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ORDINANCE NO. 05-1001

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending certain sections of Chapters 7.10, 7.25, and 1.15 of the SeaTac Municipal Code, related to Litter Control and Junk Vehicles.

WHEREAS, the City Council, by Ordinance No. 90-1058 and Ordinance No. 96-1028, now codified as Chapter 7.10 of the SeaTac Municipal Code, recognized the need to accomplish litter control, and thus implemented the State Waste Reduction, Recycling, and Model Litter Control Act, RCW 70.93; and

WHEREAS, the City Council, by Ordinance No. 90-1048 and Ordinance No. 95-1012, now codified as Chapter 7.25 of the SeaTac Municipal Code, recognized that junk vehicles are a public nuisance, subject to abatement;

WHEREAS, the State Legislature recently amended RCW 70.93, which provides for increased penalties for littering in excess of one cubic foot, unlawfully disposing of potentially dangerous litter, and abandonment of junk vehicles; and

WHEREAS, the City Council believes that the City Litter Control Ordinance and Junk Vehicle Ordinance should be updated so that it is consistent with State Law; and

WHEREAS, the City Council believes that certain sections of the Revised Code of Washington should be adopted by reference, so that future Code amendments will not be necessary should State Law change;

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

Section 1. Chapter 7.10 of the SeaTac Municipal Code is hereby amended to read as follows:

**Chapter 7.10
LITTER CONTROL**

Sections:

7.10.010 Declaration of purpose.

7.10.020 Definitions.

7.10.030 Enforcement.

7.10.040 Littering prohibited – Penalties.

7.10.050 Notice to public – Contents of chapter – Required.

7.10.060 Litter receptacles – Use of anti-litter symbol – Distribution – Placement – Violations – Penalties.

7.10.080 Removal of litter – Responsibility.

7.10.090 Coordination with the Department of Ecology.

7.10.900 Violations – Penalties.

7.10.010 Declaration of purpose.

The purpose of this chapter is to accomplish litter control throughout the City and to provide additional impetus to state-wide efforts to reduce waste and promote recycling. The intent of this chapter is to add to and to coordinate existing litter control and waste reduction and to promote recycling in coordination with the Department of Ecology.

7.10.020 Definitions.

RCW 70.93.030 is hereby incorporated as now or hereafter amended, and all other statutes adopted by reference therein as if fully set forth herein.

7.10.030 Enforcement.

City police officers, and any City employees designated by the City Manager shall enforce the provisions of this chapter and all rules and regulations adopted hereunder. The City shall also have the authority to contract with the Department of Ecology for purposes of providing to that Department law enforcement services and personnel reasonably necessary to carry out the enforcement provisions of RCW 70.93 et. seq. or this Chapter.

7.10.040 Littering prohibited – Penalties.

RCW 70.93.060 is hereby incorporated as now or hereafter amended, and all other statutes adopted by reference therein as if fully set forth herein.

7.10.050 Notice to public – Contents of chapter – Required.

Pertinent portions of this chapter, or pertinent notices, may be posted along the public streets and highways of the City and at all entrances to City parks, recreational areas, at all public beaches, at all recycling centers and recycling bins, and at all other public places in the City where

persons are likely to be informed of the existence and content of this chapter and the penalties for violating its provisions.

7.10.060 Litter receptacles – Use of anti-litter symbol – Distribution – Placement – Violations – Penalties.

A. Litter receptacles shall be of the design and bear an anti-litter symbol as designed and adopted by the State Department of Ecology.

B. Litter receptacles of the said uniform design shall be placed along the public streets and highways of this City and at all parks, drive-in restaurants, gasoline service stations, tavern parking lots, shopping centers, grocery store parking lots, parking lots of major industrial firms, boat launching areas, beaches and bathing areas, and such other public places within the City as may be specified by rule or regulation adopted by the City Manager, or designee.

C. It shall be the responsibility of any person owning or operating any establishment or public place in which litter receptacles of the uniform design are required by this section to procure and place such receptacles at their own expense on the premises.

D. Any person who fails to place such litter receptacles on the premises in the numbers required by rule or regulation of the Department of Public Works, violating the provisions of this section or rules or regulations adopted thereunder shall be subject to a fine of ten dollars (\$10.00) for each day of violation.

7.10.080 Removal of litter – Responsibility.

Responsibility for the removal of litter from receptacles placed by the City at parks, beaches and other public places shall be with the Department of Public Works. Removal of litter from litter receptacles placed on private property which is used by the public shall remain the responsibility of the owner of such private property.

7.10.090 Coordination with the Department of Ecology.

The City shall coordinate with and shall support the efforts of the State Department of Ecology in accomplishing local anti-litter and recycling efforts; shall, together with the Department of Ecology, encourage, organize and coordinate all voluntary local anti-litter and recycling campaigns seeking to focus the attention of the public on the programs of the State and City to control and remove litter and foster recycling; and to investigate the availability of, and to apply for funds available from any private or public source to be used in programs to control and remove litter; and, together with the Department of Ecology, to develop programs to increase public awareness of and participation in recycling and to stimulate and encourage local private recycling centers, public participation in recycling and research and development in the field of litter control and recycling, removal, and disposal of litter-related recycling materials.

7.10.900 Violations – Penalties.

It is a civil infraction, punishable by a monetary penalty of no more than fifty dollars (\$50.00) for any person who commits a violation of this chapter for which no penalty is specially provided. Each violation of this Chapter shall be treated as a separate offense..

Section 2. Sections 7.25.010 through 7.25.055 of the SeaTac Municipal Code are hereby amended to read as follows:

Chapter 7.25
JUNK VEHICLES —VEHICLE STORAGE

Sections:

I. Junk Vehicles

7.25.010 Declaration of junk vehicles as nuisance.

7.25.020 Definition of junk vehicle.

7.25.030 Certification.

7.25.040 Junk vehicle violations.

7.25.050 Exceptions.

7.25.055 Enforcement.

7.25.010 Declaration of junk vehicles as nuisance.

Junk motor vehicles in areas not zoned for storage of junk or scrap metal are hereby declared a public nuisance subject to abatement and removal.

7.25.020 Definition of junk vehicle.

“Junk vehicle” has the same meaning as defined in RCW 46.55.010, as now or hereafter amended.

7.25.030 Certification.

Notwithstanding any other provision of Chapter 7.10 of the SeaTac Municipal Code, the City Manager, or designee, may inspect and certify that a vehicle meets the requirements of a junk vehicle. Such certification shall be in writing and shall record the make of the vehicle, the vehicle identification number or license plate number of the vehicle if available. The certifying individual shall also describe any vehicle damage, any missing equipment, or condition of the vehicle, and shall also verify that the value of the junk vehicle is equivalent only to the approximate value of the scrap in it.

7.25.040 Junk vehicle violations.

It shall be unlawful to park or store junk vehicles on private property, subject only to the exceptions provided in SMC 7.25.050. Such a violation shall be deemed a nuisance subject to abatement.

7.25.050 Exceptions.

The provisions of this chapter relating to junk vehicles shall not apply to a vehicle or part thereof which: (1) is not visible from the street or other public or private property; or (2) is stored or parked in a lawful manner on fenced private property in connection with the business of a licensed hulk hauler, tow truck operator, dismantler, repair facility, or motor vehicle dealer and is fenced pursuant to RCW 46.80.130, as now or hereafter amended.

7.25.055 Enforcement.

In addition to nuisance abatement authorized in this Chapter, the provisions of this article shall be enforced pursuant to Chapter 1.15 SMC and the requirements of RCW 46.55.240(3), as now or hereafter amended.

Section 3. Section 1.15.025 (A) of the SeaTac Municipal Code is hereby amended to read as follows:

1.15.025 Violations.

A. Violations of the following titles and chapters of the SeaTac Municipal Code shall be remedied in accordance with SMC 1.15.045 through 1.15.075 by way of correction agreement and/or notice of infraction: Chapter 5.05 SMC, regarding business licenses and regulations; Chapter 5.10 SMC, relating to solicitors and canvassers; Chapter 7.15 SMC, regarding property maintenance; and Chapter 7.25 SMC, regarding junk vehicles and vehicle storage.

Section 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances shall not be affected.

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

ADOPTED this 11th day of January, 2005, and signed in authentication thereof on this 11th day of January, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: _____]

[Litter Control and Junk Vehicle Update]

ORDINANCE NO. 05-1002

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Sections 15.35.140 and 15.35.810 and adding new Sections 15.10.175.3, 15.10.449, and 15.35.905 to the Zoning Code to clarify the Parking Garage Standards in the City Center.

WHEREAS, certain clarifying amendments to the Parking Garage Standards for the City Center are necessary to ensure that the City Center’s goals are achieved, including the goal for a mixture of uses in the City Center; and

WHEREAS, the Zoning Code provides for periodic review and amendment of the code; and

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

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

Section 1. Chapter 15.35.140 of the SeaTac Municipal Code is hereby amended to read as follows:

15.35.140 Government/Office, Business Uses

ZONES:

P – Park

ABC – Aviation Business Center

UM – Urban Medium Density

I – Industrial/Manufacturing

UH – Urban High Density

O/CM – Office/Commercial Medium

UH-UCR – Urban High-Urban Center Residential

O/C/MU – Office/Commercial/Mixed Use

NB – Neighborhood Business

T – Townhouse

CB-C – Urban Center

P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES										
		P	UM	UH	UH-UCR	NB	CB-C	ABC	I	O/CM	O/C/MU	T
	GOVERNMENT/OFFICE USES											
071	Social Service Office			C	P	P	P	P	P	P	P	
072	Public Agency Office	P		P	P	P	P	P	P	P	P	
073	Public Agency Yard	C(2)					C	C	P	C	C	
074	Public Agency Archives	C(3)				C	P	P	P	P	P	
075	Court						P	P	P	P	P	
076	Police Facility	P	P	P	P	P	P	P	P	P	P	
077	Fire Facility	P	P	P	P	P	P	P	P	P	P	
079	Helipad/Airport and Facilities								P			
080	Utility Use		C	C	C	C	C	C	P	C	C	
081	Utility Substation			C	C	C	C	C	P	C	C	
082	Financial Institution				P(4)	P	P	P	P	P	P	
083	City Hall				P(4)	P	P	P	P			
083.5	Secure Community Transition Facility						C(7)	C(7)	C(7)	C(7)		
	BUSINESS SERVICES USES											
086	Construction/Trade						C	P(1)	P	C		
087	Truck Terminal							P(1)	P			
088	Airport Support Facility							P				
089	Warehouse/Storage					C		P	P	C(1)		
090	Professional Office			P(4)	P(4)	P	P	P	P	P	P	
091	Heavy Equipment Rental							C	P			
092	Misc. Equipment Rental Facility					C	C		P	P(1)		
093	Auto Rental/Sales						P(1)	P(1)	P	C(1)		
094	Public/ or Private Parking Lot					C(5,6,8)	P(5,6,8)	P(5,6,8)	P(5,6,8)	C(5,6,8)		
095	Motor Freight Repair								P			
096	Heavy Equipment Repair								P			
097	R and D/Testing					C	C	P	P	C		
098	Commercial/Industrial Accessory Uses					P	C	P	P	C		

- (1) Accessory to primary use not to exceed twenty percent (20%) of primary use.
- (2) A public agency yard located on property within the park zone may be used as a combined maintenance facility for park and nonpark purposes; provided, that the facility shall be no more expansive than that which is reasonably expected to be needed for park maintenance when park facilities are fully developed.
- (3) A public archives facility located on property within the park zone is limited to existing structures.
- (4) Permitted as part of a mixed use development, as described in SMC 15.35.610.

- (5) Public/private parking lots ~~are~~ is permitted within a structure when associated with other nonparking land uses. Please see SMC 15.35.820 for provisions regarding public/private surface parking lot as an interim use. Please see SMC 15.35.950 for incentives through which additional parking may be allowed.
- (6) Public/~~or~~ private commercial parking lot park-n-fly structures are permitted up to three hundred (300) spaces as a stand-alone structure. (See SMC 15.35.905 for requirements regarding stand-alone structures). Additional spaces may be added only via the incentive method defined in SMC 15.35.950.
- (7) Secure community transition facilities are subject to the CUP-EPF siting process (SMC 15.22.035).
- (8) Public/private parking lots shall only be allowed in one (1) parking structure per development site.

Section 2. Chapter 15.35.810 of the SeaTac Municipal Code is hereby amended to read as follows:

15.35.810 Maximum Parking Requirements

LAND USE	MAXIMUM SPACES ALLOWED*
Residential Uses	
Single Attached Dwelling/Duplex/Townhouse	2 per dwelling unit
Multi-Family Housing	1 per bedroom, up to 2 per dwelling unit maximum***
Senior Housing	1 per unit***
Boarding House/Bed and Breakfast	1 per bedroom, plus 2 for residents
Transitional Housing	1 per 2 bedrooms***
Convalescent/Community Residential Facility	1 per bed***
Rest/Convalescent Center/Nursing Home (24 hr. care)	1 per 3 beds***
College Dormitory	1 per bedroom unit
Residential Congregate Care	0.35 per bedroom
Recreational/Cultural Uses	
Conference/Convention Center	5 per 1,000 SF of building area
Library/Museum/Cultural Facility	4 per 1,000 SF of building area
Community Center/Recreation Center	4 per 1,000 SF of building area
Sports/Fitness/Health Club	4 per 1,000 SF of building area
Theater	0.75 per fixed seat, plus 1 per employee
General, Educational and Health Services Uses	
General Service Uses	4 per 1,000 SF of building area
Educational Uses	1 per employee, plus 1 per 2 students
Health Services Uses	4 per 1,000 SF of building area
Government/Office, Business Uses	
Business Service/Office Uses	5** per 1,000 SF of building area
Retail/Commercial Uses	
Hotel/Motel and Associated Uses	1 per bedroom, plus the following for associated uses:
with restaurant/lounge/bar	4 per 1,000 SF of building area
with banquet/meeting room	5 per 1,000 SF of gross building area
Retail Uses	4 per 1,000 SF of leasable space
Manufacturing Uses	1 per employee, plus 2 per 1,000 SF of building area
Public/Private Parking <u>Lot</u>	See SMC 15.35.140, footnote (5), and (6), <u>and</u> (8) for information regarding public/private parking

* Where calculations result in fractions of parking spaces, the maximum number of parking stalls shall be determined by rounding up to the next whole number.

** Maximum parking for business service/office uses may be increased to seven and one-half (7.5) per one thousand (1,000) square feet of building area through the establishment of a development agreement between the City and a developer.

*** Unless modified by a parking plan demonstrating an increased need to serve residents.

Section 3. A new Section 15.10.175.3 is hereby added to the SeaTac Municipal Code, to read as follows:

15.10.175.3 Development Site – Stand Alone Parking Structures

A development site is the sum total of all parcels of property incorporated into the development at any point of time. This includes the incorporation of any additional properties into the development site. (See Figure 15.10.175.3a)

Figure 15.10.175.3a



Section 4. A new Section 15.10.449 is hereby added to the SeaTac Municipal Code, to read as follows:

15.10.449 Parking Structure, Stand-alone

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

Section 5. A new Section 15.35.905 is hereby added to the SeaTac Municipal Code, to read as follows:

15.35.905 Stand Alone Parking Structures

Stand alone parking structures allowed under SMC 15.35.140, use #094 shall comply with the following minimum requirements.

- A. Only one (1) stand-alone parking structure shall be allowed per development site (Also see SMC 15.10.175.3).
- B. A stand-alone parking structure is limited to not more than 300 parking stalls unless additional spaces are allowed under SMC 15.35.950.
- C. Stand-alone parking structures implementing the parking incentive of SMC 15.35.950 B. 3. shall locate all required off-street parking spaces for the retail/commercial, service, or residential use/s, adjacent to such uses. The spaces shall be reserved and clearly designated for the customers of those uses.
- D. No stand-alone parking structure shall be allowed on a development site specifically created through a commercial/industrial subdivision.
- E. Design features for stand-alone parking structures shall comply with the requirements of SMC 15.35.100 and 15.35.900 through 15.35.945.

Section 6. Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

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

Section 8. This Ordinance shall be in full force and effect five (5) days after publication.

ADOPTED this 11th day of January, 2005 and signed in authentication thereof on this 11th day of January, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: _____]

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ORDINANCE NO. 05-1003

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2005 Annual City Budget to include 2004 Budget Carryovers.

WHEREAS, certain expenditures were included in the 2004 Annual City Budget which were not initiated or completed during the 2004 fiscal year; and

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

WHEREAS, City staff recommend that the remaining expenditures be made in 2005;

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

Section 1. The 2005 Annual City Budget shall be amended to increase the total General Fund revenues by \$19,866 and General Fund expenditures by \$197,881.

Section 2. The 2005 Annual City Budget shall be amended to increase the total Fire Equipment Capital Reserve Fund revenues by \$8,775 and Fire Equipment Capital Reserve Fund expenditures by \$11,000.

Section 3. The 2005 Annual City Budget shall be amended to increase the total Municipal Facilities CIP Fund expenditures by \$5,601.

Section 4. The 2005 Annual City Budget shall be amended to increase the total Transportation CIP Fund expenditures by \$1,172,783.

Section 5. The 2005 Annual City Budget shall be amended to increase the total SWM Construction Fund expenditures by \$587,243.

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

ADOPTED this 8th day of March, 2005, and signed in authentication thereof
on this 8th day of March, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney
[Effective Date: _____]

[2005 Budget Amendment for 2004 carryovers]

ORDINANCE NO. 05-1004

AN ORDINANCE of the City Council of the City of SeaTac, Washington adopting a new Chapter 2.85 of the SeaTac Municipal Code related to acceptance of donations made to the City.

WHEREAS, RCW 35.21.100 requires that the City by Ordinance accept any money or property donated to the City; and

WHEREAS, it is appropriate for the City Council to authorize the City Manager to accept monetary and non-monetary donations valued at under \$500.00; and

WHEREAS, it is appropriate for the City Council to accept any monetary and non-monetary donations valued at \$500.00 or greater; and

WHEREAS, this issue went before the Administration and Finance Committee meeting on February 8, 2005;

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

Section 1. A new Chapter 2.85 is hereby added to the SeaTac Municipal Code to read as follows:

**Chapter 2.85
ACCEPTANCE OF DONATIONS MADE TO THE CITY**

Sections:

- 2.85.010 Acceptance of Monetary Donations.
- 2.85.020 Acceptance of Non-Monetary Donations.

2.85.010 Acceptance of Monetary Donations.

A. The City Manager is hereby authorized to accept on behalf of the City all monetary donations made to the City of SeaTac under \$500.00. However, the City Manager may request approval of the City Council prior to the acceptance of any donation.

B. All monetary donations \$500.00 or greater shall be approved by the City Council.

C. In the event a donor has indicated a desire as to the use by the City of a donation, such donation shall, to the extent reasonably feasible, be assigned to a project consistent with the donor's desired use.

2.85.020 Acceptance of Non-Monetary Donations.

A. The City Manager is hereby authorized to accept on behalf of the City all non-monetary donations made to the City of SeaTac, with a fair market value less than \$500.00. However, the City Manager may request approval of the City Council prior to the acceptance of any donation. A designee of the City Manager is authorized to accept on behalf of the City all non-monetary donations made to the City of SeaTac, with a fair market value less than \$25.00.

B. All non-monetary donations with a fair market value of \$500.00 or greater must be approved by the City Council. Prior to acceptance of a non-monetary donation valued at \$500.00 or greater, the City Manager shall make a recommendation to the City Council as to whether a particular non-monetary donation should be accepted by the City.

