ORDINANCE _____

AN ORDINANCE related to the Restricted Parking Zone program to update and clarify the program; amending Sections 3.12.120, 11.14.515, 11.16.120(F) and (G), 11.16.315, 11.16.317, 11.16.319, 11.23.440, 11.28.010(D), 11.31.121, 11.72.351, 11.76.015, 15.04.112 and 23.44.041(A) of the Seattle Municipal Code; adding new Section 11.16.316; and repealing Sections 15.04.112 (B) and (C), 11.73.010-.040, and 11.73.080.

WHEREAS, Ordinance 108354 established the restricted parking zone program in 1979, for many years known generally as the residential parking zone program (or RPZ program) to help ease parking congestion in residential neighborhoods, and Ordinance 122853 amended the resident identification permit fees to cover the increased cost of administration; and

WHEREAS, restricted parking zones (RPZs) are often located adjacent to generators of high traffic demand, such as universities, high schools, hospitals, transit stations or stops, and business districts in order to limit the impact of employees, transit commuters, and students parking their vehicles for lengthy time periods and thereby using parking that might otherwise be used by residents and area visitors; and

WHEREAS, as of March 2009, Seattle has 27 restricted parking zones that operate seven days a week at varying days and hours, and the Seattle Department of Transportation (SDOT) issues approximately 17,000 RPZ permits annually; and

WHEREAS, as part of this ordinance to update and clarify the RPZ program, Seattle Municipal Code Sections 11.73.010-.040 and 11.73.080 are repealed; however, while the Director of SDOT continues to have the authority to create, modify or dissolve RPZs as needed, repeal of SMC 11.73.010-.040 and 11.73.080 is not intended to affect the validity of existing RPZ zones, which the SDOT Director intends to retain as valid RPZ zones. The boundaries of theses zones can be reviewed at the SDOT RPZ permit counter; and

WHEREAS, SDOT initiated a major policy review starting in 2007 to redesign the existing RPZ program to better achieve the City of Seattle's goals in areas of parking management, transportation, economic development, social equity, and sustainability; and

WHEREAS, SDOT conducted a broad-based community engagement effort to generate feedback on draft recommendations issued in August 2008. As part of this effort, SDOT disseminated draft RPZ policy review recommendations to citizens, sought feedback from a broad range of stakeholders to help inform decisions, and, after an 80-day comment period, received over 500 comments from variety of residents, business owners and others;

WHEREAS, the proposed amendments to the RPZ program are intended to support the following four objectives: reduce traffic impacts to neighborhoods from commuters who park around large parking demand generators; support mixed-use neighborhoods and local business districts by creating a pilot program for businesses and institutions and by broadening the community engagement program; continue to encourage a reduction in overall energy use and vehicle emissions by discouraging non-residents from parking in RPZ areas; and implement simple rules that are easily understood and clearly applied; and, NOW, THEREFORE**,**

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.12.120, as last amended by Ordinance 121420, is amended as follows:

SMC 3.12.120 Disposition of permit fees.

Fees collected by the Seattle Department of Transportation for permits or other means of extending parking privileges in any restricted parking zone, as authorized in Seattle Municipal Code Section ((~~11.16.315~~)) 11.16.120, shall be deposited in the Seattle Department of Transportation Operating Fund for the purpose of reimbursing ongoing operating costs of ((~~residential~~)) restricted parking zones.

Section 2. Section 11.14.515, as last amended by Ordinance 108354 is amended as follows:

SMC 11.14.515 Definitions ((~~**Restricted parking zone**~~))

((~~A. Reserved for the exclusive use of vehicles owned or used by residents of the abutting property and/or in the discretion of the Board, residents in the prescribed vicinity, and vehicles used by their visitors; and service vehicles of persons having business in the street or with abutting or nearby residents;~~

~~B. Reserved for such exclusive use during certain hours; or~~

~~C. Subject to time limits that apply to parking of all vehicles except vehicles owned or used by such residents, or their visitors, or service vehicles of persons having business in the street or with the residents.~~))

A. "Business" means any business that possesses a valid City of Seattle business license and where commercial work occurs on premises, including but not limited to, retail sales and service, warehouse, non-household sales and service, or entertainment.

B. "Employee" means any individual who performs work, labor, or services and is on the payroll of a business or institution. This includes all full-time, part-time and temporary employees including partners of the business or institution located in or adjacent to an RPZ.

C. "Guest" means a person temporarily visiting residents or temporarily having business with residents who are eligible for RPZ permits.

D. "Guest Permit" means a card, decal or other identification issued to an eligible person to be placed in the vehicle that enables it to park in a restricted parking zone, for an annual, biennial or single-day timeframe.

E. "Household Unit" means any self-contained house, apartment, condominium, town house, floating home, detached or attached accessory dwelling unit, or group house that contains living, sleeping and cooking quarters and is used by of any number of related persons or up to eight unrelated individuals. For the purpose of this chapter, each unit of multiple-unit residential dwelling is considered a separate household unit.

F. “Institution” means any organization of a public character, including but not limited to, a school, hospital, religious facility, health care, social or community service agency, library, university, or museum.

G. “Resident” means any person residing in a household unit that is located adjacent to or in a prescribed vicinity of a restricted parking zone.

H. "Restricted parking zone" or “RPZ” means a portion of the street commonly used for vehicular parking where vehicles properly displaying a permit or other authorization pursuant to Chapter11.16 SMC shall be exempt from the posted RPZ parking restrictions. This program does not apply to ((~~which except as to~~)) vehicles displaying a card or decal issued pursuant to RCW 46.16.381((~~0 is:~~)).

I. “RPZ Permit” means a card, decal or other identification issued to an eligible person to be placed on the vehicle that enables it to park in a restricted parking zone.

