

EXHIBIT A

LAND USE AGREEMENT

The City and Port desire to coordinate their land use planning, project development and permitting by implementing this Land Use Agreement.

1. Cooperative Comprehensive Planning and Economic Development.

1.1 General. The Port and City shall engage in cooperative comprehensive planning to jointly address issues related to the Port's Airport properties and activities and the City's economic development, land use and related goals. The cooperative planning shall strive for consistency between the City's Comprehensive Plan, and the Port's 1997 Master Plan and the 2005 Airport Comprehensive Development Plan (CDP) (and related portions of the Puget Sound Regional Council's regional planning decisions). The coordinated comprehensive planning activities shall include:

1.1.1 Land Uses. The City and Port shall adopt one comprehensive plan designation ("Airport Use") and two zoning designations for Port owned property, ("Aviation Operations" and "Aviation Commercial"). This comprehensive plan designation is identified on the City Comprehensive Plan, the two zones are identified on the City Zoning Map and the list of allowed uses within each zoning designation is identified in Attachment A-2. All property acquired by the Port in the future may be designated "Airport Use" in the City Comprehensive Plan and zoned either "Aviation Operations" or "Aviation Commercial" pursuant to the amendment processes contained in this Exhibit. The City and the Port may enter into site specific development agreements, which may reduce or expand allowable land uses within the applicable zone (such as the 55 acre Agreement and the Borrow 3 Agreement). A noise contour overlay map will be included in the City's Comprehensive Plan to foster Airport compatible land use planning and shall be used to guide land use decisions within the City. Existing Part 150 noise guidelines shall be incorporated into the policies.

1.1.2 Advance Notification of Land Use Actions. In keeping with the "no surprises" policy between the Port and the City, the Port shall notify the City of planned property acquisitions and land use plans on a regular basis and as needed. The Port shall provide project notice of Port actions consistent with Section 2.2.1.3 of this Exhibit and shall review each proposal with the City at a Port Design Review Committee (PDRC) meeting. The City shall notify the Port of any proposal to use Port property in North SeaTac Park, well in advance of taking any action on the proposal. The City shall receive Port approval for proposed land uses or construction prior to granting a permit to all North SeaTac Park users.

1.1.3 Noise Planning. The Port and City will utilize the Part 150 Planning Process for evaluating and incorporating noise compatibility measures, upon FAA approval, into appropriate Port and City plans, policies, and related land use maps and regulations.

1.1.4 Aviation Hazards. To promote safety for City residents, employees, and visitors, and for air passengers, the City and Port will cooperate on land use planning to enhance the safe landing, take-off, and maneuvering of aircraft. The City will consider adopting development regulations that restrict, or mitigate the impacts of, uses that create the following aviation hazards, with a focus on such uses in runway approach areas:

- high intensity lighting that makes it difficult for pilots to distinguish between airport lights and other lights;
- electrical interference with navigational signals or radio communication between the Airport and aircraft;
- glare in the eyes of pilots using the Airport;
- smoke, dust or other particulates that would impair visibility for aircraft;
- storage of highly flammable or explosive materials in the runway approaches,
- bird-strike hazards; or other hazards which may endanger the landing, takeoff, or maneuvering of aircraft.

The City shall notify developers of the need to obtain a written certification of compliance from the Federal Aviation Administration (FAA) for proposed structures that penetrate FAA's notification criteria as outlined in Federal Aviation Regulation (FAR) Part 77 using FAA form 7460, "Notice of Proposed Construction or Alteration."

The City shall also coordinate with the Port on considering potential ways to modify proposed project plans to eliminate or reduce hazardous wildlife attractants for the following types of uses:

- environmental/fisheries/wildlife habitat restoration
- waste disposal handling facilities
- stormwater management facilities
- wetland mitigation/enhancement projects
- golf courses

1.2 Economic Development Opportunities. Some properties owned by the Port within the City are away from the airfield and present opportunities for aviation related commercial development. The Port and City worked together through the New Economic Strategy Triangle Study (NEST) to identify economically feasible land uses for these properties.

The parties shall continue to work together through the SeaTac Economic Partnership (STEP), the Southwest King County Economic Development Initiative, and other joint planning efforts to advance future development of these properties.

1.3 Adoption and Reservation of Rights.

1.3.1 Adoption.

1.3.1.1 General. The Port adopted its Master Plan update on August 1, 1996, by Resolution 3212 (as amended). The Port updated and refined the Master Plan in its Draft Comprehensive Development Plan dated September 30, 2005. The City adopted its Growth Management Act (GMA) Comprehensive Plan in December 1994, with amendments in each subsequent year.

1.3.1.2 Reservation of Rights. The parties are voluntarily undertaking cooperative planning in order to resolve their land use jurisdictional disputes. In order to implement terms of this agreement, the parties delegate to each other the discretionary legal authority that each enjoys to undertake comprehensive planning, create zones for particular land uses, determine which land uses are appropriate within those zones, and administer the International Building Codes. Both parties shall cooperate in good faith to avoid appeals or litigation, but neither party waives or concedes any legal rights with respect to its independent legal authority or the application of the Growth Management Act, Chap. 36.70A RCW, Revised Airports Act, Chap. 14.08 RCW, Airport Zoning Act, Chap. 14.12 RCW, Port District enabling statutes such as Chap. 53.04 and .08 RCW or City of SeaTac Municipal Code.

2. Zoning/Land Use/Development Regulations.

2.1 The Comprehensive Plan designation of “Airport Use” and the zoning designations of “Aviation Operations” and “Aviation Commercial” shall be depicted in the City of SeaTac Comprehensive Plan and Zoning Map. The parties recognize that the Growth Management Act, Chap. 36.70A RCW and the City of SeaTac Municipal Code require the City to adhere to certain legal procedures when amending its comprehensive plan, zoning code and regulatory controls to change the designations for Port-owned property. In order to allow the City to comply with these legal requirements and satisfy the terms of this Interlocal Agreement, the City shall conduct these processes for newly-acquired Port properties or for those Port properties where these zoning designations may be changed.

The parties recognize that adoption of comprehensive plan and zoning designations by the City are discretionary actions under the Growth Management Act for which the City is responsible. However, by agreeing that the City shall follow these processes with respect to Port property, the Port does not waive or concede any of its legal remedies to enforce

the terms of this agreement, except as otherwise noted in this Exhibit.

2.2 Project Implementation and Development Regulations.

2.2.1 Allowed Land Uses on Existing Port Property. The Port and City hereby establish a system for construction and development of the allowed land uses in the AVO and AVC zones as defined in Attachment A-2:

2.2.1.1 Port Initiation and Permitting. The Port shall control the development of airport and non-airport uses listed in Attachment A-2 on its property. The Port shall administer the permitting for development on Port property pursuant to the terms of the 2001 Interlocal Agreement between the Port and the City. The Port will confer with the City about project development as described below (Sections 2.2.1.3 through 2.2.1.5). The Port shall also administer the permitting for demolition and grading on its property related to development of airport uses.

2.2.1.2 Code Enforcement. The Port Aviation Building Official will enforce the current building codes and development standards throughout the Airport, except for items listed Attachment A-2 under Non-Airport Use/City Permits. Building Department staff will identify and ensure correction of code deficiencies on routine facility walk-throughs, assisted by Facilities and Infrastructure, Maintenance, Project Management, and Tenant Management staff and various consultants that are routinely hired for specific projects. The City of SeaTac may notify the Aviation Building Official regarding code enforcement issues and may notify the Aviation Maintenance Department regarding any maintenance concerns that may arise.

The City of SeaTac Building Division shall enforce its current building codes and development standards for non-Airport uses on Port property, as identified by Attachment A-2. The City Building Division staff, assisted by appropriate City staff, will identify code deficiencies on routine facility walk-throughs. All Building Code and development standard deficiencies shall be forwarded to the Port for their comment. The Port's comments shall be incorporated into any correction notices by the City if the Port's comments are consistent with the City's correction notices.

2.2.1.3 Project Notice. The Port shall provide a "Project Notice" to the City for each proposed action by the Port using the format set forth in Attachment A-3 (including a full description of compliance with pre-approved development standards). Project Notice shall be sent as early as possible (e.g. initial listing on Port's spread sheet tracking if sufficient detail exists), but in any event no later than the Port's preparation of a SEPA checklist for the project or the Port's

determination the action is not covered by SEPA (e.g. categorical exemption).

2.2.1.4 Development Review. The Port will schedule a Port Development Review Committee (PDRC) meeting to discuss the project with representatives of several City departments, prior to permitting to assure that the Port and City agree that applicable standards have been applied to the proposed project. Attachment A-3 sets forth the process that the parties shall follow for review of Port permitted projects.

2.2.1.5 Development Standards. All Port projects within the City shall comply with the development standards set forth in Attachment A-4. If either of the parties believe that the standards in Attachment A-4 are not satisfied, then "Joint Consultation" shall take place under Section 2.2.2, subject to more specific requirements for the Port Master Plan and Comprehensive Development Plan (CDP) Projects on Port property in Section 2.2.1.6.

Regardless of any other language contained in this ILA, no development or construction activity (including clearing or grading) shall occur on any of the "L-shaped Property" area until a Letter of Agreement concerning a residential buffering plan and street vacations has been formally agreed to by both the City and the Port, as noted in Exhibit C, Section 1.5.

Any proposed amendments to, or variances/departures from, the development standards in Attachment A-4 shall be jointly reviewed and approved by the Port and the City. The Port shall provide the City a copy of the proposed amendments at least 60 days before the adoption of these amendments. The City shall provide their written response to the proposed amendment (either approval, approval with modifications, or denial) within 30 days of receipt of the proposed amendments. If the parties cannot agree to the text of the proposed amendments, then "Joint Consultation" shall take place under Section 2.2.2.

2.2.1.6 Airport Master Plan and Comprehensive Development Plan (CDP) Projects. The interagency cooperation and development commitments measures set forth in Exhibit C to this Agreement provide complete community relief and mitigation measures for the Airport Master Plan Projects (as listed in Attachment A-1), subject to the following:

- a. For those Master Plan and CDP Projects identified as eligible for joint consultation on Attachment A-1, Joint Consultation may take place if the prerequisites under Section 2.2.2.1 otherwise apply; and
- b. For those Master Plan and CDP Projects on Attachment A-1

that are identified as not eligible for joint consultation, no Joint Consultation shall take place and no additional community relief or mitigation shall be required, but the Port shall implement, after notice and consultation with the City, construction measures such as traffic control and protection of City rights-of-way or facilities. If the Port and City do not agree on these construction measures, then the Dispute Resolution procedures set forth in Section 13 of the ILA shall apply.

2.2.1.7 City Business License. The Port acknowledges that the City has imposed a business licensing requirement on all persons conducting business within city limits, which limits specifically include the Seattle-Tacoma International Airport. Although the City will be responsible for enforcing all business license requirements, the Port agrees to notify its tenants and contractors of this requirement and that they may apply for such license at the City's Finance Department.

2.2.2 "Joint Consultation." Joint Consultation shall be conducted as follows:

2.2.2.1 Prerequisite. Joint Consultation shall be required in the following two circumstances: (i) if the Port proposes to change the zoning designation of a property from "Aviation Commercial" to "Aviation Operations" or (ii) where the impacts of a development or other Port activity meet the prerequisites set forth in the remainder of this paragraph. Projects identified in the Port's 1997 Airport Master Plan Update and CDP may or may not be eligible for joint consultation – see Attachment A-1). Joint Consultation may be used in other circumstances, as referenced in this Exhibit.