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

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

ADOPTED this 22nd day of March, 2005, and signed in authentication thereof on this 22nd day of March, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: _____]

[Acceptance of Donations]

ORDINANCE NO. 05-1005

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Section 15.12.030 allowing “Recreation Centers” in the UL, UM, and UH zones as a permitted use.

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

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

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

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

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

Section 1. Chapter 15.12.030 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.030 Recreational/Cultural Uses

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

Density

P – Permitted Use; C – Conditional Use Permit; SDO – Special District Overlay Rules

USE #	LAND USE	ZONES													
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T	
RECREATIONAL/CULTURAL USES															
022	Community Center	P			C	C*	P	P*	P*(2)		P*		P*	C*	
023	Golf Course	P		C				C*				P*			
024	Theater	P(2)					P	P*	P*(2)	P	P*	C*			
025	Drive-In Theater							P*							
026	Stadium/Arena	C						C*		C	C*	P*			
027	Amusement Park	C(1)						C*			C*	C*			
028	Library			P	P	C*	P	P*	P*		P*	C*	P*	C*	
029	Museum				C	C*	P	P*	P*		P*	C*			
030	Conference/ Convention Center						P	P*	P*	P	P*	C*(2)			
031	Cemetery	C			C	C*	C	P*	P*						
032	Private/Public Stable	P		SDO											
033	Park	P	P	P	P	P*	P	P*	P*	P	P*	P*	P*	P*	
034	Church			C	C	P*	P	P*	P*		P*	P*(2)	P*	C*	
035	Church Accessory			C(2,3)	C(2,3)	C*(3)	P(3)	P*(3)	P*(3)		P*(3)		P*	C*(2)	
036	Recreational Center	P		C P (4)	C P (4)*	C P (4)*	C	P*	P*(2)	P	P*	P*(1)	P*		
036.5	Health Club					C*(2)	P	P*	P*	P(2)	P*	P*	P*		
037	Arcade (Games/Food)	P				P*(2)	P	P*(2)	P*(2)		P*(2)	P*(2)	P*(2)		

* See Chapters [15.13](#) and [15.35](#) SMC for additional development standards.

- (1) Site must be adjacent to an improved arterial.
- (2) Accessory to primary use not to exceed twenty percent (20%) of total building square footage.
- (3) May include an overnight shelter, not to exceed twenty percent (20%) of total building square footage, providing an operating plan is approved ensuring there are no significant traffic or noise impacts to neighbors, and that health and safety standards are met.
- (4) The hours to conduct outdoor activities may be limited dependant on their location relative to adjacent residential properties. Such activities may be limited due to potential noise impacts, activities between the hours of 10:00 p.m. to 8:00 a.m., or lighting that cannot be screened that would cast glare on adjacent residences.

Section 2. Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 4. This Ordinance shall be in full force and effect five (5) days after publication.

ADOPTED this 18th day of April, 2005 and signed in authentication thereof on this 18th day of April, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: _____]

ORDINANCE NO. 05-1006

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Chapter 5.35 of the SeaTac Municipal Code relating to fireworks.

WHEREAS, the City Council of the City of SeaTac has adopted Ordinances regulating fireworks within the City, codified as Chapter 5.35 of the SeaTac Municipal Code; and

WHEREAS, the SeaTac Fire Department and SeaTac Police Department respond to numerous fireworks related incidents in conjunction with the July 4th holiday, which has an adverse impact upon City resources; and

WHEREAS, statewide there were 1,316 fireworks related incidents reported to the State Fire Marshal in 2003 by fire departments and hospital emergency rooms, and of the 1,316 reports, there were 1,072 fires, 244 injuries, and over \$2 million in property loss; and

WHEREAS, the City Council finds that prohibiting the sale, use, and possession of fireworks within the City limits is necessary to protect the health, safety, and welfare of its citizens; and

WHEREAS, it is appropriate for the City to allow public or religious displays of fireworks, subject to the issuance of a proper permit; and

WHEREAS, the laws of the State of Washington allow the City to exercise its police power to regulate fireworks within the City;

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

Section 1. Chapter 5.35 of the SeaTac Municipal Code is hereby amended as follows:

**Chapter 5.35
FIREWORKS**

Sections:

5.35.010 Definitions.

5.35.015 Reckless Discharge of Fireworks.

5.35.020 General provisions.

5.35.025 Enforcement.

~~5.35.030 Sales application—Permit.~~

~~5.35.040 Fireworks stands.~~

5.35.050 Public or religious displays of fireworks.

5.35.055 Issuance—Nontransferable—Voiding.

~~5.35.060 Sale of fireworks.~~

~~5.35.070 Unclassified fireworks.~~

5.35.080 Exceptions.

5.35.085 Construction.

5.35.090 Violation – Penalty.

5.35.010 Definitions.

~~The words and phrases herein used for the purposes of this chapter shall have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:~~

~~A. The term “fireworks” shall have the meaning defined in RCW 70.77.126.~~

~~B. The terms “display fireworks,” “consumer fireworks,” and “articles pyrotechnic” shall have the meanings defined in Chapter 70.77 RCW. Consumer fireworks shall further be limited to those on file pursuant to RCW 70.77.575.~~

~~C. “Fireworks stands” includes all locations where consumer fireworks are displayed in connection with sale, offered for sale or are stored. “Fireworks stands” includes temporary as well as permanent structures where fireworks are offered for sale or are stored.~~

~~D. “License” means the State authorization defined in RCW 70.77.170.~~

~~E. “Permit” means the official authorization granted by the City for the purpose of establishing and maintaining a place within the City where fireworks are manufactured, constructed, produced, packaged, stored, sold, or exchanged and the official authorization granted by the City for a public display of fireworks.~~

~~F. “Person” includes any individual, firm, partnership, joint venture, association, corporation, estate, trust, receiver, syndicate or any other group or combination acting as a unit.~~

~~G. “Public display of fireworks” means an entertainment feature where the public is, or could be, admitted or allowed to view the display or discharge of display fireworks.~~

~~H. “Sale at retail” includes any offer to sell, sale or exchange for consideration, including contracts or orders for sales or exchanges at a fixed location or a place of business of consumer fireworks to a consumer or user.~~

~~I. "Sale at wholesale" includes a sale or transfer of consumer fireworks to a retailer or any other person for resale, and also includes any sale or transfer of display fireworks to public display licensees.~~

The definitions of RCW Chapter 70.77 as now stated or hereinafter amended shall govern the construction of this Chapter, when applicable. RCW 70.77.120 through and including RCW 70.77.236 as now stated or hereinafter amended are adopted by reference. In addition, the following definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

A. "Chief" or "Fire Chief" means the Chief of the City of SeaTac Fire Department.

B. "City" means the City of SeaTac.

C. "Fire Department" means the City of SeaTac Fire Department.

5.35.015 Reckless Discharge of Fireworks.

RCW 70.77.488 is hereby incorporated as now or hereafter amended, and all other statutes adopted by reference therein as if fully set forth herein.

5.35.020 General provisions.

~~Each of the following are hereby declared to be unlawful within the City:~~

A. It shall be unlawful ~~for~~ any person, firm, or corporation to offer for sale, at retail or wholesale, or to sell, at retail or wholesale, any fireworks within the City; provided that this prohibition does not apply to duly authorized public displays. ~~Without having first obtained a permit and license to do so;~~

B. It shall be a civil infraction, with a monetary penalty of \$250.00, including costs and assessments, ~~for~~ any person to ~~sell~~ purchase, possess, use, discharge, ignite, or explode any fireworks within the City except:

(1) As authorized by City permit to operate a public display of fireworks, granted pursuant to this Chapter; or

(2) As authorized by RCW 70.77.311(2) (use by individual or group for religious purpose on approved date and at approved location), provided that a permit is obtained from the Fire Chief or designee pursuant to this Chapter.;

~~C. For any person to sell, at retail or wholesale, or offer for sale, at retail or wholesale, any consumer fireworks within the City at any time, including the period from December 27, 2002, through January 1, 2003, and the same period every year thereafter, except during the period from 9:00 a.m. to 9:00 p.m. on the 4th of July of every year; It shall be unlawful for any person, firm, or corporation to hold, conduct, or engage in any public or religious display of fireworks within the City without first having obtained and being a valid holder of a valid permit under the provisions of this Chapter;~~

5.35.025 Enforcement.

Law Enforcement and the Fire Department are authorized to enforce the provisions of this chapter, including, but not limited to, the issuance of civil infractions pursuant to this chapter.

5.35.030 Sales application—Permit.

~~An application for a permit to offer for sale, at retail or wholesale, or to sell, at retail or wholesale, any fireworks within the City shall be made at the Finance Department of the City. Such a permit shall be issued only upon the following minimum conditions and requirements:~~

~~A. The application shall be filed with and accompanied by a permit fee of twenty five dollars (\$25.00).~~

~~B. Approval of the permit by the Fire Chief of the City or his designee, subsequent to an investigation by said Fire Chief or designee.~~

~~C. The application shall have a valid license issued by the State authorizing the holder thereof to engage in the business of sale of fireworks.~~

~~D. If the applicant does not own or have the right to possess a temporary fireworks stand complying with the standards required for temporary fireworks stands, then the applicant shall have as a place for the sale of fireworks a building which is of fireproof construction and with proper fire fighting equipment located therein, as approved by the Fire Chief or his designee. In all cases, the placing of fireworks for display in the fireworks stand or place of sale shall be in such a manner as to be beyond the reach of customers.~~

~~E. The applicant shall procure and maintain a policy or policies of public liability and property damage insurance with a company or companies acceptable to the City Attorney in the following amounts: one hundred thousand dollars (\$100,000) or more for injuries to any one person in any one accident or occurrence; two hundred thousand dollars (\$200,000) or more for injuries to two or more persons in any one act or occurrence; fifty thousand dollars (\$50,000) or more for damage to property in any one accident or occurrence. The City shall be named as an additional insured in each policy providing coverage in connection with the manufacture, importation, exportation, regulation, possession, sale, use and/or discharge of fireworks.~~

~~F. The permittee's location or place business, if a temporary fireworks stand, shall be only in those areas or zones within the City which have been approved by the Fire Chief of the City or designee. The permittee's location or place of business, if the fireworks stand or display is~~

located within a permanent structure, shall be only in those zones within the City in which commercial businesses may be located.

G. The applicant shall post with the City Clerk a performance bond or cash bond in the amount of not less than fifty dollars (\$50.00), subject to the following conditions: the deposit shall be returned to the applicant only if the applicant promptly removes the temporary fireworks stand and cleans the area of its location to the satisfaction of the Fire Chief or his designee, or, in the case of a fireworks stand being located within a permanent structure, if the applicant promptly cleans the area of its location to the satisfaction of the Fire Chief or his designee. In the event that the applicant fails to do so, the performance bond or cash deposit shall be forfeited to the City. In no event shall the applicant be entitled to the return of the performance bond or the cash deposited if he fails to complete the above described work by the 10th day of July of any year.

5.35.040 Fireworks stands.

Fireworks stands shall conform to the following minimum standards, conditions and requirements:

A. All fireworks stands shall be inspected and approved by the Fire Chief or designee. Temporary fireworks stands need not comply with all of the provisions of the City's Building Code; provided, however, that all such temporary fireworks stands shall be erected under the supervision of the Fire Chief or designee, or in accordance with the specified standards of the Fire Chief or designee, including but not limited to the requirement that all temporary fireworks stands be constructed in a safe manner for both persons selling fireworks at the temporary fireworks stand and for potential customers of the temporary fireworks stand. In the event any fireworks stand is wired for and connected to electric power, then the wiring shall be approved by the Fire Chief or the Electrical Inspector or their designee.

B. No temporary fireworks stand shall be located within fifty (50) feet of any other building or structure constructed entirely or partially of combustible materials or with unprotected openings, nor within twenty (20) feet of any building or structure constructed entirely of noncombustible materials; nor within one hundred (100) feet of any gas station, oil storage tank or premises where flammable liquids are kept or stored.

C. Each fireworks stand must have at least two (2) exits; which shall be unobstructed at all times.

D. Each fireworks stand shall have in readily accessible places two (2) or more extinguishers approved by the Fire Chief or designee, and a two (2) gallon pail of water.

E. All weeds, grass and combustible materials shall be cleared from the location of a fireworks stand and the surrounding area, a distance of not less than twenty (20) feet measured from the exterior walls on each side of the fireworks stand.

F. No smoking shall be permitted in or near a fireworks stand and fireworks stands shall be posted with "No Smoking" signs with letters at least two (2) inches in height, in conspicuous places on all four sides of the fireworks stand. Each temporary fireworks stand or fireworks display within a permanent structure where fireworks are displayed and offered for sale shall have at least one (1) adult in attendance at all times during which fireworks are available for sale.

~~G. All unsold stock and accompanying litter shall be removed from the vicinity of the fireworks stand by 12:00 noon on the 6th day of July of any year.~~

~~H. There shall be no discharging or igniting of fireworks within one hundred (100) feet of any fireworks stand.~~

~~I. No fireworks stand shall be located within ten (10) feet of a public sidewalk or street.~~

~~J. There shall be no sleeping in any fireworks stands, nor within any structure where fireworks are stored.~~

~~K. There shall be no matches, lighters or other open flame devices stored, nor offered for sale in any fireworks stand, nor within any structure where fireworks are stored.~~

5.35.050 Public or religious displays of fireworks.

~~A. Application for Permits for Public Displays of Fireworks.~~ Any person desiring to give or make a public or religious display of fireworks within the City shall make an application for a permit to operate the public or religious display, in writing, to the Chief of the Fire Department. The application shall set forth the following information:

- ~~1. The name of the organization sponsoring the display, together with the names and addresses of persons actually in charge of the firing/presentation of the display;~~
- ~~2. The date and time of day at which the display is to be held;~~
- ~~3. The exact location planned for the display;~~
- ~~4. A description setting forth the age, and experience of the persons who are to do the actual discharging of the fireworks, and copies of their public display permit issued pursuant to RCW 70.77.280 or comparable applicable statute;~~
- ~~5. The number, type and description of fireworks to be discharged, and the name, address, and telephone number of the licensed manufacturer, importer, or wholesaler where such fireworks will be or have been purchased;~~
- ~~6. The manner and place of storage of such fireworks prior to the display; and~~
- ~~7. A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of transit or communication as well as telephone, electric and other utility lines and poles and any other structures, facilities or objects which could present overhead obstructions, located within 500 feet of the point of discharge.~~

~~B. Fee for Public Display Permit. There shall be no permit fee for a public display permit issued by the City under this Chapter other than the license required by the State Fire Marshal.~~

~~C. Investigation on Site – Certificate of Compliance by Fire Department – Notice of Approval by Fire Department. Upon receipt of such application, at least ~~twenty (20)~~thirty (30) days in advance of the date set for the display, the Fire Department shall make an investigation of the~~

site of the proposed display for the purpose of determining whether the provisions of these regulations are complied with in the case of the particular display. If the Fire Chief or designee is satisfied that the display is lawful and there has or will be full compliance with all applicable laws, State and local, then the Fire Chief or designee shall issue a written recommendation for or against the permit which shall be kept on file in the Fire Chief's or designee's office and available for review by authorized reviewing agencies. If the Fire Chief or designee finds that the permit applicant has complied with all applicable laws, then the Fire Chief or designee may issue a certificate of compliance stating an endorsement of the display as being in conformance with all applicable laws and with these regulations. For any scheduled public display, applicants must also submit such information as is deemed appropriate by the Police Department of the City to ensure that adequate traffic control and crowd protection policing and any other measures necessary or appropriate for public safety have been arranged either through private security agencies or through a contract with the City's Police Department or the King County Department of Public Safety. A written notice that the applicant has complied with these requirements shall be issued by the Police Chief before a public display permit is issued, ~~provided, that if the applicant should contract for traffic control and crowd protection policing with the City or with King County, in no event shall the sum agreed upon as payment for such policing be less than the actual expenses incurred by the City or the County and providing for such services. Such consideration shall be calculated in terms of personnel resources at the hourly rate for overtime under current collective bargaining agreements and/or rates of pay, plus that percentage which is paid by the public agency for fringe benefits, whichever applies, and all such sums paid under the contract shall be paid in accordance with procedures specified by the City Finance Department or the King County Office of Finance.~~

D. Every public or religious display of fireworks shall be handled by at least two (2) competent operators approved by the Fire Chief or designee, and every public or religious display of fireworks shall be of such character, and so located, discharged or fired that, in the opinion of the Fire Chief or designee, after proper investigation, it would not constitute a hazard to property or endanger any person.

E. ~~A State pyrotechnics license is required for a~~At least one operator at each public or religious display of fireworks shall be a pyrotechnic operator licensed by the chief of the Washington State Patrol, through the director of fire protection, under RCW 70.77.255. The State licensed pyrotechnic operator shall be the person who actually discharges or ignites the fireworks.

F. A bond or certificate of insurance must be furnished to the Fire Chief or designee before a permit is issued. The bond shall be in the amount of one million dollars (\$1,000,000.00) and shall be conditioned upon the applicant's payment of all damages to persons and property resulting from or caused by any public display of fireworks, or by any negligence on the part of the applicant or its agents, servants, employees or subcontractors in the presentation of the display. The certificate of insurance shall evidence a comprehensive general liability (including automobile coverage) insurance policy providing limits of one million dollars (\$1,000,000.00) combined single limit per occurrence and annual aggregate, naming the City of SeaTac as an additional insured. Any such bond or insurance policy must be approved by the City Attorney.

G. A cash deposit in the amount of ~~one~~three hundred dollars (\$~~1~~300.00) must be posted with the Fire Chief or designee at least thirty (30) days in advance of the public or religious display date

to provide for the costs of site cleanup. The deposit shall be forfeited to the City if the operator fails to perform such cleanup within ~~six (6)~~three (3) days of the display. If the operator properly performs the cleanup, the deposit shall be returned to the operator.

H. Storage.

1. As soon as the fireworks have been delivered to the display site, they shall be attended and shall remain dry.
2. All shells shall be inspected upon delivery to the display site by the display operator. Any shells having tears, leaks, broken fuses or showing signs of having been wet shall be set aside and shall not be fired. After the display, any such shells shall be either returned to the supplier or destroyed according to the supplier's instructions.
3. All fireworks at the firing site must be stored in ready boxes (substantially constructed wood magazines). During the display, magazines must be twenty-five (25) feet upwind (in relation to the firing item) from the nearest mortar. Magazine lids must be open in the opposite direction of the firing. All ready boxes are to be protected by a flameproof water repellent canvas cover until emptied.
4. The shell storage area shall be located at a minimum distance of not less than twenty-five (25) feet from the discharge site.
5. During the display, shells shall be stored upwind from the discharge site. If the winds shift during the display, the shell storage area shall be relocated to be upwind from the discharge site.
6. There shall be at least two (2) 2A-rated fire extinguishers (2-1/2 gallon water), UL approved kept as widely separated as possible within the actual area where the discharging will occur.

I. Preparation of Site Crowd Control.

1. All dry grass, weeds and other combustible waste within fifty (50) feet of the firing site shall be removed.
2. The site shall be located so that the trajectory of shells shall not come within fifty (50) feet of any overhead object including but not limited to above ground telephone, telegraph or electric lines, trees or wooded areas.
3. Discharged fireworks shall not come within one hundred (100) feet of any tent or canvas shelter.
4. The firing and storage site shall be located not less than two hundred (200) feet from any building, public highway or railroad or other means of travel.
5. No boats shall be allowed within two hundred (200) feet of the firing or storage site.
6. The operators shall provide sufficient personnel to assure that no unauthorized persons are allowed within two hundred (200) feet of the firing and storage site. This requirement

shall be in effect from one-half (1/2) hour prior to the arrival of fireworks until the fireworks debris, equipment and fireworks have been removed from the site.