J. “Volunteer” means any individual who performs volunteer work for a business or institution at least three times a week.

Section 3. Subsections F and G of 11.16.120, as last amended by Ordinance 121388, are amended as follows:

SMC 11.16.120 Director of Transportation -- Authority.

The Director of Transportation is authorized:

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F. To establish, revise or abolish restricted parking zones. A decision to establish, or to refuse to establish, a restricted parking zone is subject to ((~~review or~~)) reconsideration pursuant to SMC Section 11.16.317((~~B~~))D. The Director may consider other parking demand management tools in lieu of or prior to implementation of an RPZ. A restricted parking zone may have one (1) or more of the following components:

1. Parking in the street is reserved for the exclusive use by those vehicles displaying a valid RPZ permit, guest permit, or other identification issued by SDOT as part of the RPZ program; or

2. Parking in the street is reserved during certain posted hours for exclusive use by vehicles displaying a valid RPZ permit, guest permit, or other identification issued by SDOT as part of the RPZ program and available at all other times without restriction; or

3. Time limits are established for parking in the street that applies to all vehicles except vehicles with valid RPZ permit, guest permit, or other identification issued by SDOT as part of the RPZ program.

G. To promulgate rules and regulations for the RPZ program. ((~~use of restricted parking zones, and~~))

Section 4. Section 11.16.315, as last amended by Ordinance 121678, is amended as follows:

SMC 11.16.315 ((~~Authority for, a~~)) Administration of~~,~~ restricted parking zones.

((~~A. The Director of Transportation may establish a restricted parking zone, consistent with Section 11.16.317 and according to the Policies and Procedures Concerning the Implementation of Residential Parking Zones. A restricted parking zone may have one (1) or more of the following provisions:~~

~~1. Parking in the street is reserved for the exclusive use by the owners of abutting properties and/or residents in a prescribed vicinity; vehicles used by their visitors; and service vehicles of persons having business in the street or with the residents; and/or~~

~~2. Parking in the street is reserved during certain posted hours for such exclusive use and available at all other times without restriction; and/or~~

~~3. Time limits are established for parking in the street which apply to all vehicles except vehicles owned by or used by such residents, their visitors or service vehicles of persons having business in the street or with the residents; provided, that each restricted parking zone shall be subject to review by the Director of the Transportation after its first six (6) months of operation.~~))

A. Signage: Restricted parking zones shall be appropriately signed and/or marked.

B. Administration: In any restricted parking zone, the Director of Transportation or his or her designee may issue permits or other means of identification, maintain lists of vehicles owned or used by permit holders ((~~residents~~)), or adopt any other reasonable means of distinguishing ((~~, from other vehicles,~~)) vehicles that are ((~~may~~)) validly ((~~be~~)) parked in a

((~~any~~)) restricted parking zone. ((~~Restricted parking zones shall be appropriately signed and/or marked.~~))

1. A permit shall not guarantee or reserve to the holder an on-street parking space within the designated RPZ.

2. If issued to a resident, a permit must be used within six contiguous city blocks of the household unit address or, if issued to a business or institution, a permit must be used within six contiguous city blocks of the place of business or the institution.

C. Application. In order to obtain an RPZ permit, any applicant shall present proof of residency in or adjacent to the restricted parking zone boundary in addition to submittal of a complete application to the Seattle Department of Transportation. As of January 1, 2010, any applicant must also present proof that the address of vehicle registration matches the applicant's household unit address.

D. Permit Limit. As of January 1, 2010, each eligible household unit is entitled to obtain no more than eight permits per permit cycle.

E. Guest Permits. Each eligible resident may obtain no more than one annual or biennial guest permit per household unit. It is illegal to use a guest permit on a resident's vehicle. As of January 1, 2010, eligible residents may obtain a limited number of single-day use guest permits.

F. Motorcycles and Scooters. As of January 1, 2010, motorcycles and scooters are authorized to park in an RPZ zone without an RPZ permit.

Section 5. A new section, 11.16.316, of the Seattle Municipal Code is hereby added:

SMC 11.16.316 Restricted Parking Zone Permits for Use by Businesses – Pilot

A. The purpose of this section is to authorize the Director of Transportation or his or her designee to create a specific program for qualified businesses and institutions to apply for and receive restricted parking zone permits to park in a restricted parking zone in the Initial Segment LINK Light Rail transit station areas, including Rainier Beach, Othello, Columbia City, Mount Baker, Beacon Hill, SODO and Stadium stations. This is in addition to permits issued to qualified residents in these RPZs.

B. The Director of Transportation or his or her designee is authorized to establish rules and regulations for this pilot program, including permit eligibility, application submittal for qualifying businesses and institutions, permit use, and alternate eligibility procedures as needed, following the goals set forth in subsection D.

C. To inform communities about the intended creation of an RPZ in the LINK station areas and to obtain public comment, Seattle Department of Transportation shall convene a series of community meetings for the proposed zones prior to installation.

D. The purpose of the pilot program is to determine whether issuance of RPZ permits to businesses or institutions and their employees assists the Seattle Department of Transportation in reaching the following goals: reduce neighborhood traffic impacts by large parking demand

generators; support mixed-use neighborhoods and local business districts; continue to reduce overall energy use and vehicle emissions; and, implement a customer-oriented permit program.

E. In order to be issued a restricted parking permit, the permit holder must be an owner, employee, or volunteer of a business or institution within or adjacent to an RPZ boundary. Property owners for a business or institution within or adjacent to an RPZ boundary can also obtain one permit per owner.

F. Permit holders who violate this section or the RPZ program rules may have their permit revoked and may be excluded from obtaining future permits.

