	I/10 ft.	Yes	(1) In UH zones, street frontage landscaping can be reduced up to 5 feet if combined with contiguous building facade landscaping for a total of 10 feet immediately abutting building. No path or other design feature may encroach within the combined landscaping.
RETAIL and COMMERCIAL						
Antique/Secondhand Store	IV/10 ft.	V/5 ft.	III/5 ft.	H/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.

LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NONCOMPATIBLE ZONES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE (See SMC 15.445.250)	ADDITIONAL REGULATIONS
RETAIL and COMMERCIAL						
Apparel/Accessory Store	III/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single family (UL or UM) zones for buffering purposes.
Department/Variety Store	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single family or multi family zones (UL, UH 900, 1800, or MHP) for buffering purposes.
Drug Store	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single family (UL or UM) zones for buffering purposes.
Fabric Store	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single family (UL or UM) zones for buffering purposes.
Food Store	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single family (UL or UM) zones for buffering purposes.

LAND USE	STREET FRONTAGE (Type/ Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/ Width)	SIDE/REAR BUFFER FOR NONCOMPATIBLE ZONES (Type/ Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE (See SMC 15.445.250)	ADDITIONAL REGULATIONS
RETAIL and COMMERCIAL						
Furniture Store	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Hardware/Garden	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes.
Hobby/Toy Store	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Jewelry Store	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Liquor Store	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Media Material	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Mobile Vending	N/A	N/A	N/A	N/A	N/A	
Other Retail Uses	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.

LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NONCOMPATIBLE ZONES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE (See SMC 15.445.250)	ADDITIONAL REGULATIONS
RETAIL and COMMERCIAL						
Pet Store	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Photographic and Electronic Store	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Sexually Oriented Business	IV/10 ft.	V/5 ft.	II/5 ft. II/6 ft.	N/A	Yes	
Sporting Goods and Related Stores	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Theater/Entertainment Club	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Theater, Movie	II/20 ft.	N/A	I/5 ft.	I/20 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Wholesale/Bulk Store	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.

Section 17. Section 15.455.120 of the SeaTac Municipal Code is hereby amended by deleting, adding and consolidating certain requirements for Parking on Off-Street Spaces, as follows and all other provisions of this section remain the same:

15.455.120 Parking Chart for Required Off-Street Spaces

LAND USE	MINIMUM SPACES REQUIRED	ADDITIONAL REGULATIONS
RETAIL AND COMMERCIAL		
Agricultural Crop Sales (Farm Only)	1 per 250 sf of leasable space	
Antique/Secondhand Store	1 per 250 sf of leasable space	
Apparel/Accessory Store	1 per 250 sf of leasable space	
Arcade (Games/Food)	1 per 250 sf of building	
Beauty Salon/Personal Grooming Service	1 per 200 sf of gross floor area	
Coffee Shop/Retail Food Shop	1 per 250 sf of leasable space	
Concession Sales	To be assessed at time of application and subject to evaluation of onsite circulation	
Department/Variety Store	1 per 250 sf of leasable space	
Drug Store	1 per 250 sf of leasable space	
Entertainment Club	1 per 250 sf of leasable space	
Fabric Store	1 per 250 sf of leasable space	
Fast Food/Restaurant	1 per 150 sf of leasable space (plus 5 stacking spaces with drive-through)	
Financial Institution	1 per 250 sf, plus 5 stacking spaces	
Florist Shop	1 per 250 sf of leasable space	
Food Store	At least 15,000 sf: 1 per 250 sf of leasable space Less than 15,000 sf: 3, plus 1 per 300 sf	
Furniture Store	1 per 300 sf of building	
Hardware/Garden Material	1 per 250 sf of leasable space	
Hobby/Toy Store	1 per 250 sf of leasable space	
Jewelry Store	1 per 250 sf of leasable space	

LAND USE	MINIMUM SPACES REQUIRED	ADDITIONAL REGULATIONS
RETAIL AND COMMERCIAL		
Laundromat	1 per 250 sf of leasable space	
Liquor Store	1 per 250 sf of leasable space	
Media Material	1 per 250 sf of leasable space	
Other Retail Uses	1 per 250 sf of gross floor area	
Pet Store	1 per 250 sf of leasable space	
Photographic and Electronic Store	1 per 250 sf of leasable space	
Restaurant, Fast Food	1 per 150 sf of leasable space (plus 5 stacking spaces with drive-through)	
Sporting Goods and Related Stores	1 per 250 sf of leasable space	
Theater/Entertainment Club	1 per 250 sf of leasable space	
Theater, Movie	1 per 3 fixed seats, plus 1 per employee	
Wholesale/Bulk Store	1 per 250 sf of leasable space	
RETAIL AND COMMERCIAL, LODGING		
Hotel/Motel and Associated Uses	Basic Guest and Employee (no shuttle service): 0.9 per bedroom Basic Guest and Employee (with shuttle service) 0.75 per bedroom With restaurant/lounge/bar: 1 per 150 gsf With banquet/meeting room: 1 per 150 gsf Retail (15,000 gsf or less): 1 per 1,000 gsf Retail (greater than 15,000 gsf): 1.5 per 1,000 gsf	

Section 18. Section 15.455.700 of the SeaTac Municipal Code is hereby amended by deleting the language “UL-5000”, adding the word “driveways” and adding clarifying language in Section 15.455.700(A) (3). All other provisions of this section remain the same:

15.455.700 Single-Family Parking

In addition to the applicable parking requirements within this chapter, the following maximum off street parking standards shall apply within the single-family zones (~~UL-5,000; UL-7,200; UL-9,600; and UL-15,000~~). These standards shall be applicable to new and existing driveways and parking areas.

A. **Approved Surfaces.** All motor vehicles, trailers, boats and RVs must be parked on one (1) of the approved surfaces listed below:

1. Concrete (four (4) inch Portland cement concrete over compact native soils); or
2. Blacktop (two (2) inch asphalt concrete pavement over gravel section as described under subsection (A)(3) of this section); or
3. Two (2) inches of 5/8 minus compacted rock provided mud or other fine material that does not work its way to the surface of the rock. Alternate sized minus compacted rock may be used upon approval by the City; or
4. Permeable pavement such as pervious concrete, permeable pavers, or porous asphalt designed in accordance with the Surface Water Design Manual; or
5. Any other configuration or materials, approved by the City, that maintains a durable uniform surface.

Section 19. Section 15.465.500(C) (2) and 15.465.500(D) (2) of the SeaTac Municipal Code is hereby amended to read as follows:

C. **Regulation of Home Occupations.** Home occupations shall be required to have a business license pursuant to Chapter 5.05 SMC, and shall then be permitted, providing that each such home occupation meets the following criteria:

1. Is carried on exclusively by a member(s) of a family residing in the dwelling unit and no more than two (2) nonresident employees with approved on-site parking;
2. Is clearly incidental and secondary to the use of the property for dwelling purposes with the floor area devoted to the home occupation not exceeding twenty-five percent (25%) of the living area of the dwelling unit; for the purposes of this paragraph, living area does (not to include the grounds, out-buildings, garage, unfinished basement, or other areas not prepared for normal dwelling purposes);
3. Has no display or sign other than an unlighted display or sign no larger than two (2) square feet attached to an existing structure;
4. Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property;
5. Does not require truck delivery or pick-up not common to a residential dwelling (i.e., parcel service); delivery hours are restricted to the hours of 8:00 a.m. to 8:00 p.m.;
6. Does not involve installation and use of heavy equipment, large power tools, or

power sources not common to a residential dwelling, or any other usage which creates a level of noise, vibration, smoke, dust, odors, heat or glare beyond that which is common to a residential area;

7. Does not create a level of parking demand beyond a maximum of two (2) visitors at any given time and no more than eight (8) total two-way trips per day;
8. Does not involve production, generation, storage or use of hazardous waste, as defined by the State Department of Ecology;
9. Involves only sales which are an incidental use and which do not constitute regular retail sales on the premises.

D. Uses and Activities Exempt from Regulation.

1. Garage sales, yard sales, bake sales, temporary home boutiques or bazaars for handcrafted items, parties for the display of domestic products, and other like uses shall not be considered home occupations subject to regulation pursuant to subsection (C) of this section, Regulations of Home Occupations; provided, that any such use shall not be in existence for more than twenty (20) days in any one (1) calendar year, and shall not be in violation of any other chapter in this code, or City ordinance; and provided further, that any such garage sales and yard sales involve only the sale of household goods, none of which were purchased for the purpose of resale.
2. Day care facilities, bed and breakfast operations and other similar uses otherwise allowed in residential homes are exempt from the provisions of this Section ~~chapter~~.

Section 20. The requirements of Section 15.465.600 (H) of the SeaTac Municipal Code “Mobile Home Park Relocation Standards” is hereby amended by deleting and referencing the applicable provisions of Chapter 59.20 RCW and 59.21 RCW and it shall read as follows:

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

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

If an eminent domain action of a Federal, State or local agency causes closure of a mobile home park and the procedures set forth in the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. 4601 et seq., and the regulations of 49 CFR Part 24 or the Relocation Assistance—Real Property Acquisition Policy Act of Chapter 8.26 RCW and the regulations of Chapter 468-100 WAC are followed, the requirements of those acts and regulations will supersede the requirements of this section and the standards contained herein.

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

1. — **Required Elements of the Mobile Home Park Relocation Plan.** The mobile home relocation plan shall include the following required elements:

- a. — **Inventory.** An inventory of park tenants and their mobile homes shall be prepared in a format established by the Department (hereinafter referred to as the “department”). The purpose of the inventory is to provide data for the State Environmental Policy Act (Chapter 43.21C RCW) checklist (hereinafter referred to as the “SEPA checklist”), which will analyze the impact of the park closure, and to establish a basis for identifying relocation/mitigation options. The inventory shall include:
 - i. — An inventory of park tenants (to include information as to age, income, number of years in the park);
 - ii. — An inventory of the age and conditions of the mobile homes; and
 - iii. — Costs of pad rental, park utility fees and other charges, personal utilities, insurance, personal property taxes, and mobile home security interests, if applicable.

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

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

- e. ~~Options.~~ A list of relocation options shall be prepared, including:
 - i. ~~A list of vacant mobile home park spaces in King and Pierce Counties, together with a description of each park's amenities, restrictions, rental rates and other costs charged;~~
 - ii. ~~A list of low cost apartments or other low cost housing options in King County;~~
 - iii. ~~Information from banks concerning first time home buyer programs;~~
 - iv. ~~Information from the county or nonprofit entities concerning relocation park options; and~~
 - v. ~~Information from the Port of Seattle regarding the process for obtaining Port noise mitigation funds and "advisory assistance," if applicable, including a statement of whether or not the owner intends to participate in any available program and pass noise mitigation funds to tenants.~~
 - d. ~~Choices.~~ A statement of housing preference, based on the available options, shall be gathered from each mobile home tenant. The list of each participating tenant's preference shall provide a basis for tenants to coordinate their preferences with others in the park and with the available opportunities.
 - e. ~~Anticipated Timing.~~ The mobile home park owner shall provide a statement of anticipated timing for park closure.
 - f. ~~Coordination Plans or Actions.~~ The mobile home park owner shall provide a statement of any coordination plans or actions in addition to those stated above that the park owner intends to take in order to minimize the impacts of park closure on the tenants. The relocation plan shall identify an official relocation plan contact. The contact shall be responsible for providing the required relocation information to tenants and status information to the City.
2. ~~Required Process.~~ The timing and preparation of the mobile home relocation plan shall comply with the following process:
- a. ~~The owner of the park shall initiate a preapplication meeting with the department to clarify the requirements of the relocation plan. If applicable, the applicant shall also meet with Port of Seattle staff to determine if relocation assistance is available.~~
 - b. ~~The owner of the park shall notify, in writing, all affected park tenants and the department that the owner is beginning the process of preparing a mobile home relocation plan. In such notification, the department shall schedule a meeting with tenants to inform them of the owner's proposal for the property, the requirements of the mobile home relocation standards, as contained herein, and the proposed timeline for the process.~~
 - c. ~~The mobile home park owner shall prepare a relocation plan, pursuant to the requirements of subsection (H)(1) of this section.~~
 - d. ~~The mobile home park owner shall complete a SEPA checklist for the relocation plan. A copy of the SEPA checklist shall be sent to each tenant of the mobile home park. If the owner is proposing to redevelop the site,~~

~~the owner may choose to have the site plan for the new development evaluated for environmental impacts concurrently with the relocation plan. If this option is chosen, the owner shall submit a site plan along with the SEPA checklist and relocation plan.~~

- ~~e. The department shall review the relocation plan to ensure compliance with the requirements of subsection (H)(1) of this section. If it is determined that the requirements have not been met, the department shall notify the mobile home park owner in writing of the identified deficiencies. The owner shall revise the plan to correct all of the identified deficiencies before resubmitting it to the City.~~
 - ~~f. Once it is determined that the requirements of subsection (A) of this section have been met, the Director of the department shall issue a decision on the relocation plan based on the impacts of the proposed action. The decision may be to approve, deny, or require modification of the relocation plan. If the relocation plan is approved, the Director shall issue a certificate of approval.~~
 - ~~g. The decision of the Director is appealable to the Hearing Examiner, in accordance with the procedures of SMC 15.115.070, Appeal Process. If the decision is appealed, the relocation plan process as set forth herein shall automatically be stayed until the appeal is resolved.~~
 - ~~h. If approved, the relocation plan shall be delivered to all tenants by the mobile home park owner prior to or coincident with the minimum twelve (12) month notice of intent to close the park. The relocation plan shall be valid for delivery to tenants for three (3) months from the date of approval. If the relocation plan is not delivered in this time frame, or if park closure does not occur within two (2) years of approval of the plan, preparation of a new or updated plan may be required by the City.~~
 - ~~i. The mobile home park owner shall provide to the City a statement confirming that all requirements of Chapter 59.23 RCW, if applicable, including notice and first right of refusal of tenants to purchase the park have been followed.~~
 - ~~j. The park owner shall submit to the City a report on the relocation process which shall include: (a) a list of tenants remaining in the park, by space or address (rent roll); and (b) spaces which have been vacated together with a description of the destination of vacating tenants and the type of housing obtained. The report shall be submitted monthly, or more frequently if requested by the department, until the park is vacant.~~
 - ~~k. Once the relocation plan has been deemed by the Director to be satisfactorily implemented, the City shall issue a certificate of satisfactory completion. The mobile home park shall not be closed prior to the issuance of said certificate. The relocation plan shall be deemed to be satisfactorily implemented when the plan's stated actions have been implemented and when all tenants have relocated.~~
3. **Alternative Plan and Process.** ~~If the owner of a mobile home park negotiates a relocation agreement with tenants to the satisfaction of such tenants, the agreement, signed by all affected tenants, shall be submitted to the City in lieu~~

~~of the relocation plan and process of subsections (H)(1) and (2) of this section. The following process shall then apply:~~

- ~~a. — The City Attorney shall review the agreement and attest to its legality as to form.~~
- ~~b. — The requirement of RCW 59.20.080(1)(e) with respect to a twelve (12) month notice of land use change must still be met. However, if all tenants have satisfactorily relocated prior to the statutory twelve (12) month period, the park, or portion thereof, may be closed sooner.~~
- ~~c. — Once the agreement has been determined to address the needs of the tenants, the Director shall issue a certificate of approval.~~
- ~~d. — The owner shall submit monthly reports in accordance with subsection (H)(2)(j) of this section.~~
- ~~e. — After all tenants have moved from the park, the Director shall issue a certificate of satisfactory completion and the park may be closed.~~

1. The owner of a mobile home park that is relocating must comply with the applicable requirements of Chapter 59.20 RCW and Chapter 59.21 RCW.

2. The owner of a mobile home park that is relocating must notify the City prior to giving notice to the tenants in accordance with RCW 59.20.080(1)(e).

Section 21. Section 15.470.005 of the SeaTac Municipal Code is hereby amended to read as follows:

15.470.005 Purpose.

The purpose of this chapter is to delineate regulations that apply to subsidiary uses located in school facilities, City-owned facilities and religious use facilities within the residential and Park zones.

Section 22. Section 15.470.010 of the SeaTac Municipal Code is hereby amended to read as follows:

15.470.010 Authority and Application.

- A. Subsidiary uses shall be permitted in the following locations:
 - 1. School and City-owned facilities within the residential and Park zones.
 - 2. Religious use facilities in the residential zones.
- B. Subsidiary uses which are permitted as of right shall be processed through the appropriate building or engineering permit as a Type I Site Plan Review Permit.

Section 23. Section 15.470.200 of the SeaTac Municipal Code is hereby amended by restructuring the format of each subsection and shall read as follows:

15.470.200 Use Charts for Subsidiary Uses in School or City Owned Property in Residential and Park Zones

A. Subsidiary Uses in School or City Owned Property in Residential and Park Zones.

LAND USE	NUMBER OF PERSONS ALLOWED	PERMITTED	MINOR CUP	MAJOR CUP	ADDITIONAL REGULATIONS
School or City Owned Property in Residential or Park Zones					
Religious Use Facility	1 to 40	X			See SMC 15.470.100(D) for requirements and criteria if two (2) or more subsidiary uses
	41 to 80		X		
	81 or more			X	
Specialized Instruction School	1 to 40	X			
	41 to 80		X		
	81 or more			X	
Sports Club	1 to 40	X			
	41 to 80		X		
	81 or more			X	
Day Care II	Not applicable		X		

					are proposed on school property
Preschool	1 to 60	X			
	61 to 130		X		
	131 or more			X	
Nonprofit Organizations	1 to 40	X			
	41 to 80		X		
	81 or more			X	

BA. Subsidiary Uses in Religious Use Facilities in Residential Zones.

LAND USE	NUMBER OF PERSONS ALLOWED	PERMITTED	MINOR CUP	MAJOR CUP	ADDITIONAL REGULATIONS
Religious Use Facilities in Residential Zones					
Specialized Instruction School	1 to 30	X			See SMC 15.470.100(E) for requirements and criteria if two (2) or more subsidiary uses are proposed in a religious use facility
	31 to 60		X		
	61 or more			X	
Day Care II	Not applicable		X (In UL zone only)		
Preschool	1 to 30	X			
	31 or more			X	
Nonprofit Organizations	1 to 30	X			
	31 to 60		X		
	61 or more			X	

Section 24. The requirements for the distribution of Notice of Application in Section 16A.09.030 (D) of the SeaTac Municipal Code is hereby amended and all other provisions in this section remain the same:

16A.09.030 Distribution.

D. The NOA shall be mailed via first class mail to adjacent property owners ~~within three hundred (300), five hundred (500) or one thousand (1,000) feet of the exterior property line,~~ based on the standards set forth below and in Appendix II.

1. The City may exercise discretion to expand the mailing to include areas adjacent to access easements and to areas on the opposite sides of rights-of-way, streams, and other physical features.

2. The notice shall be deemed mailed when deposited in the U.S. mail, postage prepaid and properly addressed.

Section 25. Section 16A Appendix I of the SeaTac Municipal Code is hereby amended to read as follows:

Appendix I – City of SeaTac Permits by Department and Type

Permits/Actions	Type I	Type II	Type III
Building Services Division			
Electrical	X		
Mechanical	X		
Plumbing	X		
Building	X		
Engineering Review Division			
Grading and Drainage (STE permit)	X		
Right-of-Way Use	X		
Engineering Variance	X		
Concurrency Determination	X		
Fire Department			
Fire Alarm Permits	X		
Fire Suppression System	X		
Fuel Storage Tank	X		
Other Fire Code Permits	X		
Planning Division			
<u>Departures</u>	<u>X</u>		
Home Occupation	X		
Lot Line Adjustment	X		
Separate Lot	X		
Shorelines Exemption	X		
Sign	X		
Site Plan Review, Type I	X		
Temporary Use	X		
Administrative Variance		X	
Conditional Use Permit (CUP) Minor, Administrative		X	
Preliminary Site Plan		X	
Public Utility Exception to CAO		X	
Short Plat		X	
Special Home Occupation (SHOP)		X	
Reasonable Use Exception to CAO		X	

Conditional Use Permit (CUP) Major			X
CUP – Essential Public Facility (EPF)			X
Planned Unit Development (PUD)			X
Rezone: Owner-Initiated			X
Shoreline Substantial Development			X
Subdivision			X
Variance			X
Variance (Sign)			X

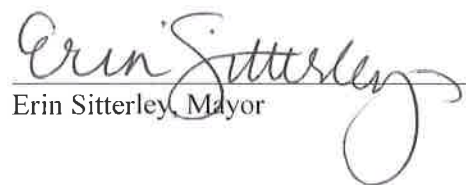
Section 26. Upon approval of the City Attorney's Office, the City Clerk and the Code Reviser are authorized to make necessary corrections without altering intent, including the correction of clerical errors, references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 27. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 28. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 23rd day of March, 2021, and signed in authentication thereof on this 23rd day of March, 2021.

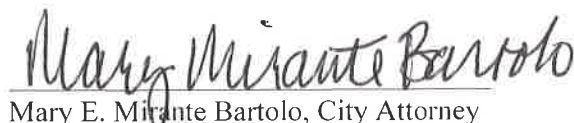
CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

APPROVED AS TO FORM:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 4/3/2021]
[Revisions to Title 14, 15, and 16A of SMC]

ORDINANCE NO. 21-1009

AN ORDINANCE of the City Council of the City of SeaTac, Washington, awarding the Drainage Spot Repair Project (Public Works Project SWMCIP-10) contract to Iron Creek Construction, LLC; authorizing the City Manager to execute contracts with Iron Creek Construction, LLC for construction; authorizing project construction expenditures; and amending the City's 2021-2022 Biennial Budget.

WHEREAS, the City of SeaTac implements a surface water management program, which identifies capital improvement projects for the City's surface water management network; and

WHEREAS, the Drainage Spot Repair Project ("PROJECT"), Public Works Project SWMCIP-10, which is part of the City's surface water management program, has been fully designed, advertised and bid; and

WHEREAS, additional funding is necessary due to increases in project scope;

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

Section 1. The City Manager is authorized to award and execute a contract with Iron Creek Construction LLC, for \$339,775 (including sales tax), for the construction of the PROJECT.

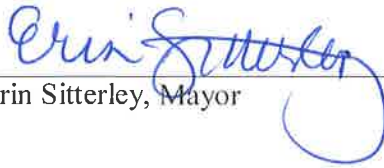
Section 2. The total authorized expenditure amount for PROJECT construction is \$436,041, including \$50,966 for contingency, \$10,000 for inspector overtime, and \$35,300 for construction management.

Section 3. The City's 2021-2022 Biennial Budget shall be amended by increasing the budget allocation in the 403 Surface Water Management Fund by \$73,480 to fully fund the PROJECT.

Section 4. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 23rd day of March, 2021, and signed in authentication thereof on this 23rd day of March, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 4/3/2021]

[Drainage Spot Repair Project Award and Budget Amendment]

ORDINANCE NO. 21-1010

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the use of outside legal services and amending the City's 2021-2022 Biennial Budget.

WHEREAS, a tort claim was filed against the City of SeaTac by the Firs Homeowners Association in February, 2019; and

WHEREAS, the law firm Menke Jackson Beyer, LLP was assigned by Cities Insurance Association of Washington (CIAW), the City's risk pool, to represent the City in this matter; and

WHEREAS, the City has already met its deductible and the City's risk pool paid the first layer of coverage; and

WHEREAS, there is a current insurance coverage dispute between the City and its excess liability carrier, and until those issues are resolved, the City must pay for the costs of defense; and

WHEREAS, an amendment to the City's 2021-2022 Biennial Budget is necessary in order to meet this financial obligation;

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

Section 1. The City Council authorizes the continued use of the law firm Jackson Menke Beyer, LLP to represent the City in the case *Firs Home Owners Association v. SeaTac*, and the City Manager is authorized to execute any documents necessary to continue this firm's representation of the City.

Section 2. The City's 2021-2022 Biennial Budget shall be amended to increase expenditures in the General Fund (Fund #001) by \$100,000, in order to pay for outside legal services associated with claims and litigation.

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

ADOPTED this 23rd day of March, 2021, and signed in authentication thereof on this 23rd day of March, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 4/3/2021]

[Outside Legal Services Biennial Budget]

ORDINANCE NO. 21-1011

AN ORDINANCE of the City Council of the City of SeaTac, Washington extending a Moratorium on the permanent establishment of “Overnight Shelter” and “Transitional Housing” and similar uses; Declaring an Emergency; and Establishing an Effective Date.

WHEREAS, on March 31, 2020, the Washington State Governor signed into law House Bill (HB) 1590 (Chapter 222, Laws of 2020), which amended RCW 82.14.530 to allow for Counties to impose a local sales and use tax through councilmanic authority for the purpose of creating affordable housing, mental and behavioral health-related facilities, and fund the operation and maintenance of said facilities; and

WHEREAS, the Revised Code of Washington (RCW) 82.14 requires that a County “consult” with a city before the County may construct affordable housing, mental and behavioral health-related facilities; and

WHEREAS, on October 13, 2020, the King County Council adopted King County Ordinance No. 19179 imposing the sales and use tax authorized pursuant to HB 1590 and directing that tax proceeds be directed to the King County “Health and Housing Fund”; and

WHEREAS, on October 13, 2020, the King County Council adopted King County Ordinance No. 19180 establishing the “Health and Housing Fund”, a special revenue fund in which proceeds of the sales and use tax shall be used to fund affordable housing, housing-related services, the operations and maintenance costs of affordable housing facilities, mental and behavioral health-related facilities, and related programs and services; and

WHEREAS, King County Ordinance No. 19179 authorizes King County to bond against the anticipated proceeds, and may use up to fifty percent of the moneys collected for repayment of such bonds; and

WHEREAS, on October 12, 2020, the City of SeaTac sent a letter to King County providing comments on the then-proposed King County Ordinance No. 19179, recommending that the Ordinance be amended to ensure collaboration between King County and any city selected for a proposed affordable housing or mental and behavioral health related facility; and

WHEREAS, King County Ordinance No. 19179 does not incorporate the City of SeaTac recommended amendments, or similar language, ensuring collaboration between King County and cities in the siting of proposed affordable housing or mental and behavioral health related facilities; and

WHEREAS, in March, 2020, King County, acting under the broad powers of the local health officer pursuant to RCW 70.05.070 established temporary “de-intensification” shelters, including a shelter located within a hotel located within the City of SeaTac, with the intent to temporarily decrease shelter intensity, increase social distancing, and prevent or slow the spread of COVID-19; and

WHEREAS, the Washington State Legislature is considering the passage of House Bill 1220 and House Bill 1070, which may significantly affect the City of SeaTac’s ability to regulate emergency housing, permanent supportive housing, and indoor emergency shelters; and

WHEREAS, the City Council desires to ensure that King County collaborates with the City of SeaTac in the permanent siting of an “Overnight Shelter”, “Transitional Housing”, and any similar uses, and further desires to ensure that the sufficient development regulations are in place to ensure the public health, safety, welfare, and peace; and

WHEREAS, the City Council finds that permanent siting of an “Overnight Shelter”, “Transitional Housing”, and similar uses should be supported by programs and services intended

to support the occupants of new, permanent facilities, and that existing programs and services within the City of SeaTac may not exist or be insufficient; and

WHEREAS, the City Council finds that if a new, permanent, “Overnight Shelter”, “Transitional Housing”, or similar uses vest under the current development regulations, it may result in the creation of facilities that could pose harm to public health, safety, welfare, and peace; and

WHEREAS, the City Council adopted Ordinance No. 20-1023 on November 10, 2020 establishing a moratorium for a period of six (6) months on the acceptance of permit applications for the purpose of establishing permanent “Overnight Shelter” and “Transitional Housing” and similar uses, and the City Council held a public hearing on the moratorium on December 8, 2020 pursuant to RCW 35A.63.220 and RCW 36.70A.390; and

WHEREAS, the moratorium does not apply to any complete application for a permanent “Overnight Shelter”, “Transitional Housing”, or similar use that has vested to the regulations in effect prior to the effective date of Ordinance No. 20-1023; and

WHEREAS, the City Council desires to ensure that any actions by the City of SeaTac are consistent with currently-pending legislation before the Washington State Legislature; and

WHEREAS, the City Council desires to extend the Moratorium established by Ordinance No. 20-1023 for an additional six (6) months; and

WHEREAS, the City Council held a public hearing on April 13, 2021, consistent with the requirements of RCW 35A.63.220 and RCW 36.70A.390;

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

Section 1. Pursuant to the provisions of RCW 35A.63.220 and 36.70A.390, a moratorium is hereby enacted in the City of SeaTac prohibiting the establishment, location, operation, and licensing of a permanent “Overnight Shelter”, “Transitional Housing”, or similar use intended to create a permanent, standalone, affordable housing or mental and behavioral health related facilities. No building permit, occupancy permit, or other development permit or approval shall be issued for any of the purposes or activities listed above, and no business license shall be granted or accepted while this moratorium is in effect. Any land use approvals, business licenses or other permits for these facilities that are issued as a result of error or by use of vague or deceptive descriptions during the moratorium are null and void, and without legal force or effect.

Section 2. The above “Whereas” clauses of this Ordinance constitute specific findings by the Council in support of passage of this Ordinance.

Section 3. Pursuant to RCW 36.70A.106, this interim Ordinance shall be transmitted to the Washington State Department of Commerce as required by law.

Section 4. 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.

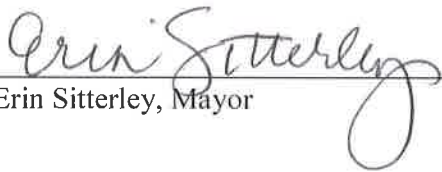
Section 5. This Ordinance shall not be codified.

Section 6. The moratorium established by this Ordinance shall take effect and be in full force on May 1, 2021 and shall expire November 1, 2021 unless extended or repealed according to law.

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

ADOPTED this 13th day of April, 2021, and signed in authentication thereof on this 13th day of April, 2021.

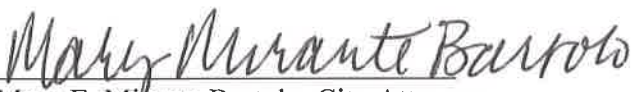
CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to Form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 4/24/2021]

ORDINANCE NO. 21-1012

AN ORDINANCE of the City Council of the City of SeaTac, Washington
Amending the Employment Agreement between the City and the
City Manager and amending the City's 2021-2022 Biennial Budget.

WHEREAS, Carl C. Cole assumed the position of City Manager for the City of SeaTac on January 7, 2019 in accordance with the terms of the Employment Agreement with the City dated November 27, 2018; and

WHEREAS, the City Manager has received two successful evaluations by the City Council, the most recent of which was conducted February, 2021; and

WHEREAS, the City Council desires to amend the Employment Agreement between the City and the City Manager to reflect an increase in his salary to \$214,257; and

WHEREAS, an amendment to the City's 2021-2022 Biennial Budget is necessary in order to adjust the City Manager's salary and benefits;

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

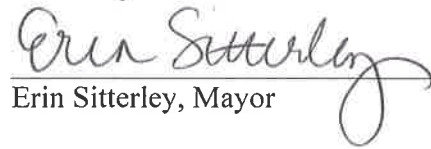
Section 1. The City Council authorizes the City Manager and the Mayor to execute the First Amendment to the Employment Agreement between the City and the City Manager to reflect an increase in his salary to \$214,257, consistent with the First Amendment to the Employment Agreement for the City Manager.

Section 2. The City's 2021-2022 Biennial Budget shall be amended to increase expenditures in the General Fund (Fund #001) by \$21,841.00.

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

ADOPTED this 13th day of April, 2021, and signed in authentication thereof on this 13th day of April, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 4/24/2021]

[Ordinance Amending Employment Agreement and Biennial Budget]

ORDINANCE NO. 21-1013

AN ORDINANCE of the City Council of the City of SeaTac,
Washington, amending the 2021-2022 Biennial Budget for miscellaneous
items.

WHEREAS, the Administration and Finance Committee, on April 8, 2021, reviewed
the proposed amendment submitted by the City Manager and Finance and Systems Director
which details recommended changes in various revenue and expenditure line items in the
2021-2022 Biennial Budget; and

WHEREAS, it is necessary for the City Council to amend the 2021-2022 Biennial
Budget 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.

Section 2. The 2021-2022 Biennial Budget for the City of SeaTac, covering the period from
January 1, 2021, through December 31, 2022, is hereby amended with a total 2022 ending fund
balance in the amount of \$65.3 million for all budgeted funds. The City's 2021-2022 biennial
budget is attached as Exhibit B, and includes budgeted revenues and expenditures for the 2021-
2022 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 27th day of April, 2021, and signed in authentication
thereof on this 27th day of April, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 5/8/2021]

[2021-2022 Biennial Budget Amendment Ordinance]

EXHIBIT A
2021-2022 Biennial Budget Amendment

Revenue

001	001.334.04.20.002
301	301.333.14.20.000
403	403.337.00.00.000
404	404.334.07.00.001

2021-2022
TOTAL
\$75,000
\$331,019
\$1,100,000
\$44,592
\$1,550,611

Inc Residential Building Capacity Grant
CDBG Project Grants
Interlocal Grants
Waste Reduction & Recycling Grant

Expenditures

FUND #	BARS#
--------	-------

001	001.000.03.518.90.41.000
	001.000.08.521.21.35.000
	001.000.13.558.60.41.000
	Total General Fund (001)

102	102.000.11.595.30.63.206
	Total Street Fund (102)

105	105.000.04.576.10.41.000
	Total Port ILA Fund (105)

108	108.000.10.515.41.41.022
	Total Building Mgmt Fund (108)

301	301.000.04.518.30.41.000
	301.000.04.594.18.62.001
	301.000.04.594.75.62.002
	301.000.04.594.76.61.001
	301.000.04.594.76.63.195
	Total Municipal CIP Fund (301)

307	307.000.11.595.30.63.166
	307.000.11.599.99.65.101
	307.000.11.599.99.65.102
	307.000.11.599.99.65.103
	307.000.11.599.99.65.303
	307.000.11.599.99.65.602
	Total Transportation CIP (307)

403	403.000.11.594.53.61.001
	403.000.11.595.40.63.201
	403.000.11.595.40.63.215
	403.000.11.595.40.63.217
	Total SWM (403)

501	501.000.11.594.48.64.095
	Total Equipment Rental Fund (501)

Grand Total - ALL FUNDS

2021-2022
TOTAL
\$3,995
\$7,500
\$70,231
\$81,726
\$7,000
\$7,000
\$50,000
\$50,000
\$15,000
\$15,000
\$36,543
\$11,793
\$49,810
\$2,210,000
\$331,019
\$2,639,165
\$400,000
\$141,464
\$22,631
\$47,075
\$300,000
\$66,864
\$978,034
\$2,200,000
\$298,161
\$286,442
\$158,174
\$2,942,777
\$573,000
\$573,000
\$7,286,702

Description

Professional Services (Social Media Consulting)
Small Tools & Minor Equipment (LiveScan)
Professional Services (Housing Action Plan)

200th St & I-5 Access Ramp

Professional Services (Gateway Analysis)

Special Legal Services

Professional Services (CH Space Study)
City Hall Improvements (CH Front Doors)
Community Center Improvements (LED Lights)
Des Moines Creek Park Land Acquisition
Riverton Heights Park

Military Rd S/S 152nd St
International Blvd Safety Plan
S 200th Corridor Study
Military Rd S/S 164th St Intersection Study
S 200th St Ped & Bicycle Shared Pathway
Airport Station Area Improvements

Des Moines Creek Land Acquisition
Small Works Drainage Repairs
S 221st St Drainage Improvements
S 180th St Flood Reduction

Vehicles/Heavy Equipment

CITY OF SEATAC, WASHINGTON
2021-2022 BIENNIAL BUDGET: EXHIBIT B

4/27/2021

2021-2022 BIENNIAL BUDGET (EXPENDITURES + ENDING BALANCES) = \$ 227,987,771					
FUND		BEGINNING BALANCE	REVENUES & OTHER SOURCES	EXPENDITURE APPROPRIATION	ENDING BALANCE
001	General Fund	\$ 29,372,543	\$ 78,090,188	\$ 85,669,559	\$ 21,793,171
102	Street Fund	9,235,658	15,567,442	19,405,969	\$ 5,397,130
105	Port ILA	8,642,246	2,904,235	3,849,285	\$ 7,697,196
106	Transit Planning	443,402	787,260	929,301	\$ 301,361
107	Hotel/Motel Tax	8,417,339	1,662,829	1,401,665	\$ 8,678,503
108	Building Management	3,345,506	652,710	505,432	\$ 3,492,784
110	Facility Repair & Replacement	-	-	-	\$ -
111	Des Moines Creek Basin ILA	2,993,957	662,400	1,190,870	\$ 2,465,487
112	Affordable Housing Sales Tax	42,600	144,000	-	\$ 186,600
206	2009 LTGO Bond Fund	-	-	-	\$ -
207	SCORE Bond Servicing	273,088	283,513	283,113	\$ 273,488
301	Municipal Capital Improvements	9,465,606	6,606,019	8,110,673	\$ 7,960,952
306	Facility Construction CIP	1,778,535	4,800	-	\$ 1,783,335
307	Transportation CIP	7,822,039	19,389,400	26,169,720	\$ 1,041,719
308	Light Rail Station Areas CIP	2,970,194	54,270	-	\$ 3,024,464
403	SWM Utility	2,897,393	9,353,120	12,053,431	\$ 197,082
404	Solid Waste & Environmental	794,787	739,446	497,684	\$ 1,036,549
501	Equipment Rental	703,038	1,888,208	2,521,659	\$ 69,587
TOTAL BIENNIAL BUDGET		\$ 89,197,931	\$ 138,789,840	\$ 162,588,361	\$ 65,399,409

ORDINANCE NO. 21-1014

AN ORDINANCE of the City Council of the City of SeaTac,
Washington amending Section 3.25 of the SeaTac Municipal Code
related to Gambling Taxes.

WHEREAS, Chapter 9.46 RCW authorizes local taxation of certain gambling activities;
and

WHEREAS, on September 25, 2018, the City Council adopted Ordinance 18-1033 in which a
tax was imposed upon all persons, associates, and organizations at various rates depending upon the
gambling activity involved; and

WHEREAS, SeaTac Municipal Code Section 3.25.020(D) imposed a tax upon social card
games at the rate of twenty percent (20%) of the gross revenue from such card games; and

WHEREAS, on December 10, 2020, the Administration and Finance Committee
recommended revisiting Section 3.25.020(D) to consider proposing a tax rate on social card games
on a graduated basis; and

WHEREAS, on April 13, 2021, this matter was discussed at a Council Study Session and
the Council desires to amend SeaTac Municipal Code Section 3.25.020(D) in order to impose a
tax rate upon social card games on a graduated basis;

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

Section 1. SeaTac Municipal Code 3.25 is amended to read as follows:

3.25.010 Definitions.

A. For the purposes of this Chapter, the words and terms used herein shall have the same meaning
given to each pursuant to Chapter 9.46 RCW, as same exist or may from time to time be amended;
and as set forth under the rules of the Washington State Gambling Commission, WAC Title 230,
as the same exists or may hereafter be amended, unless otherwise specifically provided herein.

B. "Director" means the Director of Finance and Information Systems or designee.

3.25.020 Imposition of tax on gambling activities.

In accordance with RCW 9.46.110, there is hereby imposed a tax upon all persons, associations, and organizations, at the rates set forth below, upon the following gambling activities conducted in the City:

- A. For punch boards and pull-tabs for commercial stimulant operators, a tax rate of five percent (5%) of the gross receipts from the operation of such games. For punch boards and pull-tabs for bona fide charitable or nonprofit organizations, a tax rate of ten percent (10%) of the gross receipts from the operation of such games, less the amount awarded as cash or merchandise prizes.
 - B. For bingo games and raffles, a tax rate of five percent (5%) of the gross receipts, less the amount paid as cash or merchandise prizes, received from such bingo games and raffles.
 - C. For amusement games, two percent (2%) of the gross receipts from the amusement game, less the amount awarded as prizes.
 - D. ~~For Social card games, twenty percent (20%) of the gross revenue from such card games.~~ For social card games, the tax imposed will be based upon the number of social card game establishments in the City, as follows:
 - For one to five social card game establishments, the tax imposed shall be at 11% of the gross receipts therefrom.
 - For six social card game establishments, the tax imposed shall be at 15% of the gross receipts therefrom.
 - For seven or more social card game establishments, the tax imposed shall be at 20% of the gross receipts therefrom.
- 1. For purposes of this Section a Social Card Game Establishment is defined as an establishment open to the public and engaged in the business of operating a social card room.
 - 2. The Finance Director or designee shall notify social card game establishments of the increased tax rate which shall become due on the first day of the financial quarter following the notification.

3.25.030 Exemptions.

A. No tax shall be imposed under the authority of this Chapter on bingo or amusement games when such activities or any combination thereof are conducted by any bona fide charitable or nonprofit organization as defined in Chapter 9.46 RCW, which organization has no paid operating or management personnel and has gross receipts from bingo or amusement games, or any combination thereof, not exceeding \$5,000 per year less the amount awarded as cash or merchandise prizes.

