

**ORDINANCE NO. 1660**

**AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON**, amending the official zoning map of the City of Des Moines in order to effectuate a zoning reclassification for tax parcels 0522049005, 0522049022, 0522049071, 0522049156, 0246000127, 0522049006, 0522049026, 0246000115, 024000116, 0246000117, and 0246000126 from B-P Business Park to RS-7200 Residential Single Family 7,200 for the Blueberry Lane Planned Unit Development (PUD) and four associated parcels.

**WHEREAS**, the City has received an application for a comprehensive plan amendment and rezoning classification for tax parcels 0522049005, 0522049022, 0522049071, 0522049156, 0246000127, 0522049006 and 0522049026, and

**WHEREAS**, the application requests to change the *Des Moines 2035 Comprehensive Plan* Preferred Land Use Designation of the subject parcels from Business Park (BP) to Single Family (SF), and

**WHEREAS**, the application requests to reclassify the zoning for the subject parcels from B-P Business Park to Residential Single Family 7,200, and

**WHEREAS**, the City has received requests from the owners of Tax Parcels 0246000115, 0246000116, 0246000117 and 0246000126 to be included in the zoning reclassification, and

**WHEREAS**, the proposed amendments to the Preferred Land Use map have been docketed with the 2016 amendments to the *Des Moines 2035 Comprehensive Plan*, and

**WHEREAS**, on December 14, 2006, the City Council adopted Resolution No. 1023 at its regular meeting approving the preliminary plat entitled "Blueberry Lane", and

**WHEREAS**, on August 11, 2016, the City Council adopted Resolution No. 1338 approving the final plat entitled "Blueberry Lane", and

**WHEREAS**, the property's current zoning classification is inconsistent with the Blueberry Lane Planned Unit Development Subdivision that was vested to the RS-7,200 Zone in accordance with RCW 58.17.140, and

**WHEREAS**, the zoning map amendment proposed by this Ordinance has been processed in accordance with the SEPA requirements established by chapter 197-11 WAC, and

**WHEREAS**, the zoning map amendment proposed in this Ordinance was provided to the Department of Commerce as required by RCW 36.70A.106, and

**WHEREAS**, pursuant to DMMC 18.20.080A amendment of the Zoning Code (Title 18 DMMC) is a legislative (Type VI) land use decision and amendments are made pursuant to chapter 18.30 DMMC, and

**WHEREAS**, pursuant to DMMC 18.20.210 amendments to the Zoning Code (Title 18 DMMC) require the City Council to conduct a public hearing to receive public comment regarding this proposal, and

**WHEREAS**, DMMC 18.30.100(3) requires that the date of the public hearing to consider amendments to Title 18 DMMC be set by motion of the City Council, and

**WHEREAS**, the City Council set the date for the public hearing by Resolution No. 1339, fixing the public hearing for September 8, 2016, and

**WHEREAS**, notice of the public hearing was issued on August 24, 2015 in accordance with the DMMC, and

**WHEREAS**, a public hearing was held on September 8, 2016 and all persons wishing to be heard were heard, and

**WHEREAS**, the City Council finds that the amendment contained in this Ordinance is appropriate and necessary for the preservation of the public health and welfare; now therefore,

**THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:**

**Sec. 1. Area of zone reclassification.** The zoning classification of the following legally described property is amended from B-P Business Park to RS-7200 Residential Single Family 7,200:

PARCEL "I"

LOTS 1 AND 2, OF KING COUNTY SHORT PLAT NO. 779007 RECORDED JANUARY 30, 1980 UNDER RECORDING NUMBER 8001300558, RECORDS OF KING COUNTY, WASHINGTON

THE LEGAL DESCRIPTIONS, RESTRICTIONS, EASEMENTS, AND ENCUMBRANCES SHOWN ON THIS SURVEY ARE BASED ON FIRST AMERICAN TITLE INSURANCE COMPANY GUARANTEE NO. 5003353-2511232.

PARCEL "A"

LOT 3, KING COUNTY SHORT PLAT NUMBER 779007, RECORDED UNDER RECORDING NUMBER 8001300558, IN KING COUNTY, WASHINGTON.

EXCEPT THAT PORTION CONVEYED TO CITY OF SEATAC, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON FOR RIGHT OF WAY PURPOSES AS RECORDED IN DEED UNDER RECORDING NO. 20141027000010 AND 20160113000189.