2.2.2.2 Procedure. Either the Port or City may convene a Joint Consultation by delivering written notice to the other setting forth the party's good faith determination of all of the following prerequisites:

- a. The Port's proposed project will have a probable, direct significant adverse impact on non-Port property; and
- b. The impacts will not be adequately mitigated by the pre-approved development standards (Attachment A-4), the interagency cooperation provisions of Exhibit C or mitigation incorporated into the proposed project.
- c. The impacts are related to elements of the environmental specified under SEPA.

Within seven (7) days after such notice, the City Manager (or his/her designee) and the Aviation Division Director (or his/her designee), along with any staff or technical persons either party desires, shall meet, consult and seek resolution of any disputes by application of the criteria set forth in Section 2.2.2.3 below.

2.2.2.3 Consultation Criteria. The Port shall incorporate City-requested mitigation if the mitigation: (a) is attributable to the impact of the proposed action as identified in Section 2.2.2.2; (b) will have a demonstrable benefit; (c) will not result in unreasonable costs to implement; (d) does not materially impair the functioning of the Airport or the integration of the proposed use into existing Airport facilities; and (e) is not a federal conflict (“federal conflict” means the mitigation requested is expressly precluded or preempted by federal or state regulation, or places the Port in noncompliance with federal directives for Airport operation). The City has the burden of showing the existence of the prerequisites in Section 2.2.2.2 (a), (b), and (c) and consultation criteria in Section 2.2.2.3 (a) and (b). The Port has the burden of showing consultation criteria in Section 2.2.2.3 (c), (d), and (e).

2.2.2.4 Dispute Resolution. If a dispute is not resolved at the Joint Consultation meeting, or within such additional time as the parties may approve, then the dispute shall be resolved through the Dispute Resolution procedures as set forth in Section 13 of the ILA.

2.3 Expansion of Port Uses and Property.

2.3.1 New Use on Existing Port-owned Property. The parties recognize that the Growth Management Act, Chap. 36.70A RCW and the City of SeaTac Municipal Code require the City to adhere to certain legal procedures when amending its zoning map and regulatory controls to change the designations for Port-owned property. In order to allow the City to comply with these legal requirements and satisfy the terms of this ILA, the Port agrees that the City shall conduct these processes for Port properties where the zoning designations will be changed.

The parties recognize that adoption of zoning designations and regulatory controls by the City are discretionary actions under the Growth Management Act for which the City is responsible. However, by agreeing that the City shall follow these processes with respect to Port property, the Port does not waive or concede any of its legal remedies to enforce the terms of this Agreement.

2.3.1.1 Shift Aviation Commercial to Aviation Operation. For a proposed change in the use of Port property from "Aviation Commercial" to

"Aviation Operation," then (a) Joint Consultation shall apply under Section 2.2.2, (b) the City's Comprehensive Plan and Zoning map and agreed uses on Attachment A-2 may be amended for that property pursuant to Section 1.1.1, and (c) the property may be developed pursuant to Section 2.2. The parties acknowledge certain changes from "Aviation Commercial" to "Aviation Operation" could be major improvements or capacity changes at the Airport. Consequently, the scope and extent of mitigation shall correspondingly reflect the scope and magnitude of the change in use. For example, if the change in use involves expansion of a runway, major addition of cargo facilities, a new terminal, or other major changes, then the mitigation package done through Joint Consultation shall reflect the significance of the change in use. [Note: The interagency cooperation and development commitments package in Exhibit C reflects the scope and magnitude of the third runway and related 1997 Master Plan Projects.] Further, the parties acknowledge major improvements or capacity changes at the Airport may trigger review by the Puget Sound Regional Council, amendment of the regional transportation plan or other legal requirements, including Chap. 47.80 RCW. Both parties shall have full ability to participate in any such process involving Airport expansion or facilities. The Joint Consultation under Section 2.2.2 is in addition to such other participation, and this Agreement does not limit a party's rights in other processes.

2.3.1.2 Port proposed Non-Airport Use. If the Port proposes to develop or use its existing property for a non-Airport use not listed in Attachment A-2, then the Port shall submit applications to the City and the City will administer the permit process.

2.3.1.3 Other Non-Airport Use on Port-owned Property. For Non-Airport use projects proposed by any applicant other than the Port, the City shall not issue a permit unless it has received written approval for that project from the Port. All Port tenants, including subleases and government agencies, must acquire written approval from the Port for any project to be located on Port property. All development on Port property shall comply with federal and state laws, including federal directives for Airport operation.

The City shall administer and implement the International Codes (building, mechanical and plumbing), the electrical code, and the SeaTac Municipal Code on all Non-Airport Use projects on Port owned property for which the City has not delegated its permitting authority to the Port (as listed in Attachment A-2). All applicants shall submit an application and plans to the City and follow the plan review process outlined in Attachment A-3. Under the terms of the 2004 ILA, the Port and the City shall cooperatively review the building plans, conduct inspections and issue permits. The Port shall be responsible for fire code review for both projects and annual inspections, but shall coordinate its

fire code project review with the City's project review.

The City shall provide six copies of each application and conceptual plan to the Airport Building Department (ABD) for review by appropriate airport departments and the Port will provide its comments within 10 business days of receipt. The City shall meet with the Port to discuss its comments on the application. The City shall also provide at least six copies of construction plans to the ABD. Within 10 business days of its receipt of these construction plans, the Port shall provide its written comments to the City. The City shall incorporate the Port comments on the construction plans as requirements of the building permit.

The parties anticipate that the Port's comments on projects will focus upon areas such as:

1. Aviation hazards such as wildlife attraction from landscaping and standing water, height, glare, smoke or radio interference;
2. Stormwater management;
3. Impact, damage, or cost to adjacent Port property, airport operations, or ongoing airport projects; and/or
4. Consistency with Port fire and safety standards.

If the parties disagree about Port comments concerning a building permit application, conceptual plan or construction plan, the City shall not approve the building permit for the project until the parties resolve their differences, provided that such differences are resolved within the State-mandated timeframes of Chap. 36.70.B RCW. If either of the parties disagrees about the interpretation of the building or fire code provided by a building or fire code official, they shall resolve their differences in the manner provided for in the latest version of the state building or fire code. However, if the building code or fire code officials are unable to resolve their differences, then the parties shall go through the Dispute Resolution process as set forth in Section 13 of the ILA.

2.3.1.4 Statutory Interpretation if ILA Terminates. The land uses specified in Attachment A-2 shall not bind or waive either party's right to interpret "airport" uses under state law in the event this ILA terminates.

2.3.2 New Port Property. The following procedures shall apply if the Port desires to acquire property, except for the residential properties located east of Des Moines Memorial Drive adjacent to S. 196th St. and S. 196th Place. These properties are land acquisition for mitigation of the new parallel runway. For purposes of this

Agreement, once the property is acquired, these properties shall be rezoned to Aviation Commercial and subject to the procedures of Section 2.2.

2.3.2(a) Allowed Land Uses. The parties agree that the land uses identified in Attachment A-2 are appropriate in the “Airport Use” comprehensive plan designation and in either the “Aviation Operations” or “Aviation Commercial” zones, as allocated in Attachment A-2. When the Port acquires property for a use identified in Attachment A-2, the parties will follow the process described below under “Consistent Zoning” and “Inconsistent Zoning.” The Port shall reserve the right to apply the EPF process only to uses not listed in Attachment A-2. In the rare circumstance where the proposed use is not listed in Attachment A-2, the parties shall work cooperatively to determine whether the proposed use is an Airport Use. If the parties agree that the proposed use is an Airport Use, then the procedures in Section 2.3.2 shall apply. If the parties cannot agree that the proposed use is an Airport Use, then the parties shall go through Dispute Resolution as set forth in Section 13 of the ILA.

2.3.2.1 Consistent Zoning. When the Port acquires property and plans to use it for any of the uses identified in Attachment A-2, that is consistent with the underlying City zone, the Port shall make an application and the City shall undertake the Growth Management Act processes to change the comprehensive plan designation to “Airport Use” and to change the zoning designation to either “Aviation Operations” or “Aviation Commercial”. Once this process is complete, the City shall amend the Comprehensive Plan and Zoning Map.

2.3.2.2 Inconsistent Zoning. When the Port acquires property and plans to use it for a use that is inconsistent with the underlying City zone, then the parties shall undertake the amendment processes set forth in this Exhibit, to change the comprehensive plan designation to “Airport Use” and to change the zoning designation to either “Aviation Operations” or “Aviation Commercial”. If the City adopts the proposed amendments, then the City may amend the Comprehensive Plan and Zoning Map accordingly and the development of the property shall be governed by Section 2.2, Section 2.3.1 and Attachment A-2 as applicable. As a condition of rezone approval, the City has the discretion to impose additional mitigation pursuant to Section 2.3.3.

2.3.3 Additional Procedures. The following additional procedures shall apply if an amendment is required to change the zoning from Aviation Commercial to Aviation Operations (Section 2.3.1.1) or if the Port acquires property with City zoning that is inconsistent with the Port’s proposed use. (Section 2.3.2.2). The City Manager and the Aviation Division Director, or their staff representatives, shall meet to discuss appropriate mitigation and other matters. If the issues cannot be fully resolved by these Port and City staff members, a Mitigation Committee shall be convened by the parties consisting of two City Council members and two Port commissioners, and appropriate staff. The

Mitigation Committee shall develop recommendations for the expanded uses and mitigation, which may include consideration of the Joint Consultation criteria in Section 2.2.2.3.

The parties acknowledge expansion of the Airport may involve major improvements or capacity changes at the Airport. Consequently, the scope and extent of mitigation shall correspondingly reflect the scope and magnitude of probable significant adverse environmental impacts. For example, if the change in use involves expansion of a runway, major addition of cargo facilities, a new terminal (other than the north terminal as provided in the Port's Master Plan), or other major changes, then the mitigation package done through either the Mitigation Committee or Joint Consultation shall reflect the significance of the change in use. [Note: Refer to Attachment A-1 to determine if a project included in the 1997 Airport Master Plan Update or Comprehensive Development Plan (CDP) is eligible for joint consultation or not.] Further, the parties acknowledge major improvements or capacity changes at the Airport may trigger review by the Puget Sound Regional Council, amendment of or consistency with the regional transportation plan or other legal requirements, including Chap. 47.80 RCW. Both parties shall have full ability to participate in any such processes involving Airport expansion or facilities.

If the City Manager and Aviation Director reach consensus, or the Mitigation Committee reaches a consensus, a report and recommendation(s) shall be issued within sixty (60) days of the first meeting between the City Manager and Aviation Division Director or of the Mitigation Committee being convened (which time will be extended if additional information is reasonably required or if agreed to by both parties). The City Council and the Port Commission shall make a decision thereon within the following thirty (30) days (unless this time period is extended by mutual agreement) and formalize an agreement regarding the agreed upon mitigations. In any event, if a mitigated determination of non-significance (MDNS) or environmental impact statement (EIS) is to be issued, the mitigations recommended by the City Manager and Aviation Division Director or Mitigation Committee, and agreed to by the City Council and Port Commission, shall be incorporated by the Port into the draft MDNS or EIS prior to their issuance. If the Mitigation Committee does not reach consensus, then a report shall be prepared and delivered to the City Council and Port Commission within sixty (60) days of the Mitigation Committee being convened (which time will be extended if mutually agreed to by both parties). This report shall indicate the areas of agreement and the outstanding issues. If the Port issues a SEPA decision for a Port project subject to review by the Mitigation Committee, the Port will not formally adopt this decision until the Mitigation Committee report has been delivered to the City Council and the Port Commission.