7. Spectators shall be restrained behind lines or barriers at least two hundred (200) feet from the firing and storage locations.

J. Installation of Mortars.

1. Mortars shall be inspected by the operators for dents, bent ends, and cracked or broken plugs prior to ground placement. Mortars found to be defective in any way shall not be used. Any scale on the inside surface of the mortars shall be removed.
2. Mortars shall be positioned so that the shells are carried away from spectators and buildings. When fired over water, mortars shall be installed at an angle of not less than ten (10) degrees, pointed towards the water.
3. Mortars shall be either buried securely into the ground to a depth of two-thirds (2/3) to three-fourths (3/4) of their length or fastened securely in mortar boxes or drums. In soft ground, heavy timber or rock slabs shall be placed beneath the mortars to prevent their sinking or being driven into the ground during firing.
4. In damp ground, a weather-resistant bag should be placed under the bottom of the mortar prior to placement in the ground to protect the mortar against moisture.
5. Weather-resistant bags shall be placed over the open end of the mortar in damp weather to keep moisture from accumulating inside the surface of the mortar.

K. Operation of the Display.

1. The operators shall provide fire protection at the site as required by the Fire Chief or designee.
2. Only ~~permitted~~ fireworks approved by the Fire Chief are authorized for use.
3. When display is fired from a barge or vessel, a secured area shall be established around the barge or vessel to prevent boats from entering the fallout area. No boats shall be allowed within two hundred (200) feet of the firing or storage site. A boat shall be on standby to remove personnel from the barge and otherwise respond in the case of an emergency. Additional fire extinguishers, rated 2A minimum, shall be on the barge and so spaced that an extinguisher shall be available at all times.
4. If, in the opinion of the Fire Chief or designee or authorized representative, lack of crowd control should pose a danger, the display shall be immediately discontinued until such time as the situation is corrected.
5. If at any time high winds or unusually wet weather prevail such that in the opinion of the Fire Chief or designee or authorized representative of the display operators, a definite fire danger exists, the public display shall be discontinued or postponed until weather conditions improve so as to permit safe discharge of fireworks.

6. Light snow or mist need not cause cancellation of the display; however, all materials used in the display shall be protected from the weather until immediately prior to use.
7. Display operators and assistants shall use only flash lights or approved electrical lighting for artificial illumination.
8. No smoking or open flames shall be allowed within fifty (50) feet of the firing or storage area so long as shells are present. Signs to this effect shall be conspicuously posted.
9. The first shell fired shall be carefully observed to determine that its trajectory will carry it into the intended firing range and that the shell functions are over and any debris falls into the planned landing area.
10. Mortars shall be re-angled or reset if necessary at any time during the display to properly adjust the trajectory or landing area.
11. When a shell fails to ignite in the mortar, the mortar shall not be touched for a minimum of five (5) minutes. After five (5) minutes it shall be carefully flooded with water. Immediately following the display, the mortar shall be emptied into a bucket of water. The supplier shall be contacted as soon as possible for proper disposal instructions.
12. Operators shall not attempt to repair a damaged shell nor shall they attempt to dismantle a dry shell. In all such cases, the supplier shall be contacted as soon as possible for proper disposal instructions.
13. Operators shall not dry a wet shell, nor shall they lance or pot a wet shell for reuse.
14. The entire firing range shall be inspected immediately following the display to locate any defective shells. Any such shells found shall be immediately doused with water before handling. The shells shall be placed in a bucket of water. The supplier shall then be contacted as soon as possible for proper disposal instructions.
15. When fireworks are displayed in darkness, the ~~sponsor~~ operator shall ensure that the firing range is inspected early the following morning.
16. Any fireworks remaining unfired after the display shall be immediately disposed of or removed from the City in a safe manner.
17. The debris from discharged fireworks shall be disposed of in a proper manner.

L. Additional Safety Measures

1. When, in the sole discretion of the Fire Chief, it is necessary to preserve the public health, safety and welfare of the City, a permit may be conditioned upon any other safety requirements as deemed appropriate by the Fire Chief. The applicant shall bear the cost of any additional safety requirements, and at the sole discretion of the Fire Chief or designee, may be required to pay those costs prior to the issuance of a permit.

LM. The denial by the Fire Chief or designee of a permit ~~for the public display of fireworks~~ issued under this Chapter may be appealed to the City Council in the same manner as decisions

of the Hearing Examiner, as set forth in SMC 1.20.230 through SMC 1.20.280. The decision of the City Council shall be final and conclusive.

5.35.055 Issuance—Nontransferable—Voiding.

Each permit issued pursuant to this chapter shall be valid only for the specific authorized event, shall be used only by the designated permittee, and shall be nontransferable. Any transfer or unauthorized use of a permit is a violation of this Chapter and shall void the permit in addition to all other sanctions provided in this Code.

~~5.35.060 Sale of fireworks.~~

~~The sale at retail of any fireworks other than consumer fireworks is prohibited, except as permitted by State law and this chapter, including SMC 5.35.080.~~

~~5.35.070 Unclassified fireworks.~~

~~The sale, transportation, possession or discharge of fireworks not marked with manufacturer's license number and the State Department of Community Development's classification, as required by Chapter 70.77 RCW is prohibited.~~

5.35.080 Exceptions.

The provisions of this chapter shall not apply to “toy sparklers” and “toy caps” containing not more than 25/100ths grains of explosive compound for each cap and/or sparkler. It is further provided that nothing contained in this chapter shall be deemed to prohibit the use of any explosive or flammable compound, blasting caps and similar items used for industrial purposes, nor to prohibit the use of any blank cartridges for use by person for bona fide ceremonial services, sporting events or demonstrations. This chapter shall not be construed so as to prohibit the use of torpedoes, flares or fuses by the operators of motor vehicles or railroads, nor by other transportation agencies for signal purposes. This chapter shall also not apply to the assembling, use and display of fireworks, of whatever nature, by any persons engaged in the production of fireworks when such use and display are necessary parts of the production and such persons possess requisite State permits to do so. This chapter shall also not apply to manufacturers, wholesalers, dealers or jobbers who possess the appropriate licenses and/or permits, from manufacturing or selling any kind of fireworks for direct shipment out of the City or out of the State, nor for manufacturing and/or selling at wholesale, any dangerous fireworks to properly licensed persons holding a valid permit for a public display of fireworks.

5.35.085 Construction

This Chapter is intended to implement Chapter 70.77 RCW, and shall be construed in connection with that law and any and all regulations issued pursuant thereto.

5.35.090 Violation – Penalty.

A. Any person violating any provision of this chapter for which no penalty is specifically provided is guilty of a misdemeanor, and upon conviction shall be punished by a fine in an amount not exceeding one thousand dollars (\$1,000), or by imprisonment for a term not exceeding ninety (90) days, or by both. ~~In the case of a conviction for a violation of this chapter, the Fire Chief or designee may order the fireworks stand closed and may deny approval of a request by the person for a fireworks license for the next year.~~

B. A person ~~is guilty of~~ commits a separate offense for each separate and distinct violation of any provisions of this chapter, and a person ~~is guilty of~~ commits a separate offense for each day during which he/she commits or allows to continue a violation of any provisions of this chapter.

C. Any fireworks which are illegally sold, offered for sale, used, discharged, ignited, exploded, possessed or transported in violation of the provisions of this chapter or of Chapter 70.77 RCW shall be subject to seizure by any police officer or by the Fire Chief or his designee.

D. It shall be a civil infraction, with a monetary penalty of \$250.00, including costs and assessments, for any parent, guardian, or other person having control or custody of a person under the age of eighteen years of age, to authorize or permit such person from violating any provision of this Chapter.

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

Section 3. This Ordinance shall be in full force and effect May 1, 2006.

ADOPTED this 12th day of April, 2005, and signed in authentication thereof on this 12th day of April, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 5/1/06]

[Fireworks Ordinance Amendment]

ORDINANCE NO. 05-1007

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending section 6.05.020 of the SeaTac Municipal Code to add a requirement for Hobby Kennels/Hobby Catteries and to reference the Zoning Code limits on Domestic Animals; amending the definition of Kennel (SMC 15.10.360); adding a definition for Hobby Kennel/Hobby Cattery (SMC 15.10.338); and amending section 15.12.015 of the SMC regarding the Hobby Kennel/Hobby Cattery requirement.

WHEREAS, the City contracts with King County Animal Control (KCAC) for the provision of animal control services; and

WHEREAS, these services are valuable to the citizens of SeaTac, and are being performed in a responsive manner by personnel experienced and equipped to handle animal control issues; and

WHEREAS, KCAC has found the Hobby Kennel and Hobby Cattery license requirement to be an effective tool in resolving certain complaints between neighbors regarding multiple animals; and

WHEREAS, the King County Animal Control Code should reference the Zoning Code's limits regarding domestic animals; and

WHEREAS, the animal license fees charged by King County are the only compensation provided for in the KCAC contract, and are deemed appropriate given the services provided;

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

Section 1. The SeaTac Animal Control Code is amended to adopt King County Code section 11.04.060 regarding Hobby Kennels and Hobby Catteries as set forth in Exhibit A, and as noted in SMC 6.05.020 below:

6.05.020 General provisions and licensing.

The following sections of Chapter 11.04 King County Code as now in effect, and as may be subsequently amended, are hereby adopted by reference, except that, unless the context indicates otherwise, the word “county” and the words “King County” shall refer to the City and references to violations of the county code or county ordinances shall be deemed to be references to violations of City ordinances:

- 11.04.010 Purpose.
- 11.04.020 Definitions, and in addition thereto, the definitions set forth in Section 6.05.110 are adopted.
- 11.04.030 Pet licenses required.
- 11.04.040 Animal shelter, kennel, grooming service, cattery and pet shop license required.
- 11.04.060 Hobby Kennel or hobby cattery license – Required*
- 11.04.070 Animal shelters, kennels and pet shops – Reporting required.
- 11.04.080 Animal shelters, kennels and pet shops – Inspections.
- 11.04.090 Animal shelters, kennels and pet shops – Conditions.
- 11.04.100 Animal shelters, kennels and pet shops – Indoor facilities.
- 11.04.110 Animal shelters, kennels and pet shops – Outdoor facilities.
- 11.04.120 Grooming parlors – License required.
- 11.04.130 Grooming parlors – Conditions.
- 11.04.140 Animal shelters, hobby kennels, kennels, pet shops, grooming parlors, guard dog purveyors, guard dog trainers and guard dog owners – Additional conditions.
- 11.04.150 Licenses, registrations Revocation, suspension or refusal to renew.
- 11.04.160 Licenses, registration – Revocation or refusal waiting period.

*The number of animals triggering the requirement for a Hobby Kennel or Hobby Cattery license, and the total number of allowed animals, shall be as specified in the City of SeaTac Zoning Code section 15.12.015.

Section 2. That section 15.10.360 of the SeaTac Zoning Code is amended as follows:

15.10.360 Kennel/Cattery

A commercial establishment which houses, cares for, breeds, raises or sells dogs or cats. Four (4) or more adult dogs or cats or any combination thereof constitute a kennel. Small animal hospitals and clinics and up to two (2) dwelling units, to be used as manager/caretaker residences, either attached or detached, from the kennel are included. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of six (6) months.

Section 3. That a new definition, Section 15.10.338, be added to the SeaTac Zoning Code as follows:

15.10.338 Hobby Kennel/Hobby Cattery

A noncommercial establishment at or adjoining a private residence where four (4) or more adult dogs, or five (5) or more adult cats, are bred or kept.

Section 4. That section 15.12.015 of the SeaTac Zoning Code is amended as follows:

15.12.015 Domestic Animals – Limitations

Domestic animals as defined in SMC [15.10.180](#) are permitted outright in all zone classifications within the City. The number of inside or outside animals allowed is listed below.

A. Inside Animals:

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

B. Outside Animals: The number of outside animals shall be limited based on lot size as defined in Table 15.12.015a.

15.12.015B. Outside Animals: The number of outside animals shall be limited based on lot size as defined in Table 15.12.015a.

Table 15.12.015a				
Lot Size				
	Less Than 7,200 sq. ft.	7,200 – 15,000 sq. ft.	15,001 – 30,000 sq. ft.	30,000+ sq. ft.
Total Number of Outside Animals Allowed	5*	6*	7*	8*
Cats	3	3	4	5
Dogs	3	3	4	5
Rabbits	5**	5**	5**	5**
Goats/Pygmy Goats	1**	2**	3**	4**
Sheep	1**	2**	3**	3**
Pigs/Pot-bellied Pigs	0**	0**	1**	2**
Chickens (Including Roosters)	5**	5**	5**	5**
Ducks	5**	5**	5**	5**
Other Fowl	0	0	1**	2**
Miniature Horses	0	0	1**/***	2**/***

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

** This is the total number of this animal type that are allowed as part of the total number of animals allowed based on lot size (for example, three (3) sheep would not be allowed on a lot of less than fifteen thousand one (15,001) square feet). All animals and fowl shall be kept in a confined area and maintained. Any covered structure used to house any outside animal shall conform to all yard setback requirements. No confinement area shall be located within a critical (sensitive) area or their buffers.

*** Not exceeding forty (40) pounds at full maturity.

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

D. A Hobby Kennel license is required for four (4) or more dogs. A Hobby Cattery license is required for five (5) or more cats, per SMC 6.05.020.

Section 5. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 6. The Ordinance shall be effective five (5) days after passage and publication.

ADOPTED this 26th day of April, 2005 and signed in authentication thereof on this 26th day of April, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: _____]

[An Ordinance amending the SeaTac Municipal Code regarding Hobby Kennels/Hobby Catteries and Cross-referencing Title 6, the Animal Control code, with the Zoning Code limits on Domestic Animals.]

Exhibit A

11.04.060 Hobby kennel or hobby cattery license - Required.

A. LICENSE REQUIRED. It is unlawful for any person to keep and maintain any dog or cat within the county for the purposes of a hobby kennel or hobby cattery without annually obtaining a valid and subsisting license therefore. The fee for such annual license shall be assessed upon the owner or keeper of such animals and shall be as provided in K.C.C. 11.04.035. In addition, each animal shall be licensed individually under provisions of K.C.C. 11.04.030B.

B. LIMITATION ON NUMBER OF DOGS AND CATS ALLOWED. Any hobby kennel or hobby cattery license shall limit the total number of dogs and cats over six months of age kept by such hobby kennel or hobby cattery based on the following guidelines:

1. Animal size;
2. Type and characteristics of the breed;
3. The amount of lot area; provided, that the maximum number shall not exceed twenty-five where the lot area contains five acres or more; the maximum number shall not exceed ten where the lot area contains thirty-five thousand square feet but less than five acres and the maximum number shall not exceed five where the lot area is less than thirty-five thousand square feet;
4. The facility specifications/dimensions in which the dogs and cats are to be maintained;
5. The zoning classification in which the hobby kennel or hobby cattery would be maintained.

C. REQUIREMENTS. Hobby kennels and hobby catteries.

1. All open run areas shall be completely surrounded by a six-foot fence set back at least twenty feet from all property lines; provided this requirement may be modified for hobby catteries as long as the open run area contains the cats and prohibits the entrance of children. For purposes of this section "Open run area" means that area, within the property lines of the premises on which the hobby kennel or hobby cattery is to be maintained, where the dogs and cats are sheltered or maintained. If there is no area set aside for sheltering or maintaining the dogs within the property lines of the premises the twenty foot setback does not apply. The property lines of premises not containing an open run area must be completely surrounded by a six-foot fence;

2. No commercial signs or other appearances advertising the hobby kennel or hobby cattery are permitted on the property except for the sale of the allowable offspring set forth in this section;
3. The director may require setback, additional setback, fencing, screening or soundproofing as she or he deems necessary to insure the compatibility of the hobby kennel or hobby cattery with the surrounding neighborhood. Factors to be considered in determining such compatibility are:
 - a. Statements regarding approval/disapproval of surrounding neighbors relative to maintenance of a hobby kennel or hobby cattery at the address applied for;
 - b. Past history of animal control complaints relating to the dogs and cats of the applicant at the address for which the hobby kennel or hobby cattery is applied for;
 - c. Facility specifications/dimensions in which the dogs and cats are to be maintained;
 - d. Animal size, type and characteristics of breed;
 - e. The zoning classification of the premises on which the hobby kennel or hobby cattery is maintained.
4. The hobby kennel or hobby cattery shall limit dog and cat reproduction to no more than one litter per license year per female dog and two litters per license year per female cat;
5. Each dog and cat in the hobby kennel or hobby cattery shall have current and proper immunization from disease according to the dog's and cat's species and age. Such shall consist of DHLPP inoculation for dogs over three months of age and FVRCP for cats over two months of age, and rabies inoculations for all dogs and cats over six months of age.

D. LICENSE ISSUANCE AND MAINTENANCE. Only when the director is satisfied that the requirements of K.C.C. 11.04.060C.1 through 5 have been met, a hobby kennel or hobby cattery license may be issued. The license will continue in full force throughout the license year unless, at anytime, the hobby kennel or hobby cattery is maintained in such a manner as to:

1. Exceed the number of dogs and cats allowed at the hobby kennel by the animal control section; or,
2. Fail to comply with any of the requirements of K.C.C. 11.04.060 C.1.through 5.

E. SPECIAL HOBBY KENNEL LICENSE

1. Persons owning a total number of dogs and cats exceeding three, who do not meet the requirements for a hobby kennel license, may be eligible for a special hobby kennel license to be issued at no cost by the animal control authority which will allow them to retain the specific animals then in their possession; provided that the following conditions are met:
 - a. The applicant must apply for the special hobby kennel license and individual licenses for each dog and cat within 30 days of the enactment of Ordinance 10423, or at the time they are contacted by an Animal Control Officer, King County License Inspector, or King County Pet License Canvasser.
 - b. The applicant is keeping the dogs and cats for the enjoyment of the species, and not as a commercial enterprise.
2. The special hobby kennel license shall only be valid for those specific dogs and cats in the possession of the applicant at the time of issuance, and is intended to allow pet owners to possess animals beyond the limits imposed by Title 21A of the K.C.C. until such time as the death or transfer of such animals reduces the number possessed to the legal limit set forth in Title 21A of the K.C.C.
3. The director of animal control may deny any application for a special hobby kennel license based on past Animal Control Code violations by the applicant's dogs and cats, or complaints from neighbors regarding the applicant's dogs and cats; or if the animal(s) is maintained in inhumane conditions.

ORDINANCE NO. 05-1008

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Ordinance No. 91-1009, which was codified as Chapter 2.50 of the SeaTac Municipal Code, related to the City Wellness Program for City Employees.

WHEREAS, the City Council enacted Ordinance No. 91-1009, that was codified as Chapter 2.50 of the SeaTac Municipal Code, which established a City Employee Wellness Program and implementation policies; and

WHEREAS, the City Council recognizes that employees' health is related to lifestyle decisions and many illnesses and injuries can be prevented by positive individual health practices; and

WHEREAS, the City Council further recognizes that improvements to employee health, achievable through active work place health promotion programs and activities, can result in better morale, reduced absenteeism, and enhanced productivity and performance; and

WHEREAS, the City Council wishes to continue its encouragement and support of the City Employee Wellness Program; and

WHEREAS, participation in the City Employee Wellness Program is encouraged, but is strictly on a voluntary basis;

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

Section 1. Chapter 2.50 of the SeaTac Municipal Code is hereby amended to read as follows:

2.50.010 Adoption and purpose statement.

A City Employee Wellness Program is hereby adopted. The purpose of the Employee Wellness Program is to develop, promote, and carry out those policies, programs, and activities that improve the health and well-being of City employees, contribute to a healthful City work

environment, and provide City employees with information to help make informed lifestyle decisions.