G. Within two (2) years of the pilot program becoming effective, the Director of Transportation or his or her designee will present a report to the City Council that evaluates the pilot program relative to goals listed in subsection D.

Section 6. Section 11.16.317, as last amended by Ordinance 118409, is amended as follows:

SMC 11.16.317 Establishing, expanding and reducing restricted parking zones

A. The Director of Transportation or his or her designee shall consider whether a restricted parking zone, within a designated area, would promote certain benefits or would result in adverse impacts.

1. Benefits that may lead to establishing an RPZ may include, but are not limited to: increased access for area residents, reduced traffic congestion, increased traffic or pedestrian safety, reduced air or noise pollution, reduced commuter parking in neighborhoods, prevention of blighted areas, and promoting the use of alternative modes of transportation.

2. Adverse impacts that may prevent implementation include, but are not limited to: transferring a parking problem to a different area, inability to effectively enforce program restrictions, lack of alternative transportation modes, and availability of simpler, cheaper or more effective solutions.

3. Regardless of potential benefits or adverse impacts that may result from creating an RPZ in any downtown zone including all zones contained in Map 1A of Ch. 23.49 SMC, the Seattle Department of Transportation will not install RPZs in such zones, in part, because of high demand and multiple, competing needs for on-street parking.

((~~A~~)).B. The Director of Transportation may establish a new or expand an existing restricted parking zone whenever seventy-five (75) percent or more of the capacity of the streets available for parking on ten (10) contiguous blocks (and/or twenty (20) block faces) in such designated area is generally occupied; ((~~during regular business hours or any consecutive eight (8) hour period during evenings or during any consecutive eight (8) hour period on both Saturdays and Sundays; at least twenty-five (25)~~)) over fifty (50) percent of the vehicles parked on the street in the area ~~during such hours~~ are not owned by residents of the designated area; ((~~a petition signed by, or~~)) a strong and effective community engagement effort ((~~survey~~)) indicating that generally ((~~a majority of the residents~~)) stakeholders in the designated area review and support ((~~approves~~)) the restricted parking zone; and the public interest would be served. In cases where the criteria listed above are not ((~~all~~)) met, the Director of Transportation is authorized to establish a restricted parking zone when, in his or her judgment,

the parking problem will be ameliorated by a restricted parking zone and the public interest would be served.

C. The Director of Transportation or his or her designee is authorized to engage affected and interested community stakeholders to review and assist in refining any future RPZ proposals. The public information program may include department presentations to business and community organizations, information distribution through the City's web site, news releases and related media, direct mailings of informational materials, and other techniques as appropriate to the scale of the proposal.

D. Any new or expanding major institution as defined in SMC 23.84A.025 applying for a major institution plan or seeking any expansion of an approved major institution after January 1, 2010 that results in the installation of an RPZ shall pay the cost of a maximum of two RPZ permits per household unit for no more than one biennial permit cycle, where warranted to mitigate parking impacts of the major institution as a component of their transportation mitigation program. This does not exempt major institutions from any other mitigation required per Title 23 and Title 25.

((~~B~~)).E. The Director of Transportation's decision to establish or not to establish a restricted parking zone may be subject to ((~~review or~~)) reconsideration within fifteen (15) days of publication in ((~~the Seattle Daily Journal of Commerce and/or~~)) a local newspaper. Requests for ((~~review or~~)) reconsideration may be initiated, in writing, by residents, business owners, employees or volunteers in or adjacent to the proposed RPZ. On ((~~review or~~)) reconsideration, the Director ((~~, or his or her designee,~~)) shall ((~~conduct a public hearing before the Director~~

~~makes a final decision~~)) designate a review officer, who shall, after reviewing the reconsideration materials and other relevant information, make a recommendation to the Director. The Director may, at his or her discretion, stay implementation of a decision pending review. The Director's decision on reconsideration shall be final. Grounds for ((~~review or~~)) reconsideration may include the validity of ((~~the~~)) any parking study ((~~the stringency of the parking restrictions; the boundaries of the restricted parking zone; and violations of Policies and Procedures Concerning the Implementation of Residential Parking Zones.~~)) or compliance with the process to establish a zone.

((~~C.~~))F. The Director may modify boundaries or hours of an existing RPZ by following an administrative process that seeks to identify possible changes as suggested by the community, review proposed changes to the RPZ with affected community stakeholders, and make a determination for what best serves the public interest, without requiring petition signatures. ((~~consistent with Policies and Procedures Concerning the Implementation of Residential Parking Zones.~~))

((~~D.~~))G. A restriction of parking shall take effect on a street segment when it is signed or posted, and shall cease when the signs or posting are removed pursuant to lawful order; provided, that vandalism or destruction of parking control signs shall not affect the validity of a restriction upon parking on any street segment designated by the Director of Transportation if other signs or traffic control devices give notice that parking in the street segment is restricted.

H. The Director may initiate dissolution of an RPZ when he or she determines that it best serves the public interest and meets at least one of the following criteria, including but not

limited to, low permit sales in a zone, a small number of blocks with RPZ signs, or the original traffic generator no longer exists. The zone would be removed at the beginning of a new permit cycle.

Section 7. Section 11.16.319, as last amended by Ordinance 122853, is amended as follows:

SMC 11.16.319 Fees for restricted parking zone permits; Waiver or reduction of fees.

A. The parking fees to be collected by the Seattle Department of Transportation for restricted parking zone permits are as follows.