2.3.4 Dispute Over “Essential Public Facility.” This section only applies to land uses not listed in Attachment A-2. If the parties disagree about whether some or all of new proposed development can be defined as an “essential public facility” as defined

by the GMA, then the City or Port may file a petition with the Central Puget Sound Growth Management Hearings Board. If the GMHB does not have jurisdiction to resolve the dispute, then either party may pursue other appropriate legal remedies and are not required to follow the Dispute Resolution under Section 13 of the ILA. If the Port's proposed use is determined not to be part of an essential public facility, then the Port shall submit permit applications to the City and the City shall administer the Uniform Codes utilizing the development standards in Attachment A-4. The City may impose mitigation conditions if the standards do not provide direct and reasonable mitigation for the new use. If the Port's proposed use is determined to part of an essential public facility, then Section 2.3.3 shall apply.

ATTACHMENTS:

Attachment A-1 - List of Airport Master Plan (Updated from 1997 ILA) and Comprehensive Development Plan (CDP) Projects

Attachment A-2 - Allowed Land Uses and Permit Administration in the "Aviation Operations" and "Aviation Commercial" Zones

Attachment A-3 - Port and City Development Review Process and Standard Format for Project Notice

Attachment A-4 - Development Standards for Port Projects

Attachment A-5 - Critical Area Mitigation Approved as Part of Port Master Plan Projects that are not eligible for Joint Consultation

Attachment A-6 - Map of City Business Park Zones (Existing as of August 1997)

Attachment A-7 - Map of City of SeaTac's City Center and Urban Center boundaries

ATTACHMENT A-1

**AIRPORT MASTER PLAN AND COMPREHENSIVE DEVELOPMENT PLAN
PROJECTS**

The 1997 City of SeaTac and Port of Seattle Interlocal Agreement (ILA) identified a package of community relief and mitigation measures for projects in the Port's 1997 Airport Master Plan Update and in the Port's Draft Comprehensive Development Plan (CDP) dated on or about September 30, 2005. The table below lists the current status of the Master Plan and CDP projects and whether they are eligible for joint consultation under the 2005 ILA. Any projects not listed in the table shall be eligible for joint consultation.

Master Plan Projects (from 1997 ILA)		Eligible for Joint Consultation
1	Acquisition of land for the new parallel (third) runway	No
2	Relocation of Airport Surface Radar (ASR) and Airport Surface Detection Equipment (ASDE)	No
3	Relocation of S. 154/156 th St. around new runway end	No
4	Construction of new parallel runway and associated taxiways	No
5	Extension of Runway 34R by 600 feet	No
6	Development of the Runway Safety Area (RSA) embankments	No
7	Relocation of S. 154/156th St. around 16L and 16R RSAs	No
8	Improvements to the Main Terminal roadway and recirculation roads, including a partial connection to the South Access Roadway and a ramp roadway from the upper level roadway to the Airport exit.	No
9	Expansion of the main parking garage to the South, North and East	No
10	Construction of the overnight aircraft parking apron (<i>midfield location</i>)	No
11	Expansion or redevelopment of the cargo facilities in the north cargo complex (<i>on airfield, south of SR 518</i>)	No
12	Site preparation at South Aviation Support Area (SASA) site for displaced facilities	No
13	Development of a ground support equipment location at SASA	No
14	Development of general aviation/corporate aviation facilities in SASA or north airfield location	No
15	Development of a new airport maintenance building and	Yes (1)

	demolition of existing facility	
16	Development of on airport hotel, convention and/or conference facility immediately adjacent and providing direct physical access to passenger terminal facilities	No
17	Development of the Des Moines Creek Development Area (Borrow site 1 – portion of site within the City of SeaTac)	Yes
18	Dual Taxiway 34R	No
19	Construction of the South Link roadway and closure of the S. 182 nd Street access	Yes
20	Additional expansion of the main parking garage (to the north)	No
21	Expansion of the north employee parking lot (North of SR 518) to 6,000 stalls including improvements to the intersection of S. 154 th /24 th Ave. S.	No
22	Construction of second phase of overnight apron (<i>midfield location</i>)	No
23	Development of the first phase of the North Terminal (south pier), development of the ramps off SR 518 near 20 th Ave. S. and intersection improvements to S. 160 th St. to address surface transportation issues associated with the closure of S. 170 th St. to through traffic	Yes (2)
24	Construct first phase of the North Unit Terminal parking structure for public and rental cars	No
25	Development of the North Unit Terminal Roadways	Yes
26	Interchange near 20 th Ave. S / SR 518 for access to cargo complex	No
27	Relocate Airport Rescue & Firefighting Facility (ARFF) to north	No
28	Additional improvements to the South Access Roadway connector	Yes
29	Relocation of the United Maintenance complex to SASA	Yes
30	Continued expansion of north cargo facilities (<i>on airfield south of SR 518 & north of SR 518 on the "L-shaped" parcel and potential expanded "L-shaped" parcel</i>)	Yes (3)
31	Expansion of North Unit Terminal (North Pier)	No
32	Complete connectors to South Access Roadway (to eventual SR 509 Extension and South Access)	Yes
33	Additional Expansion of north employee lot to 6,700 stalls	No
34	55 Acre Development (development agreement to be renegotiated)	No
35	Expand North Unit Terminal parking structure for public parking	No

CDP Projects

1	160 th Loop	No
2	Radisson Demolition	No
3	North Airport Expressway Relocation – Phase I	No
4	Sound Transit Light Rail	No
5	Des Moines Creek 1 Dev.	No
6	55 acre Development – O3	Yes
7	Borrow 3 development or sale	Yes
8	POS Consolidated Maintenance Facility – A22	Yes
9	USPS relocation	Yes (1)
10	Upper Terminal Drive Widening & Exit Ramp – L5	No
11	South Employee Parking Lot – Phase I – L1	Yes
12	South Employee Parking Lot – Phase II – L6	Yes
13	Aircraft RON Parking USPS Airmail Center Site – A2	No
14	Aircraft RON Parking – Air Cargo IV Site (Incl. Demo.) – A6	No
15	Aircraft RON Parking – Existing ARFF Site (Incl. Demo.) – A7	No
16	Aircraft RON Parking – Delta Cargo Site (Incl. Demo.) – A16	No
17	Aircraft RON Parking – Existing Alaska Airlines Maintenance Site (Incl. Demo.) – A17	No
18	North Freight Cargo Bridge – C1	Yes
19	North Freight Cargo Complex (L-Shaped Parcel) – C2	No
20	North Airport Expressway Relocation – Phase II – L7	Yes (2)
21	Gate Gourmet Demolition – A23	No
22	NESPA 1 – O1	Yes (2)
23	South Link to S. 188 th St. (includes potential closure of S. 182 nd St. entrance to pedestrian access to and from Main Terminal) – L10	Yes (2)
24	North Belly Cargo (Incl. Demo.) – C4	Yes
25	United Cargo Demolition	No
26	Commercial Development along 28 th Ave.	Yes
27	North Freight Cargo Complex Hardstand (Incl. Demo.) – C3	No
28	Alaska Airlines North Maintenance (Incl. Demo.) – A8	No
29	FedEx Expansion (Incl. Demo.) – C7	No
30	Lower Drive Exit Ramp – L9	No

31	South Belly Cargo – C6	Yes
32	South Belly Cargo Airfield Access – C5	Yes
33	New Main ARFF Station – United Cargo Site (Incl. Demo.) – A5	Yes (1)
34	North Satellite Expansion – T3	No
35	South Satellite Expansion – T1	No
36	Main Terminal Expansion – Phase I – T2	No
37	Main Terminal Expansion – Phase II – T5	No
38	Concourse D Extension – T4	No
39	Taxiway PP & QQ Improvements – A3	No
40	Taxiways J& H Improvements – A4	No
41	Taxiway A Improvements – A11	No
42	North Departures Hold-pad – A9	No
43	Dual Taxilanes South of South Satellite – A10	No
44	Dual Taxilanes North of North Satellite – A14	No
45	South Departures Hold-pad – A18	No
46	GSE Storage – A26	No
47	Dual Taxilanes North of South Satellite – A27	No
48	Dual Taxilanes South of North Satellite – A28	No
49	South Access – L13	Yes
50	Parking Garage Expansion – L11	No
51	APM between Main Terminal and RCF – L16	No
52	Convert Curbs to Alternative II – L15	No
53	Secondary ARFF Station – A19	No
54	160 th Ground Transportation Taxi Holding Lot – L4	No
55	Fire Department Training Area – A1	No

Footnotes

1. Potential joint consultation only if the relocated facility is outside the Aviation Operations zone shown in Attachment A-2
2. Potential joint consultation only for roadways
3. Potential joint consultation only for potential expanded “L-shaped” parcel

ATTACHMENT A-2

**ALLOWED LAND USES AND PERMIT ADMINISTRATION IN THE
“AVIATION OPERATIONS” AND “AVIATION COMMERCIAL” ZONES**

Land Use	Allowed in AVO	Allowed in AVC	Permit administration
AIRPORT USE/AIRPORT PERMITS			
Runways, taxiways, & safety areas	Yes		Port
Aircraft ramp & parking areas	Yes		Port
Airfield lighting	Yes		Port
Aviation navigation, communication & landing	Yes		Port
Aids for airport and aircraft operations	Yes	Yes	Port
Airfield control towers & FAA air traffic control facilities	Yes		Port
Passenger terminal facilities, including passenger and baggage handling, ticketing, security checkpoints, waiting areas, restrooms, aircraft loading gates, restaurants, conference facilities, newsstands, gift shops, and other commercial activities providing goods and services for the traveling public	Yes		Port
Designated airfield safety areas, clear zones, & runway protection zones	Yes	Yes	Port
Aircraft run-up areas	Yes		Port
Aircraft fueling systems	Yes		Port
Airfield crash/fire/rescue (ARFF) facilities, including staff quarters & offices	Yes		Port
Facilities for the maintenance of aircraft	Yes		Port
Facilities for the maintenance of airline equipment	Yes		Port
Facilities for the maintenance of airport & airfield facilities	Yes		Port
Airfield security facilities such as fencing, gates, guard stations, etc.	Yes	Yes	Port
Parking and storage for airfield ground	Yes		Port

Land Use	Allowed in AVO	Allowed in AVC	Permit administration
service equipment (GSE)			
Inter-/intra-terminal transfer facilities for people, baggage, & cargo (P)	Yes	Yes	Port
Other aviation activities or facilities whose location within the <u>AVO</u> zone is fixed by function by FAA requirements	Yes		Port
Other aviation activities or facilities whose location within the <u>AVC</u> zone is fixed by function by FAA requirements related to the operation of the Airport		Yes	Port
Facilities for the maintenance of airline & airfield equipment and of airport & airfield facilities, provided that maintenance of heavy equipment (e.g. Fuel trucks, runway snowplows) shall be permitted only in the AVO zone and is directly related to the operation of the Airport		Yes	Port
Parking and storage for airline and airfield ground service equipment (GSE), provided that parking and storage for heavy equipment (e.g. Fuel trucks, runway snowplows) shall be permitted only in the AVO zone and is directly related to the operation of the Airport		Yes	Port
Air cargo aircraft loading and unloading	Yes		Port
Airfield infrastructure	Yes		Port
Airport access roadways	Yes		Port
Airfield service roads and access improvements to those roads	Yes	Yes	Port
Meteorological equipment	Yes	Yes	Port
Communications equipment, if directly related to the operation of the Airport	Yes	Yes	Port
Public transportation facilities related to the operation of the Airport	Yes	Yes	Port
Roadways and public transportation facilities that provide access to the		Yes	Port