2.50.020 Voluntary participation.

Any participation in the program and activities of the City Employee Wellness Program will be strictly on a voluntary basis.

2.50.030 Program Coordinator.

In order to ensure coordination within the City Employee Wellness Program, a Program Coordinator is necessary and, therefore, the Director of Human Resources, or designee, shall serve as Program Coordinator. The Program Coordinator shall direct the City Wellness Committee which shall be comprised of a volunteer representative from each City department.

2.50.040 City Wellness Committee.

A. The City Wellness Committee shall be comprised of one (1) voluntary member from each City Department. Each department head shall notify the Program Coordinator of the voluntary department representative who will serve as a member of the City Wellness Committee. In the event that any Department is unable to obtain the voluntary services of a department representative, then the City Wellness Committee shall consist only of those members of each Department willing to so serve.

B. At the first regular meeting of each calendar year, the City Wellness Committee shall elect one (1) of its members as Chair and another member as Vice Chair for a term of one (1) year. Should a Chair and/or Vice Chair resign prior to the expiration of his/her term, the Committee shall proceed to the election of a new Chair and/or Vice Chair.

C. It shall be the responsibility of the Chair to preside over meetings of the City Wellness Committee. If the Chair is absent or otherwise unable to attend a City Wellness Committee meeting, the Vice Chair shall serve as Chair.

2.50.050 Meetings.

To promote active participation in the City Employee Wellness Program, the Program Coordinator will schedule a regular monthly meeting of the City Wellness Committee. At the monthly meetings, the City Wellness Committee may plan programs and activities and perform evaluations of ongoing programs and activities. The City Wellness Committee may, through the Program Coordinator, provide input to the City Manager in regard to suggested appropriations during the annual budget process.

2.50.060 Resources.

Existing resources within the City which are available to the general public, such as the North SeaTac Park and Community Center, other City parks and programs and activities may be considered for utilization by the City Wellness Committee in preparing their plans. In addition, the City Wellness Committee may utilize the resources and assistance of the Association of Washington Cities Wellness Program.

2.50.090 Program support.

The City Council shall annually review the City Wellness Committee's proposals and shall, in the budget process, make such appropriations as may be necessary to support the City Wellness Program. Initially, authority is granted for expenditure of funds up to the sum of one thousand dollars (\$1,000.00) from the departmental budget of the Human Resources Department, and the Director of the Department of Finance shall establish an appropriate BARS code for receipt of reimbursement from the Association of Washington Cities and for expenditures toward program support.

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

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

ADOPTED this 10th day of May, 2005, and signed in authentication thereof on this 10th day of May, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: _____]

[Wellness Ordinance]

ORDINANCE NO. 05-1009

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Section 15.20.020 of the Zoning Code and adding new Sections 15.10.342, 15.10.347, 15.10.612.5 and 15.20.045 to the City Zoning Code to adopt interim development standards for homeless encampments.

WHEREAS, the City Council is concerned that existing development regulations and design standards governing homeless encampments are not sufficient to protect the public interest regarding the City's health and safety standards; and

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

WHEREAS, the City anticipates Homeless Encampments may temporarily locate within the City; and

WHEREAS, the Comprehensive Plan supports implementing standards to minimize health and safety impacts and to protect the character of neighborhoods from homeless encampments (Policy 1.2A); and

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

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

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 permit the City Council to adopt an interim zoning ordinance, subject to a public hearing within sixty (60) days of the date of

adoption of any such interim zoning ordinance, and further subject to findings of fact justifying the interim zoning ordinance at either the time of adoption or following conclusion of the public hearing; and

WHEREAS, the City Council deems it to be in the best interest of the public welfare to provide for interim development standards governing homeless encampments;

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

Section 1. Section 15.20.020 of the SeaTac Municipal Code is hereby amended to read as follows:

15.20.020 Temporary Uses

Temporary uses that shall be regulated are as follows:

- A. Carnivals, street fairs, and outdoor holiday celebrations;
- B. Seasonal sales of Christmas trees, fireworks, flowers, fruits and vegetables;
- C. Temporary construction sheds or trailers only for the duration of the construction activity; provided, that no residential or other use shall be made of such temporary construction sheds or trailers that is unrelated to the construction activity;
- D. Temporary outdoor food events related to, and on the same site, as a restaurant.
- E. Homeless Encampments allowed in all zone classifications subject to the criteria and requirements listed under SMC 15.20.045.

Section 2. A new Section 15.10.342 is hereby added to the SeaTac Municipal Code, to read as follows:

15.10.342 Homeless Encampment

An emergency homeless encampment, hosted by a church or other organization, which provides temporary housing to homeless persons.

Section 3. A new Section 15.10.347 is hereby added to the SeaTac Municipal Code, to read as follows:

15.10.347 Host Agency

The owner of the site property, being a Church or other organization that joins a sponsoring agency in an application for a City Temporary Use Permit for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals, coordination of other needed donations and services, etc.

Section 4. A new Section 15.10.612.5 is hereby added to the SeaTac Municipal Code, to read as follows:

15.10.612.5 Sponsoring Agency

A Church or other organization that joins in an application with a host agency for a City Temporary Use Permit and assumes responsibility for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals, coordination of other needed donations and services, etc..

Section 5. A new Section 15.20.045 is hereby added to the SeaTac Municipal Code, to read as follows:

15.20.045 Homeless Encampment – Criteria/Requirements for Approval

The City Manager or designee may issue a temporary and revocable permit for a Homeless Encampment subject to the following criteria and requirements.

A. PROCEDURE FOR APPROVAL

1. The sponsoring agency shall notify the City of the proposed Homeless Encampment a minimum of 30 days in advance of the proposed date of establishment for the Homeless Encampment and at least 14 days before submittal of the Temporary Use Permit. The advance notification shall contain the following information:
 - a. The date the Homeless Encampment will encamp.
 - b. The length of encampment.
 - c. The maximum number of residents proposed
 - d. The host location

2. The sponsoring agency shall conduct at least one (1) public informational meeting within, or as close to, the neighborhood where the proposed Homeless Encampment will be located, a minimum of two (2) weeks prior to the submittal of the Temporary Use Permit application. The time and location of the meeting shall be agreed upon between the City and sponsoring agency. All property owners within 1000 of the proposed Homeless Encampment shall be notified 14 days in advance of the meeting by the sponsoring agency.

B. Site Criteria

1. If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the Homeless Encampment.
2. The property must be sufficient in size to accommodate the tents and necessary on-site facilities, including, but not limited to the following:
 - a. Sanitary portable toilets in the number required to meet capacity guidelines;
 - b. Hand washing stations by the toilets and by the food areas;
 - c. Refuse receptacles;
 - d. Food tent and security tent.
3. The host and sponsoring agencies shall provide an adequate water source to the Homeless Encampment, as approved by the local Water District and the City.
4. No Homeless Encampment shall be located within a Sensitive (Critical) Area or its buffer as defined under Chapter 15.30 of the SeaTac Municipal Code (SMC).
5. No permanent structures will be constructed for the Homeless Encampment.
6. No more than 100 residents shall be allowed. The City may further limit the number of residents as site conditions dictate.
7. Adequate on-site parking shall be provided for the Homeless Encampment. No off-site parking will be allowed. The number of vehicles used by Homeless Encampment residents shall be provided. If the Homeless Encampment is located on a site with another use, it shall be shown that the Homeless Encampment

parking will not create a shortage of on-site parking for the other use/s on the property.

8. The Homeless Encampment shall be within a quarter (1/4) mile of a bus stop with seven (7) days per week service, whenever possible. If not located within a quarter mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).
9. The Homeless Encampment shall be adequately buffered and screened from adjacent right-of-way and residential properties. Screening shall be a minimum height of six (6) feet and may include, but is not limited to, a combination of fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the City.
10. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the City and may include, but is not limited to, a combination of fencing and/or landscaping.

C. Security

1. An Operations and Security Plan for the Homeless Encampment shall be submitted to the City.
2. The host agency shall provide to all residents of the Homeless Encampment a “Code of Conduct” for living at the Homeless Encampment. A copy of the “Code of Conduct” shall be submitted to the City at the time of application.
3. All Homeless Encampment residents must sign an agreement to abide by the Code of Conduct and failure to do so shall result in the noncompliant resident’s immediate and permanent expulsion from the Property.
4. The sponsoring agency shall keep a log of all people who stay overnight in the encampment, including names and birth dates, and dates of stay. Logs shall be kept for a minimum of six (6) months.
5. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable ID, such as a driver’s license, government-issued identification card, military identification or passport from prospective and existing encampment residents.

6. The sponsoring agency will use identification to obtain sex offender and warrant checks from the KC Sheriff's Office or relevant local police department.
 - a. If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW 9A.44.130, then sponsoring agency will reject the subject of the check for residency to Homeless Encampment or eject the subject of the check if that person is already a Homeless Encampment resident.
 - b. The sponsoring agency shall immediately contact the SeaTac Police Department if the reason for rejection or ejection of an individual from the Homeless Encampment is an active warrant or if, in the opinion of the on-duty Executive Committee member or the on-duty security staff the rejected/ejected person is a potential threat to the community.
7. The sponsoring agency shall self-police and self-manage its residents and flatly prohibit alcohol, drugs, weapons, fighting, and abuse of any kind, littering or disturbing neighbors while located on the property.
8. The sponsoring agency will appoint a Executive Committee member to serve "on-duty" at all times to serve as a point of contact for City of SeaTac Police and will orient the Police as to how the security tent operates. The names of the on-duty Executive Committee members will be posted daily in the security tent. The City shall provide contact numbers of non-emergency † personnel which shall be posted at the security tent.

D. Timing

1. The duration of the Homeless Encampment shall not exceed ninety (90) days or exceed 180 days in any two (2) year period.
2. No more than one (1) Homeless Encampment may be located in the City at any time.

E. Health and Safety

1. All temporary structures within the Homeless Encampment shall conform to all Building Codes.
2. The Homeless Encampment shall conform to the following Fire requirements.
 - a. Material used as roof covering and walls shall be of flame retardant material.
 - b. There shall be no open fires for cooking or heating.
 - c. No heating appliances within the individual tents are allowed.
 - d. No cooking appliances other than microwave appliances are allowed.
 - e. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the Fire Department.
 - f. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Fire Department
 - g. Adequate separation between tents and other structures shall be maintained as determined by the Fire Department.
 - h. Electrical service shall be in accordance with recognized and accepted practice; Electrical cords are not to be strung together and any cords used must be approved for exterior use.
3. The sponsoring and host agencies shall permit inspections by SeaTac staff and the King County Health Department at reasonable times without prior notice for compliance with the conditions of this permit.

F. Termination

1. If the sponsoring agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the City learns of uncontrolled violence or acts of undisciplined violence by residents of the encampment and the sponsoring agency has not adequately addressed the situation, the Temporary Use Permit may be immediately terminated.

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

Section 7. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council shall cause appropriate notice to be given and shall hold a public hearing on the matter of this ordinance not

later than sixty (60) days after adoption hereof, and shall then make findings of fact justifying the same.

Section 8. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 9. The Ordinance shall be deemed a public emergency ordinance and shall be effective immediately upon passage.

ADOPTED this 24th day of May, 2005 and signed in authentication thereof on this 24th day of May, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: _____]

[An Ordinance Adopting Interim Development Standards for Homeless Encampments]

ORDINANCE NO. 05-1010

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2005 Annual City Budget for the redemption of Local Improvement District #1 Bonds.

WHEREAS, in 2002, the City issued Local Improvement District #1 bonds associated with the 28th/24th Avenue S. arterial project; and

WHEREAS, the principal and interest on these bonds are paid by annual installments billed by the City to the applicable property owners; and

WHEREAS, sufficient assessment payments have been received to redeem \$10,000 in additional bonds on June 1, 2005; and

WHEREAS, additional appropriation authority is necessary to avoid expenditures exceeding appropriation authority in the Special Assessment Debt Fund (Fund 204);

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

Section 1. The 2005 Annual City Budget shall be amended to increase both revenues and expenditures in the Special Assessment Debt Fund by \$10,000.

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

ADOPTED this 14th day of June, 2005, and signed in authentication thereof on this 14th day of June _____, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney
[Effective Date: _____]

ORDINANCE NO. 05-1011

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2005 Annual City Budget to provide appropriation authority for a contribution to the Museum of Flight for its advertising program for the purpose of the promotion of tourism.

WHEREAS, the SeaTac City Council has reviewed Agenda Bill 2554 submitted by the City Manager’s Office, requesting appropriation authority to fund a contribution to the Museum of Flight for its advertising program for the purpose of the promotion of tourism; and

WHEREAS, the SeaTac City Council recognizes this contribution benefits the City of SeaTac in its efforts to promote tourism in the City; and

WHEREAS, additional appropriation authority is necessary to avoid 2005 expenditures exceeding appropriation authority in the Hotel/Motel Tax Fund (Fund 107);

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

Section 1. The 2005 Annual City Budget shall be amended to increase expenditures in the Hotel/Motel Tax Fund by \$25,000.

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

ADOPTED this 14th day of June, 2005, and signed in authentication thereof on this 14th day of June, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney
[Effective Date: _____]

ORDINANCE NO. 05-1012

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 12.10.010 of the SeaTac Municipal Code, as adopted in Ordinance 98-1054, related to Surface and Storm Water Management.

WHEREAS, the State Department of Ecology has established and revised as of April, 2005 strict pollutant discharge elimination system guidelines that the City's required to follow; and

WHEREAS, the new guidelines require the City to adopt a Surface Water Design Manual consistent with the current ecology standards; and

WHEREAS, the City adopted Ordinance 98-1054, which is codified as Section 12.10.010, that adopted by reference the 1998 edition of the King County Surface Water Design Manual, and

WHEREAS, the 1998 King County Surface Water Design Manual is insufficient to meet the new revised standards; and

WHEREAS, King County adopted significant revisions to its 1998 Surface Water Design Manual to meet the 2005 standards required by the Department of Ecology; and

WHEREAS, adoption of the 2005 King County Surface Water Design Manual by the City would be an efficient method to achieve compliance with the new ecology standards;

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

Section 1. Section 12.10.010 of the SeaTac Municipal Code is hereby amended to read as follows:

12.10.010 King County Surface Water Design Manual adopted by reference.

The 2005 Edition of the King County Surface Water Design Manual as adopted by the King County Department of Natural Resources as now in effect and as may be subsequently amended is hereby adopted by reference, except that reference to King County shall mean the City and references to the Department of Development and Environmental Services shall mean the Department of Public Works.

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

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

ADOPTED this 14th day of June, 2005, and signed in authentication thereof on this 14th day of June, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: _____]

[Surface and Storm Water Management]

ORDINANCE NO. 05-1013

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Section 13.180.010 of the SeaTac Municipal Code related to the Electrical Code by adopting the 2005 edition of the National Electrical Code.

WHEREAS, the City Council has previously adopted the 2002 edition of the National Electrical Code; and

WHEREAS, the National Electrical Code was updated in 2005; and

WHEREAS, the City Council finds it appropriate to update the City's Electrical Code, as codified in Chapter 13.180 of the SeaTac Municipal Code, to adopt the 2005 edition of National Electrical Code;

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

Section 1. Section 13.180.010 of the SeaTac Municipal Code is hereby amended to read as follows:

13.180.010 Adoption of the National Electrical Code.

A. The ~~2002~~ 2005 edition of the National Electrical Code (NFPA 70 – ~~2002~~ 2005) including Annex A, B, and C, ~~but excluding Article 80~~; are hereby adopted by reference, as now or hereafter amended.

B. Pursuant to an interlocal agreement entered into by and between the City and the Port of Seattle, pursuant to Resolution No. 00-022 and Port Resolution No. 3445, respectively, effective January 1, 2000, and commencing through September 4, 2007, the City recognizes concurrent authority of the Port to administer, implement, and enforce the National Electrical Code recited in subsection (A) of this section and relinquishes any and all jurisdiction, including but not limited to that set forth in RCW 19.28.070, over development projects on Port-owned property within the City which are for airport uses, as that term is defined in the September 4, 1997, interlocal agreement between the City and the Port. In the event the State of Washington or the Director of Department of Labor & Industries does not grant power to, or acknowledge power of, the Port of Seattle to enforce the provisions of Chapter 19.28 RCW, or conduct electrical inspections thereunder, the City defers to the inspection authority of the Director

of Labor & Industries as to all matters involving such Port projects on Port property.

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

Section 3. This Ordinance shall be in full force and effect thirty (30) days after passage.

ADOPTED this 12th day of July, 2005, and signed in authentication thereof on this 12th day of July, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

Effective Date: _____

[Adoption of the 2005 National Electrical Code]

ORDINANCE NO. 05-1014

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to the Zoning Code; making amendments and additions to the code regarding, home occupations, day cares, landscape widths and types, street landscaping, departures for landscape standards, yard setbacks for accessory structures, departures for small lot single-family standards, and wireless communication facilities in the City Center, amending Sections 15.12.020, 15.12.040, 15.13.010, 15.14.060, 15.14.130, 15.35.130 adding new Sections 15.14.240 and 15.19.770.

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

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

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

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

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

Section 1. Section 15.12.020 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.020 Residential Uses

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

P – Permitted Use; C – Conditional Use Permit

USE #	LAND USE	ZONES												
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T
	RESIDENTIAL USES													
001	Single Detached Dwelling Unit			P(1,7,9)	P(1,7,9,13)	P*(13)								P*(13)
001.1	Single Attached Dwelling Unit							P*	P*					
002	Duplex				P	P*	C	P*	P*					
003	Townhouses				P	P*	C	P*	P*		P*		P*	P*
004	Multi-Family				P	P*(10)	C	P*(8)	C*(8)		P*(8)		P*(12)	
005	Senior Citizen Multi			C	P	P*	C	P*	P*		P*		P*	
006	Manufactured/Modular Home		P(9)	P(9)	P(9)									
006.1	Mobile Home (nonHUD)		P(9)											
007	Bed and Breakfast/ Guesthouse			P(2)	P(2)	P*(2)	P(2)				C*		P*(2)	
008	Community Residential Facility I			P(3)	P(3)	P*(3)	P(3)	P*(3)	P*(3)				P*(3)	P*(3)
008a	Community Residential Facility II					P*	C	P*	P*		P*		P(12)	
008b	Transitional Housing					C*(14)		P*(14)	P*(14)		C*(14)			
008c	Halfway House							C*(11)	C*(11)		C*(11)			
009	Overnight Shelter							C*(11)	C*(11)		C*(11)			
010	Convalescent Center/ Nursing Home					P*	P	P*	P*		P*			
011	Mobile Home Park		P	C(4)	C(4)	C*(4)								
013	College Dormitory						C	P*	P*		P*	P*	P*(6)	P*
	ACCESSORY USES													
018	Home Occupation		P	P(6)	P(6)	P*(6)							P*(6)	P*(6)
019	Shed/Garage			P(5)	P(5)	P*(5)								

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

- (1) Accessory living quarters permitted with the following restrictions (Ref. SMC 15.10.017):
 - a. No more than forty-five percent (45%) of the total square footage in the main dwelling unit;
 - b. Must be contained within the primary dwelling or significantly attached to the primary dwelling;
 - c. Primary dwelling must be owner-occupied;
 - d. Kitchen permitted as component.
- (2) Standards for Bed and Breakfast:
 - a. Number of guests limited to six (6), with no more than three (3) bedrooms;
 - b. Parking area for three (3) nonresident vehicles, and screened;
 - c. Proof of King County Health Department approval;
 - d. Breakfast is only meal served for paying guest.
- (3) Standards for Community Residential Facilities I:
 - a. No more than five (5) nonsupport people, unless as modified pursuant to requirement (3)(e)**;
 - b. No more than two (2) support people**;

- c. Any parking spaces in excess of two shall be screened and not visible from public streets;
- d. In UL zone, house shall be a single-family structure compatible with the surrounding area; in UM zone, house shall maintain residential character;
- e. Reasonable accommodation shall be made for persons with disabilities as required by State and Federal law. See SMC [15.12.018](#) for accommodation procedure.
- ** (a) and (b) do not apply to State-licensed adult family homes and foster family homes.
- (4) A park outside established or proposed mobile home park zone is permitted after approval through the CUP process.
- (5) Limited to one thousand (1,000) gsf and a twenty (20) foot height limit (highest point) except as allowed under SMC [15.13.105\(B\)](#).
- (6) See Chapter [15.17](#) SMC for standards and limitations.
- (7) Efficiency unit permitted within primary dwelling, not exceeding twenty-five percent (25%) of gross square feet of dwelling.
- (8) Ground floor uses must be retail, service, or commercial uses as described in SMC [15.13.107](#).
- (9) See Chapter [15.26](#) SMC for additional development standards.
- (10) For new development and redevelopment residential projects that are located in the UH-UCR zone, at least fifty percent (50%) of the building's ground floor shall be a retail, service, or commercial use as described in SMC [15.13.107](#).
- (11) As part of the CUP process a threshold determination will be made as to whether an essential public facility (EPF) siting process is needed. See SMC [15.22.035](#). These requirements shall not be construed to limit the appropriate use of schools and other facilities for emergency shelters in disaster situations.
- (12) Permitted only as part of a mixed use development, as described in SMC [15.35.620](#), and arranged on-site as described in SMC [15.35.610](#).
- (13) Small lot single-family development allowed subject to design standards in SMC [15.19.760](#).
- (14) Must have adequate on-site and program management, and satisfactory written policies and procedures, including those describing tenant selection, assistance, denial or termination, and housing safety standards. Screening must not allow as residents persons who have been classified as Class III sexual offenders.