B. No tax shall be imposed under the authority of this Chapter on the first ten thousand dollars (\$10,000) of gross receipts, less the amount awarded as cash or merchandise prizes, from raffles conducted by any bona fide charitable or nonprofit organization.

3.25.040 Payment of tax on gambling activities.

A. Every holder of a license issued by the Washington State Gambling Commission who shall conduct any gambling activities within the City shall provide to the Director a copy of each Quarterly License Report filed with the Gambling Commission pursuant to Chapter 230-05 WAC, no later than five days of such filing.

B. Quarterly tax reporting and payment. The taxes imposed by this Chapter shall be due and payable in quarterly installments and remittance therefor, together with the return forms prescribed and provided by the Director, shall be made on or before the final day of the month immediately after the quarterly period in which the tax accrued. Such payments shall be due and payable on January 31st, April 30th, July 31st, and October 31st of each respective year.

1. Whenever any person, association, or organization taxed under this Chapter quits business, sells out, or otherwise disposes of its business, or terminates the business, any tax due shall become due and payable immediately, and such taxpayer shall, within 10 days after the last date the establishment is open for business, file a return and pay the tax due.

3.25.050 Delinquencies.

A. For each payment due, if such payment is not made by the due date thereof, there shall be a penalty assessed as follows:

1. If not paid by the due date, a penalty of ten percent (10%) of the total unpaid tax due, with a minimum penalty of \$10.
2. If not paid on or before 30 days after the due date, a penalty of fifteen percent (15%) of the total unpaid tax due (including penalties assessed in accordance with the Section), with a minimum penalty of \$15.
3. If not paid on or before 60 days after the due date, twenty percent (20%) of the total tax due with a minimum penalty of \$20.
4. Failure to make full payment of all taxes and penalties due within 90 days after the due date shall be deemed to be both a criminal and civil violation of this Chapter.

3.25.060 Administration and Collection.

A. The administration and collection of the taxes imposed by this Chapter shall be by the Director or designee, pursuant to the rules and regulations of the Washington State Gambling Commission.

B. The Director may adopt and publish such rules and regulations not inconsistent with the provisions of this chapter as may be reasonably necessary to enforce the provisions of this Chapter. Such rules and regulations may include the form of tax return required to be filed with the City at the time of payment of the tax on gambling activities, and procedures for auditing of the taxpayer's records. A copy of the rules and regulations so adopted shall be on file and available for public examination in the City Clerk's Office.

3.25.070 Declaration of Intent—Filing prior to conducting gambling activities.

A. For the purpose of identifying who shall be subject to the tax imposed by this Chapter, any

person, association, or organization intending to conduct or operate any gambling activity authorized by Chapter 9.46 RCW, shall, prior to commencement of such activity file with the Director, a sworn declaration of intent to conduct or operate such activity, together with a copy of the license issued by the Washington State Gambling Commission in accordance with Chapter 9.46 RCW.

3.25.080 Records required to be maintained—inspection by the City.

A. Each person, association, or organization engaging in a gambling activity shall maintain records required to be maintained by the Gambling Commission pursuant to WAC 230-06-070 as now enacted or hereafter amended. Such records shall be made available for review and inspection by the Director or designee.

3.25.090 Taxes, penalties, service charges, and fees constitute debt to municipality.

A. Any tax due and unpaid under this Chapter including any penalties assessed in accordance with SMC 3.25.050, shall constitute a debt to the City. The Director, in conjunction with the City Attorney, is authorized to collect such debt by one or more of the following ways:

1. By action at law and writ of attachment pursuant to RCW 9.46.350, as now enacted or hereafter amended.
2. By use of a collection agency pursuant to Chapter 19.16 RCW, as now or hereafter amended.
3. By instituting legal action in a Court of Law.
4. Seek collection by court proceedings, which remedies shall be in addition to all other existing remedies. Further, as provided for in RCW 9.46.110(4), as now enacted or hereafter amended, taxes and associated penalties and charges imposed under this Chapter shall become a lien upon personal and real property used in the gambling activity in the same manner as provided for under RCW 84.60.010 for property taxes. The lien shall attach on the date the tax becomes due and shall relate back and have priority against real and personal property to the same extent as ad valorem taxes.

3.25.100 Penalties.

Any person who shall fail or refuse to pay the tax as required in this Chapter, or who shall willfully disobey any rule or regulation promulgated under this chapter, shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment for not more than 90 days or by a fine of not more than \$1,000 or by both such fine and imprisonment. Any such fine shall be in addition to the tax required. Officers and directors of any association or organization conducting gambling activities shall be jointly and severally liable for the payment of the tax and for the payment of any fine imposed under this Chapter.

Section 2. If any provision of this chapter, or its application to any person or circumstances is held invalid, the remainder of this Chapter, or the application of the provision to other persons or circumstances is not affected.

Section 3. Upon approval of the City Attorney's Office, the City Clerk and the Code Reviser are authorized to make necessary corrections without altering intent, 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 4. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 27th day of April, 2021, and signed in authentication thereof on this 27th day of April, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to Form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 5/8/2021]

[Gambling Tax Ordinance 2021]

ORDINANCE NO. 21-1015

AN ORDINANCE of the City of SeaTac, Washington, relating to land use and zoning, adopting regulations relating to relating to flood damage prevention and flood hazard areas; adding Chapter 18.10 Flood Hazard Areas; repealing Chapter 12.40 Flood Damage Prevention and sections 15.700.210, 15.700.220, 15.700.230, and 15.700.240; and, amending sections 15.700.015, 15.700.050, 15.700.200, 15.700.300, and 15.700.340 of the SeaTac Municipal Code; providing for severability and an effective date.

WHEREAS, the flood hazard areas of the City of SeaTac are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare; and

WHEREAS, these flood losses may be caused by the cumulative effect of obstructions in areas of special flood hazards that increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss; and

WHEREAS, the Federal Emergency Management Agency (FEMA) requires compliance with the National Flood Insurance Program (NFIP) Flood Damage Prevention Ordinance prior to August 19, 2020, when the new Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM) become effective nationwide; and

WHEREAS, failure to adopt the FIS and FIRM through revision of local regulations by this date will result in immediate suspension from the NFIP; and

WHEREAS, the Washington State Department of Ecology provided guidance for complying with the NFIP Flood Damage Prevention Ordinance with a unique model ordinance for Washington State and specific guidance customized for the City of SeaTac; and

WHEREAS, on August 11, 2020, the City Council adopted Interim Ordinance 20-1013, establishing interim development regulations and official controls relating to Flood Damage Prevention and Flood Hazard Areas; and

WHEREAS, on December 8, 2020, the SeaTac City Council adopted Ordinance No. 20-1027 extending the interim land use regulations and interim controls for an additional six-months through June 30, 2021; and

WHEREAS, on February 18, 2021, City staff properly and timely transmitted a copy of the proposed code amendments to the Washington State Department of Commerce for review and comment, pursuant to RCW 36.70A.106, and expedited review was granted; and

WHEREAS, on March 2, 2021, a SEPA threshold Determination of Nonsignificance was issued for the proposed amendments and no comments were received nor has was an appeal filed; and

WHEREAS, on March 16, 2021 the Planning Commission reviewed the proposed amendments, held a public hearing, and recommended approval of the amendments;

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

Section 1. A new Chapter 18.10 Flood Hazard Areas is hereby added to the SeaTac Municipal Code as set forth in Exhibit A of this Ordinance.

Section 2. Chapter 12.40 Flood Damage Prevention is hereby repealed from the SeaTac Municipal Code

Section 3. Section 15.700.200 of the SeaTac Municipal Code is hereby amended to read as follows:

15.700.200 Flood Hazard Areas— Components

~~A. A flood hazard area consists of the following components:~~

- ~~1. Floodplain;~~
- ~~2. Flood fringe;~~
- ~~3. Zero rise floodway; and~~
- ~~4. Federal Emergency Management Agency (FEMA) floodway.~~

~~B. The City shall determine the flood hazard area after obtaining, reviewing and utilizing base flood elevations and available floodway data for a flood having a one percent (1%) chance of being equaled or exceeded in any given year, often referred to as the “one hundred (100)-year flood.” The base flood is determined for existing conditions unless a basin plan including projected flows under future developed conditions has been completed, approved and adopted by the City, in which case these future flow projections shall be used. In areas where the flood insurance study for the City includes detailed base flood calculations, those calculations may be used until projection of future flows are completed and approved by the City in concurrence with FEMA.~~

If an area of special flood hazard is located on or adjacent to a development site, all activities on the site shall be in compliance with the following requirements and restrictions:

A. The provisions of chapter 18.10 SMC.

B. Prior to approval of any development proposal within an area of special flood hazard, special environmental studies must demonstrate that the proposed development and related construction activities will not result in an increase in the frequency, severity, or magnitude of flooding on the development site or on properties within the same hydrologic system.

Section 4. Sections 15.700.210, 15.700.220, 15.700.230, and 15.700.240 of the Critical Areas Chapter of the SeaTac Municipal Code are hereby repealed.

Section 5. Section 15.700.015 of the SeaTac Municipal Code is hereby amended by removing the following definitions: Base Flood Elevation, Flood Fringe, Flood Insurance Rate Map (FIRM), Flood Insurance Study for King County, Floodproofing, Flood Protection Elevation, and Floodway, Zero-Rise.

Section 6. The definition of Base Flood in Section 15.700.015 of the SeaTac Municipal Code is hereby amended to read as follows:

Base Flood

~~The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the “100-year flood.” Designation on maps always includes the letters A or V. A flood having a one percent (1%) chance of being equaled or exceeded in any given year, often referred to as the “one hundred (100) year flood.”~~

Section 7. The definition of Floodplain in Section 15.700.015 of the SeaTac Municipal Code is hereby amended to read as follows:

Floodplain

~~Any land area susceptible to being inundated by water from any source. The total area subject to inundation by the base flood.~~

Section 8. Section 15.700.050 of the SeaTac Municipal Code is hereby amended to read as follows:

15.700.050 Partial Exemptions

The following are exempt from the provisions of this and any administrative rules promulgated thereunder, except for the notice on title provisions, SMC 15.700.160, Notice on Title, and the flood hazard area provisions, SMC 15.700.200, Flood Hazard Areas—Components, through 15.700.240, Flood Hazard Areas—Certification by an Engineer or Surveyor:

* * *

- A. Structural modification of, addition to, or replacement of structures, except single-family detached residences, in existence before November 27, 1990, which do not meet the building setback or buffer requirements for wetlands, streams or steep slope hazard areas if the modification, addition, replacement or related activity does not increase the existing footprint of the structure lying within the above-described building setback area, critical area or buffer;
- B. Structural modification of, addition to, or replacement of single-family detached residences in existence before November 27, 1990, which do not meet the building setback or buffer requirements for wetland, streams or steep slope hazard areas if the modification, addition, replacement or related activity does not increase the existing

footprint of the residence lying within the above-described buffer or building setback area by more than one thousand (1,000) square feet over that existing before November 27, 1990, and no portion of the modification, addition or replacement is located closer to the critical area or, if the existing residence is in the critical area, extends further in the critical area; and

- C. Maintenance or repair of structures which do not meet the development standards of this chapter for landslide and seismic hazard areas if the maintenance or repair does not increase the footprint of the structure, and there is no increased risk to life or property as a result of the proposed maintenance or repair.

Section 9. Subsection 15.700.300(C) of the SeaTac Municipal Code is hereby amended to read as follows:

* * *

- A. The applicant/property owner can provide evidence that the wetland has been used for agricultural use continuously for fifty (50) years. This evidence, at a minimum, shall include aerial photographs of the site at the beginning of the fifty (50) year span of use. Aerial photographs of the site over the span of the use of the wetland for agricultural uses to the present shall be provided. At no time shall there be more than ten (10) years between the chronology of the photographs;
- B. If an agricultural wetland is located solely on one (1) parcel of property, no more than twenty-five percent (25%) of the wetland may be filled;
- C. If the altered wetland is located on more than one (1) property, no more than twenty-five percent (25%) of the entire wetland may be filled. The remainder of the wetland shall be enhanced as approved by the City provided it can be shown by a qualified professional, approved by the City that:
 - 1. The enhancement of the remaining wetland shall provide the same or better hydrologic or biologic functions as the class of wetland identified in the wetland study for the site;
 - 2. If the altered wetland is located on more than one property, the entire altered wetland shall be identified; and
 - 3. Any altered wetlands located in a flood hazard area shall conform with SMC 15.700.140, Vegetation Management Plan, through 15.700.200, Flood Hazard Areas ~~15.700.240, Flood Hazard Areas— Certification by an Engineer or Surveyor~~; and

* * *

Section 10. Subsection 15.700.340(J) of the SeaTac Municipal Code is hereby amended to read as follows:

* * *

J. A stream channel may be stabilized if:

1. Movement of the stream channel threatens existing residential or commercial structures, public facilities or improvements, unique natural resources or the only existing access to property; and
2. The stabilization is done in compliance with the requirements of SMC 15.700.140, Vegetation Management Plan, through 15.700.200 Flood Hazard Areas ~~15.700.240, Flood Hazard Areas~~ ~~Certification by an Engineer or Surveyor~~, and administrative rules promulgated pursuant to this chapter;

* * *

Section 11. 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 12. 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 13. 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 June, 2021, and signed in
authentication thereof on this 8th day of June, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:

Kristina Gregg
Kristina Gregg, City Clerk

Approved as to Form:

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

[Effective Date: 6/19/2021]

[Flood Hazard Areas]

EXHIBIT A

Chapter 18.10 Flood Hazard Areas

18.10.010 Purpose

18.10.020 Authority and Application

18.10.030 Definitions

18.10.040 Basis for establishing the areas of special flood hazard

18.10.050 Development permit required.

18.10.060 Designation of the Administrator

18.10.070 Duties and responsibilities of the Administrator.

18.10.080 General standards for flood hazard reduction

18.10.090 Specific standards for flood hazard reduction.

18.10.100 AE and A1-30 Zones with Base Flood Elevations but No Floodways.

18.10.110 Floodways

18.10.120 Critical Facilities

18.10.130 Variances

18.10.140 Warning and Disclaimer of Liability

18.10.150 Severability

18.10.010 Purpose

It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life and health;
- B. To minimize expenditure of public money and costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- G. To ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

18.10.020 Authority and Application

- A. Authority. The Legislature of the State of Washington through RCW 86.16 has delegated the responsibility to local communities to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry.
- B. Application. This Chapter shall apply to all areas of special flood hazards within boundaries of the City of SeaTac.

- C. Compliance. All development within special flood hazard areas is subject to the terms of this ordinance and other applicable regulations.
- D. Penalties for Noncompliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this Chapter and other applicable regulations. Violations of the provisions of this Chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall be addressed in accordance with SMC 1.15.045 through 1.15.075 by way of correction agreement and/or notice of infraction. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to abate any violation.
- E. Abrogation and Greater Restrictions. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and other regulations, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- E. Interpretation. In the interpretation and application of this ordinance, all provisions shall be:
 - 1. Considered as minimum requirements;
 - 2. Liberally construed in favor of the governing body; and,
 - 3. Deemed neither to limit nor repeal any other powers granted under state statutes.

18.10.030 Definitions

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

Alteration of watercourse:

Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

Area of special flood hazard:

The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

ASCE 24:

The most recently published version of ASCE 24, Flood Resistant Design and Construction, published by the American Society of Civil Engineers.

Base Flood:

The flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood." Designation on maps always includes the letters A or V.

Base Flood Elevation (BFE):

The elevation to which floodwater is anticipated to rise during the base flood.

Basement:

Any area of the building having its floor sub-grade (below ground level) on all sides.

Critical Facility:

A facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

Development:

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Flood or flooding:

- A. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - 1. The overflow of inland or tidal waters; and/or
 - 2. The unusual and rapid accumulation of runoff of surface waters from any source.
 - 3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (A)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (A)(1) of this definition.

Flood Elevation Study:

An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

Flood Insurance Rate Map (FIRM):

The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Floodplain or flood-prone area:

Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

Floodplain administrator:

The City of SeaTac official designated to administer and enforce the floodplain management regulations.

Flood proofing:

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

Floodway or Regulatory Floodway:

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Functionally dependent use:

A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

Highest adjacent grade:

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure:

Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- D. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- E. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1. By an approved state program as determined by the Secretary of the Interior, or
 - 2. Directly by the Secretary of the Interior in states without approved programs.

Lowest floor:

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor, provided that such

enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 18.10.090A of this code.

Manufactured home:

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term “manufactured home” also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance, purposes the term “manufactured home” does not include park trailers, travel trailers, and other similar vehicles.

Mean Sea Level:

For purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

New construction:

For the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Reasonably Safe from Flooding:

Development that is designed and built to be safe from flooding based on consideration of current flood elevation studies, historical data, high water marks and other reliable data known to the community. In unnumbered A zones where flood elevation information is not available and cannot be obtained by practicable means, reasonably safe from flooding means that the lowest floor is at least two feet above the Highest Adjacent Grade.

Recreational Vehicle:

A vehicle that is:

- A. Built on a single chassis; and
- B. 400 square feet or less when measured at the largest horizontal projection; and
- C. Designed to be self-propelled or permanently towable by a light duty truck; and
- D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of construction:

Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land

preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundation or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure:

A walled and roofed building including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

Substantial damage:

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement:

Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct previously identified existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or
- B. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Variance:

A grant of relief by a community from the terms of a floodplain management regulation.

18.10.040 Basis for establishing the areas of special flood hazard. (SMC12.40.040)

The special flood hazard areas identified by the Federal Insurance Administrator in a scientific and engineering report entitled "The Flood Insurance Study (FIS) for King County, Washington and Incorporated Areas" dated August 19, 2020, and any revisions thereto, with accompanying Flood Insurance Rate Maps (FIRM's), and any revisions thereto, are hereby adopted by reference. The FIS and the FIRM are on file at SeaTac City Hall with the City of SeaTac Department of Public Works. The best available information for flood hazard area identification as outlined in Section 18.10.070(B) shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under Section 18.10.070(B).

18.10.050 Development permit required.

- A. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 18.10.040 of this Chapter.

The permit shall be for all structures, including manufactured homes, as , and for all development, including fill and other activities as defined in Section 18.10.020 of this Chapter.

- B. Application for a development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures recorded on a current elevation certificate with Section B completed by the Floodplain Administrator.
 2. Elevation in relation to mean sea level to which any structure has been flood proofed;
 3. Where a structure is to be flood proofed, certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet flood proofing criteria in SMC 18.10.090(B);
 4. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development;
 5. Where development is proposed in a floodway, an engineering analysis indicating no rise of the Base Flood Elevation; and
 6. Any other such information that may be reasonably required by the Floodplain Administrator in order to review the application.

18.10.060 Designation of the Administrator.

The City Manager or designee is appointed as Administrator and shall implement the provisions of this chapter by granting or denying development permit applications in accordance with the Code and relevant statutes.

18.10.070 Duties and responsibilities of the Administrator.

Duties of the Administrator shall include, but not be limited to:

- A. Permit Review.
1. Review all development permits to determine that the permit requirements of this chapter have been satisfied.
 2. Review all development permits to determine that all necessary permits have been obtained from those federal, State, or local government agencies from which prior approval is required.
 3. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 18.10.110(A) are met.
 4. Determine that the site is reasonably safe from flooding;
 5. Notify FEMA when annexations occur in the Special Flood Hazard Area.
- B. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 18.10.040 of this Chapter, obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, State or other source, in order to administer Sections 18.10.090 and 18.10.110 of this Chapter.

- C. Information to be Obtained and Maintained.
1. Where base flood elevation data is provided through the Flood Elevation Study or as required in subsection B of this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
 2. For all new or substantially improved flood proof nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in SMC 18.10.070(B):
 - a. Obtain and maintain a record of the elevation (in relation to mean sea level) to which the structure was flood proofed; and
 - b. Maintain the flood proofing certifications in SMC 18.10.050(B)(3).
 3. Certification required by SMC 18.10.110(A).
 4. Records of all variance actions, including justification for their issuance.
 5. Improvement and damage calculations.
 6. Maintain for public inspection all records pertaining to the provisions of this chapter.
- D. Alteration of Watercourses.
1. Notify adjacent communities and the appropriate department of the State of Washington prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
 2. Require that maintenance be provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
- E. Interpretation of FIRM Boundaries. Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the rules and regulations of the National Flood Insurance Program (44 CFR 59-76).

18.10.080 General standards for flood hazard reduction.

In all areas of special flood hazards, the following standards are required:

- A. Anchoring.
1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy.
 2. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).
- B. Construction Materials and Methods.
1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
 3. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- C. Utilities.
1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
 3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
 4. Water wells shall be located on high ground that is not in the floodway.
- D. Subdivision Proposals and Development.
1. All subdivision proposals shall be consistent with the need to minimize flood damage;
 2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
 3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
 4. Where subdivision proposals and other proposed developments contain greater than 50 lots or 5 acres (whichever is the lesser) base flood elevation data shall be included as part of the application.
- E. Review of Building Permits. Where elevation data is not available either through the Flood Elevation Study or from another authoritative source (as per Section 18.10.070(B)), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is based on, not limited to local historical data, high water marks, and available photographs of past flooding in the area. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.
- F. Certification by a Land Surveyor
1. For all new structures or substantial improvements in a flood hazard area, the applicant shall provide certification by a land surveyor licensed by the State of Washington of:
 - a. The actual, as-built elevation of the lowest floor, including basement; and
 - b. The actual, as-built elevation to which the structure is flood-proofed, if applicable.
 2. The surveyor shall indicate if the structure has a basement.
 3. The City shall maintain the certifications required by this section for public inspection.

18.10.090 Specific standards for flood hazard reduction.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Sections 18.10.040 or 18.10.070(B) the following provisions are required:

A. Residential Construction.

1. In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained, new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the BFE. Mechanical equipment and utilities shall be waterproof or elevated least one foot above the BFE.
2. New construction and substantial improvement of any residential structure in an AO zone shall meet the requirements of Appendix A.
3. New construction and substantial improvement of any residential structure in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.
4. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs must meet or exceed the following minimum criteria:
 - a. Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - b. The bottom of all openings shall be no higher than one foot above grade.
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
 - d. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters.

Alternatively, a registered engineer or architect may design and certify engineered openings.

B. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of subsection 1 or 2, below.

1. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:
 - a. In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained:
New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall have the lowest floor, including basement, elevated one foot or more above the BFE, or elevated as required by ASCE 24, whichever is greater. Mechanical equipment and utilities shall be waterproofed or elevated least one foot above the BFE, or as required by ASCE 24, whichever is greater.
 - b. If construction is located in an AO zone, the structure shall meet the requirements in Appendix A.

- c. If construction is located in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained, the structure shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.
 - d. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited unless the structure is designed to automatically equalize hydrostatic flood forces on exterior walls in order to allow for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - i. Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - ii. The bottom of all openings shall be no higher than one foot above grade.
 - iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
 - iv. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters.

Alternatively, a registered engineer or architect may design and certify engineered openings.
2. If the requirements of subsection 1 are not met, then new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:
- a. Be dry flood proofed so that below one foot or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water or dry flood proofed to the elevation required by ASCE 24, whichever is greater;
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in SMC 18.10.070(C)(2);
 - d. Nonresidential structures that are elevated, not flood proofed, must meet the same standards for space below the lowest floor as described in SMC 18.10.090(A)(2);
3. Applicants flood proofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the flood proofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).

- C. Manufactured Homes. All manufactured homes to be placed or substantially improved within appropriate zones of the City shall be elevated on a permanent foundation such that the lowest floor of the manufactured homes is at or above the base flood elevation and be securely anchored to an adequately anchored foundation system in accordance with the provisions of Section 12.40.080A(2) of this Chapter.
- D. Recreational Vehicles. Recreational vehicles placed on sites are required to either:
 - 1. Be on the site for fewer than 180 days, or
 - 2. Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
 - 3. Meet the requirements of SMC 18.10.090(C).
- E. Enclosed Area Below the Lowest Floor. If buildings or manufactured homes are constructed or substantially improved with fully enclosed areas below the lowest floor, the areas shall be used solely for parking of vehicles, building access, or storage.
- F. Appurtenant Structures (Detached Garages & Small Storage Structures)
For A Zones (A, AE, A1-30, AH, AO):
 - 1. Appurtenant structures used solely for parking of vehicles or limited storage may be constructed such that the floor is below the BFE, provided the structure is designed and constructed in accordance with the following requirements:
 - a. Use of the appurtenant structure must be limited to parking of vehicles or limited storage;
 - b. The portions of the appurtenant structure located below the BFE must be built using flood resistant materials;
 - c. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement;
 - d. Any machinery or equipment servicing the appurtenant structure must be elevated or floodproofed to or above the BFE;
 - e. The appurtenant structure must comply with floodway encroachment provisions in SMC18.10.110(A);
 - f. The appurtenant structure must be designed to allow for the automatic entry and exit of flood waters in accordance with SMC18.10.090(A)(4).
 - g. The structure shall have low damage potential,
 - h. If the structure is converted to another use, it must be brought into full compliance with the standards governing such use, and
 - i. The structure shall not be used for human habitation.
 - 2. Detached garages, storage structures, and other appurtenant structures not meeting the above standards must be constructed in accordance with all applicable standards in SMC 18.10.090(A).
 - 3. Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

18.10.100 AE and A1-30 Zones with Base Flood Elevations but No Floodways.

In areas with BFE's (when a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of

the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

18.10.110 Floodways.

Located within areas of special flood hazard established in Section 18.10.040 of this code are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. No Rise Standard. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- B. Residential Construction in Floodway. Construction or reconstruction of residential structures is prohibited within designated floodways, except for (1) repairs, reconstruction, or improvements to a structure which do not increase the ground floor areas; and (2) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (a) before the repair, reconstruction, or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. Work done on structures to comply with existing health, sanitary, or safety codes or to structures identified as historic places shall not be included in the 50 percent.
- C. Substantially Damaged Residences in Floodway
 - 1. For all substantially damaged residential structures, other than farmhouses, located in a designated floodway, the Floodplain Administrator may make a written request that the Department of Ecology assess the risk of harm to life and property posed by the specific conditions of the floodway. Based on analysis of depth, velocity, flood-related erosion, channel migration, debris load potential, and flood warning capability, the Department of Ecology may exercise best professional judgment in recommending to the local permitting authority repair, replacement, or relocation of a substantially damaged structure consistent with WAC 173-158-076. The property owner shall be responsible for submitting to the local government and the Department of Ecology any information necessary to complete the assessment. Without a favorable recommendation from the department for the repair or replacement of a substantially damaged residential structure located in the regulatory floodway, no repair or replacement is allowed per WAC 173-158-070(1).
 - 2. All requirements of the NFIP and relevant state requirements under 86.16 RCW, and all applicable local regulations must be satisfied before any repair, replacement, or reconstruction commences. In addition, the following conditions must be met:
 - a. There is no potential safe building location for the replacement residential structure on the same property outside the regulatory floodway.

- b. A replacement residential structure is a residential structure built as a substitute for a legally existing residential structure of equivalent use and size.
 - c. Repairs, reconstruction, or replacement of a residential structure shall not increase the total square footage of floodway encroachment.
 - d. The elevation of the lowest floor of the substantially damaged or replacement residential structure is a minimum of one foot higher than the BFE.
 - e. New and replacement water supply systems are designed to eliminate or minimize infiltration of floodwater into the system.
 - f. New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of floodwater into the system and discharge from the system into the floodwaters.
 - g. All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.
- D. All Other Building Standards Apply in the Floodway. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Sections 18.10.080, 18.10.090, and 18.10.110 of this Chapter.

18.10.120 Critical Facilities

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the BFE shall be provided to all critical facilities to the extent possible.

18.10.130 Variances

- A. The variance criteria set forth in this section is based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this Chapter would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.
- B. It is the duty of the City of SeaTac to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below the Base Flood Elevation are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted.

The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

C. Requirements for Variances.

1. Variances shall only be issued:
 - a. Upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;
 - b. For the repair, rehabilitation, or restoration of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure;
 - c. Upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
 - d. Upon a showing of good and sufficient cause;
 - e. Upon a determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - f. Upon a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to water. This includes only facilities defined in Section 18.10.030 of this Chapter in the definition of "Functionally Dependent Use."
2. Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.
3. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the BFE, provided the procedures of SMC 18.10.040 and 18.10.090 have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

D. Variance Criteria.

1. In considering variance applications, the City shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
 - a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity to the facility of a waterfront location, where applicable;
 - f. The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
 - g. The compatibility of the proposed use with existing and anticipated development;

- h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - i. The safety of access to the property in time of flood for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site; and,
 - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical, water system, and streets and bridges.
- E. Additional Requirements for the Issuance of a Variance.
- 1. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
 - a. The issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
 - b. Such construction below the BFE increases risks to life and property.
 - 2. The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance.
 - 3. The Floodplain Administrator shall condition the variance as needed to ensure that the requirements and criteria of this chapter are met.
 - 4. Variances as interpreted in the NFIP are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.

18.10.140 Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the City of SeaTac, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

18.10.150 Severability

This ordinance and the various parts thereof are hereby declared to be severable. Should any Section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the Section so declared to be unconstitutional or invalid.

APPENDIX A
STANDARDS FOR SHALLOW FLOODING
AREAS (AO ZONES)
44 CFR 60.3(c)7, 8 and 11

Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from one to three feet (1' to 3') above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In addition to other provisions in this code, the following additional provisions also apply in AO zones:

1. New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement and mechanical equipment) elevated above the highest adjacent grade to the structure, one foot (1') or more above* the depth number specified in feet on the community's FIRM (at least two feet (2') above the highest adjacent grade to the structure if no depth number is specified).
2. New construction and substantial improvements of nonresidential structures within AO zones shall either:
 - a. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above* the depth number specified on the FIRM (at least two feet if no depth number is specified); or
 - b. Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer, or architect as in section 5.2-2(3).
3. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
4. Recreational vehicles placed on sites within AO zones on the community's FIRM either:
 - a) Be on the site for fewer than 180 consecutive days, or
 - b) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 - c) Meet the requirements of subsections (1) and (3) above and the anchoring requirements for manufactured homes (Section 5.1-1(2)).

Map of Seattle, WA, showing the 100-year floodplain. The floodplain is highlighted in blue and covers areas around Lake Reba, Sunset Park, and the Sea-Tac Airport. Key locations labeled include Highline West Seattle Mental Health/Neighborhood Health/Public Health Clinic at Navos, Ryan Field, and the Five Corners area. Major roads like S 140th St, S 142nd St, S 144th St, S 146th St, S 150th St, S 152nd St, S 154th St, S 156th St, and S 160th St are shown. The map also indicates the Des Moines Memorial Dr and the Air Cargo Rd. A legend at the bottom right shows a blue box representing the FEMA 100 year Floodplain.

ORDINANCE NO. 21-1016

AN ORDINANCE of the City Council of the City of SeaTac, Washington
Amending Sections 5.05.190 and 5.05.220 and Repealing Section
5.05.110 of the SeaTac Municipal Code related to Business Licenses and
Regulations.

WHEREAS, on June 11, 2019, the City Council adopted Ordinance No. 19-1014
revising SeaTac Municipal Code Chapter 5.05 Business Licenses and Regulations by
incorporating the initial proposed changes provided by Business Licensing Service in preparation
of and implementation to their licensing system; and

WHEREAS, the City has completed its transition to the Business Licensing Service, and
it is necessary to adopt an ordinance revising Chapter 5.05 of the SeaTac Municipal Code; and

WHEREAS, this matter was before the Administration and Finance Committee on June
10, 2021, and the Committee recommended adoption of this Ordinance; and

WHEREAS, the City Council finds it appropriate to adopt the recommended changes to
the Business License Code.

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

Section 1. The following section of the SeaTac Municipal Code is hereby repealed.

5.05.110 Penalty for Late application.

Section 2. Sections 5.05.190 and 5.05.200 of the SeaTac Municipal Code are hereby amended
as follows:

5.05.190 Engaging in business without a license or payment of fee.

If any person engages in a business without a license, or fails or refuses to pay the prescribed
license fee for any license term, the City Manager or designee shall follow these procedures:

A. Notify the licensee in writing by first class mail, certified mail or personal service that they
are operating a business within the City limits without a business license and have thirty (30)
days to apply and obtain a business license as specified in SMC 5.05.020.

B. If the licensee fails to respond to the letter within thirty (30) days, the matter may be referred
to Code Compliance and the licensee may be subject to the violations, penalties, and

enforcement provisions set forth in 5.05.200. will be subject to penalties as set forth in this chapter.

5.05.200 Violations, penalties and enforcement.

A. It is unlawful for any person either directly or indirectly to engage in business within the City without having first obtained a business license as required pursuant to this chapter.

B. It is unlawful for any person either directly or indirectly to engage in business within the City without obtaining a renewed business license for the current business license term as required pursuant to this chapter.

C. Each day that a person engages in business without a valid business license constitutes a separate offense.

D. It is a civil infraction, ~~subject to a penalty of three hundred dollars (\$300.00) including costs and assessments,~~ for any person to violate any provision of this chapter, and such person may also be subject to the penalties including costs and assessments prescribed in Chapter 1.15 SMC. The penalties set forth herein are not exclusive. The City Manager or his/her designee may seek civil enforcement and remedies as allowed by law.

E. The City Attorney's Office shall have the discretion to file criminal charges when a person willfully or knowingly violates, by way of repeat violations, the provisions of this chapter. A criminal violation under this subsection is a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000) or imprisonment for a term not to exceed ninety (90) days, or both.

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

Section 4. Upon approval of the City Attorney's Office, the City Clerk and the Code Reviser are authorized to make necessary corrections without altering intent, 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 5. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 22nd day of June, 2021, and signed in authentication thereof on this 22nd

day of June, 2021.

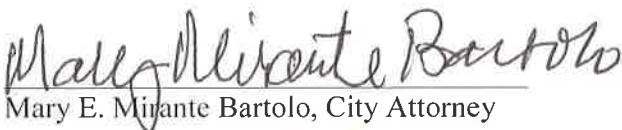
CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

APPROVED AS TO FORM:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 7/3/2021]

[Business Licenses]

ORDINANCE NO. 21-1017

AN ORDINANCE of the City Council of the City of SeaTac,
Washington, amending the 2021-2022 Biennial Budget revenue and
expenditures.

WHEREAS, the Administration and Finance Committee, on June 10, 2021, reviewed
the proposed amendment submitted by the City Manager and Finance and Systems Director
which updates beginning fund balances and details recommended changes in various revenue
and expenditure line items in the 2021-2022 Biennial Budget; and

WHEREAS, it is necessary for the City Council to amend the 2021-2022 Biennial
Budget 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 2021-2022 Biennial Budget for the City of SeaTac, covering the period from
January 1, 2021, through December 31, 2022, is hereby amended with a total 2022 ending fund
balance in the amount of \$84.2 million for all budgeted funds. The City's 2021-2022 biennial
budget is attached as Exhibit B, and includes budgeted revenues and expenditures for the 2021-
2022 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 22nd day of June, 2021, and signed in authentication
thereof on this 22nd day of June, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 7/3/2021]

[2021-2022 Biennial Budget Amendment Ordinance]

EXHIBIT A
2021-2022 Biennial Budget Amendment

Revenue

		2021-2022 TOTAL	
111	111.397.39.00.001	\$12,300	Transfer In - Fund 403 (DMCB Capital Replacement)
301	301.337.07.00.015	\$11,238	Lighting Upgrade at North SeaTac Park DC
	301.337.07.00.009	\$250,000	King County Youth Sports Grant (Pump Track Design DC)
	301.397.12.00.000	\$1,500,000	Transfer In - 001 Fund (HVAC Upgrade City Hall)
404	404.334.03.10.002	\$47,600	Waste Reduction & Recycling Education Grant
501	501.397.70.00.000	\$27,000	Transfer In - 102 Fund (Crash Attenuator)
	501.397.90.00.001	\$60,000	Transfer In - 001 Fund (SMG SportChamp DC)
		\$1,908,138	

Expenditures

FUND #	BARS#	2021-2022 TOTAL	Description
001	001.000.04.518.88.41.000	\$700	Professional Services (Redundant Internet Connection DC)
	001.000.04.518.88.42.027	\$23,400	Communication Service Provider (Redundant Internet Connection DC)
	001.000.04.518.88.48.050	\$2,000	Enterprise SW Maint & Support (Redundant Internet Connection DC)
	001.000.04.518.88.48.050	\$35,100	Enterprise SW Maint & Support (Endpoint Management Software DC)
	001.000.10.576.80.45.002	\$4,200	Equipment Rental - 501 Fund (SMG SportChamp DC)
	001.000.10.597.12.00.000	\$1,500,000	Transfer Out - 301 Fund (HVAC Upgrade City Hall)
	001.000.10.597.90.00.001	\$60,000	Transfer Out - 501 Fund (SMG SportChamp DC)
	001.000.13.558.60.41.000	\$300,000	Professional Services (City Center Phase 2 DC)
Total General Fund (001)		\$1,925,400	
102	102.000.11.544.40.41.000	\$200,000	Professional Services (Public Works ROW Standards DC)
	102.000.11.542.30.45.002	\$2,700	Equipment Rental - 501 Fund (Crash Attenuator DC)
	102.000.11.597.70.00.000	\$27,000	Transfer Out - Fund 501 (Crash Attenuator DC)
Total Street Fund (102)		\$229,700	
105	105.000.04.558.70.41.000	\$15,000	Professional Services (Closing Costs)
Total Port ILA Fund (105)		\$15,000	
108	108.000.10.518.21.47.043	\$7,100	KC Parcel Fees
Total Building Mgmt Fund (108)		\$7,100	
301	301.000.04.594.76.63.217	\$125,000	Angle Lake Boat Ramp DC
	301.000.04.594.75.64.097	\$32,015	Weight Training Equipment DC
	301.000.04.594.76.63.221	\$120,000	Botanical Garden Entry Sign DC
	301.000.04.594.18.64.094	\$9,100	Computer Hardware (Redundant Internet Connection DC)
	301.000.04.594.18.62.001	\$1,500,000	City Hall Improvements (HVAC Upgrade City Hall DC)
	301.000.04.594.76.63.220	\$25,600	North SeaTac Park Lighting Upgrade
	301.000.04.594.76.63.222	\$309,250	Pump Track Design DC
	301.000.04.594.75.63.001	\$87,500	Variable E-Sign DC
Total Municipal CIP Fund (301)		\$2,208,465	
403	403.000.11.597.39.00.000	\$12,300	Transfer Out - Fund 111
Total SWM Fund (403)		\$12,300	
501	501.000.11.594.48.64.095	\$27,000	Vehicles/Heavy Equipment (Crash Attenuator DC)
	501.000.11.594.48.64.095	\$60,000	Vehicles/Heavy Equipment (SMG SportChamp DC)
	501.000.11.548.65.41.000	\$75,000	Professional Services (Fleet Electrification Plan)
Total Equipment Rental Fund (501)		\$162,000	
Grand Total - ALL FUNDS		\$4,559,965	

CITY OF SEATAC, WASHINGTON
2021-2022 BIENNIAL BUDGET: EXHIBIT B

6/22/2021

2021-2022 BIENNIAL BUDGET (EXPENDITURES + ENDING BALANCES) = \$ 251,450,559					
FUND		BEGINNING BALANCE	REVENUES & OTHER SOURCES	EXPENDITURE APPROPRIATION	ENDING BALANCE
001	General Fund	\$ 34,525,703	\$ 78,090,188	\$ 87,616,800	\$ 24,999,090
102	Street Fund	10,529,643	15,567,442	19,635,669	\$ 6,461,416
105	Port ILA	8,649,289	2,904,235	3,864,285	\$ 7,689,239
106	Transit Planning	446,094	787,260	929,301	\$ 304,053
107	Hotel/Motel Tax	8,677,733	1,662,829	1,401,665	\$ 8,938,897
108	Building Management	3,450,129	652,710	512,532	\$ 3,590,307
110	Facility Repair & Replacement	-	-	-	\$ -
111	Des Moines Creek Basin ILA	2,965,629	674,700	1,190,870	\$ 2,449,459
112	Affordable Housing Sales Tax	69,792	144,000	-	\$ 213,792
206	2009 LTGO Bond Fund	-	-	-	\$ -
207	SCORE Bond Servicing	275,035	283,513	283,113	\$ 275,435
301	Municipal Capital Improvements	11,911,726	8,367,257	10,319,138	\$ 9,959,845
306	Facility Construction CIP	3,982,377	4,800	-	\$ 3,987,177
307	Transportation CIP	14,193,198	19,389,400	26,169,720	\$ 7,412,878
308	Light Rail Station Areas CIP	2,970,924	54,270	-	\$ 3,025,194
403	SWM Utility	6,221,452	9,353,120	12,065,731	\$ 3,508,841
404	Solid Waste & Environmental	946,555	787,046	497,684	\$ 1,235,917
501	Equipment Rental	937,302	1,975,208	2,683,659	\$ 228,851
TOTAL BIENNIAL BUDGET		\$ 110,752,581	\$ 140,697,978	\$ 167,170,167	\$ 84,280,392

**General Fund
(001)
Decision Cards**

**City of SeaTac 2021-2022
Decision Card**

Budget

Date Prepared: 05/18/21

Title: Redundant Internet Connection	
Amount: \$ 35,200.00	Department: Finance
BARS#: Various	Division: Information Systems
On-Going <input checked="" type="checkbox"/>	Director: Gwen Pilo
One-Time <input checked="" type="checkbox"/>	Preparer: Bart Perman

Description: (Provide a brief overview of what is being requested)

Hardware and service for an additional Internet connection for the City

Justification: (Explain why this is being requested and/or how the request will benefit the City):

The City currently has a single connection point to the Internet which is located at City Hall. As the City moves toward a Cloud based environment, we are more reliant on Internet access and having a single point of failure puts us at risk of failure if that connection goes down. Adding a second Internet connection at another City facility will allow the City to be better protected from such a failure. One time costs would be approximately \$700 for the Internet connection setup and \$9,100 for a second firewall. Ongoing costs would be \$1,300 per month for the Internet service and \$2,000 per year for support and maintenance of the firewall.