Land Use	Allowed in AVO	Allowed in AVC	Permit administration
Airport for its customers , commercial vehicles and ground transportation services			
Utilities serving uses permitted in the zone	Yes	Yes	Port
Parking facilities immediately adjacent and providing direct physical access to passenger terminal facilities	Yes	Yes	Port
Air cargo warehousing and customer service facilities with direct airfield access or delivery to secure areas of the Airport	Yes	Yes	Port
Controlled storage of hazardous wastes generated by permitted uses and temporarily stored prior to disposal in accordance with federal and state regulations)	Yes		Port
Wholesale sales and distribution facilities with direct airfield access, or delivery to secure area of the Airport.		Yes	Port
Retail sales inside Air Operations Area (AOA)	Yes		Port
Warehousing and distribution facilities, excluding truck terminals, with direct airfield access or delivery to secure areas of the Airport.		Yes	Port
NON-AIRPORT USE/CITY PERMITS			
Public transportation facilities (to be owned and operated by another agency)	Yes	Yes	City or by separate interlocal agreement
Infrastructure and utilities serving uses permitted in <u>other</u> zones or areas	Yes	Yes	City
Other hotels, convention and conference		Yes	City

Land Use	Allowed in AVO	Allowed in AVC	Permit administration
facilities (permitted use only if approved by the City Council, on a case-by-case basis)			
Commercial parking not connected to the terminal		Yes	City
Air cargo warehousing and customer service facilities.	Yes	Yes	City
Reasonable accessory office and staff facilities independent of uses permitted in the zone, if such uses are not directly related to the operation of the Airport		Yes	City
Retail sales outside AOA, airport controlled safety areas and airport-operated facilities		Yes	City
Wholesale sales and distribution facilities.		Yes	City
Warehousing and distribution facilities, excluding truck terminals		Yes	City
Other uses not directly related to the operation of the Airport		Case-by-case determination by the Port and City, per ILA	City/Port
LAND USES THE CITY AND THE PORT HAVE NOT COME TO AGREEMENT ON WHETHER THE LAND USES ARE AN AIRPORT USE OR A NON-AIRPORT USE			
Hotel, convention and conference facilities immediately adjacent and providing direct physical access to passenger terminal facilities	Yes		Port
Parking for employees directly related to the operation and construction of the	Yes	Yes	Port

Land Use	Allowed in AVO	Allowed in AVC	Permit administration
Airport			
Passenger vehicle rental, including parking, service and preparation, and customer facilities to be owned and operated by airport	Yes	Yes	Port
Flight kitchens directly related to operation of airport	Yes	Yes	Port
Offices and work and storage areas for airline and aviation support	Yes	Yes	Port
Reasonable accessory office and staff facilities to serve uses permitted in the zone, if such uses are directly related to the operation of the Airport	Yes	Yes	Port
Employee support facilities such as cafeterias, locker rooms, rest areas, restrooms, exercise areas, etc., directly related to the operation of the Airport	Yes		Port
Public access parks, trails, or viewpoints but only in accordance with the Public Use Special Conditions listed below: -- Public Use Special Conditions -- The following special conditions shall apply to any areas which are designated for public access parks, trails, or viewpoints: -- Public access or recreational uses shall be limited as necessary to assure compatibility with airport and aviation activities. If use of Port-owned property by the public for access and recreation is permitted, it shall be considered compatible with airport operations, including noise and other impacts, and shall not establish a recreation use or other public activity under the U. S. Department of Transportation 4(f) provisions.	Yes	Yes	Case-by-case determination by the Port and City, per ILA process

Land Use	Allowed in AVO	Allowed in AVC	Permit administration
<p>-- Public use and access shall be generally of low intensity. Density guidelines for numbers of people may be established by the Port and FAA, with input from the public and local jurisdiction. (Examples of such guidelines are represented in the North SeaTac Park leases and tri-party agreements.)</p> <p>-- Public use and access shall be subject to the requirements and needs of airport and aviation activities, including security, as determined by the Port and/or the FAA.</p>			
<p>Those clean light industrial and manufacturing facilities permitted in the City's BP zone as it existed on the date of the 1997 Interlocal Agreement (See Attachment A-6)</p>		Yes	Case-by-case determination by the Port and City, per ILA process

ATTACHMENT A-3

STANDARD FORMAT FOR PROJECT NOTICE AND PORT AND CITY DEVELOPMENT REVIEW PROCESS

STANDARD FORMAT FOR PROJECT NOTICE

This Project Notice would be sent to the City's designated contact person as early as possible (e.g. initial listing on the Port's spread sheet tracking if sufficient detail exists), but in any event no later than the Port's preparation of a SEPA checklist for the project or the Port's determination that the action is not covered by SEPA (e.g. categorical exemption).

Location (with map) and Size, Function and Scope of Project:

Proposed Use and User:

Proposed Schedule for Construction:

SEPA/Environmental Compliance: Describe environmental analysis including whether covered by prior EIS; if additional detail since EIS analysis, describe significant adverse impacts and any proposed new mitigation to address these impacts.

Description of Applicable Development Standards (and any modifications resulting from federal or state requirements): [See list in Attachment A-4]

PORT-CITY DEVELOPMENT REVIEW PROCESS

This document addresses City review of Port projects. Section I focuses on compliance with the standards in the 2005 Interlocal Agreement between the City and the Port ("ILA"). Section II focuses on procedures for City permits. The Interlocal Agreement between the City and the Port entered into in the year 2005 governs whether City permits are required.

Modifications to this Port-City Development Review Process may be made by mutual agreement of staff for the Port and City. Any such modification shall be made in writing, with revised versions of this document distributed to Port and City staff.

SECTION I: PROCEDURE FOR VERIFYING COMPLIANCE WITH 2005 ILA DEVELOPMENT STANDARDS

GOALS FOR REVIEW PROCESS: Both agencies agree there needs to be a process for the City to verify compliance with the development standards in Attachment A-4 to Exhibit A. This process: 1) enables the City or the Port to know if and when to trigger Joint Consultation or Dispute Resolution, as provided for in the 2005 ILA; and 2) provides a more predictable and timely project review process for the Port. The general steps in the review process are outlined below.

A. INTERNAL PORT PROCEDURE:

1. In order to determine whether a project requires submission to the City, Port staff will fill out the Preliminary Design Review Conference Checklist, Category 1 in Attachment A-3. This checklist must be reviewed internally by the Port's Airport Building Department (ABD).

2. For those Port and tenant projects that require submittal to the City, the Preliminary Design Review Conference Checklist for each project will be reviewed by the Port's Preliminary Design Review Committee ("PDRC") prior to submittal to the City. The review is for "quality control" purposes and compliance with applicable ILA/Port standards. Issues of interpretation are identified and discussed internally in order to enhance later discussions with the City. City attendance at the PDRC meetings shall be as described in Section C-2.

3. Port environmental staff is responsible for maintaining an up-to-date Project Notice tracking sheet of Port projects, with copies provided quarterly to the City. Emphasis is on early listing of projects, even if information is preliminary or incomplete at time of initial listing.

4. Port staff is responsible for informing consultants/staff of applicable development standards from the ILA, and other project requirements that shall be used for design. Plans submitted for ILA standards verification will show how the standards from the ILA are addressed. (**Note:** The more complete the plans can be, the more likely the City will verify compliance with ILA standards in a timely manner.) This information can be included on a single plan sheet or on the relevant individual sheets, as appropriate. The plans shall also clearly identify who is the Port Project Manager. The Port Project Manager will be the contact person on the project for the purpose of City communications.

B. INFORMAL PRE-SUBMITTAL CONSULTATION:

As is the case with any applicant, Port staff may choose to consult informally with City staff to discuss ILA standards for a potential project. The procedure that follows is not intended

to eliminate such informal consultation.

C. FORMAL SUBMITTALS:

1. For each Port project, consideration shall be given as to whether the development standards from the 2005 ILA apply to the project. According to Section 2.2.1.5 to Exhibit A, all Port projects within the City shall comply with the pre-approved development standards that are set forth in Attachment A-4 to Exhibit A in the 2005 ILA. Therefore, the Port Project Manager shall review the standards in Attachment A-4 to see how they apply to the project. In order to aid in identifying whether ILA standards apply to a project, a checklist has been created, which is attached to the end of this Attachment to this Development Review Process procedure. Category 1 of that checklist addresses the 2005 ILA standards. That checklist shall be filled out in its entirety for each Port project by the Port Project Manager and be submitted to the ABD for review with a copy to be placed in the project file.

2. If any item is checked “yes” in Category 1 on the Attachment A-3 checklist, then it is necessary for that project to be discussed at the Port’s PDRC meeting as scheduled by the ABD. Such meetings shall be held on a regularly scheduled basis. The ABD will prepare an agenda for each PDRC meeting that lists the projects to be discussed at that meeting. The project name shall include an asterisk by it, if any item is checked “yes” in Category I on the Attachment A-3 checklist. At the bottom of the agenda, a note shall be included which states: “projects with an asterisk may involve City review under the 2005 ILA.” The Port shall provide copies of the agenda, and project drawings, for each PDRC meeting to the City Planning Director or designee, at least 48 hours in advance of the meeting, at the same time as the agenda is distributed to Port staff. The City is invited to attend a PDRC meeting. The purpose of the invitation to the City is to create a forum where the City and Port can discuss and resolve questions regarding application of ILA standards. Also, at the PDRC meeting, the City may determine that a project with an asterisk does not actually require City review for verification of 2005 ILA standards. However, unless the City explicitly determines at a PDRC meeting that City review is unnecessary, any projects with a “yes” from Category 1 on the Attachment A-3 checklist will require City review.

To facilitate review at the PDRC meeting, at a minimum, a brief project description and conceptual site plan shall be prepared for each project that has items checked “yes” in Category 1 on the Attachment A-3 checklist (Note: depending on the size, complexity and location of the project additional drawings may be necessary). For each such project, the project description and conceptual site plan (at a minimum) shall be brought to the PDRC meeting, and a copy of both included with the PDRC agenda provided to the City. Providing addition project information, in advance of or at the PDRC meeting, will facilitate more complete review comments.

3. If no City permit is required but ILA standards apply, the Port shall provide a “For

your information” set of the project plans to the City Planning Director or designee for verification that the project meets ILA development standards. Such plans shall be provided to the City as part of the Port’s 90% review process. For speed and efficiency, more than one set of plans should be submitted if additional City departments must review them (one set for each department). The City Planning Director or designee shall coordinate City review of the plans through the City’s own internal process, providing to the Port Project Manager a written sheet of comments on ILA standards verification. (The City shall prepare its own comment form for this purpose.) If the City believes there is potentially a dispute regarding compliance with ILA standards, then the City shall identify that on its comment sheet. The City shall provide its comment sheet to the Port within 40 days of the City’s receipt of the project plans.

The Port shall review the City’s comments, and if an issue cannot be resolved through discussion between the Port and the City staff directly involved, then Joint Consultation shall apply. If Joint Consultation and /or Dispute Resolution is invoked, the Port may not proceed to construct the portion of the project directly implicated by the disputed issue, until the Joint Consultation process (and the Dispute Resolution process, if it is invoked) have come to conclusion.

In the normal course of construction, the City may wish to visit the construction site to observe how the ILA standards are being implemented. Such a visit will be arranged in advance through a City telephone call to the Port Project Manager.

4. If a City permit is required pursuant to Section II below, the Port or tenant shall proceed with the standard permit process, as described below. The focus of City review is on both ILA development standards and other applicable City construction codes and ordinances.

D. DOCUMENTATION OF INTERPRETATIONS OF ILA STANDARDS:

In the course of project review, the City and Port are likely to develop interpretations of the ILA standards, including possible waivers of those standards where appropriate. For consistency and predictability, when such interpretations may have general application, they should be documented in writing and included as a formal part of the Owner’s Manual. The written interpretation must be signed by the Director of the Aviation Division for the Port and by the City Manager for the City, in order for it to be effective.