Section 2. Section 15.12.040 of the SeaTac Municipal Code is hereby amended to read as follows:

15.12.040 General, Educational, Health Services Uses

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

USE #	LAND USE	ZONES												
		P	MHP	UL	UM	UH	NB	CB	ABC	I	O/CM	BP	O/C/MU	T
	GENERAL USES													
041	Wireless Telecommunications Facility (**)	C/P (6)	C/P (6)	C/P(6)	C/P(6)	C/P*(6)	P/C(7)	P/C*(7)	P/C*(7)	P/C(7)	P/C*(7)	P/C*(7)	P/C*(7)	P/C*(6) (7)
042	Communications Facility			Mr.-P Mjr.-C	Mr.-P Mjr.-C	Mr.-P Mjr.-C*	Mr.-P Mjr.-C	Mr.-P Mjr.-P*	Mr.-P Mjr.-P*	Mr.-P Mjr.-P	P* P*	P* P*	P* P*	Mr.-P Mjr.-C*
043	Dry Cleaner					P*(1,2)	P	P*	P*(1)		P*(2)	P*(2)	P*(2)	P*(2)
044	Auto Repair						C	P*		P				
045	Auto Service						P	P*	P*(1)	P				
046	Funeral Home/ Crematory	C					P	P*	P*(1)	P	P*(2)			
047	Veterinary Clinic						P	P*	P*(1)	P	P*(2)		C*	
048	Kennel						P	P*						
049	Day Care I		P(3,5)	P(3,5)	P(3,5)	P*(3,5)	P(3,5)		P*(1,3,5)		P*(2,3,5)	P*(3,5)	P*(2,3,5)	P*(2,3,5)
050	Day Care II		C(3)	C(3)	P(3)	P*(3)	P(3)	P*(3)	P*(3)		P*(2, 3)		P*(2, 3)	P*(2,3)

051	General Repair						P	P*	P*(1)	P	P*(2)			
	EDUCATIONAL USES													
055	Elementary – Jr. High			C	C	C*			C*					
056	High School			C	C	C*	P	C*	C*					
057	Vocational School						C	P*	C*	C	P*(2)	C*	P*(2)	
058	Specialized Instruction School			P/C(4)	P/C(4)	P/C*(4)	P	P*	P*	P	P*(2)	C*	P*(2)	
059	College/University			C	C	C*		P*	P*		P*	C*	P*(2)	
	HEALTH SERVICES USES													
062	Office/Outpatient Clinic						P*	P	P*	P*	P	P*	P*	P*
064	Hospital						P	P*	P*		C*	P*		
065	Medical/Dental Lab						C*	P	P*	P*	P	P*	P*	P*(2)
066	Miscellaneous Health						P	P*	P*		C*	C*	C*	
067	Opiate Substitution Treatment Facility							C(8)	C(8)	C(8)		C(8)		

* See Chapters [15.13](#) and [SMC for additional development standards](#).

(**) See Chapter [15.31](#) SMC for additional development standards.

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

Section 3. Section 15.13.010 of the SeaTac Municipal Code is hereby amended to read as follows:

15.13.010 C Standards Charts

The zone classifications as set forth in this chart have minimum setbacks, lot size, lot area and lot coverage that is related to each classification. The minimum lot areas for properties under the UL, UM or UH zone categories apply to the specific zone that is indicated on the Official Zoning Map by a suffix (for example, the minimum lot area is fifteen thousand (15,000) square feet for a UL-15,000 zone classification and seven thousand two hundred (7,200) square feet for a UL-7,200 zoning classification).

ZONE	MINIMUM LOT AREA (SQ. FT.)	FRONT YARD SETBACK (13)		MINIMUM SIDE YARD SETBACK (13)	MINIMUM REAR YARD SETBACK (13)	BUILDING LOT COVERAGE	MAXIMUM STRUCTURE HEIGHT	MINIMUM LOT WIDTH
		Minimum	Maximum					
P	N/A	–	–	10'	10'	N/A	N/A	N/A
AU	N/A	–	–	5'	5'	85% (7)	75' (10)	N/A

MHP	3 acres	–	–	5'	5'	N/A	N/A	N/A
UL	15,000 9,600 7,200 5,000 (SDO)	20'	–	5' (3)	15' (3)	35% (2)	30'	60'
UM	3,600/2,400 per unit on minimum 7,200 sf lot 3,000 (19)	20'	–	5' (3) 0 (16)	15' (3) 0 (16)	45% (2)	40' (15)	N/A
UH	1,800/900 per unit on minimum 7,200 sf lot 3,000 (19) UCR	10' (9)	10' (9)	5'	5'	75%/90% (2)(11)	55' (8)	N/A
NB	N/A	10'	–	5'	5'	65%	35'	N/A
CB (4)	N/A	0'/10' (9)	10' (9)	–	–	75% (2)	FAA/UFC STDS. (1)	N/A
ABC (4)	N/A	–	–	–	–	75%, 85% (2)	FAA/UFC STDS. (1)	N/A
BP (4)	5 acres (12)	10'	–	5'	5'	75% (2)(5)	75'	N/A
O/CM (4)	N/A	0' (9)	10' (9)	5'	5'	75% (2)	45' (6)	N/A
O/C/MU	N/A	0' (17)	10' (9)	5'	5'	65%	35'(18)/45'	N/A
T	12-24 d.u./acre in City Center (14) 12-16 d.u./acre outside City Center (14)	0'/10' in City Center (16) 15' outside of City Center	–	0'/5' (16)	0'/10' (16)	55%	35' (15)	180' frontage along primary street
I	N/A	10'	–	5'	5'	85% (2)	75'	N/A

- (1) Limited by FAA height limits and Uniform Fire Code.
- (2) See Residential/Commercial Density Incentives (Chapter [15.24 SMC](#)).
- (3) Five (5) foot side yard setback for accessory structures in the UM-2,400, UM-3,600, UL-5,000, UL-7,200 and UL-9,600 zones. Five (5) foot rear yard setback for the first accessory structure in the UM-2,400, UM-3,600, UL-5,000, UL-7,200 and UL-9,600 zones. Fifteen (15) foot rear yard setback for any additional accessory structures in the UM-2,400, UM-3,600, UL-5,000, UL-7,200 and UL-9,600 zones. Fifteen (15) foot setback in the UL-15,000 zone.
- (4) See SMC [15.13.110](#) or [15.13.111](#) for additional development standards.
- (5) This standard applies to the maximum total impervious surface coverage of a site, and not to building lot coverage.
- (6) If density incentives and bonuses are granted by the City, a maximum height of up to that permitted by the FAA and the Uniform Fire Code may be allowed.
- (7) Eighty-five percent (85%) on property owned by the Port of Seattle only, thirty-five percent (35%) on all other properties.
- (8) Except that UH-UCR zones shall be governed by the FAA/UFC standards.
- (9) Except within the City Center, properties zoned UH-UCR, CB-C, O/CM and O/C/MU shall have zero (0) foot minimum and ten (10) foot maximum setbacks applied. Within the City Center as specified in SMC [15.35.030](#), properties zoned UH-UCR, CB-C, O/CM and O/C/MU shall have twenty (20) foot maximum setbacks adjacent to International Boulevard, and ten (10) foot maximum setbacks adjacent to all other public or private City Center streets. Properties zoned UH-900, UH-1800, and CB shall have a ten (10) foot minimum setback applied, with no maximum setback. See SMC [15.13.110](#) for additional development standards, except within the City Center, in which Chapter [15.35 SMC](#) shall apply.
- (10) Except that FAA/UFC standards shall govern the height of the airport terminal building, the airport terminal's main parking garage, and any building immediately adjacent to and east of the airport terminal's main parking garage.
- (11) Ninety percent (90%) building lot coverage standard applies only to properties zoned UH-UCR.
- (12) See SMC [15.13.111\(E\)](#) for lot size waiver requirements.

- (13) See SMC [15.31.040](#) for setback standards specific to wireless telecommunications facilities.
 (14) Up to thirty percent (30%) increase in base density allowed with the incentives identified in SMC [15.35.730](#).
 (15) Up to forty (40) feet as specified in SMC [15.35.730](#).
 (16) May be zero (0) lot line with approved design providing property is not immediately adjacent to a UL zone.
 (17) Ten (10) foot setback if adjacent to a UL zone.
 (18) Applies to properties within the City Center area as specified in SMC [15.35.030](#) within sixty (60) feet of a UL or UM zone.
 (19) Three thousand (3,000) sf minimum lot size allowed for small lot single-family subject to SMC [15.19.760](#).
 (SDO) Special District Overlay

Section 4. Section 15.14.060 of the SeaTac Municipal Code is hereby amended to read as follows:

15.14.060 Landscape Standards for Residential, Accessory, Recreational/ Cultural Uses

USE #	LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF > 30 FT. HIGH OR 50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NON-COMPATIBLE ZONES USES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE*
RESIDENTIAL USES						
001	Single Family	-	-	-	-	-
001.1	Single Attached Dwelling Unit	-	-	-	-	-
002	Duplex	-	-	-	-	-
003	Townhouses	III/20 ft. ¹	IV/5 ft.	III/5 III/10 ft	I/15 I/10 ft.(UL Only) ¹	Yes (over 3 units)
004	Multi-Family	III/20 ft. ¹	IV/5 ft.	III/5 ft.	I/15 ft. (UL Only)	Yes
005	Senior Citizen Multi	III/20 I/20 ft.	IV/5 ft.	III/5 ft.	I/15 ft. (UL Only)	Yes
006	Manufactured Home	-	-	-	-	-
006A	Mobile Home	-	-	-	-	-
007	Bed & Breakfast/Guesthouse	-	-	-	-	-
008	Community Residential Facility I	-	-	-	-	-
008a	Community Residential Facility II	II/20 ft.	IV/5 ft.	III/5 ft.	I/15 ft. (SF)	Yes
008b	Transitional Housing	II/20 ft.	IV/5 ft.	III/5 ft.	I/15 ft. (SF)	Yes
008c	Halfway House	II/20 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (RES)	Yes
009	Overnight Shelter	II/20 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (RES)	Yes
010	Convalescent Center/Nursing Home	III/20 I/20 ft.	IV/5 ft.	III/15 III/10 ft.	-	Yes
011	Mobile Home Park	II/20 ft.	-	I/20 ft.	-	-
013	College Dormitory	IV/10 ft.	-	IV/5 ft.	II/10 ft. (SF)	Yes
ACCESSORY USES						
018	Home Occupation	-	-	-	-	-
019	Shed/Garage	-	-	-	-	-
RECREATIONAL/CULTURAL USES						
022	Community Center	IV/10 I/10 ft.	-	III/5 ft.	-	Yes
023	Golf Course	-	-	-	-	Yes
024	Theater	IV/10 I/10 ft.	-	III/5 I/5 ft.	I/20 ft. (SF)	Yes
025	Drive-In Theater	IV/20 ft.	-	I/5 ft.	I/20 ft. (SF)	Yes
026	Stadium/Arena	IV/20 ft.	III/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
027	Amusement Park	IV/20 ft.	III/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
028	Library	IV/10 ft.	IV/5 ft.	III/5 III/10 ft.	-	Yes
029	Museum	IV/10 ft.	IV/5 ft.	III/5 III/10 ft.	-	Yes

030	Conference/ Convention Center	IV/10 ft.	IV/5 ft.	III/5 <u>IV/5</u> ft.	I/20 ft. (SF)	Yes
031	Cemetery	IV/20 ft.	-	-	-	-
032	Private/Public Stable	-	-	-	-	-
033	Park	-	-	-	-	-
034	Church	IV/10 ft.	-	<u>IV/5</u> ft.	<u>II/10</u> IV/40 ft. (SF)	Yes
035	Church Accessory	IV/10 ft.	-	<u>IV/5</u> ft.	<u>II/10</u> IV/40 ft. (SF)	Yes
036	Recreational Center	IV/10 ft.	IV/5 ft.	IV/5 ft.	II/10 ft. (SF)	Yes
036.5	Health Club	IV/10 ft.	IV/5 ft.	<u>IV/5</u> III/5 ft.	<u>II/10</u> IV/40 ft. (RES)	Yes
037	Arcade (Games/Food)	IV/10 ft.	<u>IV/5</u> ft.	IV/5 ft.	II/10 ft. (SF)	Yes
038	Sports Club	IV/10 ft.	IV/5 ft.	IV/5 ft.	II/10 ft.	Yes

* See SMC 15.14.090.

¹ Pursuant to the Design Standards for Multi-Family Housing, Chapter 15.19.SMC.

(SF) Adjacent to single-family zones (UL or UM) for buffering purposes. See SMC 15.14.057

15.14.060 Landscape Standards for General, Educational and Health Services Uses

USE #	LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF > 30 FT. HIGH OR 50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NON-COMPATIBLE ZONES USES (Type/Width)	PARKING LOT STANDARDS APPLICABLE*
GENERAL USES						
041	Tele Wireless Communications Facility	II/10 ft. I/10 ft.**	-	II/5 ft. I/10 ft.**	II/10 ft. (RES./PARK)	-
042	Communications Facility	II/10 ft. I/10 ft.**	-	II/5 ft. I/10 ft.**	II/5 ft. I/10 ft.**	-
043	Dry Cleaner	IV/10 ft.	IV/5 ft.	<u>III/5</u> II/5 ft.	<u>II/4</u> /20 ft. (SF)	Yes
046	Funeral Home/Crematory	IV/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
047	Veterinary Clinic	IV/10 ft.	IV/5 ft.	<u>III/5</u> II/2 ft.	-	-
048	Kennel	IV/10 ft.	IV/5 ft.	II/5 ft.	I/10 ft. (SF)	-
049	Day Care I	-	-	-	-	-
050	Day Care II	IV/10 ft.	IV/5 ft.	<u>III/5</u> II/5 ft.	-	Yes
051	General Repair	II/10 ft.	IV/5 ft.	II/5 ft.	I/10 ft. (SF)	-
EDUCATIONAL USES						
055	Elementary - Jr. High	IV/10 ft.	IV/5 ft.	IV/5 ft.	-	Yes
056	High School	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
057	Vocational School	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
058	Specialized Instruction School	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
059	College/University	IV/10 ft.	IV/5 ft.	IV/10 ft.	-	Yes
HEALTH SERVICES USES						
062	Office/Outpatient Clinic	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft. (SF)	Yes
064	Hospital	<u>III/10</u> II/40 ft.	IV/5 ft.	III/5 ft.	II/10 ft. (SF)	Yes
065	Medical/Dental Lab	<u>III/10</u> II/40 ft.	IV/5 ft.	III/5 ft.	II/10 ft. (SF)	Yes
066	Miscellaneous Health	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft. (SF)	Yes
067	Opiate Substitution Treatment Facility	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft. (RES)	Yes

* See SMC 15.14.090.

** Type II landscaping applies in high intensity zones. Type I landscaping applies in low intensity zones. See SMC 15.31A.040G.

(SF) Adjacent to single-family zones (UL or UM) for buffering purposes. See SMC 15.14.057

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

15.14.060 Landscaping Standards for Government/Office, Business Uses

USE #	LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NON-COMPATIBLE ZONES USES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE*
GOVERNMENT/OFFICE						
071	Social Service Office	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft. (SF)	Yes
072	Public Agency Office	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft. (SF)	Yes
073	Public Agency Yard	III/20 ft.	IV/5 ft.	III/5 IV/5 ft.	II/20 ft. (SF)	Yes
074	Public Archives	IV/10 ft.	IV/5 ft.	III/5 IV/5 ft.	II/10 ft. (SF)	Yes
075	Court	IV/10 ft.	IV/5 ft.	III/5 IV/5 ft.	II/10 ft. (SF)	Yes
076	Police Facility	IV/10 ft.	IV/5 ft.	III/5 IV/5 ft.	II/10 ft. (SF)	Yes
077	Fire Facility	IV/10 ft.	IV/5 ft.	III/5 IV/5 ft.	II/10 IV/40 ft. (SF)	Yes
079	Helipad/Airport Facility	I/10 ft.	-	I/10 ft.	I/20 (RES)	-
080	Utility Use	III/10 ft.	IV/5 ft.	IV/10 ft.	II/IV 10 ft. (SF)	Yes
081	Utility Substation	I/10 ft.	-	I/10 ft.	-	-
082	Financial Institution	IV/10 ft.	IV/5 ft.	IV/5 ft.	II/10 ft. (SF)	Yes
083	City Hall	IV/10 ft.	IV/5 ft.	III/10 ft.	I/20 ft. (RES)	Yes
083.5	Secure Community Transition Facility**	I/10 ft.	IV/5 ft.	I/10 ft.	I/20 ft. (RES)	Yes
BUSINESS SERVICES						
084	Landscaping Business	II/10 ft.	IV/5 ft.	II/10 ft.	I/20 ft. (RES)	Yes
085	Butterfly/Moth Breeding	III/10 ft.	IV/5 ft.	III/5 ft.	I/10 ft. (RES)	Yes
086	Construction/Trade	III/10 IV/5 ft.	<u>IV/5 ft.</u>	<u>II/5 ft.</u>	<u>I/10 ft. (RES)</u>	-
087	Truck Terminal	II/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (RES)	Yes
088	Airport Support Facility	IV/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (RES)	Yes
089	Warehouse/Storage	II/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (RES)	Yes
090	Professional Office	IV/10 ft.	IV/5 ft.	III/5 IV/5 ft.	II/10 IV/40 ft. (RES)	Yes
091	Heavy Equipment Rental	III/10 ft.	IV/5 ft.	III/5 ft.	I/10 ft. (RES)	Yes
092	Misc. Equipment Rental Facility	IV/10 ft.	IV/5 ft.	II/5ft.	I/10 ft. (SF)	Yes
093	Auto Rental/Sales	IV/10 ft.	IV/5 ft.	II/10 ft.	I/20 ft. (RES)	Yes
094	Public/Private Parking	III/10 ft.	IV/5 ft.	II/10 ft.	II/20 ft. (RES)	Yes
095	Motor Freight Repair	II/10 ft.	IV/5 ft.	II/10 ft.	I/20 ft. (RES)	Yes

096	Heavy Equipment Repair	II/10 ft.	IV/5 ft.	II/5 ft.	II/20 ft. (RES SF)	Yes
097	R & D/Testing	III/10 II/20 ft.	IV/5 ft.	II/10 ft.	I/20 ft. (RES SF)	Yes
098	Commercial/ Industrial Accessory Uses	II/10 ft.	IV/5 ft.	III/5 ft.	II/10 ft. (RES)	Yes

*See Section 15.14.090

**Requirements listed here are the minimum standards. Final landscape requirements shall be determined upon review of a site plan, based on CPTED and public safety principles, by the Director of Planning and Community Development in consultation with the Police Chief.