Alternatives: (List possible alternatives and/or risks if funding is not approved):

Continue with a single Internet connection and accept the risks involved.

City Goal: (Identify one or more City Goal addressed by this request):

Build Effective and Accountable Government

Funding Source: (How will this request be funded):

	<u>Source/Fund (be specific)</u>	<u>2021 Amount</u>	<u>2022 Amount</u>
Current Operations:	General Fund	\$ 8,600.00	\$ 17,600.00
Ending Fund Balance:	301 Fund	\$ 9,100.00	
Grant:			
Other:			
TOTAL		<u>\$ 17,700.00</u>	<u>\$ 17,600.00</u>

Date Approved:

City of SeaTac 2021-2022 Budget
Decision Card

Date Prepared: 05/23/21

Title: Unified Endpoint Management Software	
Amount: \$ 35,100.00	Department: Finance
BARS#: 001.000.04.518.88.48.050	Division: IS
On-Going <input checked="" type="checkbox"/>	Director: Gwen Pilo
One-Time <input type="checkbox"/>	Preparer: Bart Perman

Description: *(Provide a brief overview of what is being requested)*

Licenses and maintenance for Unified Endpoint Management Software

Justification: *(Explain why this is being requested and/or how the request will benefit the City):*

The City's IT staff currently manage and deploy servers and workstations manually. This is both time consuming and inefficient as the City's network has continued to grow in size and complexity. Unified endpoint management software is software that allows administrators to manage both the deployment and security of devices and applications across an enterprise. endpoint management software allows administrators to give end users access to the devices and applications they need without compromising security. Endpoint management software will allow IT staff to automate desktop and notebook computer configuration, monitor server and workstation health and updates, distribute and control application installations, track assets and much more.

Alternatives: *(List possible alternatives and/or risks if funding is not approved):*

Continue with existing manual processes.

City Goal: *(Identify one or more City Goal addressed by this request):*

Build Effective and Accountable Government

Funding Source: *(How will this request be funded):*

Source/Fund (be specific)		2021 Amount	2022 Amount
Current Operations	General Fund	\$ 11,700.00	\$ 23,400.00
Ending Fund Balance			
Grant:			
Other:			
TOTAL		\$ 11,700.00	\$ 23,400.00

Date Approved:

City of SeaTac 2021-2022 Budget
Decision Card

Title: SMG SportChamp Maintenance Machine	
Amount: \$ 64,200.00	Department: PCPS
BARS#: Various	Division: Park Operations
	Director: Lawrence Ellis
On-Going <input type="checkbox"/> Mandatory <input type="checkbox"/> One-Time <input checked="" type="checkbox"/> Discretionary <input checked="" type="checkbox"/>	Preparer: Michael Fitzpatrick

Description: *(Provide a brief overview of what is being requested)*

This machine requested can perform a variety of tasks associated with the maintenance of artificial turf fields located at North SeaTac Park and Valley Ridge Park.

Justification: *(Explain why this is being requested and/or how the request will benefit the City):*

This machine is requested due to a continued transition away from natural grass to artificial turf fields in SeaTac parks. One artificial turf field was added at Valley Ridge Park in 2018 and two fields added at North SeaTac Park in 2020 for a total of six turf fields throughout the city. As the inventory of artificial turf fields increases, this specialized piece of equipment will allow staff to perform necessary maintenance to the fields to ensure top quality playing surfaces, maintain safety of the surface, and extend the life of the fields. The machine cleans the fields by vacuuming and brushing the turf, removing dirt and debris, and picks up metal objects in the turf that could cause injury. The crumb rubber infill in the fields acts as a shock absorber to provide a safety cushion to help prevent player injury. The machine collects and redistributes the rubber infill across the playing surface to help ensure proper depths of crumb rubber are maintained. In 2019, the turf fields at Valley Ridge Park generated \$359,203 in revenue and proper maintenance is a top priority to maintain quality playing surfaces and extend turf life. The anticipated lifespan of the turf is budgeted for 10 year replacement intervals but could be extended by regular use of this piece of equipment. Park Operations currently has a two separate pieces of equipment for turf maintenance that perform singular duties. The proposed new piece of equipment performs multiple functions simultaneously thus saving labor.

Comparing the purchase price of the machine to contracting this service at recommended intervals; the machine would pay for itself in 1.25 years or 5 contracted field groomings. This is calculated at: 6 turf fields @ \$2,200 each to contract groom = \$13,200 per visit to turf fields in SeaTac. Recommended grooming schedule of 4 x per year = \$52,800. The anticipated lifespan of the SMG Sport Champ is 10-15 years.

Alternatives: *(List possible alternatives and/or risks if funding is not approved):*

Alternatively, this specific maintenance task can be contracted but is subject to contractor availability/scheduling. Owning this piece of equipment and performing the maintenance "in house" will ensure regular maintenance intervals are met and more cost effective as a long term maintenance solution.

City Goal: *(Identify one or more City Goal addressed by this request):*

Expand Green & Public Spaces
Enhance the community by maintaining and improving parks and community spaces.

Funding Source: *(How will this request be funded):*

<u>Source/Fund (be specific)</u>	<u>2021 Amount</u>	<u>2022 Amount</u>
Current Operations: General Fund (001)		\$ 4,200.00
Ending Fund Balance: General Fund (001)	\$ 60,000.00	
Grant:		
Other:		
TOTAL	\$ 60,000.00	\$ 4,200.00

**City of SeaTac 2021-2022 Budget
Decision Card**

Date Prepared: 05/11/21

Title: City Center Phase 2: Airport Business & Neighborhood District Subarea Plan	
Amount: \$ 300,000.00	Department: CED
BARS#: 001.000.13.558.60.41.000	Division: Planning
	Director: Evan Maxim
On-Going <input type="checkbox"/>	Preparer: Jenn Kester / Kate Kaehny
One-Time <input checked="" type="checkbox"/>	

Description: (Provide a brief overview of what is being requested)

Engage a consultant to complete a subarea plan that follows through on the City Center Phase 1 Vision report. The subarea plan will implement the vision for the City Center and guide City programs and investments in capital projects that can facilitate the successful recovery and revitalization of the area.

Justification: (Explain why this is being requested and/or how the request will benefit the City):

The City Center Phase 1 Vision Report, adopted in early 2020, identifies the need for the completion of a subarea plan to implement the district's new community and stakeholder-supported development vision. Creating a subarea plan will provide an opportunity to re-engage the business and residential communities in a time of unprecedented economic and social uncertainty, and allow for the City and community stakeholders to collaborate on short and long term strategies that can improve and develop businesses, housing, and infrastructure in the area. The project will refine the Phase 1 development concept and include technical market and transportation studies. It will result in specific policy guidance and project recommendations including the creation of a district marketing and branding strategy, urban design guidelines, a mobility and connectivity plan, streetscape design guidelines, an open space plan, and recommendations and updates to the City's development codes, the Transportation Master Program, the TIP and the CIP.

The City Center Phase 2 subarea plan will require two years for completion; this budget card would allocate the full \$300,000 in 2022. Any unspent funds would be carried forward to 2023 to complete the project.

Alternatives: (List possible alternatives and/or risks if funding is not approved):

If the subarea plan is not funded, community/stakeholder support of the project may diminish, and the opportunity to have a holistic and coordinated response to addressing the downturn and potential redevelopment in the district will be missed. Capital projects may end up driving some of the planning for the City Center. Alternatives include removing some project elements to lower costs or having staff work on some elements.

City Goal: (Identify one or more City Goal addressed by this request):

This project would help implement all five of the Council's 2021-2022 budget goals by undertaking extensive community engagement to create a subarea plan that will 1) develop and enhance the airport business district/SeaTac/Aiport urban village, 2) promote housing options, 3) increase access to open space and 4) improve connectivity for all modes of transportation.

Funding Source: (How will this request be funded):

<u>Source/Fund (be specific)</u>	<u>2021 Amount</u>	<u>2022 Amount</u>
Current Operations:		
Ending Fund Balance: General Fund (001)	\$ 0.00	\$ 300,000.00
Grant:		
Other:		
TOTAL	\$ 0.00	\$ 300,000.00

Date Approved:

City of SeaTac 2021-2022 Budget
Decision Card

Date Prepared: 05/03/20

Title: HVAC Upgrade at City Hall	
Amount: \$ 1,500,000.00	Department: PCPS
BARS#: 301.000.04.594.18.62.001	Division: Facilities
On-Going <input type="checkbox"/>	Director: Lawrence Ellis
One-Time <input checked="" type="checkbox"/>	Preparer: Lawrence Ellis

Description: *(Provide a brief overview of what is being requested)*

This funding request is to upgrade the HVAC system at City Hall.

Justification: *(Explain why this is being requested and/or how the request will benefit the City):*

The City recently had a mechanical system reviewed by ARC Architects as part of a facility assessment and their recommendation was to replace the ventilation units and upgrade the associated water source heat pumps (WSHP) due to the high efficiency and reliability of the WSHP system. Since our system does have some newer WSHP in the building and the piping is already in place, this recommendation would be most cost effective for installation and on-going maintenance. In addition to replacing ventilation units and WSHP's, a few additional WSHP's would be added which would result in more flexibility to manage associated zones inside the building. Finally, thermostats, pumps, water tower and air handlers for the WSHP's would also be replaced since the current components are outdated. Most controllers are over 10 years old and replacement parts are difficult to find due to age of equipment.

Alternatives: *(List possible alternatives and/or risks if funding is not approved):*

Continue with the existing HVAC system. With our aging system the parts for the older WSHP have become extremely difficult to find and very expensive. Along with the WSHP our controllers and thermostats are also outdated and in need of upgrading. If we were to have multiple controllers fail at once we would be without heating and cooling in those areas.

City Goal: *(Identify one or more City Goal addressed by this request):*

Build effective and accountable government.

Funding Source: *(How will this request be funded):*

	<u>Source/Fund (be specific)</u>	<u>2021 Amount</u>	<u>2022 Amount</u>
Current Operations:	Municipal CIP Fund (301)	\$ 1,500,000.00	
Ending Fund Balance:			
Grant:			
Other:			
TOTAL		\$ 1,500,000.00	\$ 0.00

Date Approved: 05/19/21

Street Fund
(102)
Decision Cards

City of SeaTac 2021-2022 Budget
Decision Card

Date Prepared: 05/18/21

Title: Public Works Right-of-Way Standards	
Amount: \$ 200,000.00	Department: Public Works
BARS#: 102.000.11.544.40.41.000	Division: Administration
On-Going <input type="checkbox"/>	Director: William Appleton
One-Time <input checked="" type="checkbox"/>	Preparer: William Appleton

Description: (Provide a brief overview of what is being requested)

Funding to provide for consulting assistance on the development of comprehensive public works right-of-way standards for the City of SeaTac. This manual will replace Title 11 standards where appropriate of the SMC, Chapter 14 of the King County Code and the 2007 King County Road Standards.

Justification: (Explain why this is being requested and/or how the request will benefit the City):

Title 11 Streets, Sidewalks, And Public Thoroughfares of the SeaTac Municipal Code governs the City's ROW related infrastructure. The City does not have its own SeaTac specific road standards, but rather adopts the 2007 King County Road Standards by reference. In many instances these standards do not implement the overall vision for the City (being based on a rural road model) or provide sufficient guidance for consistent application of codes (many standards are unclear as to how they could be applied in SeaTac). For example, many arterials and collectors were constructed as King County rural roadways without urban features such as curbs, gutters, sidewalks, drainage, illumination, and appropriate turn lanes. The development and adoption of SeaTac specific standards will be instrumental in helping to improve safety for all modes, reduce maintenance costs, enhance the look and feel of the City, provide developer certainty and shape the future of SeaTac.

While staff have been working on developing these standards, it has become clear that outside assistance is needed to help provide design guidance in the development of the standards and CAD drafting services for the standard details. SeaTac will remain the lead author of the manual to ensure that the desired/established policies, goals, and professional knowledge are reflected in the manual. Funding to assist in this significant and very time consuming process should allow for completion by the end of 2022. Technical support on this project would be contracted through a professional services contract and be subject to a not to exceed amount determined by the scope of work/level of effort.

Alternatives: (List possible alternatives and/or risks if funding is not approved):

Continue to work on developing the subject standards in-house. At a minimum, CAD drafting services will be required once the process of developing standard details begins. Risks of continuing along this path are primarily associated with timely completion of the standards and impacts to development within the ROW as a result of not having the standards complete.

City Goal: (Identify one or more City Goal addressed by this request):

This request aligns with the goal of providing effective and accountable government.

Funding Source: (How will this request be funded):

<u>Source/Fund (be specific)</u>	<u>2021 Amount</u>	<u>2022 Amount</u>
Current Operations:		
Ending Fund Balance: Street Fund (102)	\$ 200,000.00	
Grant:		
Other:		
TOTAL	\$ 200,000.00	\$ 0.00

Date Approved:

**City of SeaTac 2021-2022 Budget
Decision Card**

Date Prepared: 07/23/20

Title: Crash Attenuator with Arrow-Board	
Amount: \$29,700.00	Department: Public Works
BARS#: Various	Division: Maintenance and Operations
	Director: William Appleton
On-Going <input checked="" type="checkbox"/>	Preparer: Bryan Chappell
One-Time <input checked="" type="checkbox"/>	

Description: (Provide a brief overview of what is being requested)

Request to purchase a crash attenuator with a mounted arrow-board.

Justification: (Explain why this is being requested and/or how the request will benefit the City):

Additional safety equipment is needed when working on multi-lane roads due to increased traffic in the region, to help protect crews from vehicles and distracted drivers. Public Works Operations performs vegetation control (on medians and next to sidewalks), stormwater maintenance and street maintenance on these types of roads multiple times a year for weeks at a time. As the city moves to more street scape vegetation the need to use an attenuator will increase. The cost of the attenuator (one-time) is approximately \$27,000. Purchasing an attenuator vs renting one would pay for itself in 9 weeks use over its lifetime. There will be an on-going replacement, maintenance and operational costs associated with this piece of equipment if approved for purchase, that amount is estimated at \$2,700 each year for 10-years.

Alternatives: (List possible alternatives and/or risks if funding is not approved):

Continue to rent an attenuator as required.

City Goal: (Identify one or more City Goal addressed by this request):

INCREASE CONNECTIVITY AND SAFETY is supported by this investment of an attenuator. An attenuator supports and promotes a safe working environment while working around high volume traffic by safely separating workers from distracted drivers. An attenuator makes a work zone safer for employees and the traveling public while working on public infrastructure located in or near the traveled way.

Funding Source: (How will this request be funded):

	Source/Fund (be specific)	2021 Amount	2022 Amount
Current Operations:	Street Fund (102)		\$ 2,700.00
Ending Fund Balance:	Street Fund (102)	\$ 27,000.00	
Grant:			
Other:			
TOTAL		\$ 27,000.00	\$ 2,700.00

Date Approved:

**Municipal Capital
Improvement Fund
(301)
Decision Cards**

City of SeaTac 2021-2022 Budget
Decision Card

Title: Angle Lake Boat Ramp		Department: PCPS
Amount: \$ 125,000.00		Division: Park Operations
BARS#: 301.000.04.594.76.63.217		Director: Lawrence Ellis
On-Going <input type="checkbox"/>	Mandatory <input type="checkbox"/>	Preparer: Michael Fitzpatrick
One-Time <input checked="" type="checkbox"/>	Discretionary <input checked="" type="checkbox"/>	

Description: *(Provide a brief overview of what is being requested)*

Funding to repair the asphalt approach and replace the boat ramp at Angle Lake Park.

Justification: *(Explain why this is being requested and/or how the request will benefit the City):*

The concrete boat ramp consists of pre-cast concrete ties placed in the water and joined together with metal hooks and eyelets linking each tie together. Some of the concrete ties have shifted in the water due to deterioration of subsoil, failing hooks/eyelets that attach the concrete ties together and vehicle traffic causing ties to move. This has caused gaps between the concrete ties where boat trailer tires can become stuck thus making launching/retrieving a boat difficult. This funding would allow a new system of concrete panels to replace the aging ties. The asphalt approach to the ramp is deteriorating with tree roots lifting sections of the asphalt causing bumps. Grading work will be performed to remove the tree root damage and correct drainage problems in the adjacent handicap parking stalls to ensure compliance with building codes. The proposed funding would be added to the refurbishing of the fishing pier at Angle Lake Park project, which is part of the 2022 CIP. Given both the fishing pier and proposed boat ramp project will require a marine construction contractor and shoreline/HPA permitting, it would be prudent to combine both projects to save time in the permit process and reduce construction mobilization costs as both projects could be completed simultaneously.

The boat launch at Angle Lake Park is a popular amenity for citizens of SeaTac and anyone wishing to access the lake for boating, fishing and kayaking. It is important to keep the boat ramp in a good state of repair to serve all who visit the lake and access the water with watercraft. Continued deterioration of the boat ramp could become a liability to the City if not addressed properly.

Alternatives: *(List possible alternatives and/or risks if funding is not approved):*

If funding is not approved, the ramp will continue to deteriorate and eventually become inoperable and unsafe. Staff can continue attempts to perform repairs by placing rocks to fill voids in the ramp area but are limited by proper equipment, materials and expertise to perform the work.

City Goal: *(Identify one or more City Goal addressed by this request):*

Expand Green & Public Spaces - Enhance the community by maintaining and improving parks and community spaces.
Increase Connectivity & Safety - Create a more cohesive city by investing in infrastructure and leveraging partnerships to promote pedestrian mobility, public safety, and access to public transit.

Funding Source: *(How will this request be funded):*

<u>Source/Fund (be specific)</u>	<u>2021 Amount</u>	<u>2022 Amount</u>
Current Operations:		
Ending Fund Balance: Municipal CIP Fund (301)		\$ 125,000.00
Grant:		
Other:		
TOTAL	\$ 0.00	\$ 125,000.00

City of SeaTac 2021-2022 Budget
Decision Card

Date Prepared: 07/28/20

Title: Weight Training Equipment - Community Center	
Amount: \$32,015	Department: PCPS
BARS#: 301.000.04.594.75.64.097	Division: Recreation
	Director: Lawrence Ellis
On-Going <input type="checkbox"/>	Preparer: Brian Tomisser
One-Time <input checked="" type="checkbox"/>	

Description: (Provide a brief overview of what is being requested)

Replacing all of the weight lifting equipment machines at the SeaTac Community Center Fitness Room.

Justification: (Explain why this is being requested and/or how the request will benefit the City):

The current weight equipment was purchased when the Community Center first opened in 1993. Since then the City has performed annual maintenance on the equipment. In addition to being outdated, many of the current pieces have rust and chipped paint. The cables on the machines and the vinyl that covers parts of the machine have been replaced numerous times over the past twenty eight years due to significant usage. In addition, due to age of the equipment, safety becomes an issue with the stability of some of the frames.

Additionally, the current pieces take up the majority of floor space in the fitness room. Newer models have towers that contain multiple options that work out different parts of the body. This will allow us to buy less total pieces, but still allow patrons to get a full work out in. The additional floor space will allow for more floor exercise, stretching and better social distancing, which is hard to do with the current set up.

Over the past ten years, the fitness room has made more than \$200,000 in revenue. Newer and more modern weight equipment will increase the revenue and give residents a better fitness experience. We estimate increasing revenue to \$240,000 over the next ten years.

Alternatives: (List possible alternatives and/or risks if funding is not approved):

Continue to use and maintain the current equipment in the fitness room.

City Goal: (Identify one or more City Goal addressed by this request):

Build Effective and Accountable Government.

Funding Source: (How will this request be funded):

	<u>Source/Fund (be specific)</u>	<u>2021 Amount</u>	<u>2022 Amount</u>
Current Operations:	301 Fund Construction Sales Tax	\$ 32,015.00	
Ending Fund Balance:			
Grant:			
Other:			
	TOTAL	\$ 32,015.00	\$ 0.00

Date Approved:

**City of SeaTac 2021-2022 Budget
Decision Card**

Date Prepared: 05/05/21

Title: Lighting Upgrade at North SeaTac Park	
Amount: \$ 14,362.00	Department: PCPS
BARS#: Various	Division: Facilities
	Director: Lawrence Ellis
On-Going <input type="checkbox"/>	Preparer: Lawrence Ellis
One-Time <input checked="" type="checkbox"/>	

Description: (Provide a brief overview of what is being requested)

Upgrade to LED lighting on the pedestrian walking paths and parking lot at North SeaTac Park.

Justification: (Explain why this is being requested and/or how the request will benefit the City):

With the renovation of the two soccer fields and installing LED lighting on the fields, those improvements have attracted more park users to North SeaTac Park. The existing pathway and parking lot lights are inadequate due to age and type of lighting. The existing lighting system was installed in 1998 and fails to provide enough light for park users which became a safety factor. During evening activities, the perimeter of the soccer fields, parking lot and restrooms are very dark. With major improvements slated in the near future, it is strongly recommended to upgrade the visibility throughout the north end of the park. For example, new LED lighting upgrades were recently installed at Valley Ridge Park and at the SeaTac Community Center and the improvements were dramatic and the park users immediately felt safer. The improved lighting ensures everyone's safety (including staff) during the evening hours.

Since we're installing LED lighting, it will save the City approximately \$5,000 in electricity, \$3,000 in maintenance and about 72% savings of energy annually with better lighting. In addition, the City will be receiving a rebate of an estimated amount of \$11,238 from Seattle City Light so the net cost will be \$14,362.

Alternatives: (List possible alternatives and/or risks if funding is not approved):

Continue with the existing lighting system.

City Goal: (Identify one or more City Goal addressed by this request):

Increase Connectivity and Safety.
Expand Green and Public Spaces.

Funding Source: (How will this request be funded):

	<u>Source/Fund (be specific)</u>	<u>2021 Amount</u>	<u>2022 Amount</u>
Current Operations:	301 Fund Construction Sales Tax	\$ 25,600.00	
Ending Fund Balance:			
Grant:			
Other:	Seattle City Light Rebate	-\$ 11,238.00	
TOTAL		\$ 14,362.00	\$ 0.00

Date Approved:

City of SeaTac 2021-2022 Budget
Decision Card

Date Prepared: 04/30/21

Title: Botanical Garden Entry Sign	
Amount: \$ 120,000.00	Department: PCPS
BARS#: TBD	Division: Parks
	Director: Lawrence Ellis
On-Going <input type="checkbox"/>	Preparer: Lawrence Ellis
One-Time <input checked="" type="checkbox"/>	

Description: (Provide a brief overview of what is being requested)

Design, construct and install an entry sign at the main entrance of the Botanical Garden on the corner of 24th Ave. S. and S. 138th St. (also entrance to the SeaTac Community Center off of 24th Ave. S.).

Justification: (Explain why this is being requested and/or how the request will benefit the City):

This request originated from the Highline SeaTac Botanical Garden Foundation and is a recommendation in the 2018 Botanical Garden Master Plan. The installation of an entry sign will improve awareness of the garden from the street and establish identity of the garden as a botanical institution with planting improvements. It would be the major sign for travelers and general public.

Within the scope of the Botanical Garden Master Plan, the signage is considered an important part of highlighting the garden to the community and as a destination for visitors to the City. The consultants heard from many residents that they had a hard time discovering the garden for the first time and that having more prominent signage along the main thoroughfare off of 24th Ave. S would go a long way to announce the garden's presence.

The proposed sign will complement the existing SeaTac Community Center sign on 24th Ave. S. & S. 138th St., which houses the City's recreation and senior programs.

Alternatives: (List possible alternatives and/or risks if funding is not approved):

Continue with the existing entry sign located on the gate into the garden.

City Goal: (Identify one or more City Goal addressed by this request):

1. Promote Our Neighborhood
2. Increase Connectivity and Safety

Funding Source: (How will this request be funded):

	<u>Source/Fund (be specific)</u>	<u>2021 Amount</u>	<u>2022 Amount</u>
Current Operations:	301 Fund Construction Sales Tax	\$ 120,000.00	
Ending Fund Balance:			
Grant:			
Other:			
TOTAL		\$ 120,000.00	\$ 0.00

Date Approved:

City of SeaTac 2021-2022 Budget Decision Card

Title: Pump Track Design		Department: PCPS
Amount: \$ 59,250.00		Division: Administration
BARS#: TBD (301 Fund)		Director: Lawrence Ellis
On-Going <input type="checkbox"/>	Mandatory <input type="checkbox"/>	Preparer: Michael Fitzpatrick
One-Time <input checked="" type="checkbox"/>	Discretionary <input checked="" type="checkbox"/>	

Description: (Provide a brief overview of what is being requested)

This request provides funds to design a pump track, construction contingency, soft costs and sales tax for construction of project.

Justification: (Explain why this is being requested and/or how the request will benefit the City):

PCPS staff have applied for a King County Youth Sports Grant in the amount of \$250,000 for construction of an asphalt pump track to be located adjacent to the SeaTac BMX track. This decision card request of \$59,250 covers costs ineligible for grant reimbursement. A breakdown of the lump sum requested is as follows:

Pump Track Design: \$9,000.00
Construction Sales Tax at 10.1%: \$25,250.00
5% Construction Contingency: \$12,500.00
Project Soft Costs: \$12,500.00

Successful grant funding combined with this Decision Card funding request will allow this project to become a reality. Area youth presented at the February 6, 2020 Parks and Recreation Committee meeting and participated in public comment at SeaTac City Council meeting on February 11, 2020. The youth are requesting additional bicycle related recreation opportunities in SeaTac. Unsanctioned and illegally built jumps have previously been removed from various park sites. SeaTac is home to a diverse list of recreational opportunities and construction of a pump track would only serve to strengthen that list. If the King County Youth Sports Grant application for construction funding is not successful, we will not proceed with project and Decision Card removed from consideration.

Alternatives: (List possible alternatives and/or risks if funding is not approved):

If the Decision Card is not approved, grant funding opportunities could be identified and solicited for pump track design and costs described above. Risks associated with additional grant solicitation include: incompatible timelines between grants or unsuccessful grant application for design costs. This would result in a project funded for construction and no design to build from.

City Goal: (Identify one or more City Goal addressed by this request):

Expand Green & Public Spaces: Enhance the community by maintaining and improving parks and community spaces.

Funding Source: (How will this request be funded):

	<u>Source/Fund (be specific)</u>	<u>2021 Amount</u>	<u>2022 Amount</u>
Current Operations:	301 Fund Construction Sales Tax	\$ 59,250.00	
Ending Fund Balance:			
Grant:	King County Youth Sports Grant (Pending)	\$ 250,000.00	
Other:			
TOTAL		\$ 309,250.00	\$ 0.00

City of SeaTac 2021-2022 Budget
Decision Card

Date Prepared: 05/21/21

Title: Variable E-Sign at S. 136th St./24 Ave. S.	
Amount: \$ 87,500.00	Department: PCPS
BARS#: TBD	Division: Parks
	Director: Lawrence Ellis
On-Going <input type="checkbox"/>	Preparer: Lawrence Ellis
One-Time <input checked="" type="checkbox"/>	

Description: (Provide a brief overview of what is being requested)

Design, construct and install electronic sign on the corner of S. 136th St. and 24th Ave. South to promote City activities, special events and programs.

Justification: (Explain why this is being requested and/or how the request will benefit the City):

If approved, the funding for an electronic sign will allow the Parks, Community Programs and Services Department to promote upcoming events that will range from Special Events (ie: Music in the Park, Theatre in Park, July 4th Family Event), Senior Programs (lunches, classes) to dates for program registrations (ie: Summer day camp, afterschool programs, sports programs) but also inform the community on other City business. For example, the electronic board can also inform the public about upcoming Town Hall meetings, open houses, holiday closures, etc. The location of the electronic sign will be targeted for those residents who travel through the north end of the City and use S. 136th St. as a major thoroughfare to the City of Burien or 24th Avenue S. to and from SeaTac City Center.

Alternatives: (List possible alternatives and/or risks if funding is not approved):

Solicit possible grants.

City Goal: (Identify one or more City Goal addressed by this request):

1. Promote Our Neighborhood
2. Increase Connectivity and Safety

Funding Source: (How will this request be funded):

	2021 Amount	2022 Amount
Source/Fund (be specific)		
Current Operations: 301 Fund Construction Sales Tax		\$ 87,500.00
Ending Fund Balance:		
Grant:		
Other:		
TOTAL	\$ 0.00	\$ 87,500.00

Date Approved:

**Equipment Replacement
Fund
(301)
Decision Cards**

City of SeaTac 2021-2022 Budget
Decision Card

Date Prepared: 05/18/21

Title: Fleet Electrification Plan	
Amount: \$ 75,000.00	Department: Public Works
BARS#: TBD	Division: Operations & Maintenance
	Director: Will Appleton
On-Going <input type="checkbox"/>	Preparer: Will Appleton/Bryan Chappell
One-Time <input checked="" type="checkbox"/>	

Description: *(Provide a brief overview of what is being requested)*

Funding to develop a comprehensive plan/strategy to prepare for and convert the City's fleet from fossil fuel to electric by 2030.

Justification: *(Explain why this is being requested and/or how the request will benefit the City):*

Momentum is gathering at both a State and Federal level for the transition of vehicles from fossil fuel to electric. In May of 2021, the Washington State Legislature passed several pieces of legislation promoting this transition away from fossil fuels. It is expected that both grant funding opportunities and potential State and Federal incentives supporting the transition of municipal government fleets to electric will be made available as part of this nationwide clean energy movement. Developing and implementing a comprehensive fleet electrification program/strategy now will help ensure that the City is able to complete the transition by 2030, minimize our costs in doing so and position the City to take advantage of anticipated funding opportunities.

Electrification of the City's vehicle fleet will benefit the City not only from an environmental perspective, but it will also reduced overall fleet maintenance and operating costs.

Alternatives: *(List possible alternatives and/or risks if funding is not approved):*

Wait to develop a plan/strategy until in-house staff are able to perform the work. Risks associated with this approach include the possibility of schedule delay or elongation due to existing and future workload. This work would be performed by the Operations and Maintenance Division.

City Goal: *(Identify one or more City Goal addressed by this request):*

Funding of this request will help lead to more effective and accountable government. A well thought out plan for transitioning to electrification of the fleet will ensure that the City makes this transformation in a cost effective and efficient manner that does not negatively impact our operations.

Funding Source: *(How will this request be funded):*

<u>Source/Fund (be specific)</u>	<u>2021 Amount</u>	<u>2022 Amount</u>
Current Operations:		
Ending Fund Balance: 501 Fund	\$ 75,000.00	
Grant:		
Other:		
TOTAL	\$ 75,000.00	\$ 0.00

Date Approved:

ORDINANCE NO. 21-1018

AN ORDINANCE of the City Council of the City of SeaTac, Washington, awarding the South 180th Street Flood Reduction Project (Public Works Project SWMCIP-08) contract to Road Construction Northwest, Inc.; authorizing the City Manager to execute contracts with Road Construction Northwest, Inc. for construction; authorizing project construction expenditures; and amending the City's 2021-2022 Biennial Budget.

WHEREAS, the City of SeaTac implements a surface water management program, which identifies capital improvement projects for the City's surface water management network; and

WHEREAS, the South 180th Street Flood Reduction Project ("PROJECT"), Public Works Project SWMCIP-08, which is part of the City's surface water management capital improvement program, has been fully designed, advertised, and bid; and

WHEREAS, additional funding is necessary due to increases in project scope;

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

Section 1. The City Manager is authorized to award and execute a contract with Road Construction Northwest, Inc., for \$1,081,860 (including sales tax), for the construction of the PROJECT.

Section 2. The total authorized expenditure amount for PROJECT construction is \$1,215,046, including \$108,186 for contingency, \$10,000 for inspector overtime, and \$15,000 for construction design support.

Section 3. The City's 2021-2022 Biennial Budget shall be amended by increasing the budget allocation in the 403 Surface Water Management Fund by \$504,570.62 to fully fund the PROJECT.

Section 4. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 13th day of July, 2021, and signed in authentication thereof on this 13th day of July, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 7/24/2021]

[South 180th Street Flood Reduction Project Award and Budget Amendment]

ORDINANCE NO. 21-1019

AN ORDINANCE of the City Council of the City of SeaTac,
Washington, amending the 2021-2022 Biennial Budget
expenditures.

WHEREAS, the Hotel/Motel Advisory Committee (HMAC) reviews and makes
recommendations on lodging tax funding allocation applications; and

WHEREAS, on May 26, 2021, the HMAC reviewed an application from the
Seattle Southside Regional Tourism Authority to fund the SeaTac Hotel – Westfield
Shuttle program and recommended the application be funded; and

WHEREAS, on June 10, 2021, the Administration and Finance Committee,
reviewed the proposed amendment submitted by the Economic Development Manager
which details a recommended increase in Hotel Motel Tax Fund 107 expenditures in the
2021-2022 Biennial Budget; and

WHEREAS, it is necessary for the City Council to amend the 2021-2022 Biennial
Budget to provide additional appropriation authority to fund certain tourism related
expenditures identified in Exhibit A;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC,

WASHINGTON, DO ORDAIN as follows:

Section 1. The 2021-2022 Biennial Budget for the City of SeaTac, covering the period
from January 1, 2021, through December 31, 2022, is hereby amended to reflect an
increase in Fund 107 expenditure of \$141,000 (\$59,000 in 2021 and \$82,000 in 2022).

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

ADOPTED this 13th day of July, 2021, and signed in
authentication thereof on this 13th day of July, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 7/24/2021]

[2021-2022 Biennial Budget Amendment Ordinance]

ORDINANCE NO. 21-1020

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to enter into a contract with Gordon Thomas Honeywell for federal lobbying and amending the 2021-2022 Biennial Budget.

WHEREAS, in 2014, the City of SeaTac entered into a contract with Gordon Thomas Honeywell for state lobbying efforts and has experienced a successful partnership on the state legislative level; and

WHEREAS, in 2021, federal earmarks returned, allowing for congressional members to direct more than \$20 Billion in federal funds to projects in states, counties, and cities; and

WHEREAS, a federal lobbyist would assist SeaTac in securing these federal dollars for the benefit of the City's community; and

WHEREAS, SeaTac has two large-scale federally overseen facilities, including SeaTac International Airport overseen by the Federal Aviation Administration, and the Federal Detention Center governed by the Federal Bureau of Prisons; and

WHEREAS, this matter was presented to the City Council at the Council Study Session on July 13, 2021; and

WHEREAS, it is necessary for the City Council to amend the City's 2021-2022 Biennial Budget to provide additional appropriation authority to fund this contract;

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

Section 1. The City Manager is authorized to enter into a contract with Gordon Thomas Honeywell to perform federal lobbying efforts on behalf of the City from September 1, 2021 to December 31, 2022.

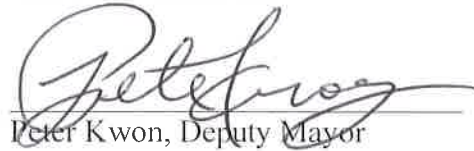
Section 2. The City's 2021-2022 Biennial Budget is amended by increasing expenditures in

the General Fund (Fund #001) by \$96,000 (2021-\$24,000, 2022-\$72,000) in order to pay for consultant services referenced in Section 1 of this Ordinance.

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

ADOPTED this 27th day of July, 2021, and signed in authentication thereof on this 27th day of July, 2021.

CITY OF SEATAC


Peter Kwon, Deputy Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 8/7/2021]

[Gordon Thomas Honeywell Federal Lobbyist Contract and Budget Amendment]

ORDINANCE NO. 21-1021

AN ORDINANCE of the City Council of the City of SeaTac,
Washington vacating a portion of alley between Blocks 19 & 20 Seely's
Addition to the City of Des Moines.

WHEREAS, Bridge Acquisition LLC, on behalf of the abutting property owners, has requested vacation of a certain portion of the City right-of-way (ROW) of a portion of alley between Blocks 19 & 20 Seely's Addition to the City of Des Moines, as described and shown on the attached Exhibits "A" and "B" to this Ordinance; and

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

WHEREAS, in accordance with RCW 35.79.010, the City Council passed Resolution No. 21-007 setting the public hearing for August 10, 2021; and

WHEREAS, RCW 36.87.090 "Non-User Statute" applies to this ROW as it was platted prior to 1905 and remained unopened and unused for public use for a minimum period of five years after authority was granted for opening the same and is vacated by operation of law; and

WHEREAS, no apparent municipal use of the said right-of-way exists; 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 described in Exhibit "A" and as depicted on the map marked Exhibit "B" to this Ordinance, is in the public interest;

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

Section 1. Vacation of Right-of-Way. The portion of the right-of-way of a portion of alley between Blocks 19 & 20 Seely's Addition to the City of Des Moines described in Exhibit "A" to this Ordinance and depicted on the map marked Exhibit "B" to this Ordinance, within the City of SeaTac, is hereby vacated.

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 are reserved until release by the Grantees thereof.

Section 3. Compensation Required. Since this ROW qualifies under RCW 36.87.090, the property is vacated by operation of law and no compensation is required to the municipality except for service fees to process the vacation.

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 10th day of August, 2021, and signed in authentication thereof on this 10th day of August, 2021.

CITY OF SEATAC

Erin Sitterley
Erin Sitterley, Mayor

ATTEST:

Kristina Gregg
Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo for
Mary Mirante Bartolo, City Attorney

[Effective Date: 9/9/2021]

[Vacation of alley in Blocks 19 and 20 Seely's Addition to the City of Des Moines]

EXHIBIT "A"

(VACATION: ALLEY BETWEEN BLK 19 & 20, S 197TH)

THAT PORTION OF THE 15.00 FOOT WIDE ALLEY BETWEEN, BLOCKS 19 AND 20, SEELEY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON; SAID PORTION BEING DESCRIBED AS FOLLOWS:

(APN 7686200920)

THE WEST HALF OF SAID ALLEY LYING EAST OF VACATED LOTS 1 TO 8, INCLUSIVE, BLOCK 20, (ALSO KNOWN AS THE NORTH 200 FEET OF BLOCK 20, SEELEY'S ADDITION TO DES MOINES), ACCORDING TO SAID PLAT;

AND

(APN 7686200870)

THE EAST HALF OF SAID ALLEY LYING WEST OF THE SOUTH 50 FEET OF THE NORTH 100 FEET OF BLOCK 19 (KNOWN AS VACATED LOTS 3 AND 4, BLOCK 19), SEELEY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO SAID PLAT;

AND

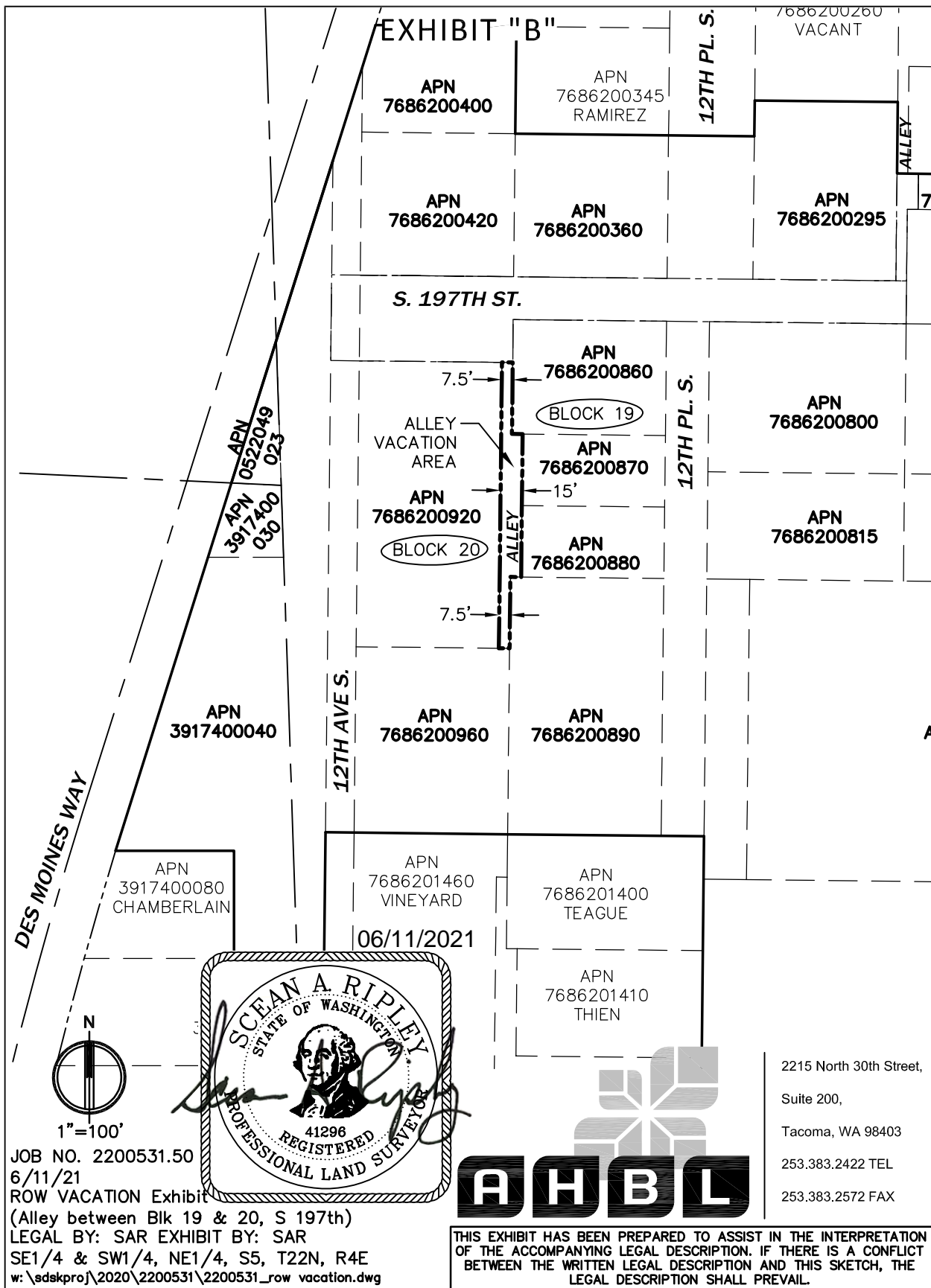
(APN 7686200880)

THE EAST HALF OF SAID ALLEY LYING WEST OF THE SOUTH 50 FEET OF THE NORTH 150 FEET OF BLOCK 19 (KNOWN AS VACATED LOTS 3 AND 4, BLOCK 19), SEELEY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO SAID PLAT.