SECTION II: PROCEDURES FOR CITY PERMITS

E. WHEN PERMITS ARE REQUIRED:

1. Year 2005 ILA.

The 2005 Interlocal Agreement between the Port and the City governs whether City permits are required for projects on Port property. In summary form, that agreement provides for the following:

a. For projects on Port property that are uses for which the Port is identified in Exhibit A, Attachment A-2 as responsible for permit administration, the Port will administer the adopted Codes for building, mechanical, plumbing, and fire, and the State Department of Labor and Industries is responsible for administering the electrical code. For all uses subject to Port permit administration, no City-administered permits are required under the building, mechanical, plumbing, fire or electrical codes. However, City public works permits may be required under other City ordinances, such as haul permits or right-of-way permits. (See Category 2 on the Attachment A-3 checklist.)

b. For Port projects on Port property for which the City will permit, the City is responsible for administering the adopted Codes for building, mechanical, plumbing, and electrical. City permits shall be required for those non-airport uses (as defined in Exhibit A, Attachment A-2), according to the provisions in these Codes and other applicable City ordinances. In terms of the International Fire Code, the Port Fire Department is responsible for permit review and issuance.

c. For Non-Port projects on Port property, the City is responsible for administering the adopted Codes for building, mechanical, plumbing, and electrical. City permits shall be required for those non-airport uses according to the provisions in these Codes and other applicable City ordinances. In terms of the International Fire Code, the Port Fire Department is responsible for permit review and issuance. However, the 2004 Letter of Agreement and the 2005 ILA requires that such non-Port projects on Port land require City coordination and joint review with the Port.

2. Grading Permits.

By way of background, if a project involves grading only (no building), the City will review the project and plans, and will issue a grading and drainage permit, 500 cubic yards or less shall not require a City grading permit. However, if a project involves building construction as well as grading, then the City will review the grading as part of the building permit. For this latter type of project, the City will issue a building permit that includes grading approval, but no

separate grading and drainage permit is issued for the project. To simplify the discussion, this Development Review Process labels both of these types of grading approvals as a “grading permit.”

To clarify the City’s permit authority for projects involving grading, the City and Port agree to the following:

a. Grading on the Airfield. No grading permit from the City is required for grading on the airfield. The airfield is defined as the Air Operations Area (AOA) as currently delineated, and with any changes approved by the FAA. Any building constructed on the airfield will be an “airport use” by definition, so the City would not have permit authority for the building, and thus would have no permit authority for grading associated with the building.

b. Grading off the Airfield: Grading only, No Building.

1. If grading is located in an area that is temporarily off the airfield because the line delineating the airfield has changed during the construction of a particular project to allow freer access for construction workers, that grading would not require a City grading permit (unless the grading is for a building that requires a building permit under the year 2005 ILA).

2. If grading is outside the present airfield, but in areas that are planned to become part of the airfield, such as the Third Runway, then the project is for an “airport use” and the grading does not require a grading permit. This would include such uses as construction staging areas, laydown areas, stockpiling of dirt, and construction worker parking.

3. If the grading is in an area that is not planned to be included in the airfield, but is being graded in preparation for a planned airport use as listed in Attachment A-2, the grading will not require a City grading permit.

4. If the grading is in an area not planned to be included in the airfield and is not associated with a planned airport use, (such as noise buyout areas), the grading will require a City grading permit.

c. Grading off the Airfield Associated with a Building. If no City permits are required for the building pursuant to the year 2005 ILA, then no City grading permit is required. However, if City permits are required for the building pursuant to the year 2005 ILA, then grading for the building will be reviewed by the City as part of its building permit process. Plans submitted for the building permit will show the grading necessary for the building and site improvements.

d. Grading in Locations with Known Contaminated Soils. The City normally requires a site with contaminated soils to be cleaned up or managed in accordance with accepted standards, and documentation of compliance with standards is provided to the City for its files prior to issuance of a building permit. The Port has protocols for addressing contaminated soils that are consistent with established Mode Toxics Control Act (MTCA) regulations (173-340 WAC) which will be followed. The implementation results and conclusions generated therefrom, are routinely reported to the Department of Ecology. MTCA regulations do not require that Ecology provide a timely response to such reports.

Whether or not a City grading permit is required, the 2005 ILA specifies standards for drainage, critical areas, BMPs for erosion and sedimentation control, and hauling, and the City may still review a courtesy set of plans for compliance with ILA standards. In addition, with or without a grading permit, review of those items is based on the 2005 ILA standards, rather than City codes. However, with respect to grading-related items not covered by the ILA standards, such as slopes of cut and fill areas, the City's review is based on City codes.

In those circumstances where no City permits are required for a project, the Port will maintain the site management records rather than transmitting them to the City. However, where a City permit is required for the project, the Port shall provide the City copies of those documents prepared in the normal course of business with Ecology or others. For example, final site investigation reports and remediation reports would be made available to the City in the context of obtaining a necessary building or grading permit, or at other appropriate times as they are published. There will be times when the Port cannot complete the cleanup or site management prior to issuance of a building permit because the work is actually done as part of the building construction process. As long as the Port permit and occupancy permit is in advance of and independent of completion of site management activities and site cleanup, and the Port will provide copies of final cleanup reports to the City.

Where a City permit is required for a project, the Port will notify the City of anticipated grading in known contaminated areas via the Building Permit submittal documents. The Port will notify the City of planned haul of contaminated soil from the Airport to appropriate treatment and disposal facilities. Haul notification will include a copy of the treatment/disposal facility acceptance profile or similar description of the subject material. The Port will make every effort to provide advance notice (24 hours) of scheduled haul of known contaminated materials, but the City recognizes that notice of unscheduled haul may not be provided prior to the actual haul.

F. PROCESS FOR WHEN CITY PERMITS ARE REQUIRED:

The City requires a meeting with its Development Review Committee (“DRC”) for most development projects, prior to submittal of actual permit applications. The purpose of the DRC meeting is to discuss with representatives of several City departments the nature of the proposed development, application and permit requirements, fees, review process and schedule, and applicable plans, policies and regulations. Such meetings are particularly valuable to applicants early in the project design process, so that issues and concerns can be flagged prior to detailed design.

1. DRC Meeting.

The following procedure shall be followed if a DRC meeting is required:

Typically, a conceptual site plan is required in order to initiate DRC, as that level of information is necessary to facilitate meaningful comments from the City departments. However, on some occasions, it may be helpful to receive input at an earlier phase in that project, and DRC can still be initiated by the Port on that basis.

When the required level of information is assembled (or nearly so), the Port Project Manager shall request to be scheduled on the agenda for the DRC meeting on the second Tuesday of every month. (There can be a two to three week lead-time necessary to get on the agenda). This request should be made by a telephone call from the Port Project Manager on the project to the City’s Permit Specialist. For identification purposes, the name and telephone number of the Port Project Manager, and a very brief project description, will need to be provided to the Permit Specialist.

Different attendees may be required at the meeting as compared to the existing DRC process, so that there can be a discussion of ILA development standards. The Port Project Manager shall arrange for a representative of other Port departments as appropriate, to attend the DRC meeting with the City.

At the DRC meeting, City staff will review the conceptual site plan or other information and identify on a preliminary basis any concerns regarding compliance with ILA development standards (including those Port development standards referenced in the ILA).

Written City comments shall be provided to the Port Project Manager at the DRC meeting, or shortly thereafter.

At the DRC meeting, the City shall provide an estimated length of time for permit processing, based on the existing number and type of permits in the queue.

2. Steps in Permit Process for a Port Project on Port Property.

A permit submittal must include all of the information in the City's Commercial/Industrial New Construction Checklist and City of SeaTac Tenant Improvement Checklist. The permit process consists of the following steps:

a. The Port Project Manager submits construction permit plans to the City Assistant Building Official or designee, with permit application and written statement from the Port Project Manager that the Port has authorized the permit application submittal. Three sets of plans should be submitted, although if plumbing, electrical, or mechanical permits are involved, two extra sets of plans should be submitted for each of these disciplines.

b. The City's Assistant Building Official or designee briefly reviews plans to see if project is recognizable from prior DRC meeting and includes information requested at DRC meeting. If not, The City discusses this with the Port Project Manager.

c. The Port Project Manager arranges for payment of City's standard permit fee per City's Fee Ordinance. The Port Project Manager shall submit the Plans, permit application, written authorization statement, and fee to City's Permit Coordination Specialist, who will then assign a permit number to the project.

d. The City's Permit Coordination Specialist routes plans for review, monitors status of review and assembles comments. Once all comments are assembled, they are forwarded to the Port Project Manager.

e. In responding to City review comments, all revisions or additions to the plans shall be clouded on the revised plan sets so that they are easily identifiable. The City's Assistant Building Official or designee shall determine the necessary City review of the revisions and responses to City review comments.

f. General Comments on Permit Process.

i. If in the course of its permit review, the City identifies an issue regarding compliance with construction codes or ordinances, the City shall follow its customary process in bringing this issue to the attention of the Port Project Manager and in processing the permits. At present, the City's customary process is to assemble all reviewers' comments, and only when all comments are assembled is the applicant notified of those comments. The Port and the City may choose to modify this standard process, so that comments by each reviewer are provided to the Port contact person when made by the reviewer, rather than all comments being held until the end. In any case,

once comments are resolved, the permit is ready to be issued.

ii. If, in the course of its review, the City identifies a lack of compliance with ILA development standards (including Port development standards), then this shall be flagged by the City and promptly communicated to the Port Project Manager in writing. However, the City's review of the permit shall not be held up because of this, the normal permit process shall continue, including issuance of the permit, unless the development standards issue in dispute affects compliance with construction codes or ordinances enforced by the City. The City's Building Official and the Port's Capital Improvement Program Director shall acknowledge that an ILA development standards dispute exists, prior to issuance of the permit. If the dispute cannot be resolved, Joint Consultation can be invoked. Also, if the permit is issued, the Port may not proceed to construct the portion of the project directly implicated by the disputed issue until the Joint Consultation process has come to conclusion.

iii. The City shall not issue building permits on Port property without prior written approval by a designated Port employee.

iv. The City's adopted fee ordinances and regulations shall apply to Port projects, except that with respect to Material Haul Enforcement and fees, the 2005 ILA shall govern.

g. Inspection and Issuance of Final Permit or Sign-Off

i. If a City permit is required for the Project, the City shall conduct its normal inspection process, except that in lieu of the City Fire Department, the Port Fire Department shall be responsible for the final sign-off for Fire Code compliance.

ii. The City will provide mandatory building inspections as well as inspections on an on-call basis related to the enforcement of the State Building Code. Inspections will be provided within twenty four (24) hours of notification (excluding weekends and holidays). The Port may request weekend or holiday inspections on an overtime payment basis, but the City shall not be obligated to provide an inspector on such a basis.

iii. An accurate permit file shall be compiled and maintained by the City and made available to the Port upon request.

iv. The City will not approve changes to the plans and specifications related to the enforcement of the Building, Electrical, Mechanical, Plumbing, or Grading Codes without a written request by the permit applicant and written approval of the

request by the Port. The City will make a good faith effort to approve changes/revisions within no more than two weeks from the receipt of the changes/revisions.

v. The signed final permit or Certificate of Occupancy shall be provided to the Port by the City.

h. Appeals

Port and City staff should discuss Code issues directly with each other to resolve issues. Any unresolved interpretation of building, grading, mechanical, plumbing or electrical permit issues should be submitted to the City's Building Official and to the Port's Capital Improvement Program Director or the Director's designee, for review.

If a Building, Grading, Mechanical, Plumbing, or Electrical Code interpretation is still not resolved after the review by the Building Official and Capital Improvement Program Director, the City's Hearing Examiner will make the final interpretation. If there are unresolved interpretation issues with respect to the Electrical Code, the City and the Port will accept the written interpretations of the National Fire Protection Association (in the case of the text of the National Electrical Code) or the written interpretations of the Washington State Department of Labor and Industries (in the case of State amendments to the National Electrical Code).