PARCEL "B"

THAT PORTION OF THE EAST 345 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE FROM SAID TRUE POINT OF BEGINNING NORTH 87°19'51" WEST, 179.19 FEET ALONG THE NORTHERLY LINE OF SAID SUBDIVISION; THENCE SOUTH 03°06'02" WEST, 187.77 FEET; THENCE SOUTH 86°53'58" EAST, 150.00 FEET TO THE WEST MARGIN OF DES MOINES WAY (DES MOINES MEMORIAL DRIVE); THENCE NORTH 17°22'03" EAST, 137.45 FEET ALONG THE WEST MARGIN OF DES MOINES WAY (DES MOINES MEMORIAL DRIVE); THENCE NORTH 01°41'55" WEST, 56.10 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO THE TRUE POINT OF BEGINNING; (ALSO KNOWN AS PARCEL "B" OF CITY OF DES MOINES LOT LINE ADJUSTMENT NO. 99-058 RECORDED MARCH 9, 2000 UNDER RECORDING NO. 20000309900003).

EXCEPT THE PORTION CONVEYED TO CITY OF SEATAC, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON FOR RIGHT OF WAY PURPOSES AS RECORDED IN DEED UNDER RECORDING NO. 20141027000010 AND 20160113000189.

PARCEL "C"

THAT PORTION OF THE EAST 345 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE NORTH  $87^{\circ}19'51''$  WEST, 179.19 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE TRUE POINT OF BEGINNING; THENCE SOUTH  $03^{\circ}06'02''$  WEST, 187.77 FEET; THENCE SOUTH  $86^{\circ}53'58''$  EAST, 195.78 FEET TO THE EAST LINE OF SAID SUBDIVISION; THENCE SOUTH  $02^{\circ}00'17''$  EAST, 173.95 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE NORTH  $87^{\circ}21'26''$  WEST, 345.40 FEET ALONG THE SOUTH LINE OF SAID SUBDIVISION; THENCE NORTH  $02^{\circ}06'53''$  WEST, 364.05 FEET ALONG THE WEST LINE OF SAID SUBDIVISION; THENCE SOUTH  $87^{\circ}19'51''$  EAST, 167.45 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION LYING WITHIN DES MOINES WAY (DES MOINES MEMORIAL DRIVE);

ALSO EXCEPT ANY PORTION LYING EASTERLY OF DES MOINES WAY (DES MOINES MEMORIAL DRIVE);

(ALSO KNOWN AS PARCEL "A" OF CITY OF DES MOINES LOT LINE ADJUSTMENT NO. 99-058 RECORDED MARCH 9, 2000 UNDER RECORDING NO. 20000309900003).

EXCEPT THE PORTION CONVEYED TO CITY OF SEATAC, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON FOR RIGHT OF WAY PURPOSES AS RECORDED IN DEED UNDER RECORDING NO. 20141027000010 AND 20160113000189.

PARCEL "D"

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION AND RUNNING THENCE

EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION 820.02 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE NORTH ALONG A LINE PARALLEL TO WEST LINE OF SAID SUBDIVISION 274.5 FEET; THENCE EASTERLY ALONG A LINE PARALLEL TO SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION TO THE WESTERLY LINE OF DES MOINES WAY; THENCE SOUTHERLY ALONG SAID WESTERLY LINE TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE WESTERLY ALONG SAID SOUTH LINE TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PORTION THEREOF CONDEMNED BY THE STATE OF WASHINGTON UNDER KING COUNTY SUPERIOR COURT CAUSE NUMBER 05-2-39263-IKNT.

EXCEPT THE PORTION CONVEYED TO CITY OF SEATAC, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON FOR RIGHT OF WAY PURPOSES AS RECORDED IN DEED UNDER RECORDING NO. 20141027000010 AND 20160113000189.

PARCEL "E"

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON; THENCE NORTH ALONG THE WEST BOUNDARY OF SAID TRACT A DISTANCE OF 282.5 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 1,108 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE CONTINUING EAST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 78 FEET; THENCE NORTH PARALLEL WITH THE WEST BOUNDARY OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 260 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE A DISTANCE OF 78 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 260 FEET TO THE TRUE POINT OF BEGINNING. EXCEPT THAT PORTION THEREOF CONVEYED TO KING COUNTY FOR SOUTH 194TH STREET BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 5070288.

(BEING KNOWN AS A PORTION OF LOTS 11 AND 12, BLOCK 2, APEX HOME TRACTS, ACCORDING TO THE UNRECORDED PLAT THEREOF);

EXCEPT ANY PORTION THEREOF CONDEMNED BY THE STATE OF WASHINGTON UNDER KING COUNTY SUPERIOR COURT CAUSE NUMBER 05-2-39263-1KNT.