CONTAINING 2,250 SQUARE FEET.

06/11/2021





ORDINANCE NO. 21-1022

AN ORDINANCE of the City Council of the City of SeaTac,
Washington vacating a portion of alley between Blocks 7 & 8 Seely's
Addition to the City of Des Moines.

WHEREAS, Bridge Acquisition LLC, on behalf of the abutting property owners, has requested vacation of a certain portion of the City right-of-way (ROW) of a portion of alley between Blocks 7 & 8 Seely's Addition to the City of Des Moines, as described and shown on the attached Exhibits "A" and "B" to this Ordinance; and

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

WHEREAS, in accordance with RCW 35.79.010, the City Council passed Resolution No. 21-007 setting the public hearing for August 10, 2021; and

WHEREAS, RCW 36.87.090 "Non-User Statute" applies to this ROW as it was platted prior to 1905 and remained unopened and unused for public use for a minimum of five years after authority was granted for opening the same and is vacated by operation of law; and

WHEREAS, no apparent municipal use of the said right-of-way exists; 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 described in Exhibit "A" and as depicted on the map marked Exhibit "B" to this Ordinance, is in the public interest;

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

Section 1. Vacation of Right-of-Way. The portion of the right-of-way of a portion of alley between Blocks 7 & 8 Seely's Addition to the City of Des Moines described in Exhibit "A" to this Ordinance and depicted on the map marked Exhibit "B" to this Ordinance, within the City of SeaTac, is hereby vacated.

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 are reserved until release by the Grantees thereof.

Section 3. Compensation Required. Since this ROW qualifies under RCW 36.87.090, the property is vacated by operation of law and no compensation is required to the municipality except for service fees to process the vacation.

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 10th day of August, 2021, and signed in authentication thereof on this 10th day of August, 2021.

CITY OF SEATAC

Erin Sitterley
Erin Sitterley, Mayor

ATTEST:

Kristina Gregg
Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo for
Mary Mirante Bartolo, City Attorney

[Effective Date: 9/9/2021]

[Vacation of alley in Blocks 7 and 8 Seely's Addition to the City of Des Moines]

EXHIBIT "A"

(VACATION: ALLEY BETWEEN BLK 7 & 8, N 197TH)

THAT PORTION OF THE 15.00 FOOT WIDE ALLEY BETWEEN, BLOCKS 7 AND 8, SEELEY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON; SAID PORTION BEING DESCRIBED AS FOLLOWS:

(APN 7686200295)

THE WEST HALF OF SAID ALLEY LYING EAST OF THE SOUTH 125 FEET OF VACATED BLOCK 8 (KNOWN AS VACATED LOTS 8 THRU 12, BLOCK 8), SEELY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO SAID PLAT;

AND

(APN 7686200245)

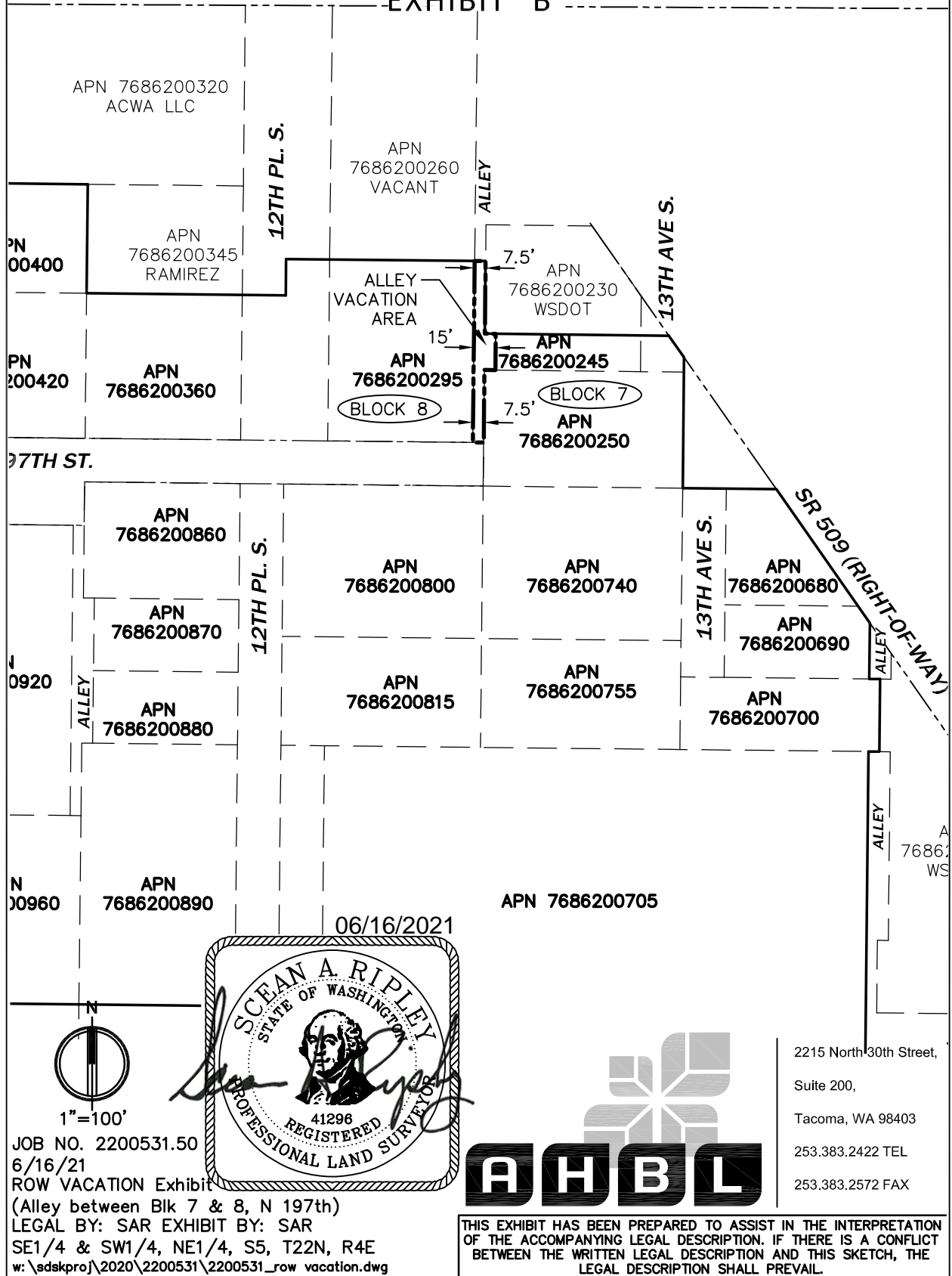
THE EAST HALF OF SAID ALLEY LYING WEST OF VACATED LOT 10, BLOCK 7, (ALSO KNOWN AS THE NORTH 25 FEET OF THE SOUTH 75, BLOCK 7), ACCORDING TO THE PLAT.

CONTAINING 1,125 SQUARE FEET.

06/16/2021



EXHIBIT "B"



ORDINANCE NO. 21-1023

AN ORDINANCE of the City Council of the City of SeaTac,
Washington vacating a portion of South 197th Street.

WHEREAS, Bridge Acquisition LLC, on behalf of the abutting property owners, has requested vacation of a certain portion of the City right-of-way (ROW) of a portion of South 197th Street, as described and shown on the attached Exhibits “A” and “B” to this Ordinance; and

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

WHEREAS, in accordance with RCW 35.79.010, the City Council passed Resolution No. 21-007 setting the public hearing for August 10, 2021; and

WHEREAS, RCW 36.87.090 “Non-User Statute” applies to this ROW as it was platted prior to 1905 and remained unopened and unused for public use for a minimum period of five years after authority was granted for opening the same and is vacated by operation of law; and

WHEREAS, no apparent municipal use of the said right-of-way exists; 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 described in Exhibit “A” and as depicted on the map marked Exhibit “B” to this Ordinance, is in the public interest;

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

Section 1. Vacation of Right-of-Way. The portion of the right-of-way of a portion South 197th Street described in Exhibit “A” to this Ordinance and depicted on the map marked Exhibit “B” to this Ordinance, within the City of SeaTac, is hereby vacated.

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 are reserved until release by the Grantees thereof.

Section 3. Compensation Required. Since this ROW qualifies under RCW 36.87.090, the property is vacated by operation of law and no compensation is required to the municipality except for service fees to process the vacation.

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 10th day of August, 2021, and signed in authentication thereof on this 10th day of August, 2021.

CITY OF SEATAC

Erin Sitterley
Erin Sitterley, Mayor

ATTEST:

Kristina Gregg
Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo for
Mary Mirante Bartolo, City Attorney

[Effective Date: 9/9/2021]

[Vacation of portion of South 197th Street]

EXHIBIT "A"

(VACATION: ROAD ROW S 197TH ST)

THAT PORTION OF SOUTH 197TH ST, SEELEY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON; SAID PORTION BEING DESCRIBED AS FOLLOWS:

(APN 7686200295, 7686200360 AND 7686200420)

THE NORTH HALF OF SAID SOUTH 197TH ST LYING BETWEEN THE WEST LINE OF SAID PLAT AND THE CENTERLINE OF THE ALLEY BETWEEN BLOCKS 7 AND 8, SEELY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO SAID PLAT;

AND

(APN 7686200920)

THE SOUTH HALF OF SAID SOUTH 197TH ST LYING BETWEEN THE WEST LINE OF SAID PLAT AND THE CENTERLINE OF THE ALLEY BETWEEN BLOCKS 19 AND 20, SEELY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO SAID PLAT.

CONTAINING 15,880 SQUARE FEET.

06/11/2021



APN 7686200320
ACWA LLC

APN 7686200320
ACWA LLC

APN
7686200260
VACANT

APN
7686200230
WSDOT

APN
7686200245

BLOCK 7

APN
7686200250

-C/L
VACATED
ALLEY

BLOCK 17

APN
7686200740

**APN
7686200755**

BLOCK 18

**APN
7686200800**

**APN
7686200815**

**APN
7686200860**

BLOCK 19

APN
7686200870

**APN
7686200880**

**APN
7686200400**

BLOCK 10

**APN
7686200420**

APN
7686200345
RAMIREZ

BLOCK 9

**APN
7686200360**

BLOCK 20

**APN
7686200920**

**APN
7686200960**

**APN
7686200890**

APN 7686200705

S. 197TH ST. ROAD ROW VACATION AREA

12TH PL. S.

12TH PL. S.

WEST LINE SEELEY'S ADD

12TH AVE S.

PLAT: KNIGHT'S
2ND ADD TO
DES MOINES

$$1'' = 100'$$

JOB NO. 2200531.50

6/10/21

ROW VACATION Exhibit

(Road ROW, S 197th ST)

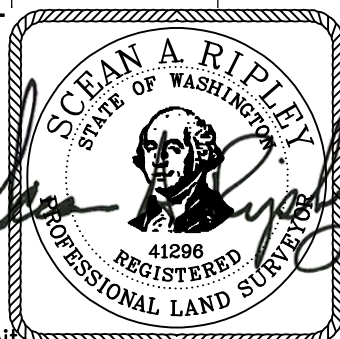
LEGAL BY: SAR EXHIBIT BY: SAR

SE1/4 & SW1/4, NE1/4, S5, T22N, R4E

w: \sdsproj\2020\2200531\2200531_row vacation.dwg

PLAT: SEELEY'S ADD TO DES MOINES

1400
UE



2215 North 30th Street,
Suite 200,
Tacoma, WA 98403
253.383.2422 TEL
253.383.2572 FAX

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.

ORDINANCE NO. 21-1024

AN ORDINANCE of the City Council of the City of SeaTac,
Washington vacating a portion of 12th Avenue South.

WHEREAS, Bridge Acquisition LLC, on behalf of the abutting property owners, has requested vacation of a certain portion of the City right-of-way (ROW) of a portion of 12th Avenue South, as described and shown on the attached Exhibits “A” and “B” to this Ordinance; and

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

WHEREAS, in accordance with RCW 35.79.010, the City Council passed Resolution No. 21-007 setting the public hearing for August 10, 2021; and

WHEREAS, RCW 36.87.090 “Non-User Statute” applies to this ROW as it was platted prior to 1905 and remained unopened and unused for public use for a minimum period of five years after authority was granted for opening the same and is vacated by operation of law; and

WHEREAS, no apparent municipal use of the said right-of-way exists; 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 described in Exhibit “A” and as depicted on the map marked Exhibit “B” to this Ordinance, is in the public interest;

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

Section 1. Vacation of Right-of-Way. The portion of the right-of-way of a portion 12th Avenue South described in Exhibit “A” to this Ordinance and depicted on the map marked Exhibit “B” to this Ordinance, within the City of SeaTac, is hereby vacated.

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 are reserved until release by the Grantees thereof.

Section 3. Compensation Required. Since this ROW qualifies under RCW 36.87.090, the property is vacated by operation of law and no compensation is required to the municipality except for service fees to process the vacation.

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 10th day of August, 2021, and signed in authentication thereof on this 10th day of August, 2021.

CITY OF SEATAC

Erin Sitterley
Erin Sitterley, Mayor

ATTEST:

Kristina Gregg
Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo for
Mary Mirante Bartolo, City Attorney

[Effective Date: 9/9/2021]

[Vacation of portion of 12th Ave South]

EXHIBIT "A"

(VACATION: ROAD ROW 12TH AVE SOUTH)

THAT PORTION OF 12TH AVE SOUTH, SEELEY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON; SAID PORTION BEING DESCRIBED AS FOLLOWS:

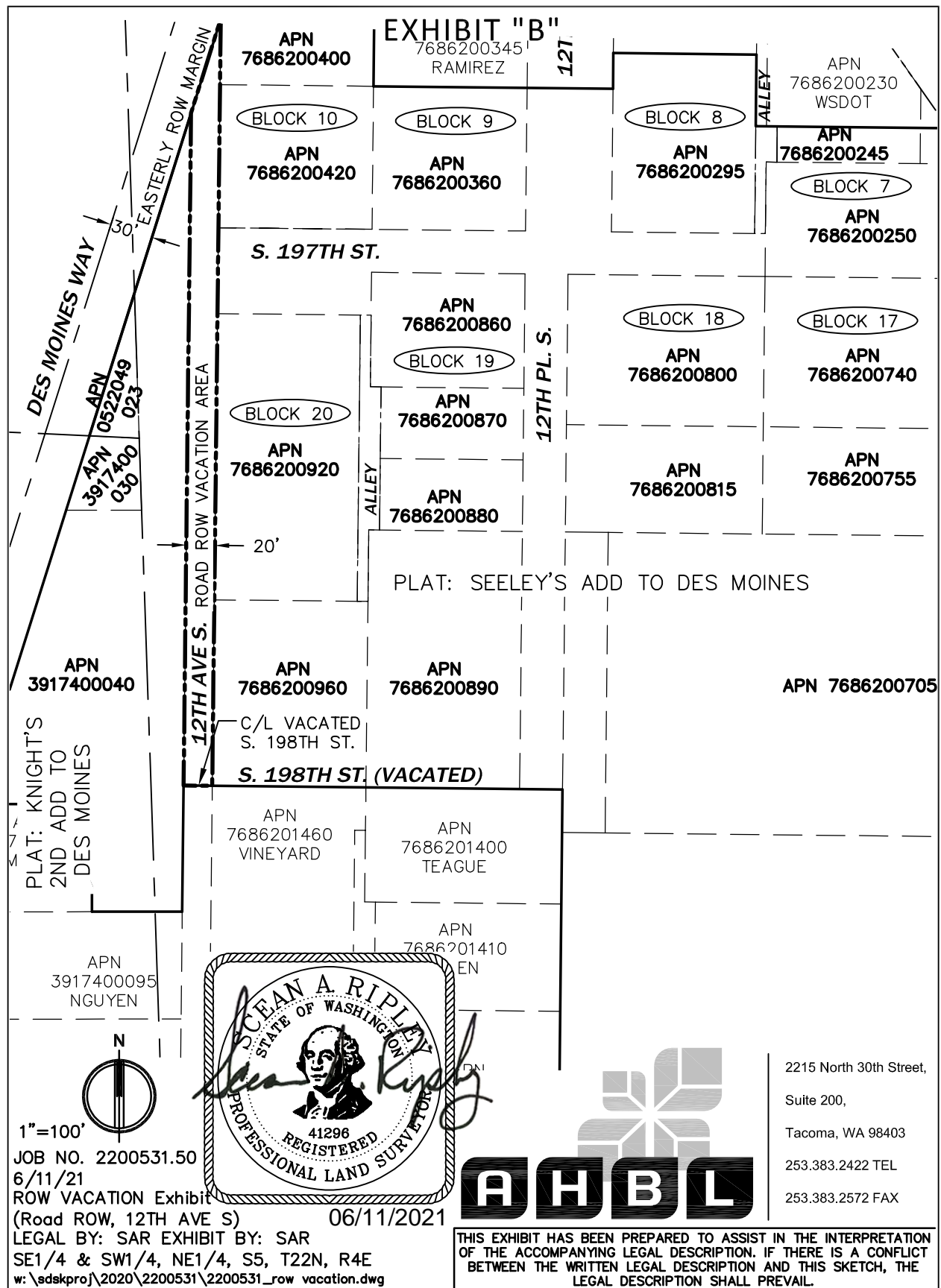
(APN 7686200400, 7686200420, 7686200920 AND 7686200960)

ALL OF SAID 12TH AVE SOUTH LYING BETWEEN THE EASTERLY RIGHT-OF-WAY MARGIN OF DES MOINES WAY AND THE CENTERLINE OF SOUTH 198TH ST EXTENDED WEST TO THE WEST LINE OF SAID PLAT.

CONTAINING 10,059 SQUARE FEET.

06/11/2021





ORDINANCE NO. 21-1025

AN ORDINANCE of the City Council of the City of SeaTac,
Washington vacating a portion of 12th Place South.

WHEREAS, Bridge Acquisition LLC, on behalf of the abutting property owners, has requested vacation of a certain portion of the City right-of-way (ROW) of a portion of 12th Place South, as described and shown on the attached Exhibits “A” and “B” to this Ordinance; and

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

WHEREAS, in accordance with RCW 35.79.010, the City Council passed Resolution No. 21-007 setting the public hearing for August 10, 2021; and

WHEREAS, RCW 36.87.090 “Non-User Statute” applies to this ROW as it was platted prior to 1905 and remained unopened and unused for public use for a minimum period of five years after authority was granted for opening the same and is vacated by operation of law; and

WHEREAS, no apparent municipal use of the said right-of-way exists; 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 described in Exhibit “A” and as depicted on the map marked Exhibit “B” to this Ordinance, is in the public interest;

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

Section 1. Vacation of Right-of-Way. The portion of the right-of-way of a portion 12th Place South described on Exhibit “A” to this Ordinance and depicted on the map marked Exhibit “B” to this Ordinance, within the City of SeaTac, is hereby vacated.

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 are reserved until release by the Grantees thereof.

Section 3. Compensation Required. Since this ROW qualifies under RCW 36.87.090, the property is vacated by operation of law and no compensation is required to the municipality except for service fees to process the vacation.

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 10th day of August, 2021, and signed in authentication thereof on this 10th day of August, 2021.

CITY OF SEATAC

Erin Sitterley
Erin Sitterley, Mayor

ATTEST:

Kristina Gregg
Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo for
Mary Mirante Bartolo, City Attorney

[Effective Date: 9/9/2021]

[Vacation of portion of 12th Place South]

EXHIBIT "A"

(VACATION: ROAD ROW 12TH PL S)

THAT PORTION OF 12TH PL SOUTH, SEELEY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON; SAID PORTION BEING DESCRIBED AS FOLLOWS:

(APN 7686200360, 7686200860, 7686200870, 7686200880 AND 7686200830)
THE WEST HALF OF SAID 12TH PL SOUTH LYING BETWEEN THE NORTH LINE OF THE SOUTH 100 FEET OF VACATED BLOCK 9, OF SAID PLAT, EXTENDED EAST AND THE CENTERLINE OF SOUTH 198TH ST;

AND

(APN 7686200295)
THE EAST HALF OF SAID 12TH PL SOUTH LYING BETWEEN THE NORTH LINE OF THE SOUTH 125 FEET OF VACATED BLOCK 8, OF SAID PLAT, EXTENDED WEST AND THE CENTERLINE OF SOUTH 197TH ST.

CONTAINING 19,350 SQUARE FEET.

06/16/2021



EXHIBIT "B"

APN 7686200320
ACWA LLC

NORTH LINE OF THE
SOUTH 100 FEET OF BLOCK 9.

NORTH LINE OF THE
SOUTH 125 FEET OF BLOCK 8.

APN
7686200260
VACANT

ALLEY

APN
7686200230
WSDOT

APN
7686200245

BLOCK 7

APN
7686200250

APN
7686200295

BLOCK 8

C/L VACATED
S. 197TH ST.

BLOCK 18

APN
7686200800

BLOCK 17

APN
7686200740

APN
7686200815

APN
7686200755

PLAT: SEELEY'S
ADD TO DES MOINES

APN 7686200705

S. 198TH ST. (VACATED)

C/L VACATED
S. 198TH ST.

12TH PL. S.

ROAD ROW VACATION AREA

ALLEY

APN
7686200860

BLOCK 19

APN
7686200870

APN
7686200880

APN
7686200890

BLOCK 20

APN
7686200920

APN
7686200960

APN
7686200345
RAMIREZ

APN
7686200400

BLOCK 10

APN
7686200420

BLOCK 9

APN
7686200360

S. 197TH ST.

PLAT: KNIGHT'S
2ND ADD TO
DES MOINES

1"=100'

JOB NO. 2200531.50

6/16/21

ROW VACATION Exhibit

(Road ROW, 12th PL S)

LEGAL BY: SAR EXHIBIT BY: SAR

SE1/4 & SW1/4, NE1/4, S5, T22N, R4E

w:\sdsproj\2020\2200531\2200531_row vacation.dwg



06/16/2021



2215 North 30th Street,
Suite 200,
Tacoma, WA 98403
253.383.2422 TEL
253.383.2572 FAX

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION
OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT
BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE
LEGAL DESCRIPTION SHALL PREVAIL.

ORDINANCE NO. 21-1026

AN ORDINANCE of the City Council of the City of SeaTac,
Washington vacating a portion of 13th Avenue South.

WHEREAS, Bridge Acquisition LLC, on behalf of the abutting property owners, has requested vacation of a certain portion of the City right-of-way (ROW) of a portion of 13th Avenue South, as described and shown on the attached Exhibits “A” and “B” to this Ordinance; and

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

WHEREAS, in accordance with RCW 35.79.010, the City Council passed Resolution No. 21-007 setting the public hearing for August 10, 2021; and

WHEREAS, RCW 36.87.090 “Non-User Statute” applies to this ROW as it was platted prior to 1905 and remained unopened and unused for public use for a minimum period of five years after authority was granted for opening the same and is vacated by operation of law; and

WHEREAS, no apparent municipal use of the said right-of-way exists; 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 described in Exhibit “A” and as depicted on the map marked Exhibit “B” to this Ordinance, is in the public interest;

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

Section 1. Vacation of Right-of-Way. The portion of the right-of-way of a portion 13th Avenue South described in Exhibit “A” to this Ordinance and depicted on the map marked Exhibit “B” to this Ordinance, within the City of SeaTac, is hereby vacated.

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 are reserved until release by the Grantees thereof.

Section 3. Compensation Required. Since this ROW qualifies under RCW 36.87.090, the property is vacated by operation of law and no compensation is required to the municipality except for service fees to process the vacation.

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 10th day of August, 2021, and signed in authentication thereof on this 10th day of August, 2021.

CITY OF SEATAC

Erin Sitterley
Erin Sitterley, Mayor

ATTEST:

Kristina Gregg
Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo
Mary Mirante Bartolo, City Attorney

[Effective Date: 9/9/2021]

[Vacation of portion of 13th Ave South]

EXHIBIT "A"

(VACATION: ROAD ROW 13TH AVE S)

THAT PORTION OF 13TH AVE SOUTH, SEELEY'S ADDITION TO THE CITY OF DES MOINES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON; SAID PORTION BEING DESCRIBED AS FOLLOWS:

(APN 7686200245)

THE WEST HALF OF SAID 13TH AVE SOUTH LYING EAST OF VACATED LOT 10, BLOCK 7, (ALSO KNOWN AS THE NORTH 25 FEET OF THE SOUTH 75, BLOCK 7) OF SAID PLAT; EXCEPT PORTION THEREOF CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER RECORDING NO. 20080409002184;

AND TOGETHER WITH,

(APN 7686200680 AND 768200690)

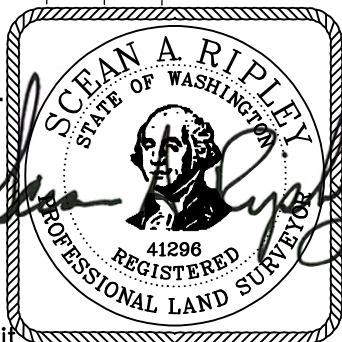
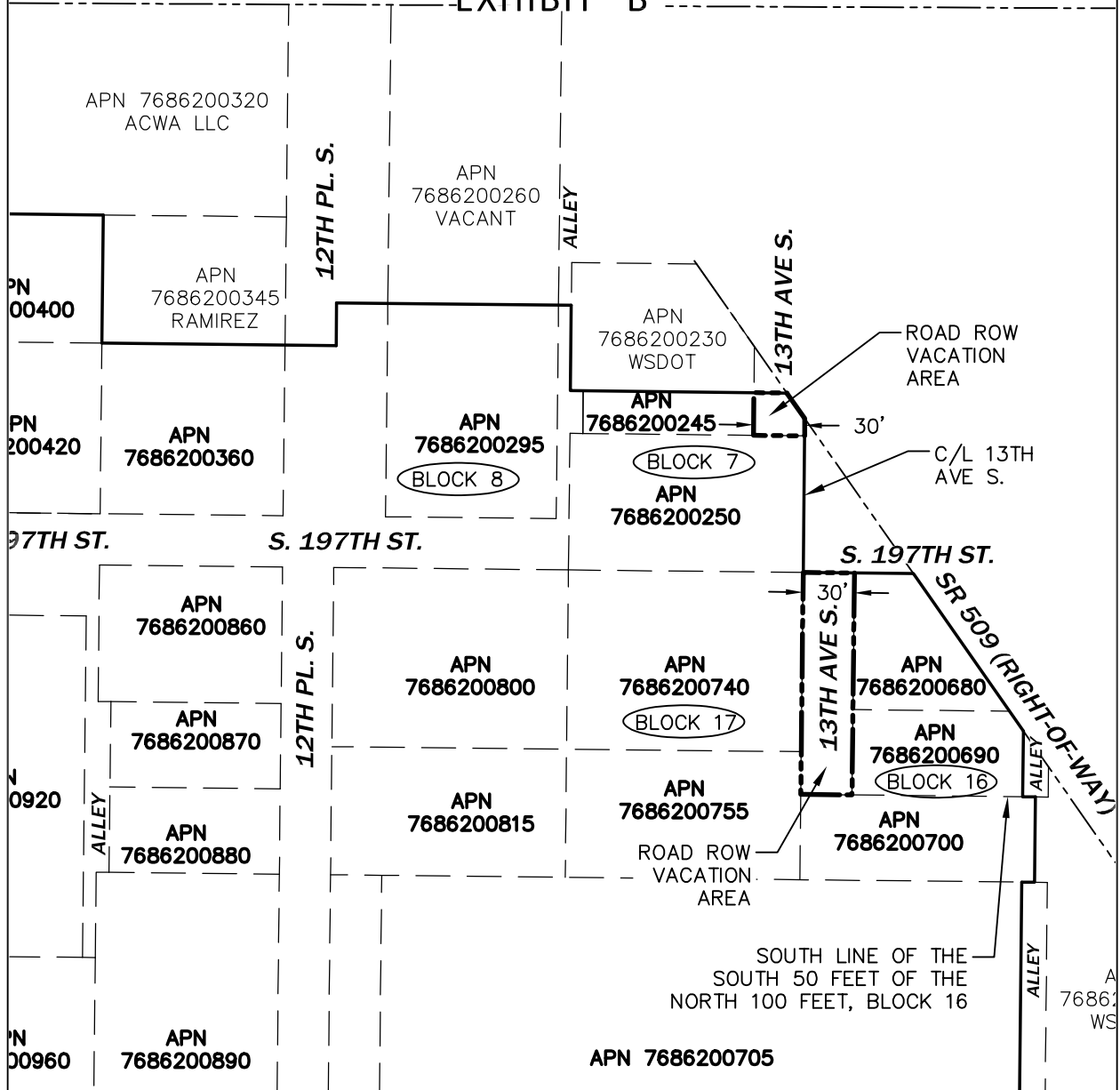
THE EAST HALF OF SAID 13TH AVE SOUTH LYING BETWEEN THE SOUTH RIGHT-OF-WAY MARGIN OF SOUTH 197TH ST AND SOUTH LINE OF SOUTH 50 FEET OF THE NORTH 100 FEET OF BLOCK 16, OF SAID PLAT, EXTENDED WEST.

CONTAINING 4,571 SQUARE FEET MORE OR LESS.

06/16/2021



EXHIBIT "B"



JOB NO. 2200531.50
6/16/21

ROW VACATION Exhibit
(Road ROW, 13th Ave S)

LEGAL BY: SAR EXHIBIT BY: SAR

SE1/4 & SW1/4, NE1/4, S5, T22N, R4E

w:\sdsproj\2020\2200531\2200531_row vacation.dwg

06/16/2021

AHBL

2215 North 30th Street,
Suite 200,
Tacoma, WA 98403
253.383.2422 TEL
253.383.2572 FAX

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.

ORDINANCE NO. 21-1027

AN ORDINANCE of the City Council of the City of SeaTac, Washington enacting a Moratorium on the permanent establishment of “Halfway House”, “Work Release Facilities”, and similar uses; declaring an emergency; and establishing an effective date.

WHEREAS, on February 9, 1999, the SeaTac City Council passed Ordinance No. 99-1005 establishing “Halfway House” as an allowed use within some zoning designations in the City of SeaTac, subject to development regulations requiring a Conditional Use Permit, compliance with standards related to landscaping and parking, and requirements related to the establishment of an Essential Public Facility; and

WHEREAS, Ordinance No. 99-1005 defined “Halfway House” as “*State licensed work/release facilities and other housing facilities serving as an alternative to incarceration*”; and

WHEREAS, the City of SeaTac City Council has amended the SeaTac Municipal Code periodically between 1999 and 2021, resulting in substantial changes to land use regulations within the City of SeaTac, however such amendments have not substantially amended the standards or requirements for the “Halfway House” use; and

WHEREAS, the SeaTac Municipal Code authorizes the “Halfway House” use within the Office/Commercial (O/CM), Community Business (CB), Community Business in the Urban Center (CB-C), and Regional Business Mix (RBX) zoning designations; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Introduction establishes Goal 1.1, which reads: “*As a public entity, serve the good of the SeaTac community*”, with related policies 1.1B, 1.1D and 1.1E which reads “*Support a culture of dialogue and partnership among community members, agencies, organizations, officials, and City departments (Policy 1.1B)*” and “*When preparing City policies and regulations, take into account the good of the community as a*

whole, while treating property owners fairly and allowing some reasonable economic use of all properties (Policy 1.1D)”, and “Where possible evaluate the effectiveness of policies, regulations, and other implementation actions in achieving SeaTac’s goals and vision and update the Plan as needed”; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Land Use Element establishes Goals 2.1 and 2.7, which read: *“Focus growth to achieve a balanced mix and arrangement of land uses that support economic vitality, community health and equity, and transit access (Goal 2.1)”* and *“Accommodate essential public facilities in alignment with this Plan’s goals and policies (Goal 2.7)”*; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Economic Development Element establishes Goal 8.2, which reads: *“Review and reform regulations and taxing policies to develop a strong business climate and encourage entrepreneurial government”*; and

WHEREAS, the City of SeaTac’s Comprehensive Plan Land Use element generally directs the City of SeaTac to evaluate and ensure the compatibility of adjacent land uses through the establishment of a land use designation map, zoning designation map, and implementing development regulations; and

WHEREAS, between February 2021 and August 2021, representatives of the City of SeaTac have been actively engaged with the Washington State Department of Corrections related to a possible work-release facility in the City of SeaTac; and

WHEREAS, on March 26, 2021, the City of SeaTac Mayor Erin Sitterley signed a letter requesting that the Washington Department of Corrections take action to address numerous concerns, including the effect a work release facility would have on SeaTac’s historically disadvantaged Black, Indigenous, and People of Color (BIPOC) community, and further noting

that the establishment of a work release facility will directly conflict and is incompatible with the City's vision for SeaTac's Urban Center and conflict with the hospitality industry focus of the Urban Center; and

WHEREAS, the City of SeaTac currently hosts approximately fifteen essential public facilities, within the SeaTac city limits; and

WHEREAS, on July 20, 2021, the City of SeaTac City Manager Carl Cole, together with the City Managers of the Cities of Burien, Des Moines, and Normandy Park, signed a joint letter to the Washington Department of Corrections again expressing numerous concerns and requesting, in part, that the Washington Department of Corrections take action to address impacts to social equity and the effects of concentrating Essential Public Facilities into a relatively small geographic area; and

WHEREAS, on April 9, 2021, and August 11, 2021, the Washington Department of Corrections responded to the March 26, 2021 and July 20, 2021 letters, and further declined to take any meaningful action to address the concerns expressed by the cities of SeaTac, Des Moines, Burien, and Normandy Park; and

WHEREAS, on August 17, 2021, the Washington State Department of Corrections indicated that the Washington State Department of Corrections would proceed with the evaluation of a work-release facility located in the City of SeaTac; and

WHEREAS, the City Council finds that review of the "Halfway House" development regulations is necessary to ensure that the regulations adopted in 1999 continue to serve the good of the community in 2021, ensure compatibility between adjacent land uses, and are consistent with the City of SeaTac Comprehensive Plan; and

WHEREAS, the City Council finds that the establishment of a new “Halfway House” or work-release facility should only be authorized if such facility is sited in a manner consistent with the Comprehensive Plan’s goals and policies; and,

WHEREAS, the City Council may adopt an immediate moratorium, incorporating a work plan for further study, for a period of up to one year on the acceptance of permit applications for the purpose of establishing permanent “Halfway House”, work-release facility, and similar uses, as long as the City Council holds a public hearing on the moratorium within sixty days after adoption pursuant to RCW 35A.63.220 and RCW 36.70A.390; and

WHEREAS, to prevent the potential harm to public health, safety, welfare, and peace, the City Council concludes that immediate action is necessary; and

WHEREAS, the moratorium does not apply to any complete application for a permanent “Halfway House”, work-release facility, or similar use that has vested to the regulations in effect prior to the passage of this Ordinance; and

WHEREAS, the City shall hold a public hearing on October 26, 2021, consistent with the requirements of RCW 35A.63.220 and RCW 36.70A.390;

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

Section 1. Pursuant to the provisions of RCW 35A.63.220 and 36.70A.390, a moratorium is hereby enacted in the City of SeaTac prohibiting the establishment, location, operation, and licensing of a permanent “Halfway House”, work-release facility, or similar uses.

Section 2. Through August 31, 2022, the City shall not accept applications for pre-applications, rezones, land use permits, development permits, or building permits for any of the purposes or activities listed in Section 1 above, and no business license shall be granted or accepted while this moratorium is in effect. Any land use approvals, business licenses or other permits for these facilities that are issued as a result of error or by use of vague or deceptive descriptions during the moratorium are null and void, and without legal force or effect.

Section 3. The above “Whereas” clauses of this Ordinance constitute specific findings by the Council in support of passage of this Ordinance.

Section 4. Pursuant to RCW 35A.63.220 and RCW 3670A.390, the City Council shall cause appropriate notice to be given and shall hold a public hearing regarding the moratorium established in Section 1 of the Ordinance not later than sixty (60) days after adoption hereof, and the City Council may make additional findings of fact justifying the moratorium or rescind the same.

Section 5. Pursuant to RCW 35A.63.220 and RCW 3670A.390, the City Council sets forth the following work plan for study, and to take any necessary actions following study:

Time Period	Study / Action
September 2021 to March 2022	<ul style="list-style-type: none">• Staff study of applicable statutes, review of available studies related to the compatibility between work-release facilities and businesses• Planning and Economic Development Committee review of staff findings and further guidance on necessary action(s)
March to June 2022	<ul style="list-style-type: none">• Planning Commission review, public hearing, and recommendation on any proposed code amendment(s)
June to July 2022	<ul style="list-style-type: none">• Planning and Economic Development Committee and / or City Council Study Session review and recommendation to City Council
July to September 2022	<ul style="list-style-type: none">• City Council review and action

Section 6. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington State Department of Commerce as required by law.

Section 7. 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 8. The City Council declares that an emergency exists requiring passage of this Ordinance for the protection of public health, safety, welfare, and peace based on the Findings set forth in Section 3 above. This Ordinance shall take effect and be in full force immediately upon passage and shall expire August 31, 2022 unless extended or repealed according to law.

ADOPTED this 31st day of August, 2021, and signed in authentication thereof on this 31st day of August, 2021.

CITY OF SEATAC


Peter Kwon, Deputy Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to Form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 8/31/2021]

[Moratorium Halfway House and Work-Release Facility]

ORDINANCE NO. 21-1028

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to accept funds from King County Flood Control District Sub-Regional Opportunity Fund grant for the South 221st Street Drainage Improvements project (Public Works Project SWMCIP-11); and amending the City's 2021-2022 Biennial Budget.

WHEREAS, the City of SeaTac implements a surface water management program, which identifies capital improvement projects for the City's surface water management network; and

WHEREAS, the South 221st Street Drainage Improvements ("PROJECT"), Public Works Project SWMCIP-11, which is part of the City's surface water management program, has been fully designed, advertised, bid, and awarded; and

WHEREAS, receipt of \$346,568 in revenue from a King County Flood Control District (KCFCD) Sub-Regional Opportunity Fund grant is required to fully fund construction of the PROJECT; and

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

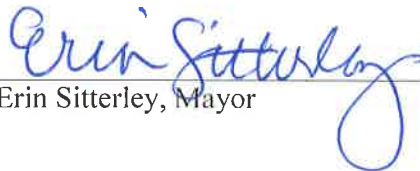
Section 1. The City Manager is authorized to accept funds in the amount of \$346,568 from the King County Flood Control District Sub-Regional Opportunity Fund grant to fully fund the PROJECT.

Section 2. The City's 2021-2022 Biennial Budget shall be amended by increasing the budget revenue in the 403 Surface Water Management Fund by \$346,568 to fully fund the PROJECT.

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

ADOPTED this 14th day of September, 2021, and signed in authentication thereof on this 14th day of September, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 9/25/2021]

[South 221st Street Drainage Improvements Budget Amendment]

ORDINANCE NO. 21-1029

AN ORDINANCE of the City Council of the City of SeaTac, Washington related to Citizen Advisory Committees, Commissions, and Boards by amending various sections of SeaTac Municipal Code 2.15.