(SF) Adjacent to single-family uses zones (UL or UM) for buffering purposes.

(RES) Adjacent to single-family or multi-family zones (UL, UH-900/1800, or MHP) for buffering purposes.

15.14.060 Landscaping Standards for Retail/Commercial

USE #	LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NON-COMPATIBLE ZONES USES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE*
RETAIL/COMMERCIAL USES						
101	Hotel/Motel & Associated Uses	III /10 II/40 ft.	IV/5 ft.	III/5 II/5 ft.	I/20 ft. (SF)	
102	Forest Products	II/10 ft.	IV/5 ft.	I/5 ft.	I/10 ft. (RES)	Yes
103	Hardware/ Garden Material	IV/10 II/40 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (RES)	Yes
104	Department/ Variety Store	IV/10 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (RES)	Yes
105	Food Store	IV/10 I/5 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (RES)	Yes
106	Agricultural Crop Sales (Farm Only)	III/5 ft.	-	-	-	-
106.1	Produce Stand	IV/5 ft.		IV/ 5ft.		
107	Auto/Boat Dealer	III/10 II/40 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (RES)	Yes
108	Auto Supply Store	III/10 II/40 ft.	IV/5 ft.	III/5 II/5 ft.	I/10 ft. I/20 (RES)	Yes
109	Gasoline/ Service Station	III/5 ft.	IV/5 ft.	III/5 ft.	I/10 ft. (RES)	Yes
109.2	Automobile Repair	II/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
109.3	Automobile Service Center	II/10 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (SF)	Yes
110	Apparel/ Accessory Store	III/10 II/40 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (SF RES)	Yes
111	Furniture Store	IV/10 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (SF RES)	Yes
112	Fast Food/ Restaurant	IV/10 ft.	IV/5 ft.	III/5 ft.	I/10 ft. (RES)	Yes
112.1	Retail Food Shop	IV/10 IV/5 ft.	IV/5 ft.	III/5 ft.	II/10 I/40 ft. (SF RES)	Yes
112.2	Tavern	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 I/40 ft. (SF RES)	Yes
113	Drug Store	IV/10 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (SF RES)	Yes
114	Liquor Store	IV/10 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (SF RES)	Yes
115	Antique/2nd Hand Store	IV/10 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (SF RES)	Yes
116	Sporting Goods and Related Store	IV/10 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (SF RES)	Yes
117	Media Material	IV/10 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (SF RES)	Yes
118	Jewelry Store	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 I/40 ft. (SF RES)	Yes
119	Hobby/Toy Store	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 I/40 ft. (SF RES)	Yes

120	Photographic & Electronic Store	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 I/40 ft. (SF RES)	Yes
121	Fabric Store	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 I/40 ft. (SF RES)	Yes
122	Florist Shop	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 I/40 ft. (SF RES)	Yes
123	Pet Store	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 I/40 ft. (SF RES)	Yes
124	Wholesale/Bulk Store	IV/10 III/40 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (SF RES)	Yes
125	Beauty Salon	IV/10 III/40 ft.	IV/5 ft.	III/5 ft.	II/10 I/40 ft. (SF RES)	Yes
125.1	Laundromat	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 I/40 ft. (SF RES)	Yes
125.3	Comm. Marine Supplies	IV/10 ft.	IV/5 ft.	III/5 ft.	II/10 I/40 ft. (SF RES)	Yes
126	Other Retail Uses	IV/10 III/40 ft.	IV/5 ft.	III/5 II/5 ft.	II/10 I/40 ft. (SF RES)	Yes
127	Adult Entertainment	IV/10 ft.	IV/5 ft.	II/6 ft.		Yes

*See SMC 15.14.090.

**See SMC 15.13.109.

*** Does not apply in the residential zone.

(SF) Adjacent to single-family zones (UL or UM) for buffering purposes. See SMC 15.14.057.

(RES) Adjacent to single-family or multi-family zones (UL, UH-900/1800, or MHP) for buffering purposes.

15.14.060 Landscaping Standards for Manufacturing Uses

USE #	LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF > 30 FT. HIGH OR 50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NON-COMPATIBLE ZONES USES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE*
MANUFACTURING						
130	Food Processing	III/20 II/20 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (RES)	Yes
131	Winery/Brewery	III/15 III/20 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (RES)	Yes
132	Textile Mill	II/20 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (RES)	Yes
133	Apparel/Textile Products	II/20 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (RES)	Yes
134	Wood Products	II/20 ft.	IV/5 ft.	II/5 ft.	I/10 ft. (RES)	Yes
135	Furniture/Fixtures	III/15 III/20 ft.	IV/5 ft.	II/5 ft.	I/10 ft. (RES)	Yes
136	Paper Products	III/15 III/20 ft.	IV/5 ft.	II/5 ft.	I/10 ft. (RES)	Yes
137	Printing/Publishing	III/15 III/20 ft.	IV/5 ft.	II/5 ft.	I/10 ft. (RES)	Yes
138	Chemical/Petroleum Products	I/10 ft.	III/5 ft.	I/10 ft.	I/20 ft. (RES)	Yes
138.5	Biomedical Product Facility	III/15 III/20 ft.	IV/5 ft.	II/5 ft.	I/20 ft. (RES)	Yes
139	Rubber/Plastic/Leather/Mineral Products	I/10 ft.	III/5 ft.	I/10 ft.	I/20 ft. (RES)	Yes
140	Primary Metal Industry	I/10 ft.	III/5 ft.	I/10 ft.	I/20 ft. (RES)	Yes
141	Fabricated Metal Products	I/10 ft.	III/5 ft.	I/10 ft.	I/20 ft. (RES)	Yes
142	Commercial/Industrial Machinery	II/10 ft.	IV/5 ft.	II/10 ft.	I/20 ft. (RES)	Yes
143	Computer/Office Equipment	III/10 II/40 ft.	IV/5 ft.	III/5 ft.	II/10 ft. (RES)	Yes

144	Electronic Assembly	III/10 II/40 ft.	IV/5 ft.	III/5 ft.	II/10 ft. (RES)	Yes
145	Aerospace Equipment	III/10 II/40 ft.	IV/5 ft.	III/5 ft.	II/10 ft. (RES)	Yes
146	Misc. Light Manufacturing	III/10 II/40 ft.	IV/5 ft.	II/10 ft.	I/10 ft. (RES)	Yes
147	Tire Retreading	I/20 ft.	IV/5 ft.	I/10 ft.	I/20 ft. (RES)	Yes
148	Recycling Products	II/20 ft.	IV/5 ft.	I/5 ft.	I/10 ft. (RES)	Yes
149	Towing Operation	II/10 ft.	-	I/5 ft.	I/10 ft. (RES)	-
150	Auto Wrecking	II/10 ft.	-	I/5 ft.	I/10 ft. (RES)	-
151	Self-Service Storage	III/10 IV/40 ft.	IV/5 ft.	II/5 ft.	I/10 ft. (RES)	-
152	Off-Site Hazardous Waste Treatment & Storage Facility	II/10 IV/40 ft.	IV/5 ft.	II/10 II/5 ft.	I/10 ft. (RES)	Yes
153	Batch Plant	I/20 ft.	IV/5 ft.	I/20 ft.	I/35 ft. (RES)	Yes

*See SMC 15.14.090.

(RES) Adjacent to single-family or multi-family zones (UL, UH-900/1800, or MHP) for buffering purposes. See SMC 15.14.057.

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

15.14.130 Street Landscaping

Street trees shall be planted along the property frontage within the City right-of-way adjacent to the subject property. In addition, shrubs and/or groundcover shall be planted along the property frontage within City right-of-way adjacent to the subject property. The type and location of plantings shall be determined by the City Manager or designee. Street trees shall be planted on a maximum of thirty (30) feet on center and to be a minimum two and one-half (2-1/2) inch caliper as measured four (4) feet from its base upon planting. Upon review and approval by the City Manager or designee, street landscaping and street frontage landscaping may be combined and be variable widths, no less than five (5) feet; provided the total required amount of the street landscaping and street frontage landscaping is located on-site.

Section 6. Section 15.35.130 of the SeaTac Municipal Code is hereby amended to read as follows:

15.35.130 General, Educational, Health Services Uses

ZONES:

P – Park ABC – Aviation Business Center

UM – Urban Medium Density I – Industrial/Manufacturing

UH – Urban High Density O/CM – Office/Commercial Medium

UH-UCR – Urban High-Urban Center Residential O/C/MU – Office/Commercial/Mixed Use

NB – Neighborhood Business T – Townhouse
CB-C – Urban Center

P – Permitted Use; C – Conditional Use Permit

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

- (1) Accessory to a primary use not to exceed twenty percent (20%) of primary square footage.
- (2) Permitted as a part of a mixed use development.
- (3) Day Care I: DSHS license required.
Day Care II: DSHS license required/SEPA review required.
- (4) Limited to three (3) students per day.
- (5) Except as provided pursuant to SMC [15.10.166](#) for family day care (Ord. No. 94-1030, Effective 8/11/94).
- (6) ~~WTFs are permitted uses if located on water towers, school buildings higher than thirty (30) feet, or utility poles; WTFs are conditional uses in all other cases.~~ See the use charts in Chapter 15.31A.031B and C for specifics.
- (7) Subject to the CUP-EPF siting process (SMC [15.22.035](#)).

Section 7. A new Section 15.14.240 is hereby added to the SeaTac Municipal Code, to read as follows:

15.14.240 Departures of Landscaping – Crime Prevention Through Environmental Design (CPTED)

Upon review and approval by the City Manager or designee, departures to the landscape standards required under this Chapter may be allowed to provide additional visibility of a development proposal to implement the Crime Prevention Through Environmental Design (CPTED) standards under Chapter 17.56 of the SeaTac Municipal Code (SMC). At a minimum, the following criteria shall be used to determine if a departure is warranted.

- A. Physical site conditions dictate a project layout that, with landscaping installed pursuant to this Chapter, would provide potential areas of concealment for criminal elements.
- B. Required landscaping will provide potential concealment areas for criminal activities.
- C. Screening of dissimilar land uses (for example, commercial/industrial land uses from residential) is not diminished to the point that the screening landscaping no longer meets the intent of the landscape codes.

Section 8. A new Section 15.19.770 is hereby added to the SeaTac Municipal Code, to read as follows:

15.19.770 Departures From the Small Lot Single-family Standards

Departures from the small lot single-family standards may be granted by the City Manager or his designee, subject to the following criteria:

- A. Physical site conditions, such as steep slopes, wetlands, or other critical areas on a development site limit the ability to fully meet the small lot single-family standards.
- B. No more than one (1) departure is granted per development site.
- C. The small lot single-family development meets the intent of the small lot single-family standards and provides a development that is equal to or better in design, to a small lot single-family development that complies with all of the standards under SMC 15.19.760.

Section 9. The City Clerk is directed to forward a copy of this Ordinance to the Washington State Department of Community, Trade and Economic Development within ten (10) days after adoption, and to the King County Assessor.

Section 10. This Ordinance shall be in full force and effect five (5) days after passage and publication.

ADOPTED this 26th day of July, 2005, and signed in authentication thereof on this 26th day of July, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date _____]

G:\GROUP\PLANNING\JACK\ZONING\CODE CHANGES 2005\LANDSCAPING\LANDSCAPE CHARTS ORD RCM
VERSION 7-26-05

ORDINANCE NO. 05-1015

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2005 Annual City Budget for a Correction to the 2004 Budget Carryovers.

WHEREAS, Ordinance 05-1003, adopted on March 8, 2005, amended the 2005 Annual City Budget and carried over appropriations included in the 2004 Budget which were not initiated or completed during the 2004 fiscal year; and

WHEREAS, only \$18,182 of the remaining 2004 appropriation amount of \$52,119 for expenditures related to the 2004 FEMA Fire Equipment Grant to complete the Mobile Data Computers project was carried over by Ordinance 05-1003, resulting in a 2005 appropriation deficit in the amount of \$33,937 that is necessary to complete the project; and

WHEREAS, the City is contractually obligated for this expenditure;

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

Section 1. The 2005 Annual City Budget shall be amended to increase General Fund expenditures by \$33,937.

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

ADOPTED this 27th day of September, 2005, and signed in authentication thereof on this 27th day of September, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney
[Effective Date: 10/08/05]

[2005 Budget Amendment for Correction to 2004 Carryovers]

ORDINANCE NO. 05-1016

AN ORDINANCE of the City Council of the City of SeaTac, Washington relating to employee benefits and increasing the monthly contribution to the City's VEBA medical, dental and vision expense plan, in lieu of certain health insurance coverage, for Council members and eligible participating employees.

WHEREAS, by Resolution No. 96-001, the City Council authorized the City Manager to implement a Voluntary Employee Beneficiary Association (VEBA) medical, dental and vision expense plan as an optional benefit; and

WHEREAS, the City then enrolled in a VEBA Plan offered by Laney Advisors, Ltd. and currently administered by REHN & Associates, Inc., formally entitled the "Voluntary Employee Beneficiary Association Medical Savings Account Plan & Trust for Employees of Public Service Employers in the State of Washington", but also referred to as the "VEBA Medical Savings Account" (VEBA MSA), and "Medical Savings Account/Medical and Dental Voluntary Employee Association" (MSA/MeDVEA), and now apparently styled the "MSA VEBA Trust"; and

WHEREAS, this benefit was made available to all Council members in lieu of the AWC Plan B medical insurance coverage and dental and vision coverage; and

WHEREAS, the benefit was also made available to all employees able to terminate City-provided medical insurance (but not dental and vision coverage) by reason of such employees maintaining a policy of medical insurance in addition to that provided by the City; and

WHEREAS, the plan diverts all or a portion of the insurance premium which the City would otherwise pay for applicable health insurance to the VEBA Trust Plan on behalf of each Councilmember and participating employee; and

WHEREAS, based solely upon representations of Laney Advisors, Ltd., the City contribution to the VEBA Plan is payroll deductible on a tax-free basis and money in each account can be used by Council members and participating employees to pay out-of-pocket medical, dental, and vision expenses which qualify pursuant to Internal Revenue Service Publication 502; and

WHEREAS, all Council members currently participate in the MSA VEBA Trust Plan; and

WHEREAS, the City contribution on behalf of each participant is a flat monthly sum of \$421.00, which was equivalent to the premium for AWC Plan B medical coverage for an employee and spouse in 2003 and, for Council members only, an additional monthly sum of \$156.00, which was then equivalent to the full family premium for dental and vision coverage; and

WHEREAS, the Council deems it appropriate to increase the City contribution on behalf of each participant to the flat monthly sum of \$693.00, which is equivalent to the 2006 premium for AWC Plan B (management employees) medical coverage for an employee and spouse, and for Council members only, to contribute an additional monthly sum of \$174.00, which is equivalent to the 2006 full family premium for dental and vision coverage; and

WHEREAS, because the City contribution is in lieu of health insurance and is not a direct insurance benefit, the same constitutes compensation to Council members which cannot be increased during an existing term of office pursuant to Article XI, Section 8 of the Washington State Constitution and RCW 35A.13.040;

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

Section 1. The City shall contribute the sum of \$693.00 per month to the MSA VEBA Trust Plan on behalf of each eligible and participating employee in lieu of medical insurance coverage but not in lieu of dental and vision coverage, commencing with the first pay period of January 2006.

Section 2. The City shall contribute the sum of \$867.00 per month to the MSA VEBA Trust Plan on behalf of each Councilmember in lieu of medical, dental, and vision insurance coverage.

Section 3. Because the monthly contribution provided by Section 2, above, constitutes an increase in Councilmember's compensation, the increase shall become effective as to each Councilmember upon his or her election or re-election to a Council position at the next election following the effective date of this Ordinance.

Section 4. On a biennial basis, every two years following the year of the effective date of this Ordinance, and during the annual budget process, a review of any changes in the premiums paid by the City for employee medical, dental, and vision insurance coverage shall be conducted for the purpose of adjusting the VEBA Trust contributions by a similar amount to ensure parity.

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

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

ADOPTED this 11th day of October, 2005, and signed in authentication thereof on this 11th day of October, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: 10/22/05]
[VEBA Contributions]

ORDINANCE NO. 05-1017

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Section 15.20.020 of the Zoning Code and adding new Sections 15.10.342, 15.10.347, 15.10.612.5 and 15.20.045 to the City Zoning Code to adopt interim development standards for homeless encampments.

WHEREAS, the City Council was concerned that existing development regulations and design standards governing homeless encampments are not sufficient to protect the public interest regarding the City's health and safety standards; and

WHEREAS, to give time to research new standards, while ensuring that the aesthetic character of neighborhoods was protected, the City Council adopted interim standards governing homeless encampments under Ordinance 05-1009; and

WHEREAS, since the adoption of the Interim Standards, City Staff and the Planning Commission have researched and formulated the permanent development standards set forth herein considering input from the public, churches, and SHARE/WHEEL; and

WHEREAS, a public hearing was held on September 26, 2005 on the proposed standards; and

WHEREAS, the Comprehensive Plan supports implementing standards to minimize health and safety impacts and to protect the character of neighborhoods from homeless encampments (Policy 1.2A); and

WHEREAS, the City Council deems it to be in the best interest of the public welfare to provide for final development standards governing homeless encampments;

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

Section 1. Section 15.20.020 of the SeaTac Municipal Code is hereby amended to read as follows:

15.20.020 Temporary Uses

Temporary uses that shall be regulated are as follows:

- A. Carnivals, street fairs, and outdoor holiday celebrations;
- B. Seasonal sales of Christmas trees, fireworks, flowers, fruits and vegetables;
- C. Temporary construction sheds or trailers only for the duration of the construction activity; provided, that no residential or other use shall be made of such temporary construction sheds or trailers that is unrelated to the construction activity;
- D. Temporary outdoor food events related to, and on the same site, as a restaurant.
- E. Homeless Encampments allowed in all zone classifications subject to the criteria and requirements listed under SMC 15.20.045.

Section 2. A new Section 15.10.342 is hereby added to the SeaTac Municipal Code, to read as follows:

15.10.342 Homeless Encampment

An emergency homeless encampment, hosted by a church or other organization, which provides temporary housing to homeless persons.

Section 3. A new Section 15.10.347 is hereby added to the SeaTac Municipal Code, to read as follows:

15.10.347 Host Agency

The owner of the site property, being a Church or other organization that joins a sponsoring agency in an application for a City Temporary Use Permit for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals, coordination of other needed donations and services, etc.