TYPE OF PERMIT	FEE
Resident parking permit	$45.00
Temporary permit	$10.00 for first 60-day period;
	$15.00 for second 60-day period
Guest permit issued with resident permit	$15.00
Guest permit as only permit	$45.00
Replacement of resident and guest permit	$15.00 for first permit;
	$25.00 for second permit
Elderly/low-income permanent permit	$10.00

B. The Director of Transportation may waive or reduce an RPZ fee in subsection A whenever:

1. the waiver or reduction is in the overall public interest due to extraordinary facts or circumstances,

2. waiver or reduction is consistent with the goals of the RPZ program, or

3. dire consequences may result if the request is denied.

Section 8. Section 11.23.440, as last amended by Ordinance 108200, is amended as follows:

SMC 11.23.440 Parking privileges.

No person shall be granted a franchise or special privilege to the exclusion of any other like person for parking vehicles on any roadway. Zones may be granted for taxicabs, official foreign career consul vehicles, moving or loading, disabled persons, curb space parking, service parking, carpool parking, or similar uses, or for any ((~~residential~~)) restricted parking program which may be developed. Establishment of such a zone does not constitute a grant of franchise.

Section 9. Subsection D of 11.28.010, which Section was last amended by Ordinance 108354, is amended as follows:

SMC 11.28.010 Abuse of privileges in restricted parking zones.

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D. It shall be prohibited for any person to sell, trade, buy or otherwise acquire for value or use any restricted parking permit, except as provided for in this article or Chapter 11.16 SMC.

Section 10. Section 11.31.121, as last amended by Ordinance 121954, is amended as follows:

SMC 11.31.121 Monetary penalties – Parking infractions.

The base monetary penalty for violation of each of the numbered provisions of the Seattle Municipal Code listed in the following table shall be as shown, unless and until the penalty shown below for a particular parking infraction is modified by Local Rule of the Seattle Municipal Court adopted pursuant to the Infraction Rules for Courts of Limited Jurisdiction ("IRLJ") or successor rules to the IRLJ:

Municipal Code Reference	**Parking Infraction Short Description**	**Base Penalty Amount**
***		
11.72.351A	RESTRICTED PARKING ZONE	$44.00
11.72.351B	RPZ PERMIT DISPLAY IN IMPROPER LOCATION ON VEHICLE	$20.00
11.72.351C	ILLEGAL SALE, PURCHASE OR POSSESSION OF RPZ PERMIT	$250.00
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Section 11. Section 11.72.351, as last amended by Ordinance 115486, is amended as follows:

SMC 11.72.351 Restricted parking zone

A. No person shall stop, stand or park a vehicle in violation of the posted or marked restrictions or when a permit or other authorization issued by the city is required as a condition for parking unless an RPZ permit pursuant to chapter 11.16 SMC or a disabled placard permit or license plate pursuant to RCW 46.16.381 or 46.16.390 ((~~the same or a card or decal issued pursuant to RCW 46.16.381 or recognized under RCW 46.16.390~~)) is displayed in a specified

((~~prominent~~)) place on the vehicle. As of January 1, 2010, motorcycles and scooters are authorized to park in an RPZ zone without an RPZ permit. It shall be a violation of this section if:

1. The RPZ permit does not match the vehicle;

2. A guest permit is being used improperly;

3. The zone permit does not match the zone where vehicle is parked, or

4. The vehicle is parked within the same zone as the permit indicates, but it is parked more than six blocks away from the address for which the permit is issued.

B. It is unlawful and is a parking infraction to display an RPZ permit in an improper location on a vehicle. The RPZ permit must be affixed to the vehicle at the lower center of the rear window for which it is issued unless the vehicle is a truck, a vehicle without a rear window, has a dark-tinted rear window or a surface defroster, or where SDOT has approved an exemption, whereby the permit may, in the alternative, be placed in the lower (left-hand) corner of the driver's side front windshield.

C. It is unlawful and is a parking infraction to sell, transfer, purchase or otherwise acquire for value a permit or decal issued by the City per SMC 11.16.315 or 11.16.316 and to subsequently use or display the permit to park in an RPZ.

Section 12. Section 11.73.010, as last amended by Ordinance 117189, and which currently reads as follows, is repealed:

((~~SMC 11.73.010 Broadway and Stevens Neighborhood, vicinity of Group Health Cooperative.~~

~~A. There is hereby established a restricted parking zone as contemplated by Ordinance 108354, Section 1, on the following street segments:~~

~~1. 10th Avenue East, between East Denny Way and East Roy Street (also known as the 100, 200, 300, 400, 500, and 600 blocks of 10th Avenue East);~~

~~2. 11th Avenue/11th Avenue East, between East Pine Street and East Aloha Street (also known as the 1600, 1700, and 1800 blocks of 11th Avenue and 100, 200, 300, 400, 500, 600, and 700 blocks of 11th Avenue East);~~

~~3. 12th Avenue/12th Avenue East, between East Pine Street and East Aloha Street (also known as the 1600, 1700, and 1800 blocks of 12th Avenue and 100, 200, 300, 400, 500, 600, and 700 blocks of 12th Avenue East);~~

~~4. 13th Avenue/13th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 13th Avenue and the 100, 200, 300, 400, 500, 600, and 700 blocks of 13th Avenue East);~~

~~5. 14th Avenue/14th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 14th Avenue and the 100, 200, 300, 400, 500, 600, 700, and 800 blocks of 14th Avenue East);~~

~~6. 15th Avenue/15th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 15th Avenue and the 100, 200, 300, 400, 500, 600, 700 and 800 blocks of 15th Avenue East);~~

~~7. 16th Avenue/16th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 16th Avenue and the 100, 200, 300, 400, 500, 600 and 700 blocks of 16th Avenue East);~~

~~8. 17th Avenue/17th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 17th Avenue and the 100, 200, 300, 400, 500, 600 and 700 blocks of 17th Avenue East);~~