3. Steps in Permit Process for a Non- Port Project on Port Property.

In the 2004 Letter of Agreement, the Port and City agreed to joint review of all non-Port projects on Port property. Such projects would be City permitted.

a. The City would not proceed with the permitting process for any proposed project on Port land until they received confirmation from the Port that the applicant had applied to the Port for permission to use Port land for the proposed project and the Port approved the use. The written confirmation must be signed by the Airport Director.

b. The applicant would then submit application and all plans to the City for plan review.

c. The City will provide at least 6 copies of all applications, site plans, building plans and any other document associated with the project to the Airport Building Office (ABO).

d. The ABO will circulate applications and plans to appropriate departments and provide comments back to the City within 10 business days of receipt.

e. The Port and City will meet to discuss comments on the application and plans.

f. The City shall incorporate the Port comments on the construction plans as requirements of the building permit.

g. If the City and Port do not agree with the Port comments concerning a project permit condition, the City will not approve the building permit until the dispute is resolved.

h. If there is a dispute regarding the interpretation of the building or fire code, the parties shall resolve the issue in the manner provided in the latest version of the state building or fire code. However, if the building code or fire code officials are unable to resolve their differences, then the parties shall go through the Dispute Resolution process outlined in this Agreement. (See Section 13 Dispute Resolution).

Attachment:

Preliminary Design Review Conference Checklist

Preliminary Design Review Conference Checklist

Project Name: _____
Port Project Manager: _____ Phone No.: _____
Project Location: _____
Project Description: _____
Estimated Valuation: _____
Estimated Construction Start Date: _____ Finish Date: _____

PORT PROJECT MANAGER: Please review and fill in the boxes under headings Category 1-3.

CATEGORY 1: ARE CITY PERMITS REQUIRED?

Please indicate if the project involves any of the following items listed below:

- | <input checked="" type="checkbox"/> YES | <input checked="" type="checkbox"/> NO | |
|---|--|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Is the project located on property owned by the Port? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the project for an airport use? Airport uses are listed on Attachment A-2 to Exhibit A in 2005 ILA. |

If you check "No" to either or both of these questions, DO NOT proceed further. Go to the City of SeaTac and apply for a permit with them.

CATEGORY 2: IS A PORT PDRC MEETING AND CITY REVIEW REQUIRED?

Please indicate if the project involves any of the following items listed below:

- | <input checked="" type="checkbox"/> YES | <input checked="" type="checkbox"/> NO | |
|---|--|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Will the project front a City public right-of-way? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the project in one of the City's Business Park zones? (Refer to Attachment A-6 to Exhibit A in 2005 ILA.) |
| <input type="checkbox"/> | <input type="checkbox"/> | Will the proposed work encroach on a City of SeaTac right-of-way? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is any landscaping being removed, added or modified? |
| <input type="checkbox"/> | <input type="checkbox"/> | Will a new building or structure be created? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the footprint of an existing building being modified? |
| <input type="checkbox"/> | <input type="checkbox"/> | Will the project create new parking spaces or eliminate existing parking spaces? |

- Will the project create the need for additional parking that will not be provided at one of the Port's remote parking lots?

Category 2 Continued

- Is a storm water system being created or modified, or new impervious surfaces being created, such that the SWM threshold defined in Section 5.3 of Exhibit B in the 2005 ILA will be exceeded?
- Will the project impact any Critical Areas, e.g., wetlands, steep slopes or creeks?
- Are new sources of exterior illumination proposed?
- Are there new or altered exterior signage proposed?
- Will more than 50 cubic yards of soil material be moved?

If the answer is "yes" to any of the above items, then the project needs to be scheduled for review at the Port's PDRC meeting and City review of the project plans is required. Please submit 3 copies of drawings/information to the Airport Building Department by 12 Noon on the Friday of the week preceding the PDRC meeting. PDRC meetings are always held on Thursdays beginning at 10 a.m.

CATEGORY 3: ARE SPECIAL CITY PERMITS REQUIRED?

Please indicate if the project involves any of the following items listed below:

✓YES

✓NO

- Will the proposed work encroach on a City of SeaTac right-of-way? (Obtain right-of-way Use Permit, and possibly others, from the City.)
- On average, will there be six or more loaded vehicles per hour during any eight-hour period in one day, for two or more consecutive days? (Obtain Haul Permit from the City.)

If any of the questions in Category 3 are marked "yes," you will also need to obtain the special permit from the City of SeaTac.

Completed by

Date

ATTACHMENT A-4

DEVELOPMENT STANDARDS FOR PORT PROJECTS AFFECTING THE CITY OF SEATAC

I. PURPOSE AND SCOPE

The purpose of these development standards is to serve as uniform regulations applicable for Port staff, engineers, and design professionals performing design and construction work for the Port of Seattle and its tenants for all Airport projects on Airport property other than the terminal, satellites, sky bridges, concourses, parking garage, and FAA owned and operated structures within the city limits of City of SeaTac, adjacent to private property or City owned property. These regulations apply, within the legal boundaries of the Airport within the City of SeaTac, to the construction, alteration, repair, relocation or demolition of any structure or facility, and landscaping of the subject site.

II. STANDARDS

A. SETBACKS

A minimum building setback of 25 feet is required from all lease boundaries that abut a public street, service road, adjacent lease area, or property not owned by the Port. Setbacks for buildings adjacent to runways, aprons, or taxiways are determined by FAA requirements. (See Landscape Standards for landscaping required in setback areas.) For lease boundaries abutting International Boulevard, within the City Center and Urban Center, the following maximum building setbacks are required for at least 50% of their facades:

- Within the City of SeaTac City Center Area – 20 feet maximum setback.
- Within the City of SeaTac Urban Center Area – 10 feet maximum setback.

See Attachment A-7 for the City Center and Urban Center boundaries.

Wetlands setbacks must conform to those required by local, state and federal regulations. No disturbance or impact to wetlands, streams or their designated buffers is allowed unless allowed by permit. Disturbance of critical and sensitive areas and their buffers may only occur in accordance with local, state, and federal regulations.

B. SETBACK PROJECTIONS

Chimneys, roof cornices, and other minor nonstructural features may protrude into the setback when they do not conflict with the intent of this section. Awnings and sunshades may project 4 feet into any front, rear, or side yard; but must be at least 16 feet above the

highest finished grade below them where there will be vehicle traffic beneath them, and 8 feet above in other areas. A pedestrian marquee or arcade may project further into setbacks, but cannot be closer than 3 feet to a vehicle traffic lane.

C. LANDSCAPING

The Landscape Design Standards reflected in Attachment A-4 of Exhibit A of the 1997 ILA shall remain in effect, until such time as the City and the Port mutually agree on Sea-Tac International Airport (STIA) Landscape Design Standards. (See attached)

D. LOT COVERAGE

Impermeable surface coverage of any site shall be limited to that area which is remaining after appropriate deduction of all ordinary setbacks and wetland setbacks. On properties within the City's 1997 Business Park zone, as referenced in Attachment A-6, the City's requirement for 25% pervious surface shall apply.

E. HEIGHT RESTRICTIONS

In general, overall building height, including any signs and other appurtenances, is limited to 50 feet at the front and rear setback lines. Height may be increased two feet for every additional foot of setback greater than the minimum. Where these limits conflict with FAA requirements, the FAA requirements shall govern.

F. SIGNAGE

The following standards shall apply to all signs visible from off-airport property:

- Flashing signs, rotating signs, billboards, roof signs, temporary signs, including but not limited to banners, reader boards, A-frames, signs placed on fences, and signs painted on exterior surfaces of vehicles used as signs are not permitted unless required for airport security and approved by the Port. For the purposes of this Agreement, a billboard shall be defined as being a large (greater than 85 square feet) outdoor advertising sign, containing a message (commercial or otherwise) unrelated to the use on the property on which the sign is located, and which is customarily leased for commercial purposes.
- Where a tenant leases ground area any sign on the face of a building must be stationary. The total area of the all signage may not exceed ten percent (10%) of the face of the wall on which it is mounted. Illuminated signs must be non-flashing.
- Freestanding signs within ground lease areas must be stationary, non-flashing, and may not exceed 50 square feet in area and 15 feet in height, including the

structure and component parts as measured from the grade immediately below the sign. A drawing showing the sign layout and location shall be submitted for the Port's approval prior to the installation of any sign.

- **Business Identification Signs**

All freestanding business identification signs shall be located at least fifteen (15) feet from the curb line adjacent to Port-owned and maintained streets. In order to preserve lines of sight, signs located within ten (10) feet from any street curb line shall not exceed three (3) feet in height.

One (1) freestanding business identification sign will be allowed per street frontage for each development. Freestanding signs may use internal illumination or backlighting. Low-intensity spotlights are permitted if they do not create glare and the fixture itself is screened from view.

One (1) business identification wall sign may be placed on an exterior building or structure wall in each development. Tenant signs shall be placed in a "sign band" of equal height above finish grade. Only the name or business title will be allowed. Sign size is limited by the vertical wall surface upon which the sign occurs and not the entire building elevation plane.

Wall signs may also use internal or backlit illumination. Bare neon signs and spotlighted wall signs are not permitted. No other wall signs used for advertising shall be permitted. Painted super graphic signage used in an effort to advertise and unify a development or number of different structures shall not be permitted.

G. ILLUMINATION

The design and location of exterior lighting shall be subject to the approval of the Port and shall comply with the requirements of the FAA, the Port's electrical standards and the Illuminating Engineering Society (IES), respecting height, type, and placement of lighting standards. Exterior lighting is intended to highlight aircraft operating areas on the ramps, landscaped areas, walkways, identification signs, significant architectural features, buildings, and parking for operations safety, decorative or security purposes. Lighting should complement and not dominate the designed character of the site.

Demonstrable glare reduction strategies and inherently low glare fixtures should be utilized for all lighting systems at the Airport to enhance visual comfort and acuity. Indoor and outdoor lighting fixtures and standards adjacent to or near Airport and City streets, roadways or private property shall be low glare fixtures or shielded to block glare visible from the street or adjoining property. All fixtures used for outdoor lighting shall have total cutoff at a plane parallel to the ground at the mounting height. Neither the lamp

nor the reflector shall be visible above that plane. If this cannot be achieved with the necessary lamp fixture, adequate shielding shall be provided.

Any operations producing intense glare or heat shall be performed within an enclosed or screened area in such manner that the glare or heat emitted will not be perceptible at the lease boundary line of the construction site.

H. PARKING

Parking frontage areas shall be limited to tenant customer and visitor parking, shall be designated as such, and shall not intrude on the required landscaping buffers. All other employee or tenant parking shall be located away from frontage areas.

Paved off-street parking areas sufficient for all of the vehicles customarily used by the tenant, its employees, sub-tenants and customers shall be provided for each building site. Parking on the streets and the public Airport areas shall be permitted only in areas and at times specifically designated and posted by the Port.

All manholes, flush hydrants and the like shall be accessible for repairs at all times. No parking over manholes shall be allowed.

Minimum parking requirements are one parking space for every 1,000 square feet of building area or one space for every three (3) employees on any one working shift, whichever is greater.

ALL PARKING shall be screened from adjacent properties and the street. Adequate screening will be provided by either landscaping materials or landscaped berms.

I. DESIGN STANDARDS

Building Design and Construction Materials

All structures constructed on airport property, other than the terminal, satellites, sky bridges, concourses, parking garage, and FAA owned and operated structures, (such as aviation and non-aviation commercial structures, aviation maintenance and support buildings, cargo buildings, infrastructure, transportation, and security structures, and kiosks or temporary structures) shall be designed to comply with the following standards:

- The visual scale and mass of large structures shall be reduced through use of window placement and size, reveals, color, details, facias, canopies, overhangs and landscaping. Large, uninterrupted wall surfaces without scale-reducing architectural additions will not be permitted. Such features must be in proportion to wall heights and building mass.