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 Ordinances created certain advisory committees, commissions, and boards; and

WHEREAS, the Airport Advisory Committee was suspended in January 2020 and the City Council desires to officially sunset the committee; and

WHEREAS, the City Council requested additional language related to diversity and youth members related to advisory committees;

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

SeaTac Municipal Code Section 2.15 is amended as follows:

Section 1. The following section is added:

2.15.025 Diversity

City of SeaTac committees encourage the participation of residents, businesses and service providers across the City. Committees foster an environment where individuals of diverse backgrounds may contribute without regard to age, sex, marital status, sexual orientation, race, creed, color, national origin, citizenship or immigration status, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability.

Section 2. The following section is amended to read as follows:

2.15.070. Youth Membership.

The Mayor may appoint two (2) a qualified youth members, one voting member and one alternate member, to the Community Services Advisory Committee, Arts, Culture, and Library Advisory Committee, and Sidewalk Advisory Committee, and the Airport Advisory Committee.

If a youth applications are member is not received found, the voting position may be filled by other qualified residents or business representatives a resident. The alternate position will not be filled with anyone other than a qualified youth member.

Any youth member must be a student residing in the City and be between the ages of sixteen (16) and eighteen (18) at the time of appointment.

Youth members shall serve for a term of one (1) year.

Section 3. The following section is repealed:

2.15.150 Airport Advisory Committee.

Section 4. 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 5. 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 6. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after passage and publication as required by law.

ADOPTED this 14th day of September, 2021, and signed in authentication thereof on this 14th day of September, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to Form: ,


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 10/30/2021]

[Citizen Advisory Committees]

ORDINANCE NO. 21-1030

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2021-2022 Biennial Budget revenue and expenditures.

WHEREAS, the Administration and Finance Committee, on September 9, 2021, reviewed the proposed amendment submitted by the City Manager and Finance and Systems Director which details recommended changes in various revenue and expenditure line items in the 2021-2022 Biennial Budget; and

WHEREAS, it is necessary for the City Council to amend the 2021-2022 Biennial Budget 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 as shown in the attached Exhibit A. Decision Cards providing detailed descriptions are included as Exhibit C.

Section 2. The 2021-2022 Biennial Budget for the City of SeaTac, covering the period from January 1, 2021, through December 31, 2022, is hereby amended with a total 2022 ending fund balance in the amount of \$91.7 million for all budgeted funds. The City's 2021-2022 biennial budget is attached as Exhibit B, and includes budgeted revenues and expenditures for the 2021-2022 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 28th day of September, 2021, and signed in authentication thereof on this 28th day of September, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 10/9/2021]

[2021-2022 Biennial Budget Amendment Ordinance]

EXHIBIT A
2021-2022 Biennial Budget Amendment

Revenues

FUND #	BARS#	2021-2022 TOTAL	DESCRIPTION
001	001.334.05.10.001	\$15,400	WRPA Grant
	001.335.04.01.000	\$118,044	2022-2023 One Time Leg Alloc
113	113.332.92.10.000	\$8,115,494	ARPA Coronavirus Local Allocation
403	403.343.10.00.001	\$60,000	WSDOT SWM Fees
404	404.334.03.10.001	\$39,761	LSWFA Grant
	404.337.07.00.002	\$8,464	Local Hazard Waste Mgmt Prgm Grant
	404.337.07.00.004	\$40,000	Community Litter Clean Up - KC
TOTAL ALL FUNDS		\$8,397,163	

Expenditures

FUND #	BARS#	2021- 2022 TOTAL	DESCRIPTION
001	001.000.01.511.60.49.061	\$9,650	Registration
	001.000.01.511.60.43.031	\$10,100	Lodging
	001.000.01.511.60.43.032	\$1,750	Meals
	001.000.01.511.60.43.033	\$4,981	Transportation
	001.000.02.512.50.49.061	\$700	Registration
	001.000.02.512.50.43.031	\$2,400	Lodging
	001.000.02.512.50.43.032	\$1,200	Meals
	001.000.02.512.50.43.033	\$400	Transportation
	001.000.02.523.30.49.061	\$100	Registration
	001.000.02.523.30.43.031	\$800	Lodging
	001.000.02.523.30.43.032	\$400	Meals
	001.000.02.523.30.43.033	\$200	Transportation
	001.000.03.513.10.49.061	\$5,500	Registration
	001.000.03.513.10.43.031	\$4,750	Lodging
	001.000.03.513.10.43.032	\$843	Meals
	001.000.03.513.10.43.033	\$2,080	Transportation
	001.000.03.518.90.49.061	\$5,750	Registration
	001.000.03.518.90.43.031	\$3,452	Lodging
	001.000.03.518.90.43.032	\$640	Meals
	001.000.03.518.90.43.033	\$2,691	Transportation
	001.000.03.518.90.49.053	\$4,020	Subscriptions (Sprout Social DC)
	001.000.04.514.23.49.061	\$3,630	Registration
	001.000.04.514.23.43.031	\$1,780	Lodging
	001.000.04.514.23.43.032	\$374	Meals
	001.000.04.514.23.43.033	\$1,286	Transportation
	001.000.04.518.88.49.061	\$825	Registration
	001.000.04.518.88.43.031	\$2,575	Lodging
	001.000.04.518.88.43.032	\$550	Meals
	001.000.04.518.88.43.033	\$1,165	Transportation
	001.000.05.514.24.49.061	\$3,250	Registration
	001.000.05.514.24.43.031	\$250	Lodging

EXHIBIT A

2021-2022 Biennial Budget Amendment

001.000.05.514.24.43.032	\$200	Meals
001.000.05.514.24.43.033	\$760	Transportation
001.000.06.515.30.49.061	\$250	Registration
001.000.06.515.30.43.031	\$3,300	Lodging
001.000.06.515.30.43.032	\$660	Meals
001.000.06.515.30.43.033	\$300	Transportation
001.000.07.518.10.49.061	\$4,200	Registration
001.000.07.518.10.43.031	\$1,600	Lodging
001.000.07.518.10.43.032	\$400	Meals
001.000.07.518.10.43.033	\$900	Transportation
001.000.08.521.21.49.001	\$118,044	2022-2023 One Time Leg Alloc
001.000.08.521.22.49.061	\$27,280	Registration
001.000.08.521.22.43.031	\$13,487	Lodging
001.000.08.521.22.43.032	\$6,785	Meals
001.000.08.521.22.43.033	\$2,700	Transportation
001.000.10.571.10.43.031	\$675	Lodging
001.000.10.571.10.43.032	\$275	Meals
001.000.10.571.10.43.033	\$650	Transportation
001.000.10.571.20.43.031	\$380	Lodging
001.000.10.571.20.43.032	\$160	Meals
001.000.10.571.20.43.033	\$335	Transportation
001.000.10.571.23.43.032	\$900	Meals
001.000.10.571.25.43.031	\$380	Lodging
001.000.10.571.25.43.032	\$210	Meals
001.000.10.571.26.43.031	\$380	Lodging
001.000.10.571.26.43.032	\$210	Meals
001.000.10.576.80.49.061	\$875	Registration
001.000.13.524.60.43.031	\$2,100	Lodging
001.000.13.524.60.43.032	\$384	Meals
001.000.13.558.50.43.031	\$3,600	Lodging
001.000.13.558.50.43.032	\$920	Meals
001.000.13.558.50.43.033	\$800	Transportation
001.000.13.558.51.49.061	\$540	Registration
001.000.13.558.51.43.031	\$800	Lodging
001.000.13.558.51.43.032	\$100	Meals
001.000.13.558.51.43.033	\$276	Transportation
001.000.13.558.60.49.061	\$3,900	Registration
001.000.13.558.60.43.031	\$4,980	Lodging
001.000.13.558.60.43.032	\$1,199	Meals
001.000.13.558.60.43.033	\$1,476	Transportation
001.000.13.558.70.43.031	\$2,505	Lodging
001.000.13.558.70.43.032	\$825	Meals
001.000.13.558.70.43.033	\$2,604	Transportation
001.000.13.558.70.41.000	\$15,000	Professional Services (SREP)
001.000.13.558.50.41.000	\$50,000	Professional Services (Electrical Inspections)
Subtotal General Fund (001)	\$356,397	

EXHIBIT A

2021-2022 Biennial Budget Amendment

105	105.000.04.515.30.41.000 <i>Subtotal Port ILA Fund (105)</i>	\$24,460	Professional Services (SAMP)
		<i>\$24,460</i>	
106	106.000.11.518.62.41.004 <i>Subtotal Transit Planning Fund (106)</i>	\$19,000	Professional Services - Administration
		<i>\$19,000</i>	
301	301.000.04.576.40.44.001	\$7,200	Business & Occupation Taxes
	301.000.04.576.80.48.000	\$3,000	Repairs & Maintenance (Veteran's Memorial)
	301.000.04.594.11.64.097	\$13,984	Avidex Hybrid Solutions for Council Chambers
	301.000.04.594.76.61.001	\$90,000	WSDOT Purchase
	<i>Subtotal Municipal CIP Fund (301)</i>	<i>\$114,184</i>	
404	404.000.11.537.91.41.001	\$8,464	Contract Services
	404.000.11.537.95.41.000	\$40,000	Professional Services
	<i>Subtotal SWE Fund (404)</i>	<i>\$48,464</i>	
	<i>TOTAL ALL FUNDS</i>	<i>\$562,505</i>	

CITY OF SEATAC, WASHINGTON
2021-2022 BIENNIAL BUDGET: EXHIBIT B

9/28/2021

2021-2022 BIENNIAL BUDGET (EXPENDITURES + ENDING BALANCES) = \$ 260,194,287					
FUND		BEGINNING BALANCE	REVENUES & OTHER SOURCES	EXPENDITURE APPROPRIATION	ENDING BALANCE
001	General Fund	\$ 34,525,703	\$ 78,223,632	\$ 88,069,197	\$ 24,680,137
102	Street Fund	10,529,643	15,567,442	19,635,669	\$ 6,461,416
105	Port ILA	8,649,289	2,904,235	3,888,745	\$ 7,664,779
106	Transit Planning	446,091	787,260	948,301	\$ 285,050
107	Hotel/Motel Tax	8,677,733	1,662,829	1,542,665	\$ 8,797,897
108	Building Management	3,450,129	652,710	512,532	\$ 3,590,307
110	Facility Repair & Replacement	-	-	-	\$ -
111	Des Moines Creek Basin ILA	2,965,629	674,700	1,190,870	\$ 2,449,459
112	Affordable Housing Sales Tax	69,792	144,000	-	\$ 213,792
113	ARPA Grant	-	8,115,494	-	\$ 8,115,494
206	2009 LTGO Bond Fund	-	-	-	\$ -
207	SCORE Bond Servicing	275,035	283,513	283,113	\$ 275,435
301	Municipal Capital Improvements	11,911,726	8,367,257	10,433,322	\$ 9,845,661
306	Facility Construction CIP	3,982,377	4,800	-	\$ 3,987,177
307	Transportation CIP	14,193,198	19,389,400	26,169,720	\$ 7,412,878
308	Light Rail Station Areas CIP	2,970,924	54,270	-	\$ 3,025,194
403	SWM Utility	6,221,452	9,759,688	12,570,302	\$ 3,410,838
404	Solid Waste & Environmental	946,555	875,271	546,148	\$ 1,275,678
501	Equipment Rental	937,302	1,975,208	2,683,659	\$ 228,851
TOTAL BIENNIAL BUDGET		\$ 110,752,578	\$ 149,441,709	\$ 168,474,243	\$ 91,720,044

City of SeaTac Decision Card

Budget

Date Prepared:

Title:		
Amount:		Department:
BARS#:		Division:
		Director:
On-Going	Mandatory	
One-Time	Discretionary	Preparer:

Description: (Provide a brief overview of what is being requested)

--

Justification: (Explain why this is being requested and/or how the request will benefit the City):

--

Alternatives: (List possible alternatives and/or risks if funding is not approved):

--

City Goal: (Identify one or more City Goal addressed by this request):

--

Funding Source: (How will this request be funded):

	<u>Source/Fund (be specific)</u>	<u>Amount</u>	<u>Amount</u>
Current Operations:			
Ending Fund Balance:			
Grant:			
Other:			
	TOTAL		

Date Approved:

ORDINANCE NO. 21-1031

AN ORDINANCE of the City of SeaTac, Washington, creating land use and zoning regulations related to indoor emergency housing, indoor emergency shelters, transitional housing, and permanent supportive housing; by adding section 15.465.350, amending sections 15.105.030, 15.105.050, 15.105.150, 15.105.160, 15.105.180, 15.105.190, 15.105.200, 15.115.020, 15.205.040, 15.300.055, 15.305.055, 15.310.055, 15.445.210, 15.455.120, 15.465.005, 15.465.010, and 15.465.400 of the SeaTac Municipal Code; repealing Ordinance 20-1023, enacting a Moratorium on the permanent establishment of “Overnight Shelter” and “Transitional Housing” and similar uses; repealing Ordinance 21-1011, extending a moratorium on the permanent establishment of “Overnight Shelter” and “Transitional Housing” and similar uses; and declaring an emergency and establishing an effective date.

WHEREAS, in order to ensure compliance with House Bill 1220 by September 30, 2021, which was passed by the Washington State Legislature in May 2021, the City Council desires to amend certain sections of the zoning code under Title 15 of the SeaTac Municipal Code regulating local planning and development for indoor emergency housing, indoor emergency shelters, transitional housing, and permanent supportive housing consistent with Chapters 35.21 and 35A.21 RCW; and

WHEREAS, on July 15, 2021, City staff properly and timely transmitted a copy of the proposed code amendments to the Washington State Department of Commerce for review and comment, pursuant to RCW 36.70A.106, and no comments have been received to date; and

WHEREAS, on July 28, 2021, a SEPA threshold Determination of Non-significance was issued for the proposed amendments and no comments were received nor was an appeal filed; and

WHEREAS, on August 3, 2021, the Planning Commission held a public hearing on the proposed amendments. On August 17, 2021, the Planning Commission recommended approval of the amendments with additional changes; and

WHEREAS, on August 26, 2021, the Planning and Economic Development Committee of the Council reviewed the Planning Commission’s recommendation and recommended approval of the amendments with the changes recommended by the Planning Commission; and

WHEREAS, the City Council recognizes that in the interest of public health and safety that it is necessary to create standards that will regulate the siting and safe operation of supportive housing facilities within the City of SeaTac consistent with Chapters 35.21 and 35A.21 RCW; and

WHEREAS, House Bill 1220 also invalidates the City’s moratorium on the acceptance of permit applications for permanent overnight shelters, transitional housing, and similar uses; and

WHEREAS, the City Council desires to repeal Ordinance 20-1023, enacting a Moratorium on the permanent establishment of “Overnight Shelter” and “Transitional Housing” and similar uses; and

WHEREAS, the City Council desires to repeal Ordinance 21-1011, extending a moratorium on the permanent establishment of “Overnight Shelter” and “Transitional Housing” and similar uses.

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

Section 1. Section 15.105.030, “C” Definitions, of the SeaTac Municipal Code is hereby amended and all other definitions in this section remain the same:

Community Residential Facility (CRF)

Publicly or privately operated residential facilities, limited to group homes for children, for those with disabilities, or for the elderly; homes for recovering, non-using alcoholics and addicts; or shelters for domestic violence victims. Community residential facilities do not include halfway houses, ~~overnight-emergency shelters, or emergency housing, or transitional housing.~~ Category I community residential facilities includes small-scale permanent supportive housing and small-scale transitional housing.

Community Center

A facility used for providing recreational and/or social programs, but not including ~~overnight shelters emergency housing, and emergency shelters.~~

Section 2. Section 15.105.050, “E” Definitions, of the SeaTac Municipal Code is hereby amended to add the following definitions:

Emergency Housing

Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

Emergency Shelter

An indoor facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day cooling and warming centers that do not provide overnight accommodations.

Section 3. Section 15.105.150, “O” Definitions, of the SeaTac Municipal Code is hereby amended to delete the definition of Overnight Shelter in this Chapter, and all other definitions in this section remain the same:

Overnight Shelter

~~A facility providing overnight, temporary lodging, with or without meals, for homeless families or individuals and meeting the standards of Chapter 246-360 WAC.~~

Section 4. Section 15.105.160, “P” Definitions, of the SeaTac Municipal Code is hereby amended to add the following definitions:

Permanent Supportive Housing

Subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

Permanent Supportive Housing, Small-Scale

Has the same meaning as Permanent Supportive Housing, but shall meet the CRF I limitations, such as numerical occupancy, as required in SMC 15.465.400(B)(1). Small-scale permanent supportive housing is included in the Community Residential Facility definition.

Section 5. Section 15.105.180, “R” Definitions, of the SeaTac Municipal Code is hereby amended as follows and all other definitions in this section remain the same:

Religious Use Facility, Accessory

Uses which are secondary to the religious purpose of the religious use facility and are considered as providing services to members and other individuals. The uses include, but are not limited to, bookstores, cafeteria, child day care, educational classes, social services, and limited retail sales of only religious use facility related materials, and operation of ~~overnight emergency~~ shelters and emergency housing as limited by SMC 15.205.040, Use Chart.

Section 6. Section 15.105.190, “S” Definitions of the SeaTac Municipal Code is amended to add the following definition:

Supportive Housing Facilities

A collective term for the following housing types- Emergency Housing, Emergency Shelters, Permanent Supportive Housing, Permanent Supportive Housing Small Scale, Transitional Housing, Transitional Housing Small Scale as defined in SMC 15.105.

Section 7. Section 15.105.200, “T” Definitions, of the SeaTac Municipal Code is hereby amended as follows and all other definitions in this section remain the same:

Transitional Housing

~~Housing provided under a program, offering twenty-four (24) hour access to specific persons, for periods of one (1) month or more for human services purposes, such as helping unemployed, homeless individuals to obtain employment and permanent housing. Transitional housing is not a transient accommodation. A project that provides housing and supportive services to homeless persons or families for up to two years and that has its purpose facilitating the movement of homeless persons and families into independent living.~~

Transitional Housing, Small-Scale

Has the same meaning as Transitional Housing, but shall meet the CRF I limitations, such as numerical occupancy, as required in SMC 15.465.400(B)(1). Small-scale transitional housing is included in the Community Residential Facility definition.

Section 8. Section 15.465.005 of the SeaTac Municipal Code is hereby amended to read as follows:

15.465.005 Purpose

The purpose of this chapter is to delineate regulations that apply to the following residential uses: accessory dwelling units, accommodation of persons with disabilities, supportive housing facilities, community residential facilities, home occupations and mobile homes, manufactured homes and mobile home parks.

Section 9. Section 15.465.010 of the SeaTac Municipal Code is hereby amended to read as follows:

15.465.010 Authority and Application

The provisions of this chapter shall apply to the following residential uses: accessory dwelling units, accommodation of persons with disabilities, supportive housing, community residential facilities, home occupations and mobile homes, manufactured homes and mobile home parks.

Section 10. Section 15.465.350 is hereby added as a new section to the SeaTac Municipal Code and to read as follows:

15.465.350 Supportive Housing Facilities Standards

A. Purpose and Applicability.

1. The purpose of this section is to establish reasonable standards for the safe operation and appropriate siting of supportive housing facilities within the City of SeaTac, so as to protect public health and safety for both facility residents and the broader community. This section does not include regulations for community residential facilities regulated by SMC 15.465.400, homeless encampments regulated by 15.475.060, and accessory religious use facilities.

As defined in SMC 15.105, “Supportive Housing Facilities” includes emergency housing, emergency shelters, permanent supportive housing, and transitional housing in buildings or other permanent structures.

2. Supportive housing facilities that house residents with less complex needs are allowed in all residential districts, provided they are of a similar scale as surrounding development. As the needs of residents increase and/or the size of the facilities increase, such facilities should be located within areas of the City that allow increasing intensity of use and are in proximity of services in accordance with state law.

B. Performance Standards.

1. General Requirements for all Supportive Housing Facilities (“Facilities”)

General.

- a. When a site includes more than one type of supportive housing facility, the more restrictive requirements of this section shall apply.
- b. Specific needs of each facility will be reviewed through the conditional use permit process in SMC 15.115.020. The decision maker may relax one or more of the standards in this subsection, only when the applicant submits a description of the standard to be modified and demonstrates how the modification would result in a safe facility with minimal negative impact to the host community under the specific circumstances of the application. In considering whether the modification should be granted, the decision maker shall first consider the effects on the health and safety of facility residents and the neighboring communities. Modifications will not be granted if the adverse impact on residents of the facility and/or neighboring communities will be greater than without such modification. The burden of proof is on the applicant.
- c. All supportive housing facilities must comply with the provisions of Building and Construction Code under SMC Title 13 and are subject to the provisions of crime prevention through environmental design (CPTED) under SMC Title 17.

Site and Transit.

- d. Facilities shall match the bulk and scale of residential uses allowed in the zone where the facility is located. The design, construction, appearance, physical integrity, and maintenance of the facility shall provide an environment that is attractive, sustainable, functional, appropriate for the surrounding community, and conducive to tenants’ stability.
- e. If provided, exterior lighting must comply with SMC 17.20 and SMC 15.510.150 and be directed downward, and glare must be contained within the facility site to limit the impact on neighboring properties.
- f. The minimum number of off-street parking spaces required for each facility will be determined by the decision maker through the approval

- process taking into consideration factors such as the potential number of residents, site constraints, and impact on the surrounding neighborhood.
- g. A description of transit, pedestrian, and bicycle access from the subject site to services must be provided at time of application by the sponsor and/or managing agency.

Facility Operations.

- h. The sponsor or managing agency shall comply with all federal, state, and local laws and regulations, including King County Department of Health regulations. The sponsor or managing agency shall be subject to inspections by local agencies and/or departments to ensure such compliance and shall implement all directives resulting therefrom within the specified time period.
- i. Service providers must exercise reasonable and appropriate on-site supervision of facilities and program participants at all times, unless it can be demonstrated through the operations plan that this level of supervision is not warranted for the population being housed.
- j. The sponsor or managing agency must provide an operation plan at the time of the application that adequately addresses the following elements:
- i. Name and contact information for key staff;
 - ii. Roles and responsibilities of key staff;
 - iii. Site/facility management, including security policies and an emergency management plan;
 - iv. Site/facility maintenance;
 - v. Occupancy policies, including resident responsibilities and a code of conduct that address, at a minimum, the use or sale of alcohol and illegal drugs, threatening or unsafe behavior, and weapon possession.
 - vi. Provision for human and social services, including staffing plan, credentials or certification, and outcome measures;
 - vii. Outreach with surrounding property owners and residents and ongoing good neighbor policy; and
 - viii. Procedures for maintaining accurate and complete records.
- k. Sponsors or managing agencies shall demonstrate applicable experience providing similar services to people experiencing homelessness.
- l. Sponsors or managing agencies shall demonstrate a stable funding source for the facility and any on-site or off-site human and social services offered as part of the operations plan.
- m. Managing agencies and the SeaTac Police Department (SPD) shall establish reasonable requirements for appropriate access and coordination for the subject facility and its residents.

2. Additional Requirements for Emergency Housing and Emergency Shelters.

In addition to the requirements under subsection B(1) of this Section, emergency housing and emergency shelters are required to comply with the following:

Facility Standards.

- a. Facilities shall not be located closer than 1,750 feet to an elementary-middle school, high school, public park, library, community center, or other emergency housing or emergency shelter facility. For the purposes of this subsection, distance shall be measured in a straight line between the closest property line of the existing facility or school and the closest property line of the proposed facility.
- b. In residential zones, no more than one adult bed per 250 square feet of floor area is allowed per facility, up to 80 residents. For the purposes of this section the following zones are considered residential zones: UL, UM, UH, UH-UCR, T, MHP.
- c. In all other zones, no more than one adult bed per 35 square feet of floor area is allowed per facility, up to 80 residents.

Facility Operations.

- d. In residential zones, and in order to maintain the residential nature of the facility, residents must be screened off-site by providers of housing and services for people experiencing homelessness
- e. Trash receptacles must be provided in multiple locations throughout the facility and site. A regular trash patrol in the immediate vicinity of the site must be provided.
- f. Residents and staff must comply with all King County health department requirements related to food donations.
- g. No children under the age of 18 are allowed to stay overnight in the facility, unless accompanied by a parent or guardian, or unless the facility is licensed to provide services to this population. If a child under the age of 18 without a parent or guardian present attempts to stay in a facility not specifically licensed for providing housing to youth, the sponsor and/or managing agency shall immediately contact Child Protective Services and actively endeavor to find alternative housing for the child.
- h. No person under court supervision or under sex offender registration requirements can receive services from a provider, unless providing such services are consistent with the laws, regulations, and/or supervisory requirements related to such persons.

Facility Services.

- i. Residents shall have access to the following services on-site; if not provided on-site, transportation shall be provided:
 - i. For all facilities, medical services, including mental and behavioral health counseling.
 - ii. For emergency housing facilities, access to resources on obtaining permanent housing and access to employment and education assistance.
 - iii. For emergency shelter facilities, substance abuse assistance.
- j. All functions associated with the facility, including adequate waiting

- space, must take place within a building or on the site proposed to house the facility.
- k. The number of toilets and other hygiene facilities required for each facility will be determined by the decisionmaker on a case-by-case basis in consultation with the King County health department after a review of factors such as the potential number and composition of residents.
- l. Facilities serving more than five residents shall have dedicated spaces for residents to meet with service providers.
- m. The sponsor or managing agency shall coordinate with the homelessness service providers for referrals to their program and with other providers of facilities and services for people experiencing homelessness to encourage access to all appropriate services for their residents.

3. Additional Requirements for Permanent Supportive and Transitional Housing.

In addition to the requirements under subsection B(1) of this Section, permanent supportive housing and transitional housing are required to comply with the following:

Facility Standards.

- a. Individual facilities shall not have more than 80 dwelling units and are subject to the density standards of residential uses allowed in the zone where the facility is located.
- b. The multi-family housing design standards of Chapter 15.510 SMC shall apply to all facilities with more than five (5) dwelling units.

Facility Services.

- c. All residents shall have access to appropriate cooking and hygiene facilities.
- d. Facilities serving more than five dwelling units shall have dedicated spaces for residents to meet with service providers.
- e. Residents shall have access to the following services on-site or shall be provided transportation to such services by the sponsor or managing agency:
 - i. Medical services, including mental and behavioral health counseling.
 - ii. Employment and education assistance.

Section 11. Section 15.465.400 of the SeaTac Municipal Code is hereby amended to read as follows:

15.465.400 Community Residential Facilities Standards

A. **Application.** The provisions of this section shall apply to all “group homes” in the City of SeaTac, which are classified as “community residential facilities (CRF).”

- 1. CRF include all uses as defined by Chapter 15.105 SMC, Definitions,

including housing for persons with disabilities, children and domestic abuse shelters.

2. CRFs do not include the following uses as defined by Chapter 15.105 SMC, Definitions, including emergency housing, overnight emergency shelters, halfway houses, or facilities providing alcohol and drug detoxification (defined as convalescent centers). Transitional housing is also classified as a separate use, unless such housing is for victims of domestic violence, for children, or for the disabled, or is a small-scale transitional housing facility. Permanent supportive housing is also classified as a separate use, unless such facility is a small-scale permanent supportive housing facility. Secure community transition facilities are neither group homes nor transitional housing.

B. CRF Requirements. CRFs are divided into two (2) categories, I or II, based on size and occupancy.

1. Community Residential Facilities I (CRF - I).

- a. **Occupancy Limits.** CRF I may house up to five (5) residents plus two (2) caregivers, with the special exception that State-licensed adult family homes and foster family homes are exempt from the City's numerical limit.
- b. **Occupancy Limit Exceptions.** Additionally, special exceptions to the limit on the number of occupants of a CRF I may be granted for persons with disabilities pursuant to the accommodation procedure provided in SMC 15.465.200, Accommodation of Persons with Disabilities.
- c. **Appearance.** In the single-family zone, CRF I are required to be a single-family structure compatible with the surrounding area. In the low-density multi-family zone, CRF I are required to maintain residential character.
- d. **Parking.** Any parking spaces in excess of two (2) shall be screened from public streets.
- e. **Small-Scale Permanent Supportive Housing and Small-Scale Transitional Housing.** An approved operations plan consistent with 15.465.350(B)(1)(h).

2. **Community Residential Facility-II (CRF-II).** CRF II are not subject to any numerical occupancy limit and are permitted in the high-density multi-family and commercial zones.

Section 12. Section 15.115.020 of the SeaTac Municipal Code is hereby amended to read as follows:

15.115.020 Conditional Use Permit (CUP)

- A. **Major Conditional Use Permit.** A major conditional use permit (CUP) is a permit granted by the Hearing Examiner, which sets special conditions regarding a use in a zone where the use is not permitted outright due to the nature of impacts

created by the use.

- B. **Minor Conditional Use Permit.** A minor conditional use permit may be granted by the Director to allow specified uses as listed under subsection (E) of this section.
- C. The CUP process is a means of imposing special conditions and requirements on development, so that the compatibility of uses shall be maintained considering other existing and potential uses within the general area where the conditional use is proposed. Conditions imposed on a CUP will reasonably assure that a nuisance or hazard to life or property will not occur. The CUP process is not a means to reduce the requirements of a zone classification where the conditional use is proposed.
- D. The applicant must show that the proposed development satisfies all of the following criteria for approval by the Hearing Examiner or Director:
 - 1. The proposed use is listed as a conditional use under SMC 15.205.040, Use Chart;
 - 2. The site is adequate in size and shape for the proposed project and the use conforms to the general character of the neighborhood;
 - 3. The unique character of topography, arterial streets and adjacent land use complement the proposed conditional use;
 - 4. The conditional use would not be detrimental to surrounding land use;
 - 5. Modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this code;
 - 6. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and
 - 7. The conditional use will be supported by adequate public facilities or services, and will not adversely affect public services to the surrounding area unless conditions can be established to mitigate adverse impacts.
- E. A minor conditional use permit may be granted by the Director only in the following situations:
 - 1. The minor conditional use must conform to the criteria as set forth in this section and all other requirements of this code.
 - 2. To allow the expansion of an existing, legal conditional use which has

previously been permitted within the zone classification, provided the requested expansion of the existing conditional use is either:

- a. No greater than twenty percent (20%) of the gross floor area of the existing conditional use; and
- b. Exempt from environmental review under the State Environmental Policy Act (SEPA).

3. To allow location of a new concealed freestanding macro facility in a low intensity zone, subject to the requirements set forth in Chapter 15.480 SMC, Wireless Communication Facilities.

4. To allow subsidiary uses in:
a. School facilities or City facilities within the residential zones and Park zone; and
b. Religious use facilities in residential zones.
See criteria in Chapter 15.470 SMC, Subsidiary Uses.

5. To allow location of permanent supportive housing and transitional housing consistent with Chapter SMC 15.205 Land Use Chart and subject to the requirements set forth in Section 15.465.350 SMC, Supportive Housing Standards.

Section 13. Section 15.205.040 “General Use Chart” of the SeaTac Municipal Code is hereby amended by deleting, adding, and adding certain provisions related to “Health and Human Services” uses, and all other provisions of this Use Chart section remain the same, as set forth in Exhibit A of this Ordinance.

Section 14. Section 15.300.055 “City Center Overlay District Use Chart” of the SeaTac Municipal Code is hereby amended by deleting, adding, and adding certain provisions related to “Health and Human Services” and “Residential, Retirement and Assisted Living” uses, and all other provisions of this Use Chart section remain the same, as set forth in Exhibit B of this Ordinance.

Section 15. Section 15.305.055 “South 154th Street Station Area Overlay District Use Chart” of the SeaTac Municipal Code is hereby amended by deleting, adding, and adding certain provisions related to “Health and Human Services” uses, as set forth in Exhibit C of this Ordinance.

Section 16. Section 15.310.055 “Angle Lake Street Station Area Overlay District Use Chart” of the SeaTac Municipal Code is hereby amended by deleting, adding, and adding certain provisions related to “Health and Human Services” and “Residential, Retirement and Assisted Living” uses, and all other provisions of this Use Chart section remain the same, as set forth in Exhibit D of this Ordinance.

- Section 17.** Section 15.445.210 “Landscape Standards Chart” of the SeaTac Municipal Code is hereby amended by adding and deleting certain landscaping requirements standards for “Health and Human Services” uses, and all other provisions in this section remain the same, as set forth in Exhibit E of this Ordinance.
- Section 18.** Section 15.455.120 “Parking Chart for Required Off-Street Space” of the SeaTac Municipal Code is hereby amended by adding, deleting and changing certain parking requirements standards for “Health and Human Services” uses, and all other provisions in this Section remain the same, as set forth in Exhibit F of this Ordinance.
- Section 19.** Ordinances 20-1023 and 21-1011 are hereby repealed.
- Section 20.** **Declaration of Emergency.** The SeaTac City Council hereby finds and declares that an emergency exists which necessitates that this ordinance become effective immediately in order to preserve the public health, safety and welfare of the City of SeaTac, pursuant to RCW 35A.13.190.
- Section 21.** **Corrections.** Upon approval of the City Attorney’s Office, the City Clerk and the Code Reviser are authorized to make necessary corrections without altering intent, 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 22.** **Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.
- Section 23.** **Effective Date.** This Ordinance shall take effect and be in full force and effect immediately upon passage as set forth herein.

This Ordinance shall be in full force and effect immediately after passage as required by law.

ADOPTED this 28th day of September, 2021, and signed in authentication thereof
on this 28th day of September, 2021.


CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

APPROVED AS TO FORM:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 9/28/2021]

[HB1220 Ordinance]

EXHIBIT A

Land Use Chart

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****P – Permitted Use; C – Conditional Use Permit required****O/C/MU – Office/Commercial/Mixed Use****O/CM – Office/Commercial Medium****CB – Community Business****CB-C – Community Business in the Urban Center****RBX – Regional Business Mix****I – Industrial****P – Park**

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	RBX	I	P	ADDITIONAL STANDARDS
ANIMALS															
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).

**ONLY PAGES RELATED TO AMENDMENTS
INCLUDED**

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	RBX	I	P	ADDITIONAL STANDARDS
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)		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% of total square footage of building(s).

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	RBX	I	P	ADDITIONAL STANDARDS
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.
Emergency Housing	<u>P(1)</u>	<u>P(1)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)</u>	<u>P(1)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>			<u>(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 health and safety standards are met.</u> <u>(2) See SMC 15.465.350 Supportive Housing Standards.</u>
Emergency Shelters	<u>P(1)</u>	<u>P(1)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)</u>	<u>P(1)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>			<u>(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 health and safety standards are met.</u> <u>(2) See SMC 15.465.350 Supportive Housing Standards.</u>
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			
Medical Dental Lab			C	C			P	P	P	P	P	P	P		
Medical Office/ Outpatient Clinic			P	P			P	P	P	P	P	P	P		
Miscellaneous Health							P	C	C	P	P	P			

Opiate Substitution Treatment Facility										C	C	C	C		Subject to a Conditional Use Permit (CUP) and Essential Public Facility (EPF) siting process.
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LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	RBX	I	P	ADDITIONAL STANDARDS
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)			<p>(4) 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 health and safety standards are met.</p> <p>(5) 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.</p>
Permanent Supportive Housing (1) (3)		C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)			<p>(1) Small-Scale Permanent Supportive Housing facilities are defined as a CRF I, see Residential, Retirement and Assisted Living section of this use chart.</p> <p>(2) See SMC 15.465.350, Supportive Housing Standards.</p> <p>(3) Permanent Supportive Housing Facilities require a minor Conditional Use Permit, see SMC 15.115.020</p>
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 (1) (3)		C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)			<p>(1) Small-scale Transitional Housing facilities are defined as a CRF I, see Residential, Retirement and Assisted Living section of this use chart.</p> <p>(2) See SMC 15.465.350, Supportive Housing Standards.</p> <p>(3) Transitional Housing Facilities require a minor Conditional Use Permit, see SMC 15.115.020</p>

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	RBX	I	P	ADDITIONAL STANDARDS
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)	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 described in SMC 15.520.300, Mixed Use in Residential Projects.
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				

EXHIBIT B

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
ANIMALS										
Kennel/Cattery				P	P(1)					(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Stables									P	
Veterinary Clinic			P(1)	P	P	P(1)	C			(1) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
BUSINESS SERVICES										
Airport Support Facility										
Commercial/Industrial Accessory Uses				P	C	C				
Conference/Convention Center				P	P	P				
Construction/Trade					C	C				
Distribution Center/Warehouse				C		C(1)				(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Equipment Rental, Large										
Equipment Rental, Small				C	C	P(1)				(1) Permitted as accessory to primary use not to exceed 20% of total square footage of building(s).
Equipment Repair, Large										

**ONLY PAGES RELATED TO AMENDMENTS
INCLUDED**

LAND USE	UM	UH	UH-UCR	NB	CB-C	O/CM	O/C/MU	T	P	Additional Regulations
EDUCATIONAL										
College/University	C	C	C		P	P	P(1)			(1) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Elementary/Middle School	C	C	C							
High School	C	C	C	P	C					
Specialized Instruction School	P(1)	P(1)	P	P	P	P(2)	P(2)			(1) Limited to 3 students per day. (2) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Vocational/Technical School				C	P	P(1)	P(1)			(1) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
HEALTH AND HUMAN SERVICES										
Day Care I	P(1)	P(1)	P(1)	P(1)		P(1,2)	P(1,2)	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 a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
Day Care II	P	P	P	P	P	P(1)	P(1)			See Chapter 15.420 SMC, Day Care Facilities. (1) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.
<u>Emergency Housing</u>	<u>P(1)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)</u>		<u>(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 health and safety standards are met.</u> <u>(2) See SMC 15.465.350 Supportive Housing Standards.</u>
<u>Emergency Shelters</u>	<u>P(1)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)</u>		<u>(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 health and safety standards are met.</u> <u>(2) See SMC 15.465.350 Supportive Housing Standards.</u>
Hospital				P	P	C				
Medical Dental Lab		C	C	P	P	P	P			
Medical Office/Outpatient Clinic		P	P	P	P	P	P			

Miscellaneous Health			C	P	P	C	C			
Opiate Substitution Treatment Facility					C					Subject to the CUP-EPF siting process (SMC 15.115.040, Essential Public Facilities).
<u>Permanent Supportive Housing (1) (3)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>		<p><u>(1) Small-Scale Permanent Supportive Housing facilities are defined as a Community Residential Facility I, see Residential, Retirement and Assisted Living section of this use chart.</u></p> <p><u>(2) See SMC 15.465.350, Supportive Housing Standards.</u></p> <p><u>(3) Permanent Supportive Housing Facilities require a minor Conditional Use Permit, see SMC 15.115.020</u></p>
Secure Community Transition Facility					C	C				Subject to the CUP-EPF siting process (SMC 15.115.040, Essential Public Facilities).

LAND USE	UM	UH	UH-UCR	NB	CB-C	O/CM	O/C/MU	T	P	Additional Regulations
Transitional Housing (1) (3)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)	C(2)		(1) Small-Scale Transitional Housing facilities are defined as a Community Residential Facility I, see Residential, Retirement and Assisted Living section of this use chart. (2) See SMC 15.465.350, Supportive Housing Standards. (3) Transitional Housing Facilities require a minor Conditional Use Permit, see SMC 15.115.020
MANUFACTURING										
Aerospace Equipment										
Apparel/Textile Products										
Biomedical Products Facilities										
Chemical/Petroleum Products										
Commercial/Industrial Machinery										
Computer/Office Equipment										
Electronic Assembly										
Fabricated Metal Products										
Food Processing										
Furniture/Fixtures										
Laboratories, Research, Development and Testing				C	C	C				
Manufacturing, Light Misc.										
Winery/Brewery/Distillery					P	P	C			Micro-winery/brewery/distillery with retail section.
Paper Products										
Primary Metal Industry										
Printing/Publishing					C					
Recycling Processing										
Rubber/Plastic/Leather/Mineral Products										
Textile Mill										

LAND USE	UM	UH	UH-UCR	NB	CB-C	O/CM	O/C/MU	T	P	Additional Regulations
Multi-Family	P	P	P	C	P(1)	P	P			(1) For designated parcels fronting International Blvd., S. 176th St., or S. 188th St. (see Figure 15.300.730A), at least 50% of a building's ground floor shall be a retail, service, or commercial use as described in the mixed use standards in SMC 15.300.720 and 15.300.730.
Townhouse	P	P(1)		C	P		P	P		(1) Townhouse and duplex development allowed only in UH-1800 zone.
RESIDENTIAL, RETIREMENT AND ASSISTED LIVING										
Community Residential Facility I <u>(1)</u>	P	P	P	P	P	P	P			<u>(1) Community Residential Facility I is permitted in UL zones.</u> See SMC 15.465.400, Community Residential Facilities Standards.
Community Residential Facility II		P	P	C	P	P	P(1)			See SMC 15.465.400, Community Residential Facilities Standards. (1) Permitted only as part of a mixed use development, as described in SMC 15.300.730, Ground Floor Uses in Mixed Use Projects, and arranged on site as described in SMC 15.300.720, Definition of Mixed Use.
Convalescent Center/ Nursing Home	P	P	P	P		P				
Retirement Apartments	P	P	P	C	P(1)	P	P			(1) For designated parcels fronting International Blvd., S. 176th St., or S. 188th St. (see Figure 15.300.730A), at least 50% of a building's ground floor shall be a retail, service, or commercial use as described in the mixed use standards in SMC 15.300.720 and 15.300.730.
RESIDENTIAL, ACCESSORY										
Home Occupation	P	P	P		P	P	P	P		See SMC 15.465.500, Home Occupations.
Shed/Garage	P(1)	P(1)	P(1)					P		(1) Limited to 1,000 gross square feet and a 20 foot height limit (highest point).
RETAIL AND COMMERCIAL										
Agricultural Crop Sales (Farm Only)				P	P					
Antique/Secondhand Store			P(1)	P	P	P(1)	P(1)			(1) Permitted as a part of a mixed use development, as described in SMC 15.300.720, Definition of Mixed Use.