Section 4. A new Section 15.10.612.5 is hereby added to the SeaTac Municipal Code, to read as follows:

15.10.612.5 Sponsoring Agency

A Church or other organization that joins in an application with a host agency for a City Temporary Use Permit and assumes responsibility for providing basic services and support to temporary emergency homeless encampment residents, such as hot meals, coordination of other needed donations and services, etc.

Section 5. A new Section 15.20.045 is hereby added to the SeaTac Municipal Code, to read as follows:

15.20.045 Homeless Encampment – Criteria/Requirements for Approval

The City Manager or designee may issue a temporary and revocable permit for a Homeless Encampment subject to the following criteria and requirements.

A. Procedure for Approval

1. The sponsoring agency shall notify the City of the proposed Homeless Encampment a minimum of 30 days in advance of the proposed date of establishment for the Homeless Encampment and at least 14 days before submittal of the Temporary Use Permit. The advance notification shall contain the following information:
 - a. The date the Homeless Encampment will encamp.
 - b. The length of encampment.
 - c. The maximum number of residents proposed.
 - d. The host location.
2. The sponsoring agency shall conduct at least one (1) public informational meeting within, or as close to, the neighborhood where the proposed Homeless Encampment will be located, a minimum of two (2) weeks prior to the submittal of the Temporary Use Permit application. The time and location of the meeting shall be agreed upon between the City and sponsoring agency. All property owners within 1000 feet of the proposed Homeless Encampment shall be notified 14 days in advance of the meeting by the sponsoring agency.

B. Site Criteria

1. If the sponsoring agency is not the host agency of the site, the sponsoring agency shall submit a written agreement from the host agency allowing the Homeless Encampment.

2. The property must be sufficient in size to accommodate the tents and necessary on-site facilities, including, but not limited to the following:
 - a. Sanitary portable toilets in the number required to meet capacity guidelines;
 - b. Hand washing stations by the toilets and by the food areas;
 - c. Refuse receptacles; and
 - d. Food tent and security tent.
3. The host and sponsoring agencies shall provide an adequate water source to the Homeless Encampment, as approved by the local Water District and the City.
4. No Homeless Encampment shall be located within a Sensitive (Critical) Area or its buffer as defined under Chapter 15.30 of the SeaTac Municipal Code (SMC).
5. No permanent structures will be constructed for the Homeless Encampment.
6. No more than 100 residents shall be allowed. The City may further limit the number of residents as site conditions dictate.
7. Adequate on-site parking shall be provided for the Homeless Encampment. No off-site parking will be allowed. The number of vehicles used by Homeless Encampment residents shall be provided. If the Homeless Encampment is located on a site with another use, it shall be shown that the Homeless Encampment parking will not create a shortage of on-site parking for the other use/s on the property.
8. The Homeless Encampment shall be within a quarter (1/4) mile of a bus stop with seven (7) days per week service, whenever possible. If not located within a quarter mile of a bus stop, the sponsoring agency must demonstrate the ability for residents to obtain access to the nearest public transportation stop (such as carpools or shuttle buses).
9. The Homeless Encampment shall be adequately buffered and screened from adjacent right-of-way and residential properties. Screening shall be a minimum height of six (6) feet and may include, but is not limited to, a combination of fencing, landscaping, or the placement of the homeless encampment behind buildings. The type of screening shall be approved by the City.

10. All sanitary portable toilets shall be screened from adjacent properties and rights-of-way. The type of screening shall be approved by the City and may include, but is not limited to, a combination of fencing and/or landscaping.

C. Security

1. An Operations and Security Plan for the Homeless Encampment shall be submitted to the City.
2. The host agency shall provide to all residents of the Homeless Encampment a “Code of Conduct” for living at the Homeless Encampment. A copy of the “Code of Conduct” shall be submitted to the City at the time of application.
3. All Homeless Encampment residents must sign an agreement to abide by the Code of Conduct and failure to do so shall result in the noncompliant resident’s immediate and permanent expulsion from the Property.
4. The sponsoring agency shall keep a log of all people who stay overnight in the encampment, including names and birth dates, and dates of stay. Logs shall be kept for a minimum of six (6) months.
5. The sponsoring agency shall take all reasonable and legal steps to obtain verifiable ID, such as a driver’s license, government-issued identification card, military identification or passport from prospective and existing encampment residents.
6. The sponsoring agency will use identification to obtain sex offender and warrant checks from the King County Sheriff’s Office or relevant local police department.
 - a. If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW 9A.44.130, then sponsoring agency will reject the subject of the check for residency to Homeless Encampment or eject the subject of the check if that person is already a Homeless Encampment resident.
 - b. The sponsoring agency shall immediately contact the SeaTac Police Department if the reason for rejection or

ejection of an individual from the Homeless Encampment is an active warrant or if, in the opinion of the on-duty Executive Committee member or the on-duty security staff the rejected/ejected person is a potential threat to the community.

7. The sponsoring agency shall self-police and self-manage its residents and flatly prohibit alcohol, drugs, weapons, fighting, and abuse of any kind, littering or disturbing neighbors while located on the property.
8. The sponsoring agency will appoint an Executive Committee member to serve “on-duty” at all times to serve as a point of contact for City of SeaTac Police and will orient the Police as to how the security tent operates. The names of the on-duty Executive Committee members will be posted daily in the security tent. The City shall provide contact numbers of non-emergency personnel which shall be posted at the security tent.

D. Timing

1. The duration of the Homeless Encampment shall not exceed ninety (90) days.
2. No additional homeless encampments may be allowed in any 12 month period beginning on the date the homeless encampment locates on a parcel of property.
3. No more than one (1) Homeless Encampment may be located in the City at any time.

E. Health and Safety

1. All temporary structures within the Homeless Encampment shall conform to all Building Codes.
2. The Homeless Encampment shall conform to the following Fire requirements.
 - a. Material used as roof covering and walls shall be of flame retardant material.
 - b. There shall be no open fires for cooking or heating.
 - c. No heating appliances within the individual tents are allowed.
 - d. No cooking appliances other than microwave appliances are allowed.

- e. An adequate number and appropriate rating of fire extinguishers shall be provided as approved by the Fire Department.
 - f. Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Fire Department
 - g. Adequate separation between tents and other structures shall be maintained as determined by the Fire Department.
 - h. Electrical service shall be in accordance with recognized and accepted practice; Electrical cords are not to be strung together and any cords used must be approved for exterior use.
3. The sponsoring and host agencies shall permit inspections by SeaTac staff and the King County Health Department at reasonable times without prior notice for compliance with the conditions of this permit.

F. Termination

1. If the sponsoring agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of the permit. If the City learns of uncontrolled violence or acts of undisciplined violence by residents of the encampment and the sponsoring agency has not adequately addressed the situation, the Temporary Use Permit may be immediately terminated.

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

Section 7. The Ordinance shall be effective five (5) days after passage and publication.

ADOPTED this 25th day of October, 2005 and signed in authentication thereof on this 25th day of October, 2005.

CITY OF SEATAC

Terry Anderson, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: _____]

[An Ordinance Adopting Interim Development Standards for Homeless Encampments]

ORDINANCE NO. 05-1018

AN ORDINANCE of the City Council of the City of SeaTac, Washington vacating a portion of South 154th Street/South 156th Way right-of-way.

WHEREAS, the Port of Seattle has requested vacation of a certain portion of the City street and right-of-way of South 154th Street/South 156th Way from approximately Des Moines Memorial Drive to 24th Avenue South, as shown on the map attached as Exhibit “B” to this Ordinance; and

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

WHEREAS, RCW 35.79.010 authorizes the City Council to initiate street vacation by resolution setting a public hearing which was, in this case, established by Resolution No. 05-015 fixing the public hearing for October 25, 2005, to be followed by Council action; and

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

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

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

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

Section 1. Vacation of Rights-of-Way. The portion of the right-of-way of South 154th Street/South 156th Way legally described on Exhibit “A” to this Ordinance, and depicted on the map marked Exhibit “B” to this Ordinance, within the City of SeaTac, is hereby vacated, subject to payment pursuant to Section 3, below.

Section 2. Reservation of Easements. Notwithstanding Section 1 of this Ordinance, all existing utility easements located within the said portion of the right-of-way of South 154th Street/South 156th Way are reserved until released by the Grantees.

Section 3. Compensation Required. The Port of Seattle, which is the sole landowner of property abutting the aforesaid right-of-way, shall compensate the City by dedicating property as legally described in Exhibit "C" and depicted on Exhibit "B" for the relocated roadway. The City Council hereby authorizes the City Manager to enter into any agreements with the Port of Seattle necessary to complete this dedication, provided any agreements are consistent with the intent of this Ordinance and the compensation provisions of RCW 35.79.

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

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

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

ADOPTED this 25th day of October, 2005, and signed in authentication thereof on this 25th day of October, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney

[Effective Date: upon receipt of the compensation required by Section 3 of this Ordinance, but in no event sooner than thirty (30) days after passage.]

[Vacation of So. 154th St/So. 156th Way]

ORDINANCE NO. 05-1019

AN ORDINANCE of the City Council of the City of SeaTac, Washington, authorizing the acceptance of a State of Washington grant and amending the 2005 Annual City Budget for the Japanese Garden.

WHEREAS, the SeaTac City Council has reviewed Agenda Bill 2604 submitted by the Parks and Recreation and Finance Departments, requesting authorization to accept a State of Washington grant and amending the 2005 Annual City Budget for the Japanese Garden; and

WHEREAS, the SeaTac City Council recognizes the merits of preserving this garden as a family memorial, as an artistic representation of Japanese culture, and as a stirring testament to the community spirit of the State of Washington, the Puget Sound region and the Highline area; and

WHEREAS, amendment to the City's 2005 Annual City Budget is necessary to increase Municipal CIP Fund estimated revenue and provide appropriation authority in the amount of \$246,250;

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

Section 1. The City Manager is authorized to accept a State of Washington grant to develop a Japanese Garden within the existing area of the Highline SeaTac Botanical Garden.

Section 2. The 2005 Annual City Budget shall be amended to increase revenue and expenditures in the Municipal CIP Fund by \$246,250.

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

ADOPTED this 8th day of November, 2005, and signed in authentication thereof on this 8th day of November, 2005.

CITY OF SEATAC

Terry Anderson, Deputy Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante Bartolo, City Attorney
[Effective Date: 11/19/05]

ORDINANCE NO 05-1020

AN ORDINANCE of the City Council of the City of SeaTac, Washington relating to ad valorem property taxes; tentatively establishing the amount to be levied in 2006 by taxation on the assessed valuation of the property of the City; pending certified assessed valuation from the King County Assessor.

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

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

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

WHEREAS, the King County Assessor, as ex officio assessor for the City pursuant to RCW 35A.84.020, has not to date certified the assessed valuation of all taxable property situated within the boundaries of the City;

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

SECTION 1. Levy Rate.

The regular ad valorem levy for collection during the fiscal year of 2006 cannot be set until certified assessed valuations are received by the City.

SECTION 2. Tentative Amount to be Collected by Ad Valorem Taxation.

The amount of revenue to be collected by the City in the fiscal year 2006 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$11,103,242. This levy amount is determined by the King County Assessor as the maximum statutory property tax levy for 2006. This levy amount will be revised upon receipt of certified assessed valuations from the King County Assessor.

SECTION 3. Effective Date.

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

ADOPTED this 22nd day of November, 2005, and signed in authentication thereof on this 22nd day of November, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: _____]

[2006 Ad Valorem Property Tax Levy]

ORDINANCE NO. 05-1021

An Ordinance of the City Council of the City of SeaTac, Washington, adopting amendments to the zoning code regarding the siting of Essential Public Facilities.

WHEREAS, The City is required to plan under the provisions of the Washington State Growth Management Act (GMA), codified as Chapter 36.70A RCW; and

WHEREAS, RCW 36.70A.200 specifically directs cities planning under GMA to adopt provisions allowing the siting of essential public facilities; and

WHEREAS, RCW 36.70A.020(7) ensures that applications for state and local government permits are processed in a timely and fair manner to ensure predictability; and

WHEREAS, RCW 36.70A.020(12) ensures that public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards; and

WHEREAS, the City adopted its Comprehensive Plan in December 1994, which includes the following policy:

- Policy 1.7A. Administer a process consistent with both the GMA and the County-wide Planning Policies to address the siting of essential public facilities (EPF). Pursuant to the State EPF process, any EPF facility must be consistent with the City's goals and policies. Transportation facilities must be consistent with the City's preferred routes and alignment/station locations.

WHEREAS, the amendment of SeaTac's Essential Public Facility regulations implements the City's Policy for the siting of essential public facilities as mandated by GMA; and

WHEREAS, the Land Use and Parks Committee of the Council reviewed the issue of amending the Zoning Code's Essential Public Facilities regulations on September 8, 2005 and recommended it be forwarded to the Planning Commission for review and discussion; and

WHEREAS, the Planning Commission received public testimony at a public hearing on the draft amendments to the Zoning Code's Essential Public Facilities regulations on September 12, 2005 and recommended adoption of amendments necessary to comply with state law; and

WHEREAS, a copy of the proposed amendments were filed with the Washington State Department of Community, Trade and Economic Development on September 12, 2005 pursuant to RCW 36.70A.106 and WAC 365-195-620; and

WHEREAS, SEPA review of the proposed amendments was completed and a determination of non-significance (DNS) issued on September 1, 2005;

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

Section 1. Section 15.22.035 of the SeaTac Municipal Code is hereby amended to read as follows:

- A. Purpose. The purpose of this section is to establish a formal process for identifying and siting of essential public facilities (EPFs) as defined in SMC 15.10.249.
- B. Included Essential Public Facilities. EPFs subject to this section include, but are not limited to, those facilities identified in SMC 15.10.249, the Seattle-Tacoma International Airport, Interstate 5, State Route 509 (both current and proposed extensions), State Route 518,

the Federal Detention Center, the King County Bow Lake Solid Waste Transfer Station, and the Sound Transit's "LINK" Light Rail System.

C. Threshold Review.

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

~~2. The interlocal agreement (ILA) dated September 4, 1997, between the City of SeaTac and Port of Seattle specifically lists airport master plan projects in Attachment A-1 to Exhibit A and other uses in its Attachment A-2 to Exhibit A. The ILA does not determine whether the listed projects and uses are EPFs but Section 2 of the ILA provides that these projects and uses shall be reviewed and developed pursuant to the standards in the ILA. Therefore, and due to the extensive public and environmental review of the airport master plan, the City's EPF siting process is deemed complete for the projects listed in the ILA's Attachment A-1 to Exhibit A, "List of Port Master Plan Projects" and for uses that are defined under State law to be airport uses. However, this chapter shall apply to any nonairport uses which otherwise meets the definition of an EPF in SMC 15.10.249.~~

D. Applications for EPF Projects. All proposed projects determined to be EPFs and determined to be difficult to site or expand shall be reviewed and conditioned in accordance with all requirements of this code and, in addition, with the conditional use permit procedure, herein referred to as the CUP-EPF review procedure. All applications shall contain the following information:

1. A detailed written description of the proposed and potential public services to be provided, the source or sources of funding, and identification of any applicable public regulatory agencies;
2. A written statement of the need, in statistical or narrative form, for the proposed project currently and over the following ten (10) year period;
3. An inventory of known, existing or proposed facilities, by name and address, within King County, or within the region, serving the same or similar needs as the proposed project;
4. An explanation of the need and suitability for the proposed facility in the proposed City location(s);
5. ~~An assessment of the suitability of the proposed location in the City or another jurisdiction in terms of local, County, regional and/or State needs in order to minimize public costs (where appropriate) and environmental impacts, to discern the suitability of the facility's location in the City or within another jurisdiction, to determine the~~Information regarding the number of jurisdictions affected or served by the proposed EPF, ~~and to decide what interjurisdictional approach is most appropriate;~~
6. An analysis of the environmental, social, economic, financial and infrastructure impacts of the proposed EPF, including an assessment of the proportionate financial impacts on affected jurisdictions, and consideration copies of agreements which allocate the financial burdens of the proposed project on the City and other jurisdictions;
7. An analysis of the proposal's consistency with the City of SeaTac Comprehensive Plan and development regulations, and plans and policies of other affected jurisdictions, including but not limited to the King County Countywide Planning Policies ~~F 217 to F 220;~~
8. Documentation of public involvement efforts to date, including public and agency comments received, and plans for future public participation;
9. Such information as requested by staff to complete the preliminary analysis and/or information to assist the Ad Hoc Committee, City staff, and City Council in making the final determination on the CUP-EPF.

E. CUP-EPF Review Process. All EPFs, ~~once determined by the City not to be exempt as an EPF,~~ shall be subject to the following CUP-EPF review procedure:

1. Project Notification. The applicant, after a preapplication meeting, shall notify the City as soon as possible of intent to submit a CUP-EPF review application. If the applicant does not notify the City of a pending EPF review application, the City may make an initial determination of whether the proposed project is subject to CUP-EPF review, and shall notify the project proponent, in writing, of the City's determination.
2. Environmental Review. The EPF project shall comply with all applicable SEPA/NEPA requirements and the proponent shall mitigate identified environmental impacts as conditions of CUP-EPF approval.
3. Formation of Ad Hoc Committee. The City Council shall establish an Ad Hoc Committee by appointing up to seven (7) members and the Planning Commission appointing one (1) member, for each CUP-EPF application. The Ad Hoc Committee may include representatives of the Planning Commission or other persons with detailed knowledge of City land use or transportation issues. The Ad Hoc Committee shall be appointed by the City Council within seventy-five (75) days of the determination by the Director of Planning and Community Development that the proposed project is an EPF, pursuant to SMC 15.22.035(C)(1).
 - a. The City Council will establish a time frame of ~~between thirty (30) to not more than~~ sixty (60) days, unless a longer time frame is necessary due to an EPF project timeline, in which the Ad Hoc Committee must review, consult and issue ~~a preliminary recommendation~~ recommended conditions for the EPF. ~~At the end of the thirty (30) to sixty (60) day period,~~ ~~†~~This time frame may be extended only by the authority of the City Council, and shall not be extended more than a maximum of three (3) such time periods, unless the applicant agrees that more time is needed.
 - b. Prior to accepting an appointment on the Ad Hoc Committee, an appointee must divulge any vested interest in any properties or businesses, the value of which could be substantially affected by the committee's recommendations, if any.
4. Ad Hoc Committee Review and Coordination. The Ad Hoc Committee shall make recommendations to the designated hearing

body, regarding the appropriate conditions to mitigate the impacts of the proposed EPF under the authority of the City's SEPA ordinances, regulations, Comprehensive Plan, and development regulations. City staff shall prepare an analysis of the CUP-EPF application for use ~~of~~ by the Ad Hoc Committee. The Ad Hoc Committee shall review the staff analysis ~~and of the proposed EPF project under the criteria of subsection (F) of this section~~ and prepare draft-written recommendations on each of the following:

- a. Any criteria indentified in ~~Whether the project is consistent with each of the Ad Hoc Committee review criteria,~~ subsection (F) of this section that was reviewed by the Ad Hoc Committee; and
- b. Whether the project should include a special district overlay zone (defined in Chapter 15.28 SMC); and
- c. Any recommended c~~Conditions or restrictions for siting and for~~mitigating the impacts of the proposed EPF under the authority of the City's SEPA ordinances, Comprehensive Plan and development regulations.

The Ad Hoc Committee shall present its draft recommendations to the Planning Commission and, upon receiving input of the Planning Commission, shall prepare final written recommendations to the ~~Hearing Examiner or City Council~~designated hearing body.