~~9. 18th Avenue/18th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 18th Avenue and the 100, 200, 300, 400, 500, 600 and 700 blocks of 18th Avenue East);~~

~~10. 19th Avenue/19th Avenue East, between East Madison Street and East Aloha Street (also known as the 1700 and 1800 blocks of 19th Avenue and 100, 200, 300, 400, 500, 600, and 700 blocks of 19th Avenue East);~~

~~11. Malden Avenue East between East Thomas Street and East Roy Street (also known as the 300, 400, 500 and 600 blocks of Malden Avenue East);~~

~~12. Federal Avenue East, between East Thomas Street and East Roy Street (also known as the 300, 400, 500 and 600 blocks of Federal Avenue East);~~

~~13. Coryell Court East, between East Harrison Street and East Thomas Street (also known as the 300 block of Coryell Court East);~~

~~14. East Olive Street between 11th Avenue and 18th Avenue (also known as the 1100, 1200, 1300, 1400, 1500, 1600 and 1700 blocks of East Olive Street);~~

~~15. East Howell Street between 11th Avenue and 19th Avenue (also known as the 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Howell Street);~~

~~16. East Denny Way between Broadway Avenue East and 19th Avenue (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Denny Way);~~

~~17. East John Street between Broadway Avenue East and 19th Avenue East (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East John Street);~~

~~18. East Thomas Street between Broadway Avenue East and 19th Avenue East (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Thomas Street);~~

~~19. East Harrison Street between Broadway Avenue East and 19th Avenue East (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Harrison Street);~~

~~20. East Republican Street between Broadway Avenue East and 19th Avenue East (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Republican Street);~~

~~21. East Mercer Street, between Broadway Avenue East and 19th Avenue East (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Mercer Street);~~

~~22. East Roy Street, between 10th Avenue East and 19th Avenue East (also known as the 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700 and 1800 blocks of East Roy Street);~~

~~23. East Valley Street, between 14th Avenue East and 15th Avenue East (also known as the 1400 block of East Valley Street);~~

~~24. East Glen Street, between 18th Avenue East and 19th Avenue East (also known as the 1800 block of East Glen Street).~~))

Section 13. Sections 11.73.020, 11.73.030 and 11.73.040, as last amended by Ordinance 11599, and which currently read as follows, are repealed:

((~~**SMC 11.73.020 Fauntleroy Neighborhood, vicinity of Fauntleroy Ferry Terminal.**~~

~~A. There is hereby established a restricted parking zone as contemplated by Ordinance 108200, Section 11.16.315, as amended by Ordinance 108354, Section 1, on the following street segments:~~

~~1. Southwest Cloverdale Street between Fauntleroy Way Southwest and 46th Avenue Southwest (also known as the 4600 block of Southwest Cloverdale Street);~~

~~2. Southwest Trenton Street between Fauntleroy Way Southwest and 45th Avenue Southwest (also known as the 4500 block of Southwest Trenton Street);~~

~~3. Southwest Concord Street between Fauntleroy Way Southwest and 45th Avenue Southwest (also known as the 4500 block of Southwest Concord Street);~~

~~4. Southwest Henderson Street between Fauntleroy Way Southwest and 44th Avenue Southwest (also known as the 4400 and 4500 blocks of Southwest Henderson Street);~~

~~5. Southwest Director Street between Fauntleroy Way Southwest and 44th Avenue Southwest (also known as the 4400 and 4500 blocks of Southwest Director Street);~~

~~6. Southwest Director Place between Fauntleroy Way Southwest and 45th Avenue Southwest (also known as the 4500 block of Southwest Director Place);~~

~~7. Southwest Barton Street between Fauntleroy Way Southwest and 45th Avenue Southwest (also known as the 4500 block of Southwest Barton Street);~~

~~8. Southwest Wildwood Place between Fauntleroy Way Southwest and Southwest Brace Point Drive (also known as the 4400, 4500, 4600 and 4700 blocks of Southwest Wildwood Place);~~

~~9. Fauntleroy Way Southwest between a private road south of Southwest Brace Point Drive and Southwest Thistle Street (also known as the 8400, 8600, 8800, 8900, 9000, 9100 and 9200 blocks and a portion of the 9300 block to 3344 of Fauntleroy Way Southwest);~~

~~10. 47th Avenue Southwest between Southwest Brace Point Drive and Southwest Wildwood Place (also known as the 9200 block of 47th Avenue Southwest);~~

~~11. 46th Avenue Southwest between Southwest Cloverdale Street and Southwest Trenton Street and between Southwest Brace Point Drive and Southwest Wildwood Place (also known as the 8600 and 9200 blocks of 46th Avenue Southwest);~~

~~12. 45th Avenue Southwest between Southwest Trenton Street and Southwest Wildwood Place (also known as the 8800, 8900, 9000, 9100 and part of the 9200 block of 45th Avenue Southwest);~~

~~13. Southwest Brace Point Drive between Puget Sound and 45th Avenue Southwest (also known as the 4500, 4600, 4700 and 4800 blocks of Southwest Brace Point Drive);~~

~~14. Southwest Director Street between 44th Avenue Southwest and California Avenue Southwest (also known as the 4300 and 4400 blocks at Southwest Director Street);~~

~~15. Southwest Henderson Street between 44th Avenue Southwest and California Avenue Southwest (also known as the 4300 and 4400 blocks of Southwest Henderson Street);~~

~~16. 44th Avenue Southwest between Southwest Henderson Street and Southwest Director Street (also known as the 9000 block of 44th Avenue Southwest);~~

~~17. 43rd Avenue Southwest between Southwest Henderson Street and Southwest Director Street (also known as the 9000 block of 43rd Avenue Southwest);~~