EXHIBIT C

15.305.055 South 154th Street Station Area Overlay District Use Chart

ZONES:

UM – Urban Medium

CB-C – Community Business in the Urban Center

UH – Urban High

T – Townhouse

**UH-UCR – Urban High-Urban Center
Residential**

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. 154th St. are exempt from mixed use requirements.
ANIMALS						
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 15.305.710, Definition of Mixed Use.
BUSINESS SERVICES						
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 15.305.710, 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 a part of a residential mixed use development, as described in SMC 15.305.710, Definition of Mixed Use.

**ONLY PAGES RELATED TO
AMENDMENTS INCLUDED**

LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154th St. are exempt from mixed use requirements.
Storage, Self-Service						
Truck Terminal						
CIVIC AND INDUSTRIAL						
Cemetery						
Fire Facility	P	P	P	P		
Funeral Home/Crematory						
Police Facility	P	P	P	P		
Public Agency Office		P	P	P		
Public Agency Yard						
Social Service Office				P		
EDUCATIONAL						
College/University	C	C	P(1)	P		(1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.710, 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 15.305.710, 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 15.305.710, Definition of Mixed Use.
HEALTH AND HUMAN SERVICES						
Crisis Diversion Facility (CDF)						
Crisis Diversion Interim Facility (CDIF)						
Day Care I	P(1)	P(1)	P(1)		P(1)	See Chapter 15.420 SMC, Day Care Facilities. (1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.710, Definition of Mixed Use.
Day Care II	P(1)	P(1)	P(1)	P		See Chapter 15.420 SMC, Day Care Facilities. (1) Permitted as a part of a residential mixed use development, as described in SMC 15.305.710, Definition of Mixed Use.
<u>Emergency Housing</u>	<u>P(1)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)</u>	<u>(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 health and safety standards are met.</u> <u>(2) See SMC 15.465.350 Supportive Housing Standards.</u>

South 154th Street Station Area Overlay District

<u>Emergency Shelters</u>	<u>P(1)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)/ C(2)</u>	<u>P(1)</u>	<u>(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 health and safety standards are met.</u> <u>(2) See SMC 15.465.350 Supportive Housing Standards.</u>
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 15.305.710, 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						

LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154th St. are exempt from mixed use requirements.
<u>Permanent Supportive Housing (1) (3)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>(1) Small-Scale Permanent Supportive Housing facilities are defined as a CRF I, see Residential, Retirement and Assisted Living section of this use chart.</u> <u>(2) See SMC 15.465.350, Supportive Housing Standards.</u> <u>(3) Permanent Supportive Housing Facilities require a minor Conditional Use Permit, see SMC 15.115.020</u>
Transitional Housing <u>(1) (3)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>	<u>C(2)</u>	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 15.305.710, Definition of Mixed Use. <u>(1) Small-scale Transitional Housing facilities are defined as a CRF I, see Residential, Retirement and Assisted Living section of this use chart.</u> <u>(2) See SMC 15.465.350, Supportive Housing Standards.</u> <u>(3) Transitional Housing Facilities require a minor Conditional Use Permit, see SMC 15.115.020</u>
MANUFACTURING						
Assembly and Packaging						
Food Processing						
Laboratories, Research, Development and Testing				C		
Manufacturing and Fabrication, Light						
Manufacturing and Fabrication, Medium						
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.
Recycling Processing						
MOTOR VEHICLES						
Auto Service Center						
Auto Supply Store						

LAND USE	UM	UH	UH-UCR(1)	CB-C	T	Additional Regulations (1) Residential projects in UH-UCR zone south of S. 154th St. are exempt from mixed use requirements.
RESIDENTIAL, RETIREMENT AND ASSISTED LIVING						
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 15.305.700 and 15.305.710.
Community Residential Facility II			P	P	P(1)	(1) Permitted only as part of a mixed use development, as described in SMC 15.305.700 and 15.305.710.
Convalescent Center/Nursing Home	P	P	P			
Retirement Apartments		P	P	P		
RESIDENTIAL, ACCESSORY						
Home Occupation	P	P	P	P	P	See SMC 15.465.500, Home Occupations.
Shed/Garage	P	P	P	P	P	See Chapter 15.405 SMC, Accessory and Tent Structures.
RETAIL AND COMMERCIAL						
Concession Sales				P		
Mobile Food Vending				P		See SMC 15.415.300, Mobile Food Vending.
Retail, Big Box						
Retail, General		P(1)	P(1)	P		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use.
Sexually Oriented Business				C		
Tavern			P(1)	P		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use.
Theater			P(1)	P		(1) Permitted as part of a mixed use development, as described in SMC 15.305.710, Definition of Mixed Use.
RETAIL AND COMMERCIAL, LODGING						
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 mixed use development, as described in SMC 15.305.710, 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 15.305.710, Definition of Mixed Use.
UTILITIES						
Utility Substation		C	C	C		
Utility Use	C	C	C	C		

EXHIBIT D

15.310.055 Angle Lake Station Area Overlay District Use Chart

ZONES:

UM – Urban Medium

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	RBX	CB-C	I	Additional Regulations
ANIMALS							
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.
BUSINESS SERVICES							
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.

**ONLY PAGES RELATED TO AMENDMENTS
INCLUDED**

LAND USE	UM	UH	UH-UCR	RBX	CB-C	I	Additional Regulations
Helipad/Airport and Facilities							
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							
CIVIC AND INSTITUTIONAL							
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							
EDUCATIONAL							
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	
HEALTH AND HUMAN SERVICES							
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.
<u>Emergency Housing</u>	<u>P(1)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>		<u>(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 health and safety standards are met.</u> <u>(2) See SMC 15.465.350 Supportive Housing Standards.</u>
	<u>P(1)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>	<u>P(1)/C(2)</u>		<u>(1) Allowed only as part of permitted Religious Use Facility Accessory not to exceed 20% of total building square footage, providing operating plan is</u>

<u>Emergency Shelters</u>							<u>approved ensuring there are no significant traffic or noise impacts to neighbors, and that healthand safety standards are met.</u> <u>(2) See SMC 15.465.350 Supportive Housing Standards.</u>
Halfway House							
Hospital							

LAND USE	UM	UH	UH-UCR	RBX	CB-C	I	Additional Regulations
Medical Lab				P(1)	P(1)	P	(1) 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							
Permanent Supportive Housing (1) (3)	C(2)	C(2)	C(2)	C(2)	C(2)		(1) Small-Scale Permanent Supportive Housing facilities are defined as a Community Residential Facility I, see Residential, Retirement and Assisted Living section of this use chart. (2) See SMC 15.465.350, Supportive Housing Standards. (3) Permanent Supportive Housing Facilities require a minor Conditional Use Permit, see SMC 15.115.020
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 (1) (3)	C(2)	C(2)	C(2)	C(2)	P(1) C(2)	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. (1) Small-Scale Transitional Housing facilities are defined as a Community Residential Facility I, see Residential, Retirement and Assisted Living section of this use chart. (2) See SMC 15.465.350, Supportive Housing Standards. (3) Transitional Housing Facilities require a minor Conditional Use Permit, see SMC 15.115.020
MANUFACTURING							
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.

LAND USE	UM	UH	UH-UCR	RBX	CB-C	I	Additional Regulations
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							
RESIDENTIAL							
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.
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(1)	P(1)	P	(1) For designated parcels within the District Center (see Figure 15.310.730A), at least 50% of a building's ground floor shall be a retail, service, or commercial use as described in the mixed use standards in SMC 15.310.720 and 15.310.730.
Townhouse	P	P(1)					(1) Townhouse and duplex development allowed only in UH-1800 zone.
RESIDENTIAL, RETIREMENT AND ASSISTED LIVING							
Assisted Living		P	P	P	P		
Community Residential Facility I <u>(2)</u>	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. <u>(2) Community Residential Facility I is permitted in UL zones.</u>
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	

EXHIBIT E**15.445.210****Landscaping Standards Chart**

LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NONCOMPATIBLE ZONES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE (See SMC 15.445.250)	ADDITIONAL REGULATIONS
ANIMALS						
Butterfly/Moth Breeding	III/10 ft.	V/5 ft.	III/5 ft.	I/10 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes. See SMC 15.445.240.
Kennel/Cattery	IV/10 ft.	V/5 ft.	II/5 ft.	I/10 ft. (1)	N/A	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Stables	N/A	N/A	N/A	N/A	N/A	
Veterinary Clinic	IV/10 ft.	V/5 ft.	III/5 ft.	N/A	N/A	
BUSINESS SERVICES						
Airport Support Facility	IV/10 ft.	V/5 ft.	II/5 ft.	I/20 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes. See SMC 15.445.240.
Commercial/Industrial Accessory Uses	II/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Conference/Convention Center	IV/10 ft.	V/5 ft.	I/5 ft.	I/20 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Construction/Trade	III/10 ft.	V/5 ft.	II/5 ft.	I/10 ft. (1)	N/A	(1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes. See SMC 15.445.240.
Construction/Landscaping Yard	III/10 ft.	V/5 ft.	II/5 ft.	I/10 ft. (1)	N/A	(1) Adjacent to single-family or multi-family zones (UL, UM, UH, or MHP) for buffering purposes. See SMC 15.445.240.
Distribution Center/Warehouse	II/10 ft.	V/5 ft.	II/5 ft.	I/20 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes. See SMC 15.445.240.
Equipment Rental, Large	III/10 ft.	V/5 ft.	III/5 ft.	I/10 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes. See SMC 15.445.240.
Equipment Rental, Small	IV/10 ft.	V/5 ft.	II/5 ft.	I/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.

ONLY PAGES RELATED TO AMENDMENTS INCLUDED

LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NONCOMPATIBLE ZONES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE (See SMC 15.445.250)	ADDITIONAL REGULATIONS
Police Facility	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Public Agency Office	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Public Agency Yard	III/20 ft.	V/5 ft.	III/5 ft.	II/20 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Public Archives	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Social Service Office	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
EDUCATIONAL						
College/University	IV/10 ft.	V/5 ft.	IV/10 ft.	N/A	Yes	
Elementary/Middle School	IV/10 ft.	V/5 ft.	IV/5 ft.	N/A	Yes	
High School	IV/10 ft.	V/5 ft.	IV/10 ft.	N/A	Yes	
Specialized Instruction School	IV/10 ft.	V/5 ft.	IV/10 ft.	N/A	Yes	
Vocational/Technical School	IV/10 ft.	V/5 ft.	IV/10 ft.	N/A	Yes	
HEALTH AND HUMAN SERVICES						
Day Care I	N/A	N/A	N/A	N/A	N/A	
Day Care II	IV/10 ft.	V/5 ft.	III/5 ft.	N/A	Yes	
<u>Emergency Housing</u>	<u>III/10 ft.</u>	<u>V/5 ft.</u>	<u>III/5 ft.</u>	<u>I/20 ft. (1)</u>	<u>Yes</u>	<u>(1) Adjacent to single-family (UL or UM) zones for buffering purposes.</u>
<u>Emergency Shelter</u>	<u>III/10 ft.</u>	<u>V/5 ft.</u>	<u>III/5 ft.</u>	<u>I/20 ft. (1)</u>	<u>Yes</u>	<u>(1) Adjacent to single-family (UL or UM) zones for buffering purposes.</u>
Halfway House	II/20 ft.	V/5 ft.	II/10 ft.	I/20 ft.	Yes	
Hospital	III/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Medical/Dental Lab	III/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Medical Lab	III/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Medical Office/Outpatient Clinic	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.
Miscellaneous Health	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family (UL or UM) zones for buffering purposes.

LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NONCOMPATIBLE ZONES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE (See SMC 15.445.250)	ADDITIONAL REGULATIONS
Opiate Substitution Treatment Facility	IV/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes. See SMC 15.445.240.
Overnight Shelter	II/20 ft.	V/5 ft.	II/20 ft.	I/20 ft.	Yes	
Permanent Supportive Housing	II/20 ft.	V/5 ft.	III/5 ft.	I/15 ft.	Yes	
Secure Community Transition Facility	I/10 ft.	V/5 ft.	I/10 ft.	I/20 ft. (1)	Yes	Requirements listed here are the minimum standards. Final landscape requirements shall be determined upon review of a site plan, based on CPTED and public safety principles, by the Director in consultation with the Police Chief. (1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes. See SMC 15.445.240.
Transitional Housing	II/20 ft.	V/5 ft.	III/5 ft.	I/15 ft.	Yes	
MANUFACTURING						
Aerospace Equipment	III/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes.
Apparel/Textile Products	II/20 ft.	V/5 ft.	II/5 ft.	I/20 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes.
Assembly and Packaging	III/10 ft.	V/5 ft.	III/5 ft.	II/10 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UM, UH, or MHP) for buffering purposes.
Batch Plant	I/20 ft.	V/5 ft.	I/20 ft.	I/35 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes.
Biomedical Products Facility	III/15 ft.	V/5 ft.	II/5 ft.	I/20 ft. (1)	Yes	(1) Adjacent to single-family or multi-family zones (UL, UH-900, 1800, or MHP) for buffering purposes.

LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NONCOMPATIBLE ZONES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE (See SMC 15.445.250)	ADDITIONAL REGULATIONS
RESIDENTIAL						
College Dormitory	IV/10 ft.	N/A	IV/5 ft.	II/10 ft.	Yes	
Duplex	N/A	N/A	N/A	N/A	N/A	See SMC 15.505.500, Landscaping and Screening (townhouse and duplex).
Dwelling Unit, Detached	N/A	N/A	N/A	N/A	N/A	
Manufactured/Modular Home (HUD)	N/A	N/A	N/A	N/A	N/A	
Mobile Home (nonHUD)	N/A	N/A	N/A	N/A	N/A	
Mobile Home Park	II/20 ft.	N/A	I/20 ft.	N/A	N/A	
Multi-Family	III/10 ft. (1)	IV/5 ft.	III/5 ft.	I/10 ft.	Yes	(1) In UH zones, street frontage landscaping can be reduced up to 5 feet if combined with contiguous building facade landscaping for a total of 10 feet immediately abutting building. No path or other design feature may encroach within the combined landscaping.
Townhouse	III/20 ft. (1)	V/5 ft.	III/10 ft.	II/15 ft. (1)	Yes (over 3 units)	See SMC 15.505.500, Landscaping and Screening (townhouse and duplex).
RESIDENTIAL, RETIREMENT AND ASSISTED LIVING						
Assisted Living Facility	III/20 ft.	V/5 ft.	III/5 ft.	I/15 ft.	Yes	
Community Residential Facility I	N/A	N/A	N/A	N/A	N/A	
Community Residential Facility II	II/20 ft.	V/5 ft.	III/5 ft.	I/5 ft.	Yes	
Continuing Care Retirement Community	III/10 ft.	V/5 ft.	III/5 ft.	I/5 ft.	Yes	
Convalescent Center/Nursing Home	II/20 ft.	V/5 ft.	II/15 ft.	N/A	Yes	
Retirement Apartments	III/10 ft. (1)	V/5 ft.	III/5 ft.	I/10 ft.	Yes	(1) In UH zones, street frontage landscaping can be reduced up to 5 feet if combined with contiguous building facade landscaping for a total of 10 feet immediately abutting building. No path or other design feature may encroach within the combined landscaping.

EXHIBIT F

15.455.120 Parking Chart for Required Off-Street Spaces

LAND USE	MINIMUM SPACES REQUIRED	ADDITIONAL REGULATIONS
ANIMALS		
Butterfly/Moth Breeding	1 per 250 sf of office/retail area	
Kennel/Cattery	1 space per 12 animal enclosures	
	1 space per 250 sf of retail sales area 2 spaces for a dwelling unit	
Stables	1 per 2 stalls	
Veterinary Clinic	1 per 300 sf of building area	
BUSINESS SERVICES		
Airport Support Facility	1 per 250 sf	
Commercial/Industrial Accessory Uses	1 per 300 sf	
Conference/Convention Center	1 per 3 fixed seats, plus 1 per 40 sf for assembly areas without fixed seats	
Construction/Trade	1 per 250 sf of office	
Construction/Landscaping Yard	1 per 250 sf of office	
Distribution Center/Warehouse	1 per 250 sf of office, plus 1 per 3,500 sf of storage areas	
Equipment Rental, Large	1 per 250 sf of building	
Equipment Rental, Small	1 per 250 sf of building	
Equipment Repair, Large	1 per 300 sf of office, plus 1 per 1,000 sf of indoor repair areas	
Equipment Repair, Small	1 per 250 sf of building	
Helipad/Airport and Facilities	Helipad: 4 per pad	
	Airport: 1 per 500 sf of building	
Landscaping Business	1 per 250 sf of office/storage area	
Professional Office	1 per 300 sf of office building	
Storage, Self Service	1 per employee (designated), plus 3 for customers	
Truck Terminal	1 per 250 sf of office or 1 per employee, whichever is greater	
CIVIC AND INSTITUTIONAL		
Cemetery	1 per 40 sf of chapel area, plus 1 per employee	
City Hall	1 space per 250 sf of office area plus 1 per 40 sf of fixed seats or assembly area if a municipal court use is located in City Hall	

**ONLY PAGES RELATED TO AMENDMENTS
INCLUDED**

LAND USE	MINIMUM SPACES REQUIRED	ADDITIONAL REGULATIONS
Court	1 per employee, plus 1 per 40 sf of fixed seats or assembly areas	
Fire Facility	1 per employee, plus 1 per 100 sf of public office areas	
Funeral Home/Crematory	1 per 40 sf of chapel area, plus 1 per employee	
Police Facility	1 per employee, plus 1 per 100 sf of public office areas	
Public Agency Office	1 per 250 sf	
Public Agency Yard	1 per 200 sf, plus 1 per 1,000 sf of indoor storage or repair areas	
Public Archives	1 per employee, plus 1 per 400 sf of waiting/review areas	
Social Service Office	1 per 250 sf	
EDUCATIONAL		
College/University	1 per employee, 0.7 per student	
Elementary-Middle School	1 per 50 students, 1 per faculty member	
High School	1 per 35 students, 1 per faculty member	
Specialized Instruction School	1 per employee, 1 per 2 students	
Vocational/Technical School	1 per employee, 1 per 10 students	
HEALTH AND HUMAN SERVICES		
Day Care I	2 per facility, plus 1 per employee	
Day Care II	2 per facility (minimum), plus 1 per employee, and 1 load/unload space per every 10 children	
<u>Emergency Housing</u>	<u>Parking Plan based on population served and projected needs should be submitted and approved by the decisionmaker</u>	
<u>Emergency Shelter</u>	<u>Parking Plan based on population served and projected needs should be submitted and approved by the decisionmaker</u>	
Halfway House	Parking Plan based on population served and projected needs should be submitted and approved by the Director	
Hospital	1 per bed plus 5 per each 2 employees	
Medical/Dental Lab	1 per 300 sf of building	
Medical Lab	1 per 300 sf of building	
Medical Office/Outpatient Clinic	1 per 275 sf of building	
Miscellaneous Health	1 per 300 sf of building	
Overnight Shelter	Parking Plan based on population served and projected needs should be submitted and approved by the Director	
Opiate Substitution Treatment Facility	1 per 275 sf of building, unless modified by a parking plan as part of the CUP-EPF process	
<u>Permanent Supportive Housing</u>	<u>Parking Plan based on population served and projected needs should be submitted and approved by the decisionmaker</u>	
Secure Community Transition Facility	1 per employee, plus 0.5 per resident for visitor parking	
Transitional Housing	Parking Plan based on population served and projected needs should be submitted and approved by the Director <u>decisionmaker</u> .	

LAND USE	MINIMUM SPACES REQUIRED	ADDITIONAL REGULATIONS
Religious Use Facility Accessory	1 per 500 gsf	
Sports Club	1 per 100 sf of building plus 1 per 4 fixed seats if tournaments or competitions are held at the sports club. If tournaments or competitions are proposed, a traffic control plan, approved by the City, shall be submitted.	If bench or pew seating is used, each twenty-four (24) lineal inches of bench or pew seating shall be considered as a separate seat
Stadium/Arena	1 per 3 fixed seats, plus 1 per employee	
EXCEPTIONS		
Bowling Center	5 per lane, plus 1 per employee	
Golf Driving Range	1 per tee, plus 1 per employee	
RESIDENTIAL		
College Dormitory	1.5 per bedroom	
Duplex	1.25 per dwelling unit	These ratios may be reduced with proof of viable HCT linkage/station pursuant to the determination of the Director. The overall ratio may not be lowered more than ten percent (10%).
Dwelling Unit, Detached	2 per dwelling unit	These ratios may be reduced with proof of viable HCT linkage/station pursuant to the determination of the Director. The overall ratio may not be lowered more than ten percent (10%).
Manufactured/Modular Home (HUD)	2 per dwelling unit	
Mobile Home (nonHUD)	2 per dwelling unit	
Mobile Home Park	2 per dwelling unit	
Multi-Family	Studio Unit: 1 per dwelling unit 1 Bedroom Unit: 1.5 per dwelling unit 2-3 Bedroom Unit: 2 per dwelling unit	These ratios may be reduced with proof of viable HCT linkage/station pursuant to the determination of the Director. The overall ratio may not be lowered more than ten percent (10%).
Townhouse	2 per dwelling unit, plus 0.25/unit for visitor parking	These ratios may be reduced with proof of viable HCT linkage/station pursuant to the determination of the Director. The overall ratio may not be lowered more than ten percent (10%).
RESIDENTIAL, RETIREMENT AND ASSISTED LIVING		
Assisted Living Facility	0.25 per unit/room	
Community Residential Facility I	2 per dwelling unit	
Community Residential Facility II	Parking plan based on population served and projected needs should be submitted and approved by the City Manager, or designee.	

ORDINANCE NO. 21-1032

AN ORDINANCE of the City Council of the City of SeaTac,
Washington authorizing the establishment of an Adopt-A-Street
Program and amending the 2021-2022 Biennium Budget.

WHEREAS, RCW 47.40.105 authorizes local government legislative authorities to enact
local adopt a highway programs which are not inconsistent with state or federal law; and

WHEREAS, litter in the City of SeaTac detracts from the natural beauty of the City, adds
to environmental and storm water pollution, and attracts rodents; and

WHEREAS, an Adopt-A-Street program will allow residents and community groups of
the City of SeaTac to assist the City in litter cleanup which will promote the public health, safety,
and welfare of the SeaTac community; and

WHEREAS, a successful Adopt-A-Street program would benefit the environment by
creating awareness for litter prevention, promoting community building, preventing environmental
and storm water pollution, and keeping the City streets cleaner and safer; and

WHEREAS, the City of SeaTac City Council desires to establish an Adopt a Street
Program which encourages the efforts of individuals and volunteer organizations to maintain the
City streets in cleaner and safer manner while also creating a sense of community pride.

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

Section 1. Program Adoption. Pursuant to RCW 47.40.105, the City Council hereby establishes
a City-wide Adopt-A-Street program, subject to the following:

1. The City's Public Works department shall manage the Adopt-A-Street program consistent
with Policies and Procedures attached as "Exhibit A".

Section 2. The City's 2021-2022 Biennial Budget shall be amended to increase expenditures in
the Solid Waste and Environmental Fund (404) by \$10,000 for Adopt-A-Street signs, program
materials and staff time committed to the Adopt-A-Street program.

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

ADOPTED this 12th day of October, 2021 and signed in authentication thereof on this 12th day of October, 2021.


CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

APPROVED AS TO FORM:


Mary Mirante Bartolo, City Attorney

Effective 10/23/2021

ADOPT-A-STREET PROGRAM

Policies and Procedures



PURPOSE

The Adopt-A-Street Program is a public participation program of the SeaTac Public Works department, which encourages volunteer involvement and community service in the control and reduction of litter and enhancement of general environmental quality along City of SeaTac streets. Adopted streets are streets located in SeaTac. The program does not apply to federal and state highways, county roads, or private roads. This document describes policies and procedures for the program.

DEFINITIONS

Adopted Section: The portion of street on which the Volunteer Group has agreed to control litter and, if applicable, conduct other roadside improvement or clean-up activities approved by Public Works. Adopted sections cleaned by volunteers are only in the City of SeaTac right-of-way and do not include bridges, overpasses, medians, traveled portions of streets, and narrow shoulders.

Adopt-A-Street/Adopt-A-Spot Agreement (Adoption Agreement): Contractual agreement entered into and signed by a Public Works representative and the Volunteer Group's Representative (Group Leader) authorizing the group to participate in the Adopt-A-Street Program, setting the terms and conditions for that participation, and assigning a section of City roadway to the group.

Clean-Up Event: Period of time when a volunteer group is removing roadside litter and, if applicable, conducting other roadside improvement or clean-up activities, in participation with the Adopt-A-Street Program.

Hazardous Materials: Items that may be found in the road right-of-way which may potentially cause injury. Hazardous materials include, but are not limited to, petroleum products, chemicals, paints, solvents, propane tanks, gas canisters, car batteries, vehicle parts, appliances, heavy objects, dead animals, broken glass, needles, drug paraphernalia, and unidentified containers.

Parent/Guardian Informed Consent Form: Form signed by the legal parent or guardian of a minor volunteer (less than eighteen years of age), which informs the parent/guardian and volunteer of the risks associated with participation in the program, and in which the parent/guardian grants permission for the minor to participate in the program and agrees to hold

the City of SeaTac harmless for any liability or damages resulting from participation in the program.

Participant Roster: Form completed by the Volunteer Group, which reports the completion of a Clean-Up Event, names of participating volunteers, hours worked, quantities of litter collected, and other relevant information.

Program Coordinator: Public Works employee who manages the program and provides liaison and support between Public Works and the Volunteer Group's Leader and Volunteers.

Recognition Sign: Placard fabricated and installed by King County Roads, which includes the Adopt-A-Street Program logo and the name of the Volunteer Group completing the clean-up events for their adopted section.

Registration Form: Form signed by an adult volunteer (eighteen years of age or older), which informs the volunteer of the risks associated with participation in the program and their responsibility to conduct clean-up activities in a safe manner, and in which the volunteer agrees to accept the risks and hold City of Seatac harmless for any liability or damages resulting from participation in the program.

Volunteer: Person acting on their own behalf and participating in the Adopt-A-Street Program.

Volunteer Organization/Group: Person or persons who have agreed to adopt a section of city roadway under the program.

POLICIES AND PROCEDURES

- 1) Program Eligibility
 - a. Volunteer organizations/groups are eligible to participate in the Adopt-A-Street Program if Public Works is satisfied that the group will fulfill its obligation under the program in a safe and responsible manner and provided that there is an available section of City Street which in Public Works' judgment can be safely assigned to the group.
 - b. Volunteer groups eligible to participate in the program may be individuals, families, civic and non-profit organizations, churches, service clubs, other organizations, and volunteers from commercial and private businesses.
 - c. A volunteer group is not eligible to participate in the program if its name:
 - i. Endorses or opposes a particular candidate for public office;
 - ii. Contains profanity;
 - iii. Advocates for a position in relation to a specific political issue, initiative, referendum, or piece of legislation; or
 - iv. Includes a reference to a political party.

- d. Volunteer groups that have been denied participation in the program due to a lack of compliance in a previous Adoption Agreement shall not be eligible to participate for a period of five years (5) following the termination of the previous agreement.
 - e. Each volunteer group must have a designated Representative/Group Leader who functions as the group's primary contact with the City of SeaTac. The Group Leader must be an adult (eighteen years of age or older).
- 2) Minors
- a. Depending on the location of the adopted section, some minors may be eligible to participate in the program.
 - b. All volunteers shall be fifteen (15) years of age or older.
 - c. Volunteers under the age of eighteen shall have a Parent/Guardian Informed Consent Form completed before participating in any program activity.
 - d. For every eight (8) volunteers under the age of eighteen participating in a clean-up event, there shall be one adult supervisor (eighteen years of age or older).
- 3) Adopt-A-Street Agreements
- a. The program requires a two (2) year commitment by volunteer groups. Although at its discretion, the City may allow agreements that run for less than two (2) years.
 - b. After the initial two (2) year commitment has been fulfilled, a volunteer group will be considered active until the group requests to end their participation in the program or ceases to fulfill their responsibilities under the program.
 - c. If a volunteer group appears to have ceased to fulfill their program responsibilities, the Program Coordinator will try to contact the group leader by phone. If the group leader cannot be reached by phone, the Program Coordinator will mail a letter to the address on file to remind the group of their commitment and request that they contact the Program Coordinator. If the group does not contact the Program Coordinator within thirty (30) calendar days of the date of the letter, the Adoption Agreement will be terminated, and the group's recognition signs removed. The signs will remain the property of the City.
 - d. Volunteer groups shall provide, at a minimum, litter control for adopted sections. Public Works may request additional responsibilities, such as planting and maintaining vegetation, controlling weeds, graffiti removal, and other roadside improvement or clean-up activities. This may be performed by the group: the group has the discretion of performing these additional responsibilities.
 - e. Volunteer groups shall submit a written proposal to Public Works for any roadside improvement or clean-up activity proposed in addition to litter control. The proposal shall include a complete description of the activity proposed, materials and techniques to be used, and a schedule of work detailing all aspects of the proposal. The City may require the group to prepare a plan or sketches to adequately describe the scope and detail of work. A traffic control plan shall be

required. The City may require the group to prepare and submit a landscape plan. All work shall be in conformance with current Public Works' standards. No work shall commence prior to the City's approval of the group's proposal and signed approval of the Adopt-A-Street Agreement.

- f. Public Works may, at its discretion, temporarily suspend an Adoption Agreement because of road maintenance or construction along an adopted section. Public Works will notify the Group Leader of the suspension. After these activities are completed, Public Works will remove the suspension and notify the Group Leader.

4) Adopted Sections

- a. Adopted sections shall be within City right-of-way.
- b. Public Works will conduct a traffic safety review before assigning a section for adoption and may, at its discretion, decide that the section is not appropriate for adoption.
- c. Adopted sections will be assigned on a first-come, first-serve basis. If a section of City street has already been adopted by a group, it is not eligible for adoption by another group.
- d. Adopted sections can be any size, but the length of any adopted section will be at Public Works' discretion.

5) Adopting More Than One Street

- a. Volunteer groups that are currently fulfilling the responsibilities of an existing Adoption Agreement may be allowed to adopt additional roadway sections at the discretion of Public Works.
- b. If there is high demand for adoption of roads in a particular area, preference will be given to interested volunteers that do not yet participate in the program to maximize opportunities for public participation and community service.

6) Frequency of Clean-up Events

- a. Volunteer groups shall clean-up their adopted section at least four (4) times per calendar year. If a group has more than one (1) adopted section, each section must be cleaned-up at least four (4) times per calendar year.
- b. Additional clean-ups should be completed as needed to maintain a neat appearance.

7) Volunteer Group Leader

- a. The Group Leader shall sign the Adopt-A-Street Agreement and act as the Volunteer Group's primary liaison with the City.
- b. The Group Leader is responsible for:
 - i. Ensuring that the Volunteer Group complies with the provisions of the Adoption Agreement and the program's safety guidelines and other rules;
 - ii. Attending City-provided safety training;

- iii. Ensuring that each volunteer receives the appropriate training;
- iv. Making sure that each volunteer receives, and reviews safety training materials and aids provided by the City before participating in any program activities;
- v. Organizing and scheduling clean-up events;
- vi. Ensuring that clean-up events are conducted in a safe manner;
- vii. Ensuring that each adult volunteer (eighteen years of age or older) completes the Registration Form before participating in any program activity;
- viii. Making sure that each volunteer under the age of eighteen has a completed Parent/Guardian Informed Consent Form before participating in any program activity;
- ix. Filing all required reports and forms with the Program Coordinator; and
- x. Reporting to the City any injuries sustained by volunteers during clean-up events and communicating with the Program Coordinator as necessary to ensure smooth conduct of the program.

8) Program Support

- a. Public Works will provide:
 - i. A standardized Application Form, Registration Form, And Adoption Agreement;
 - ii. Safety training for Group Leaders;
 - iii. Safety training materials and aids for the Volunteer Group to use in training volunteers;
 - iv. Safety equipment and supplies for clean-up events; and
 - v. Staff support for the program.
- b. Public Works will remove litter collected by the Volunteer Group during clean-up events and arrange for the removal of those hazardous materials noted on the Participant Roster.
- c. In recognition of the Volunteer Group's work, King County Roads will fabricate and install signs recognizing the group.

9) Recognition Signs

- a. Recognition signs will be placed after group/individual has completed two (2) clean-ups and has scheduled the third.
- b. Recognition signs shall follow a standard design, including size and color, selected by Public Works. The standard design will include the name of the Volunteer Group and the Adopt-A-Street Program logo. Adjustments to the standard design will not be accommodated.

- c. Recognition signs shall only include the name of the Volunteer Group or similar identifier. Signs shall not include addresses, profanity, phone numbers, email addresses or website addresses, pictures or other images, or logos, except for the Adopt-A-Street Program logo.
 - d. Signs will typically be placed at the beginning of the adopted section, on the right shoulder. Sign location shall be determined by Public Works.
 - e. If the Volunteer Group is responsible for both sides of an adopted section, one (1) sign shall be placed for each direction of travel. For adopted sections with only one (1) side, one (1) sign will be installed in the direction of travel. If the Volunteer Group is responsible for a neighborhood area with more than one (1) adopted section, a maximum of four (4) signs will be installed.
- 10) Recycling
 - a. Recycling is encouraged, but not required.
 - b. Proceeds from the sale of recyclable items shall belong to the Volunteer Group.
- 11) Hazardous Materials
 - a. Volunteers shall not handle hazardous materials or materials they suspect to be hazardous (see list in Definitions section).
 - b. Volunteers who encounter anything they suspect to be hazardous must not touch it or pick it up but must take appropriate precautions and report the location and description of the material to Public Works on the Participant Roster. Volunteers are asked to put a small location flag (provided) near the location of the hazardous material for easier identification by City staff.
- 12) Illegal Signs in Right-of-Way
 - a. Volunteers shall not remove any signs found in the right-of-way.
 - b. Volunteers should report the location and description of any signs they suspect to be illegally placed in the right-of-way to Public Works on the Participant Roster.

ORDINANCE NO. 21-1033

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the City's 2021-2022 Biennial Budget allocation for the Des Moines Memorial Drive South and South 200th Street Intersection Improvements Project (Public Works Project ST-065).

WHEREAS, additional funding is necessary due to insufficient funds being appropriated in the 2021-2022 Biennium Budget to settle final construction related costs and close out the Des Moines Memorial Drive South and South 200th Street Intersection Improvements project (herein referred as PROJECT); and

WHEREAS, there is sufficient funding allocated and expenditure authorization for this PROJECT.

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

Section 1. The City's 2021-2022 Biennial Budget shall be amended by increasing the budget allocation in the 307 Transportation CIP Fund by \$300,000.00 for 2021 to fund the remaining expenditures to close out the PROJECT.

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

ADOPTED this 12th day of October, 2021, and signed in authentication thereof on this 12th day of October, 2021.


CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 10/23/2021]

[Des Moines Memorial Drive South and South 200th Street Intersection Improvements Project 2021-2022 Budget Amendment]

ORDINANCE NO 21-1034

AN ORDINANCE of the City Council of the City of SeaTac, Washington, setting the 2022 property tax levy, and establishing the amount to be levied by taxation in 2022 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 2022 as part of its 2021-2022 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 \$7,543,988,697; 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 \$17,534,558, the amount is based on King County Assessor 2021 estimates [$\$2.324/1000 * \7.08 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 23, 2021;

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 2022 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$17,534,558.

SECTION 2. Increase in Property Tax Revenue From the Previous Year.

The 2022 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 (\$27,251) 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 23rd day of November, 2021, and signed in authentication thereof on this 23rd day of November, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to Form:


Mary E. Mirante-Bartolo, City Attorney

[Effective Date: 12/4/2021]

[2022 Ad Valorem Property Tax Levy]

ORDINANCE NO. 21-1035

AN ORDINANCE of the City Council of the City of SeaTac,
Washington, amending the City's 2021-2022 Biennial Budget.