5. ~~City Council Determination~~Designated Hearing Body. The ~~Hearing Examiner City Council~~ shall ~~determine if~~hear an essential public facility application. However, the City Council may determine that the application should ~~shall~~ be heard by the ~~Hearing Examiner or City Council, and in that case, the City Council will be the designated hearing body. The City Council's determination should be~~ ; based on the following ~~factors~~criteria:
 - a. Size of project;
 - b. Area of City affected by proposed project;
 - c. Environmental impact on sensitive areas;
 - d. Timing of project.
6. Staff Report. The Department of Planning and Community Development shall prepare a staff report, which shall include Planning Commission comments, as well as the final

recommendations of the Ad Hoc Committee. The staff report shall also include an evaluation of the consistency of the proposed EPF, as recommended by the Ad Hoc Committee, with the City's adopted Comprehensive Plan and development regulations, and shall include proposed findings, proposed conclusions, and proposed recommendations for disposition of the proposed CUP-EPF to the designated hearing body for a public hearing.

7. Public Hearing and Decision. The designated hearing body shall hold a public hearing pursuant to SMC 16A.13.020 to make findings and issue a decision. The notice of such public hearing shall be consistent with SMC 16A.13.010. A final decision shall be rendered by the designated hearing body in accordance with SMC 16A.15.

F. Ad Hoc Committee Review Criteria. ~~The Ad Hoc Committee shall In making its recommendations, the Ad-Hoc Committee should consider the following: determine whether the proposed EPF is consistent with the following criteria:~~

~~1. The feasibility of the proposed facility and whether there is a more appropriate siting alternative for the proposed facility.~~

21. Whether tThe proposed site is adequate in size and shape for the proposed project and the use conforms, or can aesthetically conform, to the general character of the neighborhood.

3.2 The proportionate financial burdens of the proposed EPF on the City and other affected jurisdictions, and whether they are reasonably mitigated as provided in an inter-jurisdictional agreement, or by other means.

43. Whether tThe proposed EPF is ~~consistent~~ compatible with the following:

- a. Availability and physical constraints of land.
- b. Compatibility with adjacent and nearby land uses.
- c. Mitigation of likely adverse environmental impacts, including but not limited to erosion, sensitive areas, noise, odor, traffic, and air and water quality.
- d. Basic infrastructure standards, such as vehicular traffic, and the availability of necessary utilities and services.

- e. The City of SeaTac's Comprehensive Plan, ~~and~~ development regulations, and SEPA regulations~~the plans and policies of other affected jurisdictions.~~
- f. Any existing and aApplicable City inter-jurisdictional agreements.
- g. Siting of secure community transition facilities must be in accordance with the siting criteria of Chapter 71.09 RCW, and regulations adopted pursuant thereto. In addition, no secure community transition facility shall be sited closer than 330 feet from any residentially zoned property.

G. Designated Hearing Body Review Criteria. The designated hearing body, giving substantial weight to the recommendations of the Ad Hoc Committee and the staff report, shall review the application under the following criteria:

- 1. Whether the proposed action ~~as recommended by the Ad Hoc Committee~~ is consistent with the criteria ~~established~~ under subsection (F) of this section;
- 2. Whether modifications to recommended conditions or restrictions, if any, are adequate-needed to mitigate impacts in a manner which meets the standards of this code and any related development agreement; and
- 3. Any conditions or restrictions shall be consistent with any development agreements that are in existence at the time of the hearing.
- 34. Whether project conditions cumulatively are reasonable and would not preclude development of the EPF.

Should the recommendation of staff conflict with the recommendation of the Ad Hoc committee, the recommendation of staff shall be given greater weight.

H. ~~Designated Hearing Body Final Decision. Recognizing that RCW 36.70A.200(2) prohibits the City from precluding the siting of an essential public facility, if the permit application proposes siting of a project in a location other than the City's preferred location, if any, the hearing body shall provide at least fourteen (14) days' public notice, and written notice to the applicant, of an additional public hearing on the application. At the additional public hearing, the applicant shall present information as to why the City's preferred location, rather than the location applied for, will preclude development of the project. The~~

~~applicant shall provide any engineering, financial and other studies and information necessary to explain its position. The hearing body, with additional analysis and input from City staff, if requested, shall make findings and a decision as to whether siting the project at the City's preferred location would be impossible, impracticable, or otherwise preclusive. The said findings and decision shall not be deemed, however, to limit the authority of a regional decision making body, under law now existing or subsequently amended, to determine where its facilities shall be sited. This section shall not apply to the siting of secure community transition facilities. (Ord. 02 1029 §§ 6—9; Ord. 02 1008 § 2; Ord. 00 1001 §§ 1, 2; Ord. 98 1037 § 2)~~

H. Development Agreements. The terms and conditions of a development agreement completed after the decision of the designated hearing body shall supersede the conditions and restrictions imposed by the designated hearing body.

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

Section 3. The City Clerk is directed to transmit a complete and accurate copy this Ordinance, as adopted, to the Office Community Development within ten days after final adoption, pursuant to RCW 36.70A.106 and WAC 365-195-620. The Clerk is further directed to transmit a copy of this Ordinance, together with copies of other Ordinances amending development regulations adopted within the preceding twelve months, to the King County Assessor by the ensuing 31st day of July, pursuant to RCW 35A.63.260.

Section 4. This Ordinance shall be in full force and effect five (5) days after passage.

ADOPTED this 22nd day of November, 2005 and signed in authentication thereof on this 22nd day of November, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective date: _____]

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ORDINANCE NO. 05-1022

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Sections 3.70.010 and 3.70.020 of the SeaTac Municipal Code relating to local option transportation taxes.

WHEREAS, the State Legislature has authorized cities to levy certain "local option transportation taxes", one of which is the commercial parking tax as set forth at RCW 82.80.030; and

WHEREAS, the use of all local option transportation tax revenues is restricted to transportation purposes, consistent with each city's comprehensive transportation plan, including repayment of bonds issued for such purposes; and

WHEREAS, the City Council imposed and levied a commercial parking tax, now codified at Chapter 3.70 of the SeaTac Municipal Code, equal to one dollar for each parking transaction which is paid by the owner or operator of the vehicle; and

WHEREAS, it is appropriate to amend the commercial parking tax levied upon owners or operators of vehicles engaging in commercial parking transactions, including charging a different rate for "short stay parking;"

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

Section 1. Section 3.70.010 of the SeaTac Municipal Code is hereby amended as follows:

3.70.010 Definitions.

For the purposes of this chapter, the following definitions shall apply:

A. Commercial parking business" means the ownership, lease, operation, or management of a commercial parking lot in which fees are charged, and includes parking service operations of municipal corporations of the State of Washington and other governmental entities, where a fee is charged for parking services or for use of parking spaces.

B. Commercial parking lot” means any covered or uncovered area with parking stalls or spaces used by a commercial parking business for the purpose of parking motor vehicles or allowing motor vehicles to be parked.

C. Commercial parking transaction” means any transaction or arrangement whereby a vehicle is parked and a fee is charged for parking or allowing the vehicle to be parked. It shall constitute a parking transaction each time a fee is charged for parking or allowing a vehicle to be parked, irrespective of the length of time the vehicle is parked, including “short stay metered parking” or “short stay parking” as defined herein; provided that “local employee parking” as defined herein, shall not constitute a commercial parking transaction. A commercial parking transaction shall include instances where a fee is charged for the parking of a vehicle and that fee is included as a specific item in the fee or charge. A commercial parking transaction shall also include instances where a vehicle is parked or allowed to be parked for a certain period of time, and a fee is charged in connection with other services. A commercial parking transaction shall also include instances where a guest of a hotel, motel or other lodging establishment is allowed to park or leave his/her vehicle at the hotel, motel or other lodging establishment after the guest has concluded his/her business at the hotel, motel or other lodging establishment and/or has checked out of the hotel, motel or other lodging establishment, so that the guest’s vehicle is parked at the hotel, motel or other lodging establishment during days when the guest is not staying at the hotel, motel or other lodging establishment, regardless of whether a parking fee is included as a specific item listed or identified on the bill or charge for services by the hotel, motel or other lodging establishment. A commercial parking transaction shall also include instances where a vehicle is parked or allowed to be parked and where a fee would be charged for the parking unless validated by a business because a customer makes a purchase or otherwise transacts business for which a fee is paid. Each vehicle that is parked shall constitute a separate commercial parking transaction for which the tax shall be collected, even if the fees charged and/or arrangements made for vehicle parking includes more than one vehicle.

D. Local employee parking” refers to parking spaces provided or reserved for use by an employee who works within the City and where the employee parks his/her vehicle in connection with his/her employment, without regard to whether arrangements or payment for the parking is made by the employee or by his/her employer.

E. Short stay metered parking” refers to the parking of vehicles in spaces where payment for parking is made through parking meters and where the duration of the metered parking does not exceed three-two consecutive hours in length.

F. “Short stay parking” means any parking of vehicles in spaces where payment for parking is made, and where the duration of the parking does not exceed two consecutive hours in length.

Section 2. Section 3.70.020 of the SeaTac Municipal Code is hereby amended as follows:

3.70.020 Local option transportation tax imposed.

A. Pursuant to RCW 82.80.030, there is levied a special local option transportation tax to be imposed on the privilege of parking in commercial parking facilities within the City. The tax shall be imposed ~~at the rate of one dollar (\$1.00)~~ per commercial parking transaction, ~~including "short term metered parking," irrespective of the length of time that a vehicle is parked in connection with each transaction~~ as follows:-

1. Beginning January 1, 2006, a rate of \$1.75 shall apply, except a rate of \$1.00 shall apply for "short stay parking."
2. Beginning January 1, 2007, a rate of \$2.00 shall apply, except a rate of \$1.00 shall apply for "short stay parking."
3. Beginning January 1, 2008, a rate of \$2.50 shall apply, except a rate of \$0.95 shall apply for "short stay parking."
4. Beginning January 1, 2009, a rate of \$2.75 shall apply, except a rate of \$0.95 shall apply for "short stay parking."
5. Beginning January 1, 2010, a rate of \$3.00 shall apply, except a rate of \$0.90 shall apply for "short stay parking."

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

Section 4. This Ordinance shall be in full force and effect January 1, 2006.

ADOPTED this 22nd day of November, 2005, and signed in authentication thereof on this 22nd day of November, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: January 1, 2006]

[Local Option Transportation Tax Amendment]

ORDINANCE NO. 05-1023

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending the 2005 Annual City Budget for miscellaneous items.

WHEREAS, the SeaTac City Council has reviewed agenda bill #2611 submitted by the Finance Department which details certain expenditures exceeding fiscal year 2005 appropriation authority in the City's Equipment Rental Fund (Fund 501); and

WHEREAS, the budget of the Equipment Rental Fund needs to be increased to comply with State laws prohibiting any funds having expenditures in excess of the fiscal year appropriation authority; and

WHEREAS, amendment to the City's 2005 Annual City Budget is necessary to provide additional appropriation authority to fund certain expenditures;

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

Section 1. The 2005 Annual City Budget shall be amended to increase the total Equipment Rental Fund expenditures by \$25,000.

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

ADOPTED this 13th day of December, 2005, and signed in authentication thereof on this 13th day of December, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: 12/24/05_____]

ORDINANCE NO 05-1024

AN ORDINANCE of the City Council of the City of SeaTac, Washington, relating to ad valorem property taxes, repealing City of SeaTac Ordinance #05-1020, setting the levy rate for the year 2006, setting the amount to be levied in 2006 by taxation on the assessed valuation of the property of the City, and stating the dollar amount of the increase and the percentage increase over the prior year's property tax levy.

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

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

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

WHEREAS, the SeaTac City Council adopted Ordinance #05-1020, tentatively establishing the 2006 property tax levy since assessed valuations had not yet been certified by the King County Assessor; and

WHEREAS, the King County Assessor, as ex officio assessor for the City pursuant to RCW 35A.84.020, has now certified the assessed valuation of all taxable property situated within the boundaries of the City at \$3,585,486,735; and

WHEREAS, the SeaTac City Council, after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of SeaTac requires a regular levy in the amount of \$9,922,670, which includes an increase in property tax revenue from the previous year, and amounts resulting from the addition of new construction and improvements to

property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the City and in its best interest;

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

SECTION 1. Ordinance #05-1020 is Repealed.

City of SeaTac Ordinance #05-1020, tentatively establishing the 2006 property tax levy, is hereby repealed.

SECTION 2. Levy Rate Fixed.

The regular ad valorem levy rate for collection during the fiscal year of 2006 is hereby set at \$2.77 per thousand dollars of assessed value of all taxable property situated within the boundaries of the City.

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

The amount of revenue to be collected by the City in the fiscal year 2006 by taxation on the assessed valuation of all taxable property situated within the boundaries of the City is estimated to be the sum of \$9,922,670.

SECTION 4. Increase in Property Tax Revenue From the Previous Year.

The increase in the regular property tax levy is hereby authorized for the 2006 levy year in the amount of \$83,716, which is a percentage increase of 0.875% from the previous year. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and any additional amounts resulting from any annexations that have occurred and refunds made.

SECTION 5. Effective Date.

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

ADOPTED this 13th day of December, 2005, and signed in authentication thereof on this 13th day of December, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary E. Mirante-Bartolo, City Attorney

[Effective Date: __12/24/05_____]]

[2006 Ad Valorem Property Tax Levy]

ORDINANCE NO. 05-1025

An ORDINANCE of the City Council of the City of SeaTac, Washington, amending portions of the City of SeaTac Comprehensive Plan.

WHEREAS, pursuant to the requirements of the Washington State Growth Management Act, the City of SeaTac is required to develop and adopt a Comprehensive Plan, which plan is required to include various elements for land use, housing, transportation, capital facilities and utilities, and which may include other elements such as, community image, economic vitality, environmental management, parks, recreation and open space, and human services; and

WHEREAS, the City adopted its Comprehensive Plan in December, 1994, after study, review, community input and public hearings; and

WHEREAS, the State Growth Management Act (RCW 36.70A.130) requires that each comprehensive land use plan and development regulations be subject to continuing review and evaluation by the county or city that adopted them; and

WHEREAS, the State Growth Management Act provides for amendments to the Comprehensive Plan no more than once per year; and

WHEREAS, the City Council authorized, by Resolution No. 97-001, a process for amending the Comprehensive Plan; and

WHEREAS, it is necessary to update the Comprehensive Plan implementation strategies, 6-year Capital Facilities Element, and other sections as identified through public process, and

WHEREAS, procedures for amending the Plan have been implemented in 2005, including efforts to solicit public input, acceptance of proposals for Comprehensive Plan amendments, evaluation according to preliminary criteria, elimination of proposals not meeting preliminary criteria, and evaluation of the remaining proposals according to final criteria; and

WHEREAS, the environmental impacts of the proposed amendments have been assessed, and a Determination of Nonsignificance, File No. SEP05-00008, was issued October 27, 2005; and

WHEREAS, numerous sites exist in the City's *Community Business in Urban Center* (CB-C) zone where commercial parking is allowed, and the City desires to retain the limited area designated *Business Park* (BP) for appropriate uses along 8th Avenue South; and

WHEREAS, after a public hearing on November 7, 2005 to consider proposed amendments to the Comprehensive Plan, the Planning Commission recommended to the City Council adoption of proposed amendments to the Comprehensive Plan as shown in the Final Docket Staff Report; and

WHEREAS, after an additional public hearing on December 12, 2005, the Planning Commission again recommended adoption of proposed amendments as shown in the Final Docket Staff Report; and

WHEREAS, after consideration of the recommendation of the Planning Commission, the Department of Planning and Community Development has

recommended to the City Council adoption of the proposed amendments to the Comprehensive Plan as shown in the Final Docket Staff Report; and

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

WHEREAS, copies of these proposed amendments were filed with the Washington Department of Community, Trade, and Economic Development not less than sixty days prior to final action, pursuant to RCW 36.70A.106 and WAC 365-195-620;

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

WASHINGTON DO ORDAIN as follows:

Section 1. The City of SeaTac Comprehensive Plan, adopted on December 20, 1994, and amended annually in subsequent years, is hereby amended as set forth in Exhibit A (attached), with the following clarifications:

- Do not adopt Map Amendment #3

A copy of the amendments shall be maintained on file with the Office of the City Clerk for public inspection; and

Section 2. The City Clerk is directed to transmit a complete and accurate copy of this Ordinance, as adopted, to the Washington Office of Community Development within ten days after final adoption, pursuant to RCW 36.70A.106 and WAC 365-195-620. The City Clerk is also directed to transmit a complete and accurate copy of this ordinance to the Puget Sound Regional Council (PSRC), pursuant to RCW 36.70A.100 and RCW 36.70A.210. The Clerk is further directed to transmit a copy of this Ordinance, together with copies of other Ordinances amending development regulations adopted within the preceding twelve months, to the King County Assessor by the ensuing 31st day of July, pursuant to RCW 35A.63.260.

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

ADOPTED this 13th day of December, 2005 and signed in authentication thereof this
13th day of December, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to Form:

Mary Mirante-Bartolo, City Attorney

[Effective Date: 12/24/05_____]

Exhibit A

2005 Comprehensive Plan Amendments

ORDINANCE NO. 05-1026

AN ORDINANCE of the City Council of the City of SeaTac, Washington, adopting the Annual Budget for the year 2006 and appropriating funds for the estimated expenditures.

WHEREAS, State Law, Chapter 35A.33 RCW requires the City to adopt an annual budget and provides procedures for the filing of estimates, a preliminary budget, deliberations, a public hearing, and final fixing of the budget; and

WHEREAS, a preliminary budget for the fiscal year 2006 has been prepared and filed; a public hearing has been held for the purpose of fixing the final budget; and the City Council has deliberated and has made adjustments and changes deemed necessary and proper;

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

Section 1. The 2006 Annual Budget for the City of SeaTac, covering the period from January 1, 2006, through December 31, 2006, is hereby adopted by reference with appropriations in the amount of \$74,841,042.

Section 2. The budget sets forth totals of estimated appropriations for each separate fund, and the aggregate totals for all such funds. The said budget appropriation, in summary by fund and aggregate total of the City of SeaTac are as follows:

<u>Fund Number</u>	<u>Fund Name</u>	<u>Appropriations</u>
001	General	\$ 34,126,245
101	City Street	684,930
102	Arterial Street	3,019,742
106	Transit Planning	146,830
107	Hotel/Motel Tax	829,637
108	Building Management	237,300
110	Facility Repair and Replacement	260,375
201	City Hall Limited Tax G.O. Bond	431,160
202	Transportation Bond	869,290
203	Hotel/Motel Tax Bond	382,810
204	Special Assessment Debt	325,330
301	Municipal Capital Improvements	4,018,563
303	Fire Equipment Capital Reserve	41,160

Ordinance No. _____
(continued)

<u>Fund Number</u>	<u>Fund Name</u>	<u>Appropriations</u>
306	Municipal Facilities CIP	\$ 11,910,000
307	Transportation CIP	4,028,650
403	SWM Utility	1,429,770
406	SWM Construction	11,562,600
501	Equipment Rental	<u>536,650</u>
TOTAL ALL FUNDS		\$ 74,841,042

Section 3. A complete copy of the final budget as adopted herein shall be transmitted to the Division of Municipal Corporations in the Office of the State Auditor, and to the Association of Washington Cities. One complete copy of the final budget as adopted herein shall be filed with the City Clerk and shall be available for use by the public.

Section 4. This Ordinance shall be in full force and effect for the fiscal year 2006 five (5) days after passage and publication as required by law.

ADOPTED this 13th day of December, 2005, and signed in authentication thereof on this 13th day of December, 2005.

CITY OF SEATAC

Frank Hansen, Mayor

ATTEST:

Judith L. Cary, City Clerk

Approved as to form:

Mary E. Mirante Bartolo, City Attorney

[Effective Date: _____]

[2006 Annual Budget Ordinance]