- A contemporary, clean visual appearance is preferred. Design or motifs used to recall specific architectural styles will not be allowed if blatantly applied.
- Use of two or more exterior colors is preferred to enhance building features and create design accents. Port “standard white,” off white, light gray, or pastels must be used for primary building color. Trim colors must complement primary building color. Bright or fluorescent colors may not be used for other than accent. Super graphics or large designs shall not be permitted for any reason.
- Materials used for structures may include exposed natural or decorative stone, painted concrete, stucco, glass, brick, prefinished, preformed metal, or insulation finish systems. Exterior colors and materials must be approved by the Port and material samples may be required.
- Window and wall penetrations, including hinged doors, overhead doors, and louvered mechanical vents, will be designed to compliment the overall design of the structure and will not be allowed to be placed haphazardly.
- All building elevations exposed to public view (pedestrian or street traffic) shall incorporate parapets, facias or other architectural details as unifying elements between varying roof lines, heights, or pitches. Mansard-type overhangs are not permitted as a unifying element.
- Structures bordering the AOA shall not use aggregate ballast roofing systems. Roofs shall be sloped to drain but pitch may not exceed 3:12. Roof drainage, which may be internal or on overhangs, must be adequate and connected to the storm drainage system. Exposed structural elements must be part of the basis design, with consideration given to roof treatment and appurtenances.
- Signs, letters, designs, or other graphics shall not be placed or painted on roofs if visible from off-airport property. Roof mounted mechanical or operational equipment will either be expressed as part of the basic design or housed in enclosures or penthouses which will not detract from the building’s basic design.
- The design of metal clad buildings shall be preapproved by the Port. Metal panels that are crimped, corrugated, or ribbed must be preapproved. No unpainted, corrugated finishes shall be permitted.
- Only International Building Code (“IBC”) complying prefabricated trailers may be used for temporary uses, such as office, maintenance, or parts storage. Longer

term use of such structures may be approved by the Port if they are wood sided, skirted and have a sloped composition roof.

- Security and safety are a priority for the Port and the existing design standards for lighting, landscaping, and fencing are a result of that priority. Law enforcement has developed Crime Prevention Through Environmental Design (“CPTED”) to improve safety and promote citizen “ownership” in the community. CPTED standards and guidelines will be considered in design of all new development to enhance existing high standards for safety. Lighting, landscaping, building facade design, and service doors will incorporate methods of increasing natural surveillance and transparency.

Building Orientation and Placement

Placement of structures or improvements on Port property shall be designed to maximize the potential of the site. Consideration should be given to building placement, landscape design, vehicular access, vehicular and pedestrian circulation, and adjacent development. Security requirements must be integrated into the project design. Appropriate and responsive architectural design is strongly encouraged. Industrial-type site and building development using minimum standards will be strongly discouraged. Building locations should optimize airside and non-airside exposure and avoid a crowded appearance.

Whenever possible, a building or structure’s main public entrance shall face the public street frontage or thoroughfare providing vehicular and pedestrian access to the site. On corner lots, building or structure sides adjacent to a public way or street shall be considered frontage.

Also, the major axis of buildings shall be parallel or normal to the nearest property line, when possible.

Buildings shall be designated and placed upon each building site so that vehicles of the maximum permitted length may be easily maneuvered and loaded or unloaded off the street. On-street vehicle maneuvering or loading shall not be permitted.

Every effort shall be made to preserve preexisting naturally occurring features on the site such as large-scale trees and planting, boulders, etc., deemed aesthetically pleasing and which will not adversely constrain tenant development.

The tenant shall be solely responsible for the relocation of existing utilities and for any and all building modifications required for the completion of the tenant’s proposed work. Abandoned utilities must be terminated and capped at the tenant’s lease line.

Where possible, new buildings or additions to existing buildings on the Airport should be placed so as to act as a buffer between taxiing aircraft and adjacent noise-sensitive uses. The orientation should be consistent with the operational function or purpose of the on-airport activity involved.

Wireless Communications

All non-FAA and non-public safety wireless communication towers and antennas attached to structures installed in the Aviation Operations zone (AVO), after this Agreement has been executed, which are visible from International Boulevard, S. 154th Street, S. 188th Street, 509, S. 200th Street, Des Moines Memorial Drive, or 24th Avenue South will comply with all applicable Federal Communications Commission guidelines and National Electrical Code requirements and shall be “concealed,” in accordance with the City standards.

All non-FAA and non-public safety wireless communication towers and antennas attached to structures installed in the Aviation Commercial zones (AVC), after this Agreement has been executed, shall be concealed in accordance with the City standards. All installations visible from off-airport properties shall also be reviewed by the Manager of Airport Architecture for aesthetic purposes.

Loading and Service Yards

Loading freight docks and truck docking requirements such as maneuvering areas shall be confined wholly within the tenant’s leased property and screened from public view by means of landscaping, berming, or the structure itself. Loading areas and service yards shall not be permitted in the required front and side yards abutting public streets except for sites adjacent to the airfield, in which case screening still applies.

Trash or dumpsters shall be provided with enclosures. Enclosures and other standalone fixed equipment shall be obscured from public entrances, pedestrian traffic, and frontage views and shall be positioned away from these areas, providing 360-degree view obstruction. If applicable, the building itself can provide obscurance. Dumpsters, if placed outside, shall have lids closed when not in use.

Outdoor storage areas, processing areas, and service yards may be permitted as long as they control any potential FOD issues and adhere to landscaping, parking, and loading area requirements.

Pavement

All paved walks and curbs shall be standard poured concrete with troweled finish. Paved walks connecting tenant/developer building pedestrian entrances/exits with either existing or other public pedestrian walkways shall be either exposed aggregate or standard

troweled finish concrete.

Colored pavers, other than natural concrete, shall be limited to those areas unconnected and separate from entrance walks and existing or new public pedestrian walks and curbs.

Courtyards, rest stops, or other paved landscaping amenities may be paved with materials of the tenant/developer's choosing provided the material is not loose or incompatible with airport operations (debris creating).

III. CRITICAL AREAS

The City's critical area regulations and standards (SMC 15.30), as they exist on the date of this Agreement, presumptively shall apply to Port projects. However, the City's critical area provisions shall not apply to the third runway or other portions of the Port Master Plan Projects as follows: (a) wetland mitigation being done in Auburn, Washington; (b) Miller Creek stream location as shown in the Port's Section 404 Corps Permit Application; and (c) for the Port Master Plan projects not eligible for joint consultation as shown in Attachment A-1, the Port shall implement the mitigation measures set forth in the Master Plan Final EIS and Final Supplemental EIS (as set forth in Attachment A-5), and the City's critical area regulations (including flood plains, seismic hazards, erosion and vegetation) shall not apply so long as those mitigation measures are implemented. The City's standards and regulations shall be flexibly applied or modified on a case-by-case basis to recognize federal regulations, circulars or similar provisions affecting airports or the special circumstances presented by the operation of an airport. If the Port and City disagree on the critical area standards, then Dispute Resolution under Section 13 of the ILA shall apply.

IV. TRANSPORTATION

Non-Airport projects shall pay impact fees as normally paid by projects within the City. Airport projects shall be controlled by the Joint Transportation Study.

V. NOISE

Noise measures shall be those adopted as part of the "Part 150 Plan" referred to in Section 1.1.3 of Exhibit A.

NOTE: The development standards set forth above shall be modified to the extent required to avoid conflict with federal or state regulations applicable to or permits issued for Sea-Tac International Airport (e.g., NPDES; air quality regulations; state HPA).

STIA Landscape Design Standards

LANDSCAPING

The purpose of this section is to provide landscaping in developments to preserve and enhance the aesthetic character of the City and Port of Seattle; to improve the quality of the built environment; to promote retention and conservation of existing natural vegetation; to reduce the impacts of development on drainage systems and natural habitats; and to increase compatibility between different land uses by:

1. Providing visual interruption of large expanses of parking areas and reduction of reflected heat and glare through the implementation of interior and perimeter parking area landscaping;
2. Screening undesirable views from surround properties;
3. Providing a visual and physical barrier between dissimilar adjoining land uses;
4. Providing increased areas of permeable surfaces which allow:
 - a) Infiltration of surface water into groundwater resources;
 - b) Reduction in the quantity of storm water discharge; and
 - c) Improvement in the quality of storm water discharge.

The landscaping standards in this section are minimum requirements. Where it is determined by the Port of Seattle that additional landscaping is needed to mitigate, screen or buffer the development from its surroundings, or comply with the spirit of this section, additional landscaping may be required. The landscaping standards in this section may be augmented by revised standards resulting from Port and City review.

A. Perimeter Landscaping

1. Port standards shall apply. On properties located within the City's Business Park (BP) zone as indicated on the map in Attachment A-6, the following standards apply:
2. Perimeter Landscaping shall be located along the property lines of a lot and shall include:

- a) A minimum twenty (20) foot wide landscape strip adjacent to public rights-of-ways consisting of the following:
 - i) A mix of evergreen and deciduous trees and shrubs spaced to create a filtered screen within three (3) years;
 - ii) At least 50% deciduous trees and at least 30% evergreen trees;
 - iii) Evergreen trees spaced no more than fifteen (15) feet on center;
 - iv) Deciduous trees spaced no more than twenty (20) feet on center;
 - v) Evergreen shrubs spaced no more than five (5) feet apart and that achieve a height of six (6) feet within three (3) years;
 - vi) Ground cover.

- b) A minimum twenty (20) foot wide landscape strip adjacent to residential zoned properties consisting of the following:
 - i) A solid wall of trees and/or a dense hedge with a mix of deciduous and evergreen trees placed to form a continuous screen within three (3) years;
 - ii) A least 70% evergreen trees;
 - iii) Evergreen trees spaced no more than fifteen (15) feet on center;
 - iv) Deciduous trees spaced no more than twenty (20) feet on center;
 - v) Evergreen shrubs spaced no more than four (4) feet apart and to achieve a height of six (6) feet within three (3) years;
 - vi) Ground cover.

B. Loading Bay Landscaping

1. Port standards apply. On properties within the City’s Business Park zone as indicated on the map in Attachment A-6, the following standards apply:
 - a) Unless there is conflicting guidance from the FAA or Airport security, loading bays shall be screened from residential properties or adjacent rights-of-ways using one or a combination of the following methods. Such screening shall provide total screening between subject property and adjacent residential properties and rights-of-way by:
 - i) Using building design and layout, or orientation, to screen the loading bays.
 - ii) A twenty foot (20’) Type 1 landscape buffer backed by a decorative fence or incorporating a landscaped berm, approved by the Port, of a minimum height of six feet (6’). Type 1 landscaping is defined in Section 15.14.030 of the City of SeaTac Zoning Code.

C. Surface Parking Lot Landscaping

1. Port standards apply. On properties within the City’s Business Park zone as indicated on the map in Attachment A-6, the following standards apply:
 - a) Surface Parking Lot Landscaping shall provide shade and visual relief, and maintain clear site lines within parking areas. Interior Landscaping within surface parking lots shall be a minimum of 10% of the interior parking lot including parking spaces and drive aisles.
 - b) Parking area landscaping shall consist of:
 - i) Canopy type deciduous trees on broadleaf evergreen trees, evergreen shrubs and a mix of evergreen and deciduous ground covers planted in wells, raised planters or parking strips;

- ii) Shrubs that do not exceed a height of four feet (4') in maturity;
 - iii) Plantings contained in:
 - (a) planting wells or parking strips having an area of at least seventy-five square feet (75 sf) and with a narrowest inside dimension of at least five feet (5') in width; or
 - (b) planters with a maximum dimension of five feet in length and width;
 - iv) Planting wells or strips which each contain at least one (1) tree; and
 - v) Ground cover;
 - vi) Street frontage landscaping can be located in front of or behind the sidewalk.
2. In lieu of the above plantings located within the paved parking areas, landscaping may consist of a landscaped buffer which functions as a visual separator between the parking area and non-airport property. Plant materials within the alternative landscape buffer shall be of the same type, size, number and area as needed to comply with items "a" through "f" above.