WHEREAS, the City Council has reviewed budget to actual performance to date for the 2021-2022 City Council adopted budget and has considered specific amendments to the original adopted budget at the Administration and Finance Committee meeting on November 3, 2021, 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 23, 2021, 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 2021-2022 Biennial Budget for the City of SeaTac, covering the period from January 1, 2021, through December 31, 2022, is hereby amended with a total 2022 ending fund balance in the amount of \$89.5 million for all budgeted funds. The City's 2021-2022 biennial budget is attached as Exhibit B and includes budgeted revenues and expenditures for the 2021-2022 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 23rd day of November, 2021, and signed in authentication
thereof on this 23rd day of November, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 12/4/2021]

[2021-2022 Biennial Budget Amendment Ordinance]

EXHIBIT A

2021-2022 Biennial Budget Amendment

Revenues

FUND #	BARS#	2021-2022 TOTAL	DESCRIPTION
001	001.369.91.00.000	-\$127,183	General Fund Overhead
307	307.344.10.00.007	\$932,861	34th Ave/160th - 166th Highline WD
	307.344.10.00.008	\$175,876	34th Ave/160th - 166th Century Link
	307.344.10.00.009	\$152,604	34th Ave/160th - 166th Comcast
501	501.348.30.00.001	\$51,931	Equipment Maintenance/Repair
	501.348.30.00.002	-\$2,293	Equipment Capital Recovery
TOTAL ALL FUNDS		\$1,183,796	

Expenditures

FUND #	BARS#	2021- 2022 TOTAL	DESCRIPTION
001	Various	\$432,662	Salaries & Benefits Reconciliation
	001.000.03.518.90.XX.XXX	\$112,939	Multimedia Video Specialist DC - Salaries & Benefits
	001.000.03.518.90.31.008	\$500	Multimedia Video Specialist DC - Office & Operating
	001.000.03.518.90.35.000	\$16,000	Multimedia Video Specialist DC - Small Tools
	001.000.03.518.90.42.028	\$960	Multimedia Video Specialist DC - Telephone
	001.000.03.518.90.49.053	\$200	Multimedia Video Specialist DC - Subscriptions
	001.000.04.514.23.41.018	\$12,000	Accounting & Auditing
	001.000.04.518.88.XX.XXX	\$113,796	Info Systems Analyst DC - Salaries & Benefits
	001.000.04.518.88.31.008	\$100	Info Systems Analyst DC - Office & Operating
	001.000.04.518.88.35.000	\$4,700	Info Systems Analyst DC - Small Tools
	001.000.04.518.88.42.028	\$720	Info Systems Analyst DC - Telephone
	001.000.04.518.88.43.031	\$500	Info Systems Analyst DC - Lodging
	001.000.04.518.88.43.032	\$100	Info Systems Analyst DC - Meals
	001.000.04.518.88.43.033	\$165	Info Systems Analyst DC - Transportation
	001.000.04.518.88.48.050	\$240	Additional Long Range Planner DC - Enterprise SW Maint
	001.000.04.518.88.48.050	\$240	Multimedia Video Specialist DC - Enterprise SW Maint
	001.000.04.518.88.48.050	\$240	Volunteer & Special Events Coord. DC - Enterprise SW Maint
	001.000.04.518.88.48.050	\$800	Hybrid Meeting Solution DC - Enterprise SW Maint
	001.000.04.518.88.48.050	\$8,361	Phoenix Software Upgrade DC - Enterprise SW Maint
	001.000.04.518.88.48.050	\$240	Info Systems Analyst DC - Enterprise SW Maint
	001.000.04.518.88.49.053	\$19,605	Upgrade to CASTUS Cloud Services DC - Subscriptions
	001.000.04.518.88.49.053	\$320	Info Systems Analyst DC - Subscriptions
	001.000.04.518.88.49.061	\$2,000	Info Systems Analyst DC - Registration
	001.000.08.521.20.41.006	\$661,286	City Department Model DC - Police Services
	001.000.08.521.20.45.002	-\$6,224	Equipment Rental - 501 Fund
	001.000.08.521.21.35.000	\$24,544	Portable Security Camera Tower DC - Small Tools
	001.000.09.525.60.35.000	\$68,000	Emergency Management Equipment DC - Small Tools
	001.000.09.525.60.42.027	\$7,200	Emergency Management Equipment DC - Ongoing
	001.000.09.525.60.45.002	-\$515	Equipment Rental - 501 Fund
	001.000.10.518.30.45.002	\$5,337	Equipment Rental - 501 Fund
	001.000.10.522.55.48.000	\$30,609	Fire Station Security Cameras DC
	001.000.10.522.56.48.000	\$37,014	Fire Station Security Cameras DC

EXHIBIT A

2021-2022 Biennial Budget Amendment

	001.000.10.571.23.45.002	-\$102	Equipment Rental - 501 Fund
	001.000.10.573.90.XX.XXX	\$117,869	Volunteer & Special Events Coord. DC - Salaries & Benefits
	001.000.10.573.90.31.008	\$150	Volunteer & Special Events Coord. DC - Office & Op.
	001.000.10.573.90.31.018	\$200	Volunteer & Special Events Coord. DC - Uniforms & Safety Equ
	001.000.10.573.90.35.000	\$3,500	Volunteer & Special Events Coord. DC - Small Tools
	001.000.10.573.90.42.028	\$780	Volunteer & Special Events Coord. DC - Telephone
	001.000.10.575.50.45.002	-\$10,361	Equipment Rental - 501 Fund
	001.000.10.576.80.45.002	-\$7,496	Equipment Rental - 501 Fund
	001.000.13.524.60.45.002	\$10,059	Equipment Rental - 501 Fund
	001.000.13.558.50.45.002	-\$116	Equipment Rental - 501 Fund
	001.000.13.558.60.XX.XXX	\$115,054	Additional Long Range Planner DC - Salaries & Benefits
	001.000.13.558.60.31.008	\$500	Additional Long Range Planner DC - Office & Op. Supplies
	001.000.13.558.60.35.000	\$1,000	Additional Long Range Planner DC - Small Tools
	001.000.13.558.60.42.028	\$385	Additional Long Range Planner DC - Telephone
	001.000.13.558.60.43.031	\$360	Additional Long Range Planner DC - Lodging
	001.000.13.558.60.43.032	\$128	Additional Long Range Planner DC - Meals
	001.000.13.558.60.43.033	\$275	Additional Long Range Planner DC - Transportation
	001.000.13.558.60.49.053	\$200	Additional Long Range Planner DC - Subscriptions
	001.000.13.558.60.49.061	\$450	Additional Long Range Planner DC - Registration
	Subtotal General Fund (001)	\$1,787,474	
102	Various	-\$29,754	Salaries & Benefits Reconciliation
	102.000.11.521.70.45.002	-\$136	Equipment Rental - 501 Fund
	102.000.11.542.30.45.002	\$8,096	Equipment Rental - 501 Fund
	102.000.11.542.64.48.200	\$266,600	Utility Box Wraps DC
	102.000.11.542.66.45.002	-\$817	Equipment Rental - 501 Fund
	102.000.11.543.10.45.002	-\$12,628	Equipment Rental - 501 Fund
	102.000.11.544.90.00.000	-\$64,882	General Fund Overhead
	Subtotal Street Fund (102)	\$166,479	
105	105.000.08.521.90.00.000	\$11,143	General Fund Overhead
	Subtotal Port ILA (105)	\$11,143	
106	Various	\$39,949	Salaries & Benefits Reconciliation
	106.000.11.518.62.90.00.000	-\$10,555	General Fund Overhead
	Subtotal Transit Planning (106)	\$29,394	
107	Various	\$1,509	Salaries & Benefits Reconciliation
	Subtotal Hotel/Motel (107)	\$1,509	
301	301.000.04.518.88.35.000	\$2,700	Additional Long Range Planner DC - Small Tools
	301.000.04.518.88.35.000	\$5,000	Multimedia Video Specialist DC - Small Tools
	301.000.04.518.88.35.000	\$2,000	Info Systems Analyst DC - Small Tools
	301.000.04.518.88.35.000	\$1,500	Volunteer & Special Events Coord. DC - Small Tools
	301.000.04.594.11.64.097	\$9,700	Hybrid Meeting Solution DC - City Hall AV Equip
	301.000.04.594.18.64.094	\$13,000	Air Gapped Backup Repository
	301.000.10.594.90.00.000	\$20,925	General Fund Overhead
	301.000.04.594.76.63.218	\$250,000	Architect for DM Creek Park Improvements DC
	301.000.04.594.76.63.219	\$1,200,000	Spray Park/Restroom at Riverton Heights DC
	Subtotal Muni. CIP Fund (301)	\$1,504,825	

EXHIBIT A

2021-2022 Biennial Budget Amendment

307	Various	\$25,708	Salaries & Benefits Reconciliation
	Subtotal Transp. CIP (307)	\$25,708	
403	Various	-\$41,090	Salaries & Benefits Reconciliation
	403.000.11.531.32.45.002	-\$1,240	Equipment Rental - 501 Fund
	403.000.11.531.35.45.002	\$60,479	Equipment Rental - 501 Fund
	403.000.11.531.90.00.000	-\$77,339	General Fund Overhead
	Subtotal SWM Fund (403)	-\$59,190	
404	Various	\$1,028	Salaries & Benefits Reconciliation
	404.000.11.537.90.00.000	-\$3,341	General Fund Overhead
	Subtotal SWE Fund (404)	-\$2,313	
501	Various	-\$5,381	Salaries & Benefits Reconciliation
	501.000.11.548.65.41.001	-\$3,132	General Fund Overhead
	Subtotal Equip. Rental (501)	-\$8,513	
	TOTAL ALL FUNDS	\$3,456,516	

CITY OF SEATAC, WASHINGTON
2021-2022 BIENNIAL BUDGET: EXHIBIT B

11/23/2021 Mid-Biennium Review

2021-2022 BIENNIAL BUDGET (EXPENDITURES + ENDING BALANCES) = \$ 261,778,427					
FUND		BEGINNING BALANCE	REVENUES & OTHER SOURCES	EXPENDITURE APPROPRIATION	ENDING BALANCE
001	General Fund	\$ 34,541,589	\$ 78,096,449	\$ 89,856,671	\$ 22,781,366
102	Street Fund	10,529,643	15,567,442	19,802,148	\$ 6,294,937
105	Port ILA	8,915,304	2,904,235	3,899,888	\$ 7,919,651
106	Transit Planning	446,091	787,260	977,695	\$ 255,656
107	Hotel/Motel Tax	8,923,388	1,662,829	1,544,174	\$ 9,042,043
108	Building Management	3,450,129	652,710	512,532	\$ 3,590,307
111	Des Moines Creek Basin ILA	2,965,629	674,700	1,190,870	\$ 2,449,459
112	Affordable Housing Sales Tax	69,792	144,000	-	\$ 213,792
113	ARPA Grant	-	8,115,494	-	\$ 8,115,494
207	SCORE Bond Servicing	275,035	283,513	283,113	\$ 275,435
301	Municipal Capital Improvements	11,911,726	8,367,257	11,938,147	\$ 8,340,836
306	Facility Construction CIP	3,982,377	4,800	-	\$ 3,987,177
307	Transportation CIP	14,045,037	20,650,741	26,495,428	\$ 8,200,350
308	Light Rail Station Areas CIP	2,970,924	54,270	-	\$ 3,025,194
403	SWM Utility	6,238,430	9,759,688	12,511,112	\$ 3,487,007
404	Solid Waste & Environmental	946,555	875,271	553,835	\$ 1,267,991
501	Equipment Rental	941,274	2,024,846	2,675,146	\$ 290,974
TOTAL BIENNIAL BUDGET		\$ 111,152,922	\$ 150,625,505	\$ 172,240,759	\$ 89,537,669

ORDINANCE NO. 21-1036

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 comprehensive land use plans and development regulations be subject to continuing review and evaluation by the county or city that adopted them and periodically, requires a major update to ensure consistency with State law; and

WHEREAS, per the State Growth Management Act (RCW 36.70A.130), 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 2021, 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. SEP21-009, was issued September 28, 2021, and no appeals received; and

WHEREAS, after a duly-noticed public hearing on September 21, 2021, to consider proposed amendments to the Comprehensive Plan, on October 5, 2021, 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 Planning Commission's September 21, 2021, Public Hearing, on October 28, 2021, the Planning and Economic Development (PED) Committee recommended adoption of proposed amendments to the Comprehensive Plan, and made its recommendation to the City Council, and

WHEREAS, copies of these proposed amendments were filed with the Washington Department of Commerce on September 7, 2021, 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, first adopted on December 20, 1994, 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. The Clerk is further directed to transmit a copy of this Ordinance together with copies of other Ordinances amending development regulations adopted within the preceding twelve months, to the King County Assessor pursuant to RCW 35A.63.560.

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 on January 1, 2022.

ADOPTED this 23rd day of November, 2021, and
signed in authentication thereof on this 23rd day of November, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to Form:


Mary Mirante Bartolo, City Attorney

[Effective Date: 1/1/2022]

[Ordinance Related to Amending the Comprehensive Plan]

Exhibit A

Proposed Amendments to the Comprehensive Plan

MAP AMENDMENT PROPOSALS

TEXT AMENDMENT PROPOSALS

Text Amendment T-1:

Adding Economic Development Policies Related to Tourism

**ECONOMIC
VITALITY
ELEMENT**

**CHAPTER
8**

**SeaTac
2035**



TABLE OF CONTENTS

INTRODUCTION

MAJOR CONDITIONS

GOALS AND POLICIES

GOAL 8.1 SUPPORT THE PRIVATE SECTOR.....

GOAL 8.2 REVIEW AND REFORM REGULATIONS AND TAXING POLICIES.....

GOAL 8.3 ENCOURAGE JOB TRAINING AND EDUCATIONAL OPPORTUNITIES.....

GOAL 8.4 ENCOURAGE ECONOMIC DIVERSITY

GOAL 8.5 SUPPORT DEVELOPMENT OF A LOCAL FOOD SECTOR

GOAL 8.6 MAINTAIN AND UPGRADE PUBLIC INFRASTRUCTURE.....

GOAL 8.7 ENHANCE AND UTILIZE THE CITY’S ENVIRONMENT.....

GOAL 8.8 MAXIMIZE THE BENEFITS OF SEATAC’S GEOGRAPHIC POSITION, ENHANCE POSITIVE VISITOR EXPERIENCE.....

RECOMMENDED IMPLEMENTATION STRATEGIES

Maps

Map 8.1 Business Cluster Geographic Areas.....

INTRODUCTION

Economic vitality is the measure of the economic health of the City – its people, its business, and its government. ~~Major components of a community's economic vitality are: 1) job retention; 2) job recruitment; 3) public and private capital investment; 4) business and community capacity building; and 5) job training programs;.~~ Public and private actions that support enhanced economic vitality:

Major components of ~~a community's~~ SeaTac's economic vitality are:

- 1) Business Retention and Expansion
- 2) Business Attraction
- 3) Workforce Development
- 4) Neighborhood Development
- 5) Real Estate Development and Reuse
- 6) Travel and Tourism

- ~~1) Job retention;~~
- ~~2) job recruitment;~~
- ~~3) Public and private capital investment;~~
- ~~4) Business and community capacity building; and~~
- ~~5) Job training programs;.~~

Public and private actions that support enhanced economic vitality:

- Maintain a strong economic base;
- Diversify employment throughout the City;
- Improve job training and educational opportunities;
- Attract residents and businesses by enhancing the quality of life with natural and manmade amenities;
- Create and maintain a range of family-wage jobs;
- Promote clean, sustainable, environmentally sensitive businesses and jobs and healthy ecosystem services;
- Monitor and report business and economic performance;
- Provide for clarity and flexibility in zoning and land use regulations to allow the greatest mix of compatible uses in areas with high potential for economic growth;
- Develop and promote a forward looking economic development strategy;
- Establish incentives and tools to promote economic development; and
- Communicate openly on a regular basis with the public on economic development issues;
- Support development of tourism-related amenities, promotion, and programming.

This element of the Comprehensive Plan is intended to provide an economic vitality vision and policy direction within the City of SeaTac. It is closely coordinated with the Housing and Human Services, Environment, Parks, Recreation and Open Space, Land Use, and Community Design Elements.

MAJOR CONDITIONS

SeaTac faces the following major economic vitality challenges as it looks ahead to 2035:

- The need for increased economic diversity;
- The shortage of living wage jobs;
- Possible displacement of existing small businesses in redeveloping areas;
- The difficulty for current and future residents to attain economic self-sufficiency;
- A lack of incentives for business attraction and retention;
- Underutilized property and the lack of a workable, on-going strategy to increase their economic value; and
- Potential traffic impacts from future airport operation and transportation infrastructure growth.

GOALS AND POLICIES

Overall Goal: Create an environment that strengthens economic vitality within the City of SeaTac.

The City provides economic opportunities to SeaTac residents, workers, travelers, visitors, and businesses, which increases tax revenues, job creation, and improves services to its citizens.

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

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, enhance the visitor experience, 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.

Tourism & Travel

Travel and tourism play large roles in the City of SeaTac's economy. The Seattle-Tacoma International Airport (SEA), airport related services, and other SeaTac businesses, serve millions of travelers and tourists annually within the City limits and are important economic drivers of the local economy. Tourism promotion also benefit-residents by providing increased amenities, community events and shopping opportunities.

GOAL 8.8

Enhance the visitor experience and foster the local travel and tourism ecosystem to maximize the benefits of the City of SeaTac's geographic position regionally and globally.

Coordinated efforts by the City, airport, and airport related businesses to enhance visitor amenities can help establish SeaTac as a memorable destination experience and a "gateway to the Pacific Northwest."

Policy 8.8A

Leverage the airport's presence to enhance travel and tourism opportunities in SeaTac.

Travel and tourism economic activities capitalize on the airport as a globally recognized west coast gateway for the Pacific Northwest and North American continent, and as a regional transportation hub that draws travelers and generates significant tax revenues for the City.

Policy 8.8B

Create consistent identity and community design elements to ensure SeaTac is recognizable and distinguished from other communities.

A coordinated approach to establish a consistent City identity and image can help promote SeaTac as a memorable and recognizable destination to visitors and travelers, including those from different regions, cultures and languages. This approach also promotes pride among residents and businesses and can be achieved through consistent physical communication (art, architecture, landscaping), promotion (digital, print, written word) and event programming.

Policy 8.8C

Promote programming, open spaces and physical connections that enhance the visitor experience.

Providing activities and amenities like shuttle service, connected sidewalks, bike paths and open space, can simplify access for hotel guests and other visitors to amenities in SeaTac. This expanded access enables visitors to contribute to local tax revenue and job creation.

Policy 8.8D

Use lodging tax funding to enhance the SeaTac destination experience.

Lodging tax funding will be allocated to fulfill SeaTac's goals, policies, and statutory requirements of 67.28 RCW. This includes funding for marketing to attract visitors, tourism related facilities, events and festivals.

Policy 8.8E

Engage in regional destination promotion to attract overnight visitors to SeaTac

SeaTac should engage with regional cities and partners to maximize regional destination promotion to a national and international audience. This regional collaboration* on tourism promotion and destination development should also elevate SeaTac within the region as part of an amenity-rich sub-region within Puget Sound and further the goals and policies stated in 8.8A-D.

* a Tourism Promotion Area (TPA) including SeaTac, Tukwila, and Des Moines which generates TPA assessment revenues to attract overnight visitors outside a 50-mile radius using the Seattle Southside brand with Seattle Southside Regional Tourism Authority (SSRTA) as the administrator of the TPA.

RECOMMENDED IMPLEMENTATION STRATEGIES

This section identifies the specific steps, or **implementation strategies**, that achieve this Element's policies. It also identifies the group(s) with **primary responsibility** for carrying out each strategy and the expected **time frame** within which the strategy should be addressed. Policy summaries are included in the table for reference.

As the Primary Responsibility column indicates, many of the implementation strategies will be initially undertaken by a specified board or commission. In most cases, the City Council will analyze the specific board/commission recommendation and make the final decision about how to proceed.

The time frame categories are defined as follows:

- Short-Term.....one to five years
- Medium-Termsix to 10 years
- Long-Term11 to 20 years
- Ongoing.....the strategy will be implemented on a continual basis

The time frames are target dates set regularly when the City Council adopts amendments to the Comprehensive Plan. The list of proposed implementation strategies is a minimum set of action steps and is not intended to limit the City from undertaking other strategies not included in this list.

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITIES	TIME FRAME
8.8 <u>Enhance the visitor experience to maximize the benefits of the City of SeaTac's geographic position regionally and globally</u>			
8.8A Leverage the airport's presence to enhance local travel and tourism opportunities.	<u>Annually track, update, and analyze baseline visitor & airport data. This includes jobs, transportation & logistics, tax revenue, and international awareness.</u>	<u>City Staff - CED and Finance</u>	<u>Annual</u>
	<u>Annually present data to Council and partner organizations. This includes airport, visitor interaction/activity levels within City.</u>	<u>City Staff - CED</u>	<u>Annual</u>
	<u>Integrate visitor needs (amenities, connectivity) into programs within other Comprehensive plan elements as appropriate.</u>	<u>City Staff, Planning Commission, Council</u>	<u>Short-Term / Ongoing</u>
	<u>Initiate and maintain quarterly forums (hotel, retail, restaurant, other).</u>	<u>City Staff</u>	<u>Short-Term / Ongoing</u>
8.8B Create consistent identity and community design elements to ensure SeaTac is recognizable	<u>Analyze highest and best use of land and structures as it relates to tourism/travel. Develop strategic approach for tourism-related capital improvements.</u>	<u>City Staff</u>	<u>Short-Term / Ongoing</u>
	<u>Define tourism (i.e gateway vs. destination), target audiences (i.e day visitor & traveller) as it relates to the City of SeaTac.</u>	<u>City Staff</u>	<u>Short-Term</u>
	<u>Engage with community members, stakeholders, and other City departments on specific physical, programmatic, and brand related initiatives and amenities in line with goal 8.8.</u>	<u>City Staff</u>	<u>Short-Term / Ongoing</u>

2021 Comprehensive Plan Amendment Process: Proposed Tourism Policy Amendments

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITIES	TIME FRAME
<u>8.8C Promote programming, open spaces and physical connections that enhance the visitor experience.</u>	<u>Regularly review and evaluate who SeaTac visitors are (local/regional/national or international, length/reason of stay, demographic profile, traveler type, etc.) to assess consistency of visitor experience and current visitor type.</u>	<u>City Staff</u>	<u>Annual</u>
	<u>Execute surveys of city visitors to determine types of desired amenities and venue programming to ensure SeaTac competitiveness in the hospitality market.</u>	<u>City Staff</u>	<u>Ongoing</u>
	<u>Collaborate with stakeholder organizations and City Departments on programming beneficial to SeaTac visitors (day or overnight visitor) such as Parks & Recreation, SeaTac businesses.</u>	<u>City Staff</u>	<u>Ongoing</u>
	<u>Coordinate with other City Departments on projects that help to enhance visitor amenities.</u>	<u>City Staff</u>	<u>Ongoing</u>
	<u>Maintain subscriptions and access to reputable travel & tourism data sources and provision of data to inform regular reports to internal & external stakeholders</u>	<u>City Staff</u>	<u>Ongoing</u>
<u>8.8D Use lodging tax funding to enhance the SeaTac destination experience</u>	<u>Identify strengths, challenges (gaps and barriers), opportunities and threats (SWOT analysis) of SeaTac travel & tourism growth</u>	<u>City Staff</u>	<u>Annual</u>
	<u>Establish criteria for lodging tax applicants, as it relates to visitor experience defined in policies.</u>	<u>City Staff, Council, HMAC</u>	<u>Ongoing</u>
	<u>Identify desired types of funding applications based on visitor (day & overnight) analysis and needs.</u>	<u>City Staff, HMAC</u>	<u>Ongoing</u>

2021 Comprehensive Plan Amendment Process: Proposed Tourism Policy Amendments

PROPOSED POLICIES	IMPLEMENTATION STRATEGIES	PRIMARY RESPONSIBILITIES	TIME FRAME
	<u>Actively recruit lodging tax applications</u>	<u>City Staff, Council, HMAC</u>	<u>Ongoing</u>
	<u>Implement regular review of existing lodging tax grant application metrics, Hotel Motel Advisory Committee (HMAC) applicant evaluation criteria, and State lodging tax reporting system, to confirm satisfactory quantitative & qualitative criteria.</u>	<u>City Staff, Council, HMAC</u>	<u>Ongoing</u>
<u>8.8E Engage in regional destination promotion to attract overnight visitors</u>	<u>Annually review the Interlocal Agreement/Tourism Promotion Area (ILA/TPA) and Seattle Southside Regional Tourism Authority (SSRTA) performance criteria and compare with other City visitor analyses and priorities to ensure continued alignment.</u>	<u>City Staff, Council</u>	<u>Ongoing</u>
	<u>Coordinate and collaborate with partner cities and the marketing organization on information, services, and funding to enhance the viability of overnight visitor attraction</u>	<u>City Staff</u>	<u>Ongoing</u>
	<u>Monitor action plans and performance measures and regularly brief City Council.</u>	<u>City Staff</u>	<u>Ongoing</u>

Text Amendment T-2:
Capital Facilities Plan Update

**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- 67
INTRODUCTION.....	CF-BR-79
Definition and Purpose of Capital Facilities Element.....	CF-BR- 79
Why Plan for Capital Facilities?.....	CF-BR- 810
Growth Management.....	CF-BR- 810
Good Management	CF-BR- 810
Eligibility for Grants and Loans	CF-BR- 8-10
Statutory Requirements for Capital Facilities Elements	CF-BR- 911
CAPITAL IMPROVEMENTS	CF-BR-911
Introduction	CF-BR- 911
Selecting Revenue Sources for the Financing Plan.....	CF-BR- 911
City Hall	CF-BR- 1012
Current Facilities.....	CF-BR- 1012
Level of Service (LOS).....	CF-BR- 1012
Capital Facilities Projects Completed in 2018-2019	1012
Surface Water Management	CF-BR- 1214
Transportation	CF-BR- 1214
Parks and Recreation	CF-BR- 1618

Tables

Table BR5.1 Facilities with Non-Population Growth-Based LOS	CF-BR- 67
Table BR5.2 Facilities with Population Growth-Based LOS	CF-BR- 67
Table BR5.3 Facilities with a Population Growth-Based LOS - Parks and Recreation	CF-BR-68 CF-BR-68
Table BR5.4 City Hall: Current Facilities Inventory.....	CF-BR- 10 12
Table BR5.5 City Hall: Capital Projects LOS Capacity Analysis	CF-BR- 11-13 14-16
Table BR5.6 Concurrency Corridor Level of Service Standards	CF-BR- 14-16 20-18
Table BR5.7 SeaTac Parks and Recreation Facilities.....	CF-BR- 20-18 21
Table BR5.8 SeaTac Parks Level of Service Standard Types.....	CF-BR- 21 24
Table BR5.9 Inventory of Parks by Acreage and Classification	CF-BR- 21-24 21-24
Table BR5.10 Inventory of Trails by Lineal Feet	CF-BR- 21-24 21-24
Table BR5.11 Inventory of Indoor Facilities.....	CF-BR- 21-24 21-24
Table BR5.12 Replacement Value of SeaTac PROS System.....	CF-BR- 21-24 21-24
Table BR5.13 Parks System Investment Per Capita LOS Summary.....	CF-BR- 21-24 21-24
Table BR5.14 Parks Maintenance and Operations Annual Investment per Capita LOS Summary	CF-BR- 21-24 21-24
Table BR5.15 Parks Acres per Population LOS Summary, 2018	CF-BR- 21-24 21-24
Table BR5.16 Trail Footage per Population LOS Summary, 2018	CF-BR- 21-24 21-24
Table BR5.17 Indoor Facilities per Capita LOS Summary	CF-BR- 21-24 21-24
Table BR5.18 System Value and Maintenance Need	CF-BR- 21-24 21-24
Table BR5.19 Park Acre Needs for Future Growth.....	CF-BR- 21-24 21-24
Table BR5.20 Trail Feet Needs for Future Growth	CF-BR- 21-24 21-24
Table BR5.21 Indoor Facilities Program Space for Future Growth..	CF-BR- 21-24 21-24

Maps

Map BR5.1. Existing Roadway System _____-CF-BR-
[1517](#)

Map BR5.2. SeaTac Parks Inventory..... CF-BR-[1719](#)

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 ~~2025~~ 2026 (six years) and 2035 (20 years from the major update of this Plan in 2015). Information about Parks and Recreation capital facilities was updated in 2020 as part of a larger update to the Parks, Recreation, and Open Space (PROS) Plan and policies [and then again in 2021 as part of the City's 2021 Comprehensive Plan update process](#). As a result, the capital facility estimates for parks and recreation use a 2040 planning horizon [and 2021 as a base year for comparison](#). The population estimate is for 2040 is 40,370.

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: [Population data through 2021 are based on Office of Financial Management April 1st official population estimates. The population estimate for 2035 is based on projections detailed in the 2015 Comprehensive Plan update. Population projections from 2022 to 2026 are derived by applying the compound annual growth rate from the 2021 OFM population estimate to the 2035 population estimate.](#)

YEAR	CITYWIDE POPULATION
2010	26,909
2011	27,110
2012	27,210
2013	27,310
2014	27,620
2015	27,650
2016	27,810
2017	28,850
2018	29,140
2019	29,180
2020	29,519 29,180
2021	29,882 29,890
2022	30,269 30,368
2023	30,680 30,854

2024	31,116 <u>31,348</u>
2025	31,576 <u>31,850</u>
<u>2026</u>	<u>32,359</u>
2035	37,329

Level of Service Consequences of the CFE

The CFE will enable the City of SeaTac to accommodate the population growth anticipated during the next six years (from ~~29,519 in 2020-2022~~ to ~~31,576 in 2025-2027~~) while maintaining the ~~2019~~adopted LOS standard for the following public facilities:

Table BR5.1 Facilities with Non-Population Growth-Based LOS			
FACILITY	LOS MEASURE	EXISTING 2019 <u>2021</u> 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 Manual	Adequate capacity to mitigate flow and water quality impacts as required by the adopted Surface Water Design Manual
Transportation	Volume/ Capacity Ratio	LOS E; Some intersections F	LOS D/E; Some intersections F

Table BR5.2 Facilities with Population Growth-Based LOS — City Hall			
FACILITY	LOS UNITS	EXISTING 2019 <u>2021</u> LOS	ADOPTED LOS STANDARD
City Hall	Gross Sq. Ft./City Hall Employee	426.00 <u>356.00</u>	256.00

Table BR5.3 Facilities with a Population Growth- Based LOS- Parks and Recreation

Facility/ <u>LOS Metric</u>	LOS Units	Existing 2020- <u>2021</u> LOS	Adopted BaseLOS Standard	Adopted TargetLOS Standard
City Hall	Hall Employee	418356.00	256	
Parks Parks- CapitalSystem Investments	\$ per capita	3,2223,287	3,200	4,200
Parks Operation and MaintenanceMaintenance nce & Operations Investment	\$ per capita per year	188173	190	<u>N/A</u>
Indoor Facilities	Sq. Ft./1,000 peoplepopulation	1,022997	1,020	<u>N/A</u>
Citywide Parks (Total Acres)	Acres/1,000 population	12.0611.77	N/A	12.1
Citywide Parks (Developed Acres)	Acres/1,000 population	5.044.96	5	<u>N/A</u>
Community and Neighborhood Parks (Total Acres)	Acres/1,000 population	2.132.08	N/A	2.1
Community and Neighborhood Parks (Developed Acres)	Acres/1,000 population	1.781.77	1.8	<u>N/A</u>
Trails (Total Feet in All Trails)	Feet/1,000 population	948.73926.20	950	<u>N/A</u>
Trails (Total Feet in Off- Road Trails)	Feet/1,000 population	246.74240.88	N/A	250

Note: The “base” LOS is the minimum standard the system is designed to meet, and the “target” LOS is an aspirational figure to strive to meet if resources allow.

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 [2025-2026](#) 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).

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.

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.

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 62,247 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 38,400 gsf of space through the year 2025 (See Table BR5.6).

Through the year 2035, the City will need approximately 41,472 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 2018-20192020-2021

In 2020 and 2021, the City Hall parking lot was repaved including an asphalt overlay and parking stall striping. Additionally, elevator renovations were completed. The inventory of current City Hall administrative offices includes the following:

None

Table BR5.4 City Hall: Current Facilities Inventory		
CAPACITY		
Name	(Net Sq. Ft.)	Location
City Hall	53,500	4800 S. 188 th Street

Table BR5.5 City Hall: Capital Projects LOS Capacity Analysis				
CITY LOS = 256 SQUARE 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
2019-2021 City Hall Actual Employment	146 <u>175</u>	37,376 <u>44,800</u>	62,247	24,871 <u>17,447</u>
2020-2021 - 2025-2026 Growth	49	1,024 <u>2,304</u>	0	-1,024 <u>-2,304</u>
Total as of 2025 <u>2026</u>	150 <u>184</u>	38,400 <u>47,104</u>	62,247	23,847 <u>15,143</u>
Total as of 2035	162 <u>194</u>	41,472 <u>49,664</u>	62,247	26,028 <u>12,583</u>
Capacity Projects	None	<u>N/A</u>	<u>N/A</u>	<u>N/A</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 ~~2018-2019~~2020-2021

Surface Water Management projects ~~completed in 2018-2019~~ include:

- ~~• 2019 Overlay Project Des Moines Memorial Drive~~
- ~~• S-208th Drainage Repair/Replacement (Sound Transit Project)~~
- ~~• Small Works Drainage Project~~
- South 221st Street 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 I5 at S. 200th and S. 188th Streets. S.R. 518 also provides access to I5 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 SeaTac Airport.

The city of SeaTac's Public Works Department's road system inventory consists of roads in 4categories: principal arterials, minor arterials, collector arterials, and non-arterials.

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 4.2A of the City's Transportation Plan establishes an LOS standard for intersections and roadways with LOS E or better as being acceptable on all arterials and lower classification streets, as calculated on a corridor travel speed and 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.

Capital Facilities Projects Completed in ~~2018-2019~~2020-2021

Transportation projects ~~completed in 2018-2019~~ include:

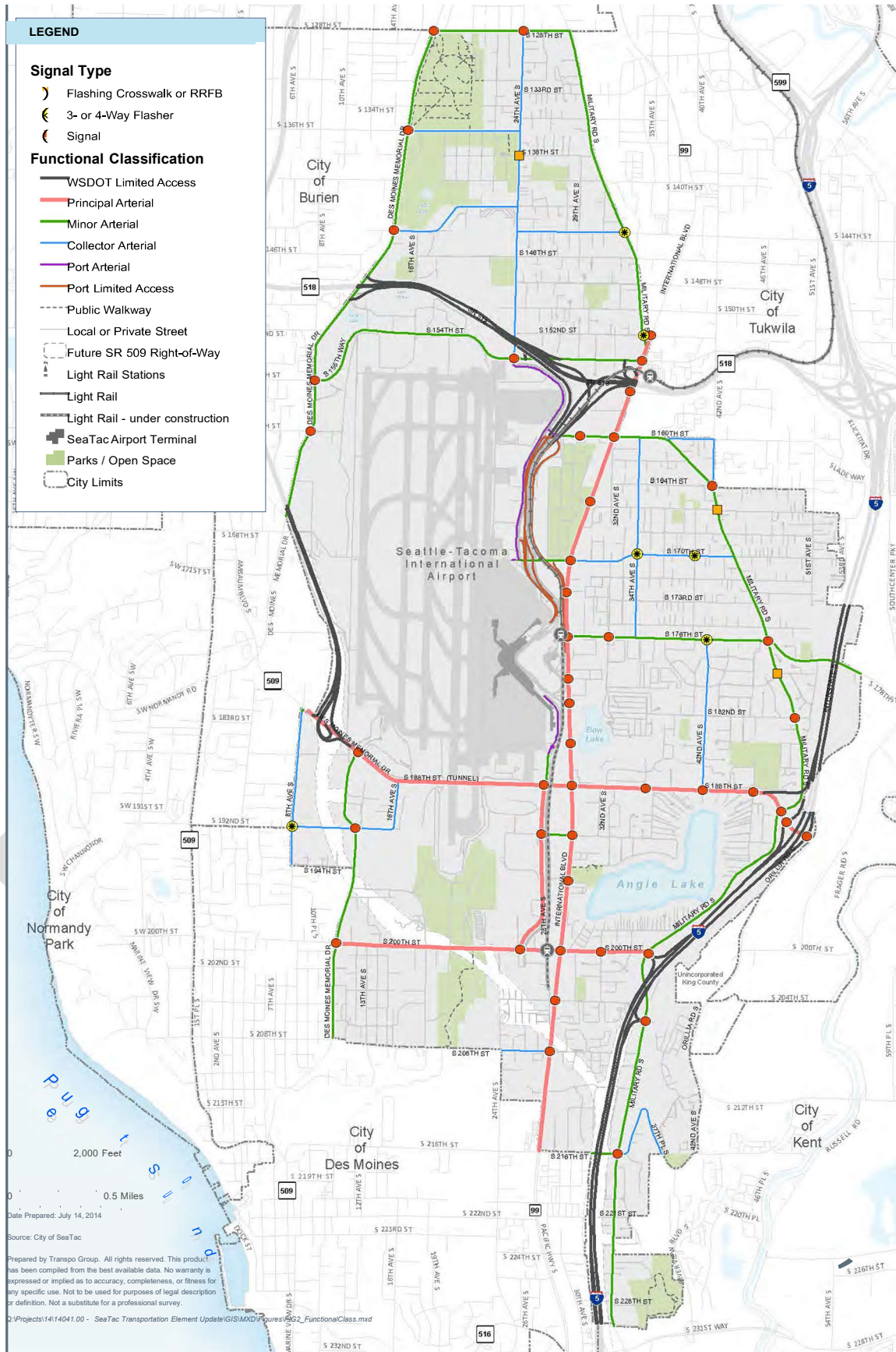
- ~~Completion of “Connecting 28th/24th Ave S” project extending new roadway and non-motorized improvements, completing principal arterial (5 lanes, bike lanes, sidewalks)~~
- ~~S 166th Street Pedestrian Improvements—Safe Routes to School Project~~
- ~~Military Rd S Pavement Overlay Project, between S 209th Street and I-5 Bridge Overpass~~
- Military Road South & South 152nd Street, South 150th Street to International Boulevard
- South 200th Street Pedestrian/Bicycle Shared Pathway Project
- Des Moines Memorial Drive & South 200th Street Intersection Project
- 2021 Pavement Overlay Projects

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 BR5.6 Concurrency Corridor Level of Service Standards					
ID	Corridor Name	Corridor Extents	Classification ¹	LOS Standard	Minimum Average Travel Speed (mph) ²
Northern Corridors					
1	S 128 th Street	Des Moines Memorial Dr to Military Road	Minor Arterial	E	11
2	Des Moines Memorial Dr	128 th St to 160 th St	Minor Arterial	E	11
3	Military Road S	152 nd St to 188 th St	Minor Arterial	E	11
4	S 154 th Street	Des Moines Memorial Dr to International Blvd	Minor Arterial	E	11
5	S 144 th Street	24 th St to Military Road	Collector Arterial	E	9
6	S 152 nd Street	24 th St to Military Road	Local Street	E	8
Central Corridors					
7	International Blvd ³	154 th St to 188 th St	Principal Arterial	E	12
8	Military Road S	International Blvd to 188 th St	Minor Arterial	E	11
9	S 176 th Street	International Blvd to Military Rd	Minor Arterial	E	9
10	S 170 th Street	International Blvd to Military Rd	Collector Arterial	E	9
11	34 th Avenue S	160 th St to 176 th St	Collector Arterial	E	9
Southern Corridors					
12	S 188 th Street	15 NB Ramps to Des Moines Memorial Dr	Principal Arterial	E	11
13	Des Moines Memorial Dr	188 th St to 208 th St	Minor Arterial	E	11
14	24/26/28 th Avenue S	188 th St to 216 th St	Principal Arterial	E	11
15	International Blvd ³	188 th St to 216 th St	Principal Arterial	E	12
16	Military Road S	188 th St to 228 th St	Minor Arterial	E	11
17	S 200 th Street	Des Moines Memorial Dr to Military Road	Principal Arterial	E	11
¹ Classification from City of SeaTac Comprehensive Plan ² Minimal travel speed for corridor based on <i>Highway Capacity Manual</i> (6 th Edition, Transportation Research Board, 2016) ³ Corridor exempt from concurrency because of classification as Highway of Statewide Significance					

Map BR5.1 Existing Roadway System



Map BR5.1. Existing Roadway System

Parks and Recreation

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 [2023-2026](#) (six years) and 2035 (20 years from the major update of this Plan in 2015) in most areas. The City's Parks, Recreation, and Open Space (PROS) plan was updated in 2019-2020, which included an update to its capital facilities plan [and which used 2019 as a base year for comparison. Subsequently, parks and recreation capital facility information contained below has been updated again as part of the City's 2021 Comprehensive Plan update process.](#) As a result, for Parks and Recreation this Background Report has been updated to analyze facility capacity needs [for the years 2026 and through 2040 with 2021 as the base year of comparison.](#)

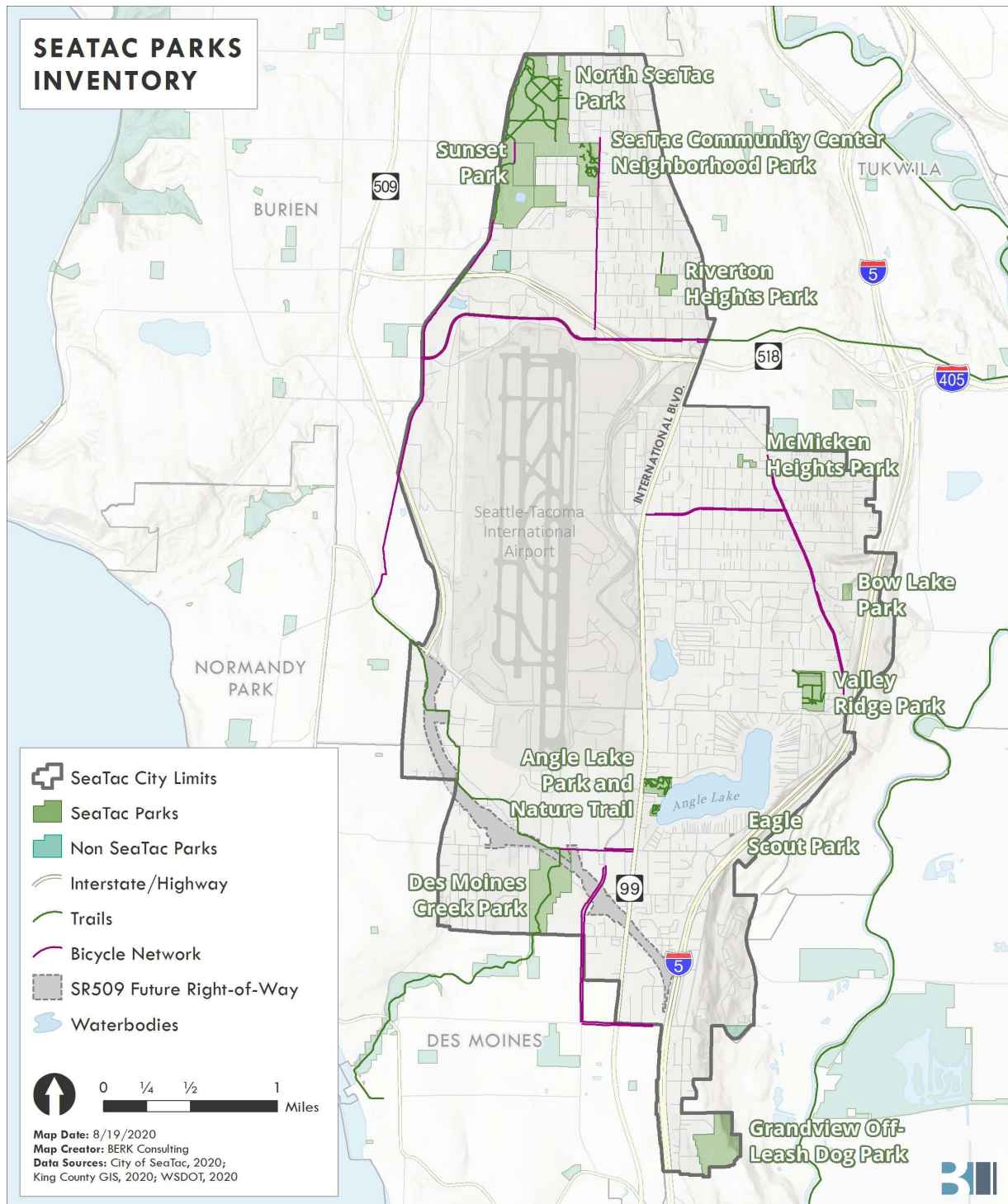
Information, including cost and financing, about capital projects scheduled for implementation over the next six years can be found in the City of SeaTac Capital Improvement Program (CIP), adopted by Ordinance in even-numbered years.

Parks Inventory

The parks inventory has identified the following:

- **Total Park Land:** There are approximately 352.0 total acres of parks within the SeaTac city limits.
- **Developed Park Land:** 147 acres of that parkland is developed; the remainder is undeveloped.
- **Community & Neighborhood Parks;** The City is currently served by 62.1 acres of Community and Neighborhood parks, 52 acres of which are developed.
- **Trails:** There are 27,684 lineal feet of trails in total including those within parks and off-road facilities (those not directly associated with a roadway right of way).
- **Indoor Facilities:** The city has 29.809 square feet of indoor recreational facilities.