~~18. Southwest Brace Point Drive between 45th Avenue Southwest and Southwest Wildwood Street (also known as the 4400 block of Southwest Brace Point Drive);~~

~~19. 45th Avenue Southwest between Southwest Brace Point Drive and Southwest Kilborne Court (also known as the 9300 block and a portion of the 9400 block of 9431 of 45th Avenue Southwest);~~

~~20. 47th Avenue Southwest between Southwest Brace Point Drive and Southwest Roxbury Street (also known as the 9300 block of 47th Avenue Southwest);~~

~~21. Southwest Barton Street between California Avenue Southwest and 41st Avenue Southwest (also known as the 4100 Block of Southwest Barton Street);~~

~~22. Southwest Brace Point Drive between Southwest Wildwood Place and California Avenue Southwest (also known as the 4300 block of Southwest Brace Point Drive);~~

~~23. 42nd Avenue Southwest between Southwest Barton Street and Southwest Henderson Street (extended) (also known as a portion of the 8800 block to 8862 of 41st Avenue Southwest);~~

~~24. California Avenue Southwest between Southwest Brace Point Drive and the dead-end north of Southwest Barton Street (also known as the 9000 and 9100 blocks of California Avenue Southwest);~~

~~25. 44th Avenue Southwest between Southwest Fletcher Street and Southwest Brace Point Drive (also known as the 9200 block of 44th Avenue Southwest); and~~

~~26. Fauntleroy Way Southwest between Southwest Thistle Street and Southwest Monroe Street (also known as the 8000 and 8300 blocks of Fauntleroy Way Southwest).~~

~~**SMC 11.73.030 Mann Minor Neighborhood, vicinity of Providence Medical Center.**~~

~~A. There is hereby established a restricted parking zone as contemplated by Ordinance 108200, Section 11.16.315, as amended by Ordinance 108354, Section 1, on the following street segments:~~

~~1. 15th Avenue between East Alder Street and East Spring Street (also known as the 300, 500 700, 800 and 900 blocks of 15th Avenue);~~

~~2. 16th Avenue between East Alder Street and East Spring Street (also known as the 300, 500, 700 800 and 900 blocks of 16th Avenue);~~

~~3. 17th Avenue between East Alder Street and East Jefferson Street and between East Cherry Street and East Spring Street (also known as the 300, 700, 800 and 900 blocks of 17th Avenue);~~

~~4. 18th Avenue between East Alder Street and East Jefferson Street and between East Cherry Street and East Spring Street (also known as the 300, 700, 800 and 900 blocks of 18th Avenue);~~

~~5. 19th Avenue between East Alder Street and East Columbia Street (also known as the 300, 500 and 700 blocks of 19th Avenue);~~

~~6. East Jefferson Street between 15th Avenue and 20th Avenue (also known as the 1500, 1600, 1700, 1800 and 1900 blocks of East Jefferson Street);~~

~~7. East Columbia Street between 14th and 18th Avenue (also known as the 1400, 1500, 1600 and 1700 blocks of East Columbia Street); and~~

~~8. East Marion Street between 14th Avenue and 18th Avenue (also known as the 1400, 1500, 1600 and 1700 blocks of East Marion Street).~~

~~**SMC 11.73.040 Montlake Neighborhood.**~~

~~A. There is hereby established a restricted parking zone as contemplated by Ordinance 108200, Section 11.16.315, as amended by Ordinance 108354, Section 1, in the area bounded by East Shelby Street, East Hamlin Street, West Park Drive East, and East Park Drive East; and on the following street segments:~~

~~1. East Lake Washington Boulevard between 24th Avenue East and Lake Washington Boulevard East (also known as the 2400 block of East Lake Washington Boulevard);~~

~~2. East North Street between East Montlake Place East and 24th Avenue East (also known as the 2200 block of East North Street);~~

~~3. East Roanoke Street between West Montlake Place East and 25th Avenue East (also known as the 2000, 2200 and 2400 blocks of East Roanoke Street);~~

~~4. East Louisa Street between West Montlake Place East and 24th Avenue East (also known as the 2000 and 2200 blocks of East Louisa Street);~~

~~5. Twentieth Avenue East between East Miller Street and West Montlake Place East (also known as the 2500 block of 20th Avenue East);~~

~~6. Twenty-second Avenue East between East Roanoke Street and East Miller Street (also known as the 2500 block of 22nd Avenue East);~~

~~7. East Montlake Place East between 22nd Avenue East and 24th Avenue East (also known as the 2500 and 2600 blocks of East Montlake Place East);~~

~~8. Twenty-fourth Avenue East between East Louisa Street and East Roanoke Street (also known as the 2500 block of 24th Avenue East);~~

~~9. Twenty-fourth Avenue East between East Lake Washington Boulevard and the street end (also known as the 2600 block of 24th Avenue East);~~

~~10. Glenwilde Place East between East Roanoke Street and the street end (also known as the 2600 block of Glenwilde Place East); and~~

~~11. Twenty-fifth Avenue East between East Louisa Street and the street end (also known as the 2500 from 2524 and 2600 blocks of 25th Avenue East).~~))

Section 14. Section 11.73.080, as last amended by Ordinance 121678 and which currently reads as follows, is repealed:

((~~SMC 11.73.080 First Hill/Capitol Hill Neighborhood Restricted Parking Zone.~~

~~A. There is hereby established a restricted parking zone as contemplated by Ordinance 108354 Section 1,[1] on the following street segments (see Figure 11.73.080):~~

~~1. Bellevue Avenue between East Union Street and East Pine Street (also known as the 1400 and 1500 blocks of Bellevue Avenue);~~