D. Service Area Landscaping

1. Port standards apply. On properties within the City's Business Park zone as indicated on the map in Attachment A-6, the following standards apply:
- a) Service Area Landscaping provides screening of outdoor storage and dumpster areas, and provides visual relief while maintaining clear site lines of the Airport Operating Area (AOA) security fence.
 - b) Service Area Landscaping shall consist of:
 - i) A "see-through" buffer which functions as a partial visual separator to soften the appearance of loading and service

areas. "See through" buffering is intended for use between public streets and Airport related service areas located adjacent to the AOA security fence.

- ii) A mix of canopy type deciduous trees, evergreen trees, broadleaf evergreen trees and shrubs spaced to create a continuous canopy within ten (10) years;
- iii) At least seventy percent (70%) deciduous trees;
- iv) Trees spaced no more than twenty-five feet (25') on center;
- v) Shrubs that do not exceed a height of three feet (3') in maturity;
- vi) Berms which do not exceed a slope of three horizontal feet to one vertical foot (3:1);
- vii) Landscaping located a minimum of five feet (5') away from the AOA security fence; and
- viii) Grass ground covering.

2. Exceptions to Service Area Landscaping:

- a) Airport related uses located within the AOA or where landscaping is restricted by either Federal regulations or the Airport Security Plan; and
- b) Surface parking areas located within or directly adjacent to the AOA.

E. General Landscape Requirements

- 1. Deciduous trees shall have a diameter (caliper) of at least two (2) inches measured four (4) feet above the ground at the time of planting.
- 2. Evergreen (broadleaf or conifer) trees shall be at least eight (8) feet in height measured from treetop to the ground at the time of planting.

3. Shrubs shall be at least twenty-four (24) inches high or wide at the time of planting and shall be a minimum two (2) gallon rootball size.
4. Ground covers shall be planted and spaced to result in total coverage of the landscape strip within one (1) year. Ground covers shall be planted at a maximum of twenty-four (24) inches on center or as approved by the City.
5. If fences, hedges or other architectural designs are used along street frontage, they shall be placed inward of the landscape strip. Openings shall be provided to accommodate pedestrian circulation requirements.
6. Berms shall not exceed a slope of three horizontal feet to one vertical foot (3:1).

ATTACHMENT A-5

CRITICAL AREA MITIGATION APPROVED AS PART OF PORT MASTER PLAN PROJECTS THAT ARE NOT ELIGIBLE FOR JOINT CONSULTATION

The Port shall undertake the mitigation measures for those Port projects that are not eligible for joint consultation (on Attachment A-1) as described in the following:

Airport Master Plan Final EIS:

Chapter IV, Section 10, Water Quality & Hydrology
Chapter IV, Section 12, Floodplains
Chapter IV, Section 16, Plants & Animals (Biotic Communities)
Chapter IV, Section 17, Threatened & Endangered Species
Chapter IV, Section 19, Earth

Appendix F, Stream Report for Miller Creek

Appendix G, HSP-F Hydrological Modeling Analysis

Appendix P, Natural Resource Mitigation Plan

Appendix Q, Water Studies

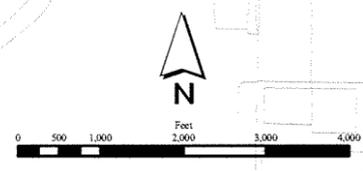
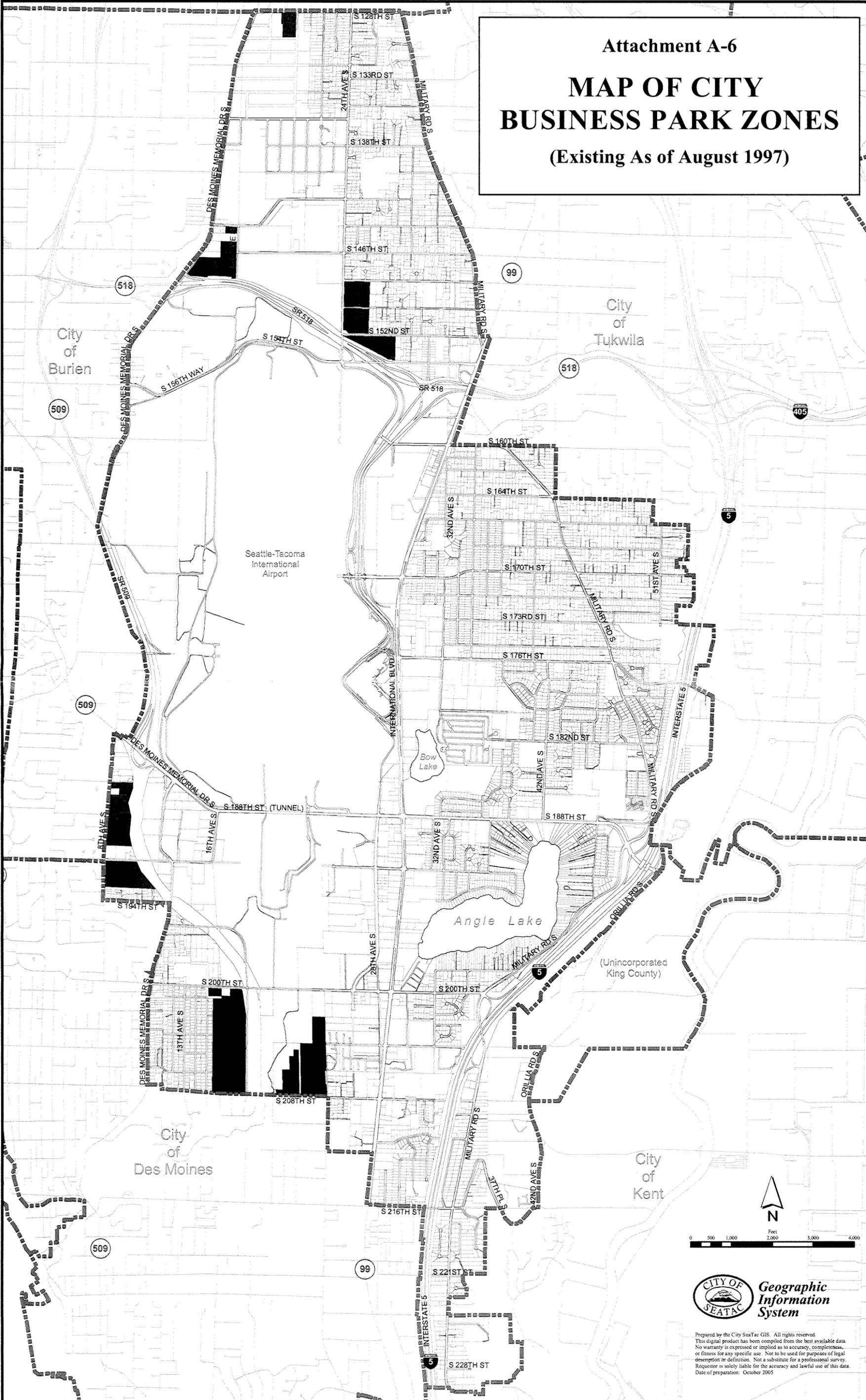
Airport Master Plan Final Supplemental EIS:

Section 5-5, Biotic Communities, Wetlands, and Floodplains
Section 5-7, Other Impacts

Appendix F:

9. Biotic Communities/Wetlands/Floodplains
10. All other issues

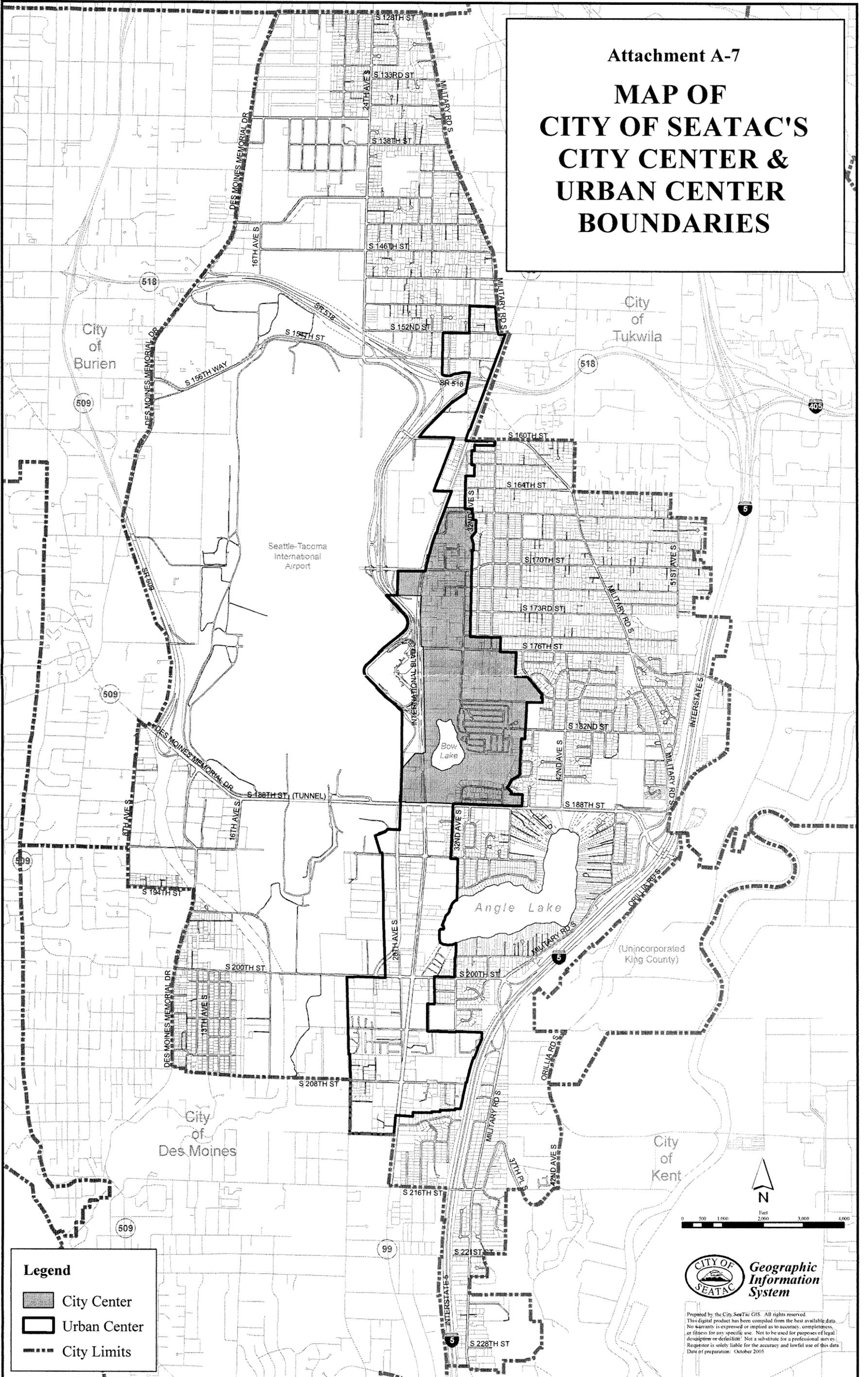
Attachment A-6
MAP OF CITY
BUSINESS PARK ZONES
 (Existing As of August 1997)



Geographic Information System

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MAP OF CITY OF SEATAAC'S CITY CENTER & URBAN CENTER BOUNDARIES



Legend

-  City Center
-  Urban Center
-  City Limits



Geographic
Information
System

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Date of preparation: October 2005