Map BR5.2 SeaTac Parks Inventory



Map BR5.2. Map BR5.2 SeaTac Parks Inventory

Current Facilities

The parks inventory has identified the following Parks and Recreation Facilities:

Table BR5.7 SeaTac Parks and Recreation Facilities

Park	Acres	Developed Acres	Facilities
Angle Lake Park	8.9	8.9	Boat launch, stage, swimming area with lifeguard shack, spray park, fishing, docks, open recreation area, three picnic shelters, barbecue area, restrooms.
Angle Lake Nature Trail	1.9	1.9	Trails.
Bow Lake Park	3.1	2.6	Open space.
Des Moines Creek Park	52.0	0.0	Paved pedestrian and biking trail with trailhead parking.
Eagle Scout Park	0.1	0.1	Landscaped street right-of-way.
Grandview Park	37.7	14.0	Dog park with fencing, trails, benches, kiosk, waste receptacles, open areas, and sani-cans.
McMicken Heights Park	2.4	2.4	Tennis courts, playground equipment, open area.
North SeaTac Park	200.0	81.0	Baseball/soccer fields, playground equipment, outdoor basketball, BMX track, disc golf, climbing boulder, open area, botanical garden, picnic shelter, paved walking trails, restrooms. Indoor facilities: Storage area, community/senior center.
Riverton Heights Park	7.9	23.0	Playground equipment, basketball court, picnic area, community lawn, and open space.
Sunset Park	18.0	14.4	Baseball/soccer/softball fields, tennis courts, paved walking trails, restrooms.
Valley Ridge Park	19.9	19.9	Baseball/soccer/softball fields, tennis courts, skate park, playground equipment, hockey court, and basketball courts.
Westside Trail	7,000	N/A	Connects a variety of trails that were not previously connected. The trail is comprised of existing, multi-use pathways, sidewalks, and bike lanes, depending on the segment. ¹

Note: Acres noted above are for the portions of Des Moines Creek Park located in the City of SeaTac. There is an additional 44 acres of Des Moines Creek Park located in the City of Des Moines.

Level of Service (LOS)

A level of service (LOS) is a minimum amount of parks facilities or services that SeaTac intends to provide to the community. Levels of service are measured in a unit of demand such as acres or miles per 1,000 population or value per person. LOS is determined by the city. However, benchmarking to other communities can be helpful. To respond to growth and community needs, the City intends to add parks, trails, and program space and invest in facilities and maintenance and operations.

System Investment LOS: System Investment LOS measures guide how much investment to make in facilities on parkland, trails, and indoor spaces, such as adding playgrounds, paths, fields, and courts. System Investment LOS also proposes that maintenance and operations be added as the system expands to maintain quality and offer experiences that fit the community. These measures are particularly helpful with budgeting.

SeaTac's [Park-System Investment](#) LOS is set to provide the same ratios of facilities enjoyed by the community in 2019 through the 6-year period 2026 and [2035-2040](#) consistent with the City's Comprehensive Plan.

The "base" LOS is the minimum standard the system is designed to meet, and the "target" LOS is an aspirational figure to strive to meet if resources allow.

Assets LOS: Asset LOS measures guide what type of facilities the City will add over time as growth occurs. The City would add developed acres citywide, and ensure a share of the developed acres are constructed to meet the criteria of smaller community and neighborhood parks distributed in areas where access is currently limited. The City would also ensure that indoor space at community centers and recreation program locations is available to meet demand.

Table BR5.8 SeaTac Parks Level of Service Standard Types

<u>Parks LOS Standards Type</u>	<u>LOS Units</u>
<u>SYSTEM INVESTMENT LOS STANDARDS</u>	
Parks System Investments	\$ per capita
Parks Maintenance & Operations Investment	\$ per capita per year
<u>ASSETS LOS STANDARDS</u>	
Indoor Facilities	Sq. Ft./1,000 population
Citywide Parks (Total Acres)	Acres/1,000 population
Citywide Parks (Developed Acres)	Acres/1,000 population
Community and Neighborhood Parks (Total Acres)	Acres/1,000 population
Community and Neighborhood Parks (Developed Acres)	Acres/1,000 population
Trails (Total Feet in All Trails)	Feet/1,000 population
Trails (Total Feet in Off-Road Trails)	Feet/1,000 population

Level of Service Metrics - Parks and Recreation

System Investment per Capita

System investment per capita can be used to measure both capital investments and ongoing maintenance and operations investments in a parks system. A system investment per capita approach identifies a total replacement value of the parks, recreation, and open space system and then divides by the population to find a value for the investment per capita. An M&O investment per capita approach works in the same way, but calculates annual expenditures to maintain buildings, grounds, facilities, and programming within a parks system. This value is then divided by the population for a per capital M&O investment figure. These per capita numbers, combined with population projections, help a PROS system set a benchmark for financial planning to accommodate growth.

- **System Investment LOS:** As population grows, an investment per capita LOS standard will tell the City how much it needs to invest in the park system to keep the current value per capita and quality of maintenance. Investments could include purchasing acres and building facilities, but also allows the City much more flexibility as any investment that increases the replacement value of the park system fulfills the LOS. Due to fluctuating land values, it is necessary to periodically reevaluate the system's value or index the system value to a particular year to minimize the effect of these market fluctuations.
- **Maintenance & Operations Investment LOS:** The M&O investment per capita number reflects system needs for day-to-day quality upkeep as well as the hosting of special events, summer camps, recreational sport leagues, classes, and other structured programming. For example, affordable programming is a critical community function of the parks system, especially in areas with growing populations of children and low income families. The increasing proportion of older adults in SeaTac's population is served by senior-specific outings and services. Drawing attention to levels of investment needed to offer these programs to residents is an important reflection of the PROS service.

Other methods, such as the assets LOS approach, must be used to determine how these investments can best serve SeaTac’s community. Development of a prioritization process based on improving access and gathering public input can contribute to short- and long-range goal setting.

Assets per 1,000 Population

Assets per 1,000 population LOS standards include:

- **Parks:** As population increases, a park acres LOS would guide and measure the developed acres added across all parks in the City as well as the developed acres of community and neighborhood parks. Doing so, will ensure that acres are being developed in areas with limited park access
- **Trails:** Like park acres, a trail footage LOS would guide the number of total trail miles added and total off-road trail miles added across the city.
- **Indoor Facilities:** A indoor facilities LOS would measure indoor facility square footage offered per 1,000 population. This standard ensures that as the system grows, there is a balance of indoor facilities to meet the needs of the community.

Current Conditions

An inventory of SeaTac’s parks system has identified:

- **352 acres of total park land, 147 acres of which is developed park land**
- **27,684 lineal feet of trails that run through and connect the park land, creating access corridors across the community**

Parks range in size from 2 to 200 acres and offer a wide variety of both active and passive facilities. Parks such as Sunset Park and Valley Ridge Park focus on active recreation with playfields for programmed activities such as baseball, softball, football, soccer, tennis, and basketball. Other parks such as Des Moines Creek and Grandview offer passive recreation opportunities with extensive trail networks and an off-leash dog park. The SeaTac Community Center, directly adjacent to North SeaTac Park, provides indoor meeting space for programmed events and includes a dedicated Senior Center. A full inventory of facilities can be found below.

Inventory

SeaTac’s PROS system includes 10 parks with a total of 352 acres. These parks range in size, location, and facilities offered. Distinctive features of this park system include the Highline Botanical Garden and disc golf course in North SeaTac Park, BMX track in Sunset Park, and the water access at Angle Lake.

The table below outlines the City’s parks inventory by acreage as well as by park classification. Park classifications are based on the size, service area, and typical characters of the parks. In general, regional parks are from 20-100+ acres and serve a regional destination in 10+ mile radius, community parks are from 5-20 acres and serve multiple neighborhoods, neighborhood parks are from 1-5 acres and serve neighborhoods within walking distance of ¼ to ½ mile, and special use parks are designed for specialized or single-purpose recreation activities.

Table BR5.8-9 Inventory of Parks by Acreage and Classification

Park	Acres	Developed Acres	Classification
Angle Lake Park	10.8	10.8	Community Park
Bow Lake Park	3.1	2.6	Neighborhood Park
Des Moines Creek Park	52	0	Regional Park
Grandview Park	37.7	14	Special Use Park
McMicken Heights Park	2.4	2.4	Neighborhood Park
North SeaTac Park	200	81	Regional Park
Riverton Heights Park	7.9	23.0	Neighborhood Park
Sunset Park	18	14.4	Community Park
Valley Ridge Park	19.9	19.9	Community Park
Eagle Scout Park	0.1	0.1	Special Use Park
TOTAL	352	147.1	

The City has 6 trail networks with a total of 27,684 lineal feet as see in the table below:

Table BR5.9-10 Inventory of Trails by Lineal Feet

Trail	Lineal Feet
North SeaTac Park	12,430
West Side Trail	7,200
Angle Lake Nature Trail	387
Des Moines Creek	3,000
Grandview	3,417
Riverton Heights	1,250
TOTAL	27,684

The City's parks system includes two indoor facilities: SeaTac Community Center and Valley Ridge Community Center. These two facilities total 29,809 square feet as shown in the table below:

Table BR5.10-11 Inventory of Indoor Facilities

Name	Capacity	Location
SeaTac Community Center	26,809 square feet	4644 S. 188th St.
Valley Ridge Community Center	3,000 square feet	18237 42nd Ave S
TOTAL	29,809 square feet	

Current Levels of Service

System Investment per Capita

The system value for SeaTac consists of assessed land values and the replacement cost of improvements and facilities within each park. [The system value for SeaTac was originally calculated in 2019 as part of the PROS Plan update and subsequently adjusted in 2021 to 2021 dollars using the Bureau of Labor Statistics Consumer Price Index.](#) The total value of the system in ~~2019~~ 2021 is approximately ~~\$123 128~~ million, or ~~\$4,220 4,301~~ per capita. With land values adjusted down by 40% to recognize land that has been donated or was acquired through incorporation, the value of SeaTac's PROS system is estimated to be approximately ~~\$94,098.3~~ million or ~~\$3,2223,287~~ per capita. Capital value calculations are not exhaustive but focus on the key elements of each park. This means that items such as benches, signage, trash cans, or water fountains are not included. A summary, by park, can be found below:

Table BR5.11-12 Replacement Value of SeaTac PROS System, [2021](#)

Park	Value(\$)	Land (\$)	Facilities (\$)
Angle Lake Park	10,887,124 10,468,903	6,170,121 5,933,100	4,717,003 4,535,803
Bow Lake Park	274,546 264,000	274,546 264,000	--
Des Moines Creek Park	2,434,104 2,340,600	764,362 735,000	1,669,742 1,605,600
Grandview Park	3,805,339 3,184,510	484,616 466,000	3,320,723 2,718,510
McMicken Heights Park	694,830 668,139	434,387 417,700	260,443 250,439
North SeaTac Park	82,244,735 79,085,365	57,246,065 55,047,000	24,998,670 24,038,365
Riverton Heights Park	1,985,606 1,909,330	987,951 950,000	997,654 959,330
Sunset Park	9,332,050 8,973,566	4,897,015 4,708,900	4,435,035 4,264,666
Valley Ridge Park	15,530,908 14,934,299	4,505,058 4,332,000	11,025,849 10,602,299
Eagle Scout Park	869,033 835,650	--	869,033 835,650
West Side Trail	500,923 481,680	--	500,923 481,680
TOTAL	\$128,559,197 \$123,146,043	\$75,764,122 \$72,853,700	\$52,795,076 \$50,292,343
TOTAL, AT 60% for Land	\$98,253,549 \$94,004,563	\$45,458,473 \$43,712,220	\$52,795,076 \$50,292,343

This results in the City's investment per Capita LOS, which is currently estimated to ~~be by~~ \$3,22287 as shown below:

Table BR5.12-13 Parks System Investment per Capita LOS Summary, [2021](#)

Description	Existing 2021 Investment per Capita LOS
System Replacement Value	\$98,253,549
2021 Population	29,890
2021 Investment per capita	\$3,287
Adopted Base LOS	\$3,200

Maintenance and Operations per Capita

The annual maintenance and operations value for SeaTac consists of the staff salaries, supplies, and service charges involved in providing upkeep of buildings, grounds, and facilities throughout the PROS system. It also encompasses the salaries, supplies, and service charges involved in providing parks programs. Programming includes a wide range of one-off and year-round activities geared toward all age groups. SeaTac offers youth sports leagues and summer camps, after school programs for children and teens, daycare, adult fitness classes, continued adult learning, senior day trips and weekly lunches, and a selection of special events throughout the year. The [2021](#) annual value of M&O for SeaTac ~~as~~ is approximately ~~\$5.55.2~~ million or ~~\$188.173~~ per capita. Calculations do not include administrative and humanservices overhead. They also do not take into account quality ratings of the parks system at this time, which could reveal the need for increased investment for any underserved facilities.

Table BR5.~~13-14~~ [Parks](#) Maintenance ~~and~~ [Operations](#) [Annual](#) Investment per Capita LOS Summary, ~~2021~~[2019](#)

System Value	Existing 2021 M&O Investment per Capita LOS
2021 Annual System Operations value M&O Investment	\$5,494,590 \$5,179,683
2018 2021 Population	29,180 29,890
Investment per capita, Buildings	\$40.55 \$32.81
Investment per capita, Programs	\$73.53 \$65.45
Investment per capita, Grounds	\$74.22 \$75.03
Total 2021 Investment per capita, M&O	\$188.30 \$173.29
Adopted Base LOS	\$190.00

Park Acres per Population

Park acres per population calculates the level at which park acres have been distributed across the population. However, this measure assumes an equal distribution of a recreation type without recognizing any disparities in that distribution. In that context, The City's LOS measures not only look at citywide park acres but also measure park acres of community and neighborhood parks to ensure the development of park acres in areas with limited park access. The table below outlines the City's park acres per population LOS standards. As noted above, the "base" LOS is the minimum standard the system is designed to meet, and the "target" LOS is an aspirational figure to strive to meet if resources allow.

Table BR5.~~14-15~~ [Park Acres per Population LOS Summary](#)
([Citywide & Community/Neighborhood Parks](#)), ~~2021~~[2018](#)

Measure	Units	Existing 2021 LOS Total	Base Adopted LOS	Target Adopted LOS
Citywide Parks				
___ (Total Acres)	Acres/1,000 population	12.06 11.77	N/A	12.1
Citywide Parks				
___ (Developed Acres)	Acres/1,000 population	5.04 4.96	5	N/A

Community and Neighborhood Parks				
Community and Neighborhood Parks (Total Acres)	Acres/1,000 population	2.132.08	N/A	2.1
Community and Neighborhood Parks (Developed Acres)	Acres/1,000 population	1.781.77	1.8	N/A

Trail Footage per Population

Like park acres, trail footage per population calculates the level at which trail miles have been distributed across the population. The table below outlines the City's park acres per population LOS standards.

Table BR5.15-16 Trail Footage per Population LOS Summary,
[20182021](#)

Measure	Units	Existing 2021 LOS Total	Base Adopted LOS	Target Adopted LOS
Trails				
(Total Feet in All Trails)	Feet/1,000 population	948.73926.20	950	N/A
Trails				
(Total Feet in Off-Road Trails)	Feet/1,000 population	246.74240.88	N/A	250

Indoor Facilities per Population

Facilities per population calculates the level to which parks have been developed and divides the total number of facilities by the population. It does not take into account the relative financial value of various facilities, but simply records the quantity. For indoor space, total square footage (SF) of the facility is considered, but not the physical assets within. These spaces are used to host parks programming, community events, and system maintenance needs. **The [2019-2021](#) LOS for SeaTac is for [1,022977](#) SF of Community Center/Indoor Facility space per 1,000 population.** These facilities are maintained by the annual M&O Investments reviewed above and their capital value to the system is included in the System Replacement Value calculations.

Table BR5.16-17 [Indoor](#) Facilities per Capita LOS Summary,
[20182021](#)

Measure	Units	Total	2019-2021 LOS	Adopted Base LOS
Community Center/Indoor Facilities	SF per 1,000 pop	29,809	1,022 SF	1,020 SF

Future Needs & LOS Capacity Analysis

This plan considers both short- and long-term needs for the SeaTac PROS system. Short term needs are determined considering the 2020-2026 timeframe while the longer-term outlook extends to 2040. The following sections below detail 6- and 20-year goals as well as the deficiencies that will arise if no action is taken for each of the LOS measures outlined above.

System Investment and Maintenance and Operations LOS

To achieve the adopted LOS standards with projected population growth, the City would need the following:

- System Investment Per Capita: [Starting from 2019 which is the basis for the adopted LOS standards](#), an additional ~~\$11.1~~[\\$110.2](#) million needs to be invested in SeaTac's capital facilities by 2026 and ~~\$35.8~~[\\$35.8](#) million by ~~2035~~[2040](#). These investments will maintain an Investment per Capita service level of \$3,200.
- Maintenance and Operations Investment Per Capita: annual investment will need to increase to \$6.2 million by 2026 and to \$7.7 million by 2040. These investments will maintain a Maintenance and Operations Investment per Capita service level of \$190.

Table BR5.17-18 System Value and Maintenance Need: Future
Growth LOS Capacity Analysis

LOS Metric	Current Investment	<u>Adopted LOS (2019)</u>	<u>2021</u>	2026	2035	2040
PopulationTotal	<u>N/A</u>	29,180	<u>29,890</u>	<u>32,359</u> <u>32,672</u>	<u>37,329</u> <u>38,417</u>	40,370
Population Net <u>from 2019</u>	<u>N/A</u>	<u>N/A</u>	<u>710</u>	<u>3,179</u> <u>3,492</u>	<u>8,149</u> <u>9,237</u>	<u>11,190</u> <u>11,190</u>
<u>Parks</u> System Value(Per Capita Base LOS)	<u>\$98,253,549 (\$3,200)</u> <u>\$94,004,563 (\$3,200)</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Parks</u> System Investment toNew Growth per Base LOS	<u>N/A</u>	<u>N/A</u>	<u>\$2,272,000</u>	<u>\$10,173,374</u> <u>11,175,182</u>	<u>\$26,076,800</u> <u>\$29,558,400</u>	<u>\$35,808,000</u> <u>\$35,808,000</u>
<u>Parks</u> System Value(Per Capita Target LOS)	<u>\$128,559,197 (\$4,200)</u> <u>\$123,146,043 (\$4,200)</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Parks</u> System Investment to New Growth per Target LOS	<u>N/A</u>	<u>N/A</u>	<u>\$2,982,000</u>	<u>\$13,352,554</u> <u>\$14,667,426</u>	<u>\$34,225,800</u> <u>\$38,795,400</u>	<u>\$46,998,000</u> <u>\$46,998,000</u>
<u>Parks</u> 2019-Budget ValueAnnual M&O Investment (Per Capita LOS)	<u>\$5,179,683 (\$190)</u> <u>\$5,494,590 (\$190)</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Parks</u> Annual M&OInvestment toServe Existing and Future Population	<u>N/A</u>	<u>N/A</u>	<u>\$5,679,100</u>	<u>\$6,148,244</u> <u>\$6,207,726</u>	<u>\$7,092,510</u> <u>\$7,229,230</u>	<u>\$7,670,300</u> <u>\$7,670,300</u>

Operating Expenditures Per Capita Benchmark

Nationally, parks and recreation agencies serving populations of 30,000 to 50,000 have a median per capita expenditure of \$135 on operating expenses. Agencies serving any population size with a parks and recreation

system budget of \$4 to 7.5 Million spend about \$102 per capita.

Assets Per 1,000 Population

Park Acres per 1,000 Population: As of 2021, to meet expected growth the City would provide about 47-52 developed acres by 2035-2040 – much of this could be accomplished through improvements to partially developed park properties, e.g. North SeaTac Regional Park. About 16-19 developed acres, a third of the Citywide LOS, would need to be provided as Community and Neighborhood Park space. To meet the LOS standard for Community and Neighborhood Parks, improvements to undeveloped areas of existing parks, or additional acres would need to be acquired over time.

Table BR5. 18-19 Park Acre Needs for Future Growth (Citywide & Community/Neighborhood Parks): LOS Capacity Analysis

Year	Population	Total Acres	Developed Acres	Total Community & Neighborhood Acres	Developed
Community & Neighborhood Acres					
Adopted Base LOS <u>(2019)</u>	29,180	352 acres (12.1 ac/1000)	147.1 acres (5.0 ac/1000)	62.1 acres (2.1 ac/1000)	52.0 acres (1.8 ac/1000)
<u>2021 Needed</u>	<u>29,890</u>	<u>8.6</u>	<u>3.6</u>	<u>1.5</u>	<u>1.3</u>
2026 Needed	<u>32,359</u> <u>32,672</u>	<u>42.3</u> <u>38.5</u>	<u>17.5</u> <u>15.9</u>	<u>7.3</u> <u>6.7</u>	<u>6.3</u> <u>5.7</u>
2035 Needed	<u>37,329</u> <u>38,417</u>	<u>111.8</u> <u>98.6</u>	<u>46.2</u> <u>40.7</u>	<u>19.4</u> <u>17.1</u>	<u>16.6</u> <u>14.7</u>
2040 Needed	40,370	135.4	56.0	23.5	20.1

Trail Feet per 1,000 Population

Based on the base and target LOS measures, the City would add about 10,600 feet ~~a 1.6 miles~~ of all types of trails or ~~0.44 mile~~2,800 feet of off-road trail by ~~2035~~2040.

Table BR5.~~19-20~~ Trail Feet Needs for Future Growth: LOS
Capacity Analysis

Year	Population	All Trails: Feet	Off Road: Feet
Adopted Base LOS <u>(2019)</u>	29,180	27,684 ft (950 ft./1000)	7,200 ft (250 ft./1000)
<u>2021 Needed</u>	<u>29,890</u>	<u>675</u>	<u>178</u>
2026 Needed	<u>32,359</u> 32,672	<u>3,318</u> 3,020	<u>873</u> 795
2035 Needed	<u>37,329</u> 38,417	<u>7,742</u> 8,775	<u>2,309</u> 2,037
2040 Needed	40,370	10,631	2,798

Indoor Facilities Square Feet per 1,000 Population

Based on growth, the City would add program space at existing sites or new partner sites of 3~~around~~
3,200 square feet~~,500~~ by 2026 or around 9,400~~11,400 square feet~~ by ~~2035~~2040.

Table BR5.~~20-21~~ Indoor Facilities Program Space for Future
Growth: LOS Capacity Analysis

Year	Population	Square Feet
Adopted Base LOS <u>(2019)</u>	29,180	29,809 (1,020 sq. ft./1000)
<u>2021 Needed</u>	<u>29,890</u>	<u>724</u>
2026 Needed	<u>32,359</u> 32,672	<u>3,562</u> 3,243
2035 Needed	<u>37,329</u> 38,417	<u>9,422</u> 8,312
2040 Needed	40,370	11,414

ORDINANCE NO. 21-1037

An ORDINANCE of the City Council of the City of SeaTac, Washington, amending the City's Official Zoning Map, related to the 2021 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 Designation 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 Designation 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 Official Zoning Map; and

WHEREAS, the environmental impacts of the proposed amendments have been assessed, and a Determination of Nonsignificance, File No. SEP21-009, was issued September 28, 2021, and no appeals received; and

WHEREAS, after a duly-noticed public hearing on September 21, 2021, to consider proposed amendments to the Comprehensive Plan and related amendments to the SMC Title 15 Official Zoning Map, on October 5, 2021, the Planning Commission recommended adoption of the proposed amendments, and made its recommendation to the City Council; and

WHEREAS, after the consideration of testimony received at the Planning Commission's September 21, 2021, Public Hearing, on October 28, 2021, the Planning and Economic Development (PED) Committee made its recommendation to the City Council, and

WHEREAS, copies of these proposed amendments were filed with the Washington Department of Commerce on September 7, 2021, 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 as shown in Exhibit A 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. 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 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 on January 1, 2022.

ADOPTED this 23rd day of November, 2021, and
signed in authentication thereof on this 23rd day of November, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to Form:


Mary Mirante Bartolo, City Attorney

[Effective Date: 1/1/2022]

[Official Zoning Map Amendment-2021 Comprehensive Plan]

VICINITY MAP

M-1: Establishing a "Parks" Land Use Designation and Zone on Unused SR509 Right-of-Way Adjacent to Des Moines Creek Park

City of SeaTac



Legend

Proposed Park Zone for Unused Right-Of-Way

Zoning

UL-7,200

Mobile Home Park (MHP)

Other Zones

Regional Business Mix (RBX)

Industrial (I)

Aviation Commercial (AVC)

Aviation Operations (AVO)

Park (P)

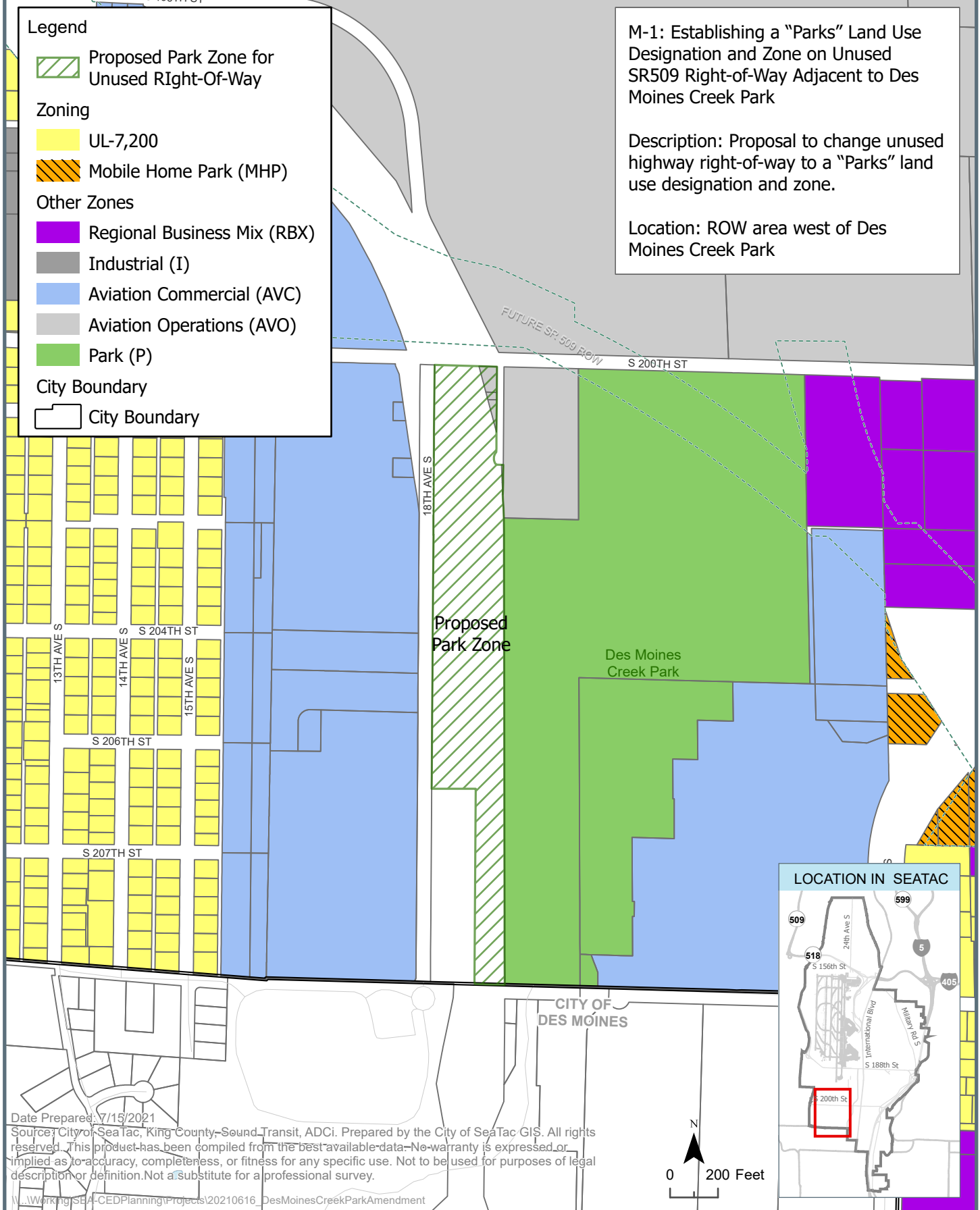
City Boundary

City Boundary

M-1: Establishing a "Parks" Land Use Designation and Zone on Unused SR509 Right-of-Way Adjacent to Des Moines Creek Park

Description: Proposal to change unused highway right-of-way to a "Parks" land use designation and zone.

Location: ROW area west of Des Moines Creek Park



Date Prepared: 7/15/2021

Source: City of SeaTac, King County, Sound Transit, ADCI. 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.

WorkingSEA-CEDPlanningProjects\20210616_DesMoinesCreekParkAmendment

ORDINANCE NO. 21-1038

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to execute an Amendment to an MOU and authorizing the City Manager to subsequently execute an Interlocal Agreement (ILA) with the Washington State Department of Transportation (WSDOT) for pedestrian level lighting improvements to the S. 208th Street Connector Improvements Project, and amending the City's 2021-2022 Biennial Budget to fund the additional improvements.

WHEREAS, the City would like to have pedestrian level lighting improvements that incorporate the city's new lighting standards (herein referred as PROJECT), installed as part of the WSDOT's S. 208th Street Connector Improvements Project that is within the City of SeaTac; and

WHEREAS, the City must amend the Memorandum of Understanding, dated January 13, 2020, with WSDOT as well as enter into a subsequent Interlocal Agreement for the construction of the PROJECT; and

WHEREAS, the PROJECT is beyond the scope of what has been authorized by WSDOT and will require that the City fund the costs associated with the PROJECT; and

WHEREAS, there is sufficient funding for expenditure authorization for this PROJECT.

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

Section 1. Authorize the City Manager to amend the January 13, 2020 MOU with WDOT.

Section 2. Authorize the City Manager to enter into an Interlocal Agreement with WSDOT for the construction of the PROJECT.

Section 3. Amend the 2021-2022 Biennial Budget to allocate \$550,000 from the 102 Streets Fund into the 307 Transportation CIP Fund for 2022, to construct the PROJECT.

Section 4. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 23rd day of November, 2021, and signed in authentication thereof on this 23rd day of November, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 12/4/2021]

ORDINANCE NO. 21-1039

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the City Manager to execute an Amendment to an MOU and authorizing the City Manager to subsequently execute an Interlocal Agreement (ILA) with the Washington State Department of Transportation (WSDOT) for additional improvements to South 216th Street at the intersection with Military Road South, and amending the City's 2021-2022 Biennial Budget to fund the additional improvements.

WHEREAS, the City would like to have additional improvements made to S. 216th Street (herein referred as PROJECT), beyond what has been authorized by WSDOT as part of the SR509 Completion Project, to enhance the forward compatibility of S. 216th Street with any future intersection improvement projects at Military Road South; and

WHEREAS, the City must amend the Memorandum of Understanding, dated May 1, 2018, with WSDOT as well as enter into a subsequent Interlocal Agreement for the construction of the PROJECT; and

WHEREAS, funding in the amount of \$35,000 is necessary to construct the PROJECT;
and

WHEREAS, there is sufficient funding for expenditure authorization for this PROJECT.

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

Section 1. Authorize the City Manager to amend the May 1, 2018 MOU with WSDOT.

Section 2. Authorize the City Manager to execute an Interlocal Agreement with WSDOT to facilitate the construction of the PROJECT.

Section 3. Amend the 2021-2022 Biennial Budget by allocating \$35,000 in the 307 Transportation CIP Fund for 2022, to construct the PROJECT.

Section 4. This Ordinance shall be in full force and effect five (5) days after passage and publication as required by law.

ADOPTED this 23rd day of November, 2021, and signed in authentication thereof on this 23rd day of November, 2021.

CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to form:


Mary E. Mirante Bartolo, City Attorney

[Effective Date: 12/4/2021]

ORDINANCE NO. 21-1040

AN ORDINANCE of the City Council of the City of SeaTac, Washington confirming the appointment of Pauline Freund as the SeaTac Municipal Court Judge, repealing Ordinance No. 17-1024, and authorizing the City Manager to execute the Employment Agreement with Pauline Freund as the SeaTac Municipal Court Judge.

WHEREAS, pursuant to RCW 35A.13.080 and SMC 2.10.090, it is within the City Manager's purview, subject to Council confirmation, to appoint a municipal court judge who shall serve a term of four years; and

WHEREAS, the City Manager has appointed Pauline Freund to serve as SeaTac's Municipal Court judge for a four-year term commencing January 1, 2022 and expiring on December 31, 2025; 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 authorize the City Manager to execute an Employment Agreement with Pauline Freund as the City's Municipal Court Judge;

WHEREAS, the City Council finds it is appropriate to repeal Ordinance No. 17-1024;

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 Pauline Freund to serve as the SeaTac Municipal Court Judge for a term of four years commencing on January 1, 2022; and

Section 2. Commencing January 1, 2022, the salary of the Municipal Court Judge shall be paid at \$88.35 per hour which is 95% of that of a District Court Judge as set by the Washington State Salary Commission, pro-rated to 60% (24 hours per week) and adjusted annually commencing January 1, 2023 and each January 1 thereafter to reflect a cost of living adjustment at the same percentage of non-represented City employees. Judges Pro Tem shall be compensated at \$88.35 per hour for hours worked and adjusted annually commencing January 1, 2023 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. The compensation of the Municipal Court Judge and Judges Pro-Tem have been established by Ordinance 21-1035; and

Section 3. The City Manager is authorized to execute an Employment Agreement with Pauline Freund as the SeaTac Municipal Court Judge in substantially similar form attached hereto as "Exhibit A".

Section 4. If any section, subsection, paragraph sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 5. Ordinance No. 17-1024 is repealed.

Section 6. This Ordinance shall not be codified.

Section 7. This Ordinance shall be in full force and effect January 1, 2022.

ADOPTED this 14th day of December, 2021, and signed in authentication thereof on this 14th day of December, 2021.

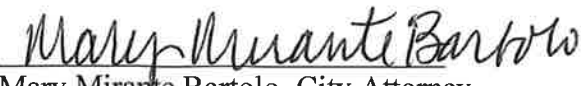
CITY OF SEATAC


Erin Sitterley, Mayor

ATTEST:


Kristina Gregg, City Clerk

Approved as to Form:


Mary Mirante Bartolo, City Attorney

[Effective Date: 1/1/2022]

[Municipal Court Judge 2022]

**EMPLOYMENT AGREEMENT FOR THE MUNICIPAL COURT JUDGE
IN THE CITY OF SEATAC**

The City of SeaTac, Washington (the City), a Washington municipal corporation, and **PAULINE FREUND**, (the “Municipal Court Judge” or “Judge”), hereby enter this Employment Agreement (“Agreement”) as follows:

WHEREAS, the City Manager has appointed Pauline Freund to serve as Judge of the SeaTac Municipal Court; and

WHEREAS, the City Council has confirmed the appointment on December 14, 2021; and

WHEREAS, Pauline Freund has accepted the appointment and confirmation; and

WHEREAS, Pauline Freund understands the City’s judicial position is a part-time position, spread over seven (7) potential workdays per week (including, when required, in-detention hearings on weekends and/or holidays) that require bench appearances, reasonable preparation for hearings and other proceedings, and supervision of court staff; and,

WHEREAS, in order to memorialize employment of the Municipal Court Judge it is appropriate for the City to enter into an Employment Agreement with Pauline Freund for such service;

NOW, THEREFORE, in consideration of the mutual covenants, conditions and terms contained herein, the City and the Municipal Court Judge agree as follows:

1. TERM OF APPOINTMENT:

Per RCW 35A.13.080 and SMC 2.10, and subject to Council confirmation, the City Manager has appointed Pauline Freund as the City of SeaTac Municipal Court Judge for a four-year term commencing on January 1, 2022, and terminating on December 31, 2025.

2. DUTIES:

The Judge shall perform all duties legally prescribed for a judicial officer according to state law, the requirements of the Code of Judicial Conduct, and Washington State Court rules.

The Judge shall at all times faithfully and to the best of 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 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 pursuant to RCW 3.50.040 and SMC 2.10.090. The Judge must immediately report to the City Manager any change affecting his or her membership in good standing in the Washington State Bar Association or change in residency.

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 court is an independent branch of government. The judge shall supervise the daily operations of the court and all personnel assigned to perform court functions in accordance with the provisions of GR 29 (e) and (f), and RCW 3.50.080. Under no circumstances should judicial retention decisions be made on the basis of a judge's or a court's performance relative to generating revenue from the imposition of legal financial obligations.

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. 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 on her behalf 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 ensure consistency and common practices throughout the City, including hours of operation.

4. COMPENSATION:

- a. The judge's term of office shall be four years, as provided in RCW 3.50.050. The judge's salary shall be fixed by ordinance in accordance with RCW 3.50.080, and the salary

shall not be diminished during the term of office.

b. Commencing January 1, 2022, the salary of the Municipal Court Judge shall be set at \$88.35 per hour which is 95% of that of a District Court Judge as set by the Washington State Salary Commission, pro-rated to 60% (24 hours per week) and adjusted annually commencing January 1, 2023, and each January 1 thereafter to reflect a cost-of-living adjustment at the same percentage 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. The compensation of the Municipal Court Judge has been established by Ordinance 21-1035.

c. If the caseload expands such that it cannot be accommodated with 24 hours per week while providing due process, additional hours shall be compensated at a rate of \$88.35 per hour but shall not exceed 29 hours per week.

d. 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."

e. The Judge will annually receive 160 hours of paid time for vacation, sick leave, conference, training and recusal/affidavit of prejudice. In 2022, the City will allocate a maximum of \$14,136 in the budget for the 160 hours of paid time.

f. 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. JUDGES PRO TEM:

a. All judges pro tem shall be qualified to hold the position of the Judge of the Municipal Court, as provided herein and provided in RCW 3.50.090 and GR 29(f). Judges Pro Tem shall be compensated at \$88.35 per hour for hours worked adjusted annually commencing January 1, 2023 and each January 1 thereafter to reflect a cost of living adjustment at the same percentage as that of non-represented City employees. The compensation of any judges pro tem has been established by Ordinance 21-1035.

b. Should the Judge's absence exceed the maximum limit for paid time off of 160 hours (as set forth in Paragraph 4.c above) during the remainder of this Agreement, and the appointment of a judge pro tem is necessary, the Judge authorizes the City for his or her salary for a specific pay period be reduced by the number of hours a judge pro tem is required to serve in the judicial capacity.

6. WORK HOURS:

The Judge is required to be available for judicial hearings, calendars, and other proceedings Monday through Friday each week. In the interest of public safety and the Constitutional rights of defendants, the Judge is also required to conduct in-custody hearings on weekends and/or holidays for the purpose of arraignment or probable cause findings as required by law and/or court rules. The Judge is responsible for managing and adjusting the Court's schedule to accommodate all hearings, calendars, proceedings, and other appearances within the parameters of a part-time position.

7. 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. Compensation will be paid on the same schedule as other City employees.

8. 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.

9. INDEMNIFICATION:

The City and the Judge agree to adhere to SMC 2.06 as to any acts of the Judge. The Judge also understands there may be a duty 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 excluded under SMC 2.06.040.

10. TERMINATION OF AGREEMENT:

This Agreement may be terminated during the Judge's term of office as follows:

- a. By the Judge if she provides a minimum of 60 days written notice prior to her effective date of termination, unless otherwise mutually agreed upon by the parties.
- b. The judge may only be admonished, reprimanded, censured, suspended, removed, or retired during the judge's term of office only upon action of the Washington State Supreme Court, as provided in article IV, section 31 of the Washington State Constitution.

11. MEDIATION AND DISPUTE RESOLUTION:

Should any dispute arise between the parties, the dispute matter shall be submitted to mediation using a mediator mutually agreed upon by the parties and following the mediator selection process and mediation rules. The parties shall pay their own costs associated with the mediation. If mediation is unsuccessful, then the matter, at either party's request, shall be submitted to binding arbitration in accordance with the Uniform Arbitration Act, Chapter 7.04A RCW. The Parties shall be equally responsible for the costs incurred in the arbitration including arbitrator's fee, and each party shall pay for their own attorney's fee. 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. At all times during the dispute resolution process, the Parties shall continue to carry out their responsibilities under this Agreement.

12. 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.

13. 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.

14. CONTRACT ADMINISTRATION:

This Agreement shall be administered by the City Manager and/or designee on behalf of the City and by Pauline Freund 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:

CITY OF SEATAC:

City of SeaTac
Attn.: City Manager's Office
4800 S. 188th Street
SeaTac, WA 98188
Telephone: (206) 973-4800

MUNICIPAL COURT JUDGE:

Pauline Freund
Address 1: _____
Address 2: _____
Email: _____
Telephone: _____

IN WITNESS WHEREOF the parties hereto do hereby execute this Agreement.

CITY OF SEATAC

MUNICIPAL COURT JUDGE

Printed Name: Carl C. Cole
Title: City Manager
Date: _____

Printed Name: Pauline Freund
Date: _____

APPROVED AS TO FORM:

Printed Name: Mary Mirante Bartolo
Title: City Attorney