~~2. Minor Avenue between Spring Street and Seneca Street (also known as the 1100 block of Minor Avenue);~~

~~3. Minor Avenue between University Street and Pike Street (also known as the 1300 and 1400 blocks of Minor Avenue);~~

~~4. Summit Avenue between Seneca Street and East Union Street (also known as the 1200 and 1300 blocks of Summit Avenue);~~

~~5. Seneca Street between Summit Avenue and Boyleston Avenue (also known as the 1300 block of Seneca Street);~~

~~6. Boyleston Avenue between Seneca Street and University Street (also known as the 1200 block of Boyleston Avenue);~~

~~7. University Street between Summit Avenue and Boyleston Avenue (also known as the 1300 block of University Street);~~

~~8. Union Street between Terry Avenue and Minor Avenue (also known as the 1300 and 1400 blocks of Union Street);~~

~~9. East Union Street between Bellevue Avenue and Crawford Avenue (also known as the 400 block of East Union Street);~~

~~10. East Union Street between Summit Avenue and Boyleston Avenue (also known as the 500 and 600 blocks of East Union Street);~~

~~11. Terry Avenue between University Street and Union Street (also known as the 1300 block of Terry Avenue);~~

~~12. Eighth Avenue between Spring and Seneca Street (also known as the 1100 block of 8th Avenue);~~

~~13. Marion Street between 8th Avenue and 9th Avenue (also known as the 800 block of Marion Street);~~

~~14. Columbia Street between Terry Avenue and Boren Avenue (also known as the 1100 block of Columbia Street);~~

~~15. Eighth Avenue between James Street and Columbia Street (also known as the 600 and 700 blocks of 8th Avenue);~~

~~16. Ninth Avenue between James Street and Columbia Street (also known as the 600 and 700 blocks of 9th Avenue);~~

~~17. Cherry Avenue between 7th Avenue and Boren Avenue (also known as the 700, 800, 900 and 1000 blocks of 9th Avenue);~~

~~18. Terry Avenue between Spruce Street and Cherry Street (also known as the 150, 200, 300, 400, 500 and 600 blocks of Terry Avenue);~~

~~19. Jefferson Street between 9th Avenue and Broadway (also known as the 900 and 1000 blocks of Terrace Street);~~

~~20. Alder Street between 9th Avenue and Broadway (also known as the 900 and 1000 blocks of Alder Street);~~

~~21. Ninth Avenue between Spruce Street and Alder Street (also known as the 800 block of 9th Avenue);~~

~~22. Spruce Street between 9th Avenue and Broadway (also known as the 900 block of Spruce Street);~~

~~23. Eighth Avenue between Yesler Way and Spruce Street (also known as the 100 block of 8th Avenue);~~

~~24. Eighth Avenue South between East Yesler Way and I-5 (also known as the 100 block of 8th Avenue);~~

~~25. Yesler Way between I-5 and Broadway (also known as the 700 block of Yesler Way);~~

~~26. Broadway between Yesler Way and Alder Street (also known as the 100, 150 and 200 blocks of Broadway);~~

~~27. East Yesler Way between Broadway and 10th Avenue (also known as the 900 block of East Yesler Way);~~

~~28. Tenth Avenue between East Yesler Way and East Jefferson Street (also known as the 100, 150, 200, 300 and 400 blocks of 11th Avenue);~~

~~29. Eleventh Avenue between East Fir Street and East Jefferson Street (also known as the 150, 200, 300 and 400 blocks of 11th Avenue);~~

~~30. Twelfth Avenue between East Yesler and East Fir Street (also known as the 100 block of 12th Avenue);~~

~~31. Twelfth Avenue between East James Court and East Cherry Street (also known as the 600 block of 12th Avenue);~~

~~32. Fourteenth Avenue between East Yesler Way and East Jefferson Street (also known as the 100, 200, 300 and 400 blocks of 14th Avenue);~~

~~33. Fourteenth Avenue between East Cherry Street and East Union Street (also known as the 700, 800, 900 and 1100 blocks of 14th Avenue);~~

~~34. Thirteenth Avenue between East Remington Court and East Jefferson Street (also known as the 400 block of 13th Avenue);~~

~~35. Thirteenth Avenue between East Barclay Court and East James Court (also known as the 800, 900 and 1100 blocks of 13th Avenue);~~

~~36. Eleventh Avenue between East Madison Street and East Union Street (also known as the 1100 block of 11th Avenue);~~

~~37. South Washington Street between 10th Avenue and 12th Avenue South (also known as the 1000 block of South Washington);~~

~~38. East Yesler Way between I-5 and 10th Avenue South (also known as the 700, 800 and 900 blocks of East Yesler Way);~~

~~39. East Fir Street between 13th Avenue and 14th Avenue (also known as the 1300 block of East Fir Street);~~

~~40. East Fir Street between 13th Avenue and 14th Avenue (also known as the 1300 block of East Fir Street);~~

~~41. East Spruce Street between 10th Avenue and 14th Avenue (also known as the 1100, 1200 and 1300 blocks of East Spruce Street);~~

~~42. East Alder Street between Broadway and 12th Avenue (also known as the 900, 1000 and 1100 blocks of East Alder);~~

~~43. East Terrace Street between Broadway and 12th Avenue (also known as the 900, 1000 and 1100 blocks of East Terrace Street);~~

~~44. East Remington Court between 12th Avenue and 14th Avenue (also known as the 1200 and 1300 blocks of East Remington Court);~~

~~45. East Jefferson Street between Broadway and 12th Avenue (also known as the 900, 1000 and 1100 blocks of East Jefferson Street);~~

~~46. East Barclay Court between 12th Avenue and 14th Avenue (also known as the 1200 block of East Barclay Court);~~

~~47. East Marion Street between 12th Avenue and 14th Avenue (also known as the 1200 and 1300 blocks of East Marion Street);~~

~~48. East Spring Street between 12th Avenue and 14th Avenue (also known as the 1200 and 1300 blocks of East Spring Street);~~

~~49. East Union Street between 13th Avenue and 14th Avenue (also known as the 1300 block of East Union Street);~~

~~50. Broadway between East Terrace Street and East James (also known as the 400 and 500 blocks of Broadway).~~))

Section 15. Subsection E of 11.76.015, which Section was last amended by Ordinance 122274, is amended as follows:

SMC 11.76.015 Parking violations at parking payment devices.

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E. The prohibitions in this section shall not apply to the act of parking or to the necessary time required to activate the time on the parking meter or to obtain a parking pay station receipt, or as indicated by signposting, to the parking of a vehicle in a ((~~residential~~)) restricted parking zone in accordance with the provisions of 11.16.315, or to the parking of certified carpool vehicles in accordance with the provisions of Section 11.23.410.

Section 16. Subsections B and C of Section 15.04.112, which was last amended by Ordinance 118369, are repealed as follows:

SMC 15.04.112 Decisions -- Review or reconsideration.

A person aggrieved by any of the following Transportation Department decisions may timely request the Director to review the decision, or if the decision be that of the Director, to reconsider the decision:

***

((~~B. The revision, pursuant to SMC Section 11.16.120 F, of the boundaries of a residential parking zone;~~

~~C. The issuance or revocation, pursuant to SMC Section 11.16.315 B, of permits for parking in a residential parking zone;~~))

((~~D~~)) B. The approval or denial, pursuant to SMC Section 15.04.010, of a street use permit;

((~~E~~)) C. The determination, pursuant to SMC Section 15.04.040, of the amount of any cash indemnity deposit, or surety bond in lieu thereof or in addition thereto, that is required of an applicant for a street use permit;

((~~F~~)) D. The determination, pursuant to SMC Section 15.04.045, of the amount of public liability insurance coverage that is required of an applicant for a street use permit;

((~~G~~)) E. The determination, pursuant to SMC Section 15.04.044, of the amount of any surety bond that is required of an applicant for a street use permit;

((~~H~~)) F. The revocation, pursuant to SMC Section 15.04.070, of any street use permit;

((~~I~~)) G. The approval or denial, pursuant to SMC Section 15.08.080, of a request to construct a street elevator;

((~~J~~)) H. The approval or denial, pursuant to SMC Section 15.10.020, of a request for exception to minimum height requirement applicable to marquees, awnings and canopies;

((~~K~~)) I. The approval or denial, pursuant to SMC Section 15.10.030, of a request for exception to vertical depth requirement applicable to marquees;

((~~L~~)) J. The approval or denial, pursuant to SMC Section 15.12.030, of a request for a permit to hang a banner;

((~~M~~)) K. The approval or denial, pursuant to SMC Sections 15.14.040 and 15.14.050, of a request for a permit for a newsstand location not generally permitted by ordinance, or the replacement of a newsstand pursuant to Section 15.14.080;

((~~N~~)) L. Conditions imposed regarding a permit to move a building or equipment; the assessment and allocation, pursuant to Section 15.28.050, of the costs of relocating wires or cables; and the amount of City costs assessed pursuant to Section 15.28.070;

((~~O~~)) M. The determination of the cost of removal of a handbill, sign or poster pursuant to Section 15.48.120;

((~~P~~)) N. An order to paint or repaint a pole pursuant to Section 15.32.100;

((~~Q~~)) O. Any of the actions relating to an excavation or fill identified in Section 15.44.140;

((~~R~~)) P. A Stop Order of the Director of Transportation pursuant to Sections 15.50.023 or 15.50.025; and

((~~S~~)) Q. The issuance or denial, pursuant to SMC Chapter 16.60, of a permit to use or occupy any part of a waterway or any part of the land portion of a waterway.

***

Section 17. Subsection A of 23.44.041, which was last amended by Ordinance 122190, is amended as follows:

SMC 23.44.041 Accessory dwelling units.

A. Accessory dwelling units, general provisions. The Director may authorize an accessory dwelling unit under the following conditions:

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4. c. Parking One (1) off-street parking space is required, and may be provided as tandem parking with the parking space provided for the principal dwelling unit.[3]

Footnotes 3. No off-street parking space will be required for an accessory dwelling unit if: a. The topography or location of existing principal or accessory structures makes provision of an off-street parking space physically infeasible; or b. The site is located in a ((~~residential~~)) restricted parking zone (RPZ) and a current parking study is submitted showing a utilization rate of less than seventy-five (75) percent for on-street parking within four hundred (400) feet of all

property lines of the site. c. The provisions in this footnote 3 providing for exceptions to the parking requirement do not apply to sites located in either the University District Parking Overlay Area (Exhibit for Chart A, Section 23.54.015, Map A) or the Alki Area Parking Overlay (Exhibit for Chart A, Section 23.54.015, Map B).

***

Section 18. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Section 19. Severability. The provisions of this ordinance are declared to be separate and severable. If any section, sentence, clause, phrase or portion of this ordinance is held to be invalid by an administrative agency or quasi-judicial body, or by a court of competent jurisdiction, then the section, sentence, clause, phrase or portion of this ordinance or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 20. Savings clause. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by an administrative agency or quasi- judicial body, or by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Passed by the City Council the ____ day of _____, 2009, and signed by me in open session in authentication of its passage this _____ day of _____, 2009.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2009.

_____

Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2009.

_____

City Clerk

(Seal)