Parcel "0246000116"

APEX HOME TRS UNREC PP ACT 39912175 MOBILE HOME LOT 2 KCSP 1179052 R REC # 8008180708 SD PLAT DAF - BEG SW COR OF NW 1/4 OF NE 1/4 STR 5-22-4 TH N ALG WLY BDRY SD TR 274.5 FT TH ELY PLW S LN SD NW 1/4 OF NE 1/4 820 FT TO TPOB TH CONT E PLW S LN SD NW 1/4 OF NE 1/4 600 FT TH N PLW WLY BDRY SD NW 1/4 OF NE 1/4 268 FT TH W PLW S LN SD NW 1/4 OF NE 1/4 600 FT TH S PLW W LN SD NW 1/4 OF NE 1/4 268 FT TO TPOB LESS E 390 FT THOF LESS CO RD (AKA LOTS 9-10 TGW W 10 FT LOT 11 BLK 2 APEX HOME TRS UNREC)

Parcel "0246000115"

APEX HOME TRS UNREC LOT 1 KCSP 1179052 R REC # 8008180708 SD PLAT DAF - BEG SW COR OF NW 1/4 OF NE 1/4 STR 5-22-4 TH N ALG WLY BDRY SD TR 274.5 FT TH ELY PLW S LN SD NW 1/4 OF NE 1/4 820 FT TO TPOB TH CONT E PLW S LN SD NW 1/4 OF NE 1/4 600 FT TH N PLW WLY BDRY SD NW 1/4 OF NE 1/4 268 FT TH W PLW S LN SD NW 1/4 OF NE 1/4 600 FT TH S PLW W LN SD NW 1/4 OF NE 1/4 268 FT TO TPOB LESS E 390 FT THOF LESS CO RD (AKA LOTS 9-10 TGW W 10 FT LOT 11 BLK 2 APEX HOME TRS UNREC)

Parcel "0246000117"

APEX HOME TRS UNREC PP ACT 39912183 MOBILE HOME LOT 3 KCSP 1179052 R REC # 8008180708 SD PLAT DAF - BEG SW COR OF NW 1/4 OF NE 1/4 STR 5-22-4 TH N ALG WLY BDRY SD TR 274.5 FT TH ELY PLW S LN SD NW 1/4 OF NE 1/4 820 FT TO TPOB TH CONT E PLW S LN SD NW 1/4 OF NE 1/4 600 FT TH N PLW WLY BDRY SD NW 1/4 OF NE 1/4 268 FT TH W PLW S LN SD NW 1/4 OF NE 1/4 600 FT TH S PLW W LN SD NW 1/4 OF NE 1/4 268 FT TO TPOB LESS E 390 FT THOF LESS CO RD (AKA LOTS 9-10 TGW W 10 FT LOT 11 BLK 2 APEX HOME TRS UNREC)

Parcel "0246000126"

APEX HOME TRACTS UNREC POR NW QTR NE QTR STR 05-22-04 DAF: BEGINNING AT SW CORNER OF SAID NW QTR NE QTR TH NORTH ALONG W BOUNDARY OF SAID TRACT 274.5 FT TH EAST PARALLEL WITH S LINE SAID NW QTR NE QTR 1030 FT TO TPOB TH CONTINUING EAST PARALLEL WITH S LINE SAID NW QTR NE QTR 78

FT TH NORTH PARALLEL WITH W BOUNDARY OF SAID NW QTR NE QTR  
268 FT TH WEST PARALLEL WITH S LINE 78 FT TH SOUTH  
PARALLEL WITH W LINE OF SAID NW QTR NE QTR 268 FT TO TPOB  
EXC N 10 FT THEREOF CONVEYED TO KING CO FOR ROAD BY DEED  
UNDER RECORDING NO 5070288

**Sec. 2.** DMMC 18.10.050, *Adoption of official zoning map*, and section 1 of Ordinance No. 179 as amended by section 1 of Ordinance No. 1235 as amended by section 8 of Ordinance No. 1237 as amended by section 1 of Ordinance No. 1261 as amended by section 1 of Ordinance No. 1267 as amended by section 1 of Ordinance No. 1289 as amended by section 1 of Ordinance No. 1372 as amended by section 5 of Ordinance No. 1397 as amended by section 1 of Ordinance No. 1420 as amended by section 2 of Ordinance No. 1431 as amended by section 2 of Ordinance No. 1520 as amended by section 3 of Ordinance No. 1546 as amended by section 13 of Ordinance No. 1576 as amended by section 35 of Ordinance No. 1591 as amended by section 13 of Ordinance No. 1601 as amended by section 9 of Ordinance No. 1618-A as amended by section 2 of Ordinance No. 1655 are each amended to read as follows:

**18.10.050 Adoption of official zoning map.** The map filed in the City Clerk's office and marked Exhibit "A" to Ordinance No. 1660 and adopted September 8, 2016, constitutes the zoning map for the City. The map referenced herein supersedes all previously adopted maps. If the designations of the map are found to be in conflict with other land use designations, the map is deemed to control.

**Sec. 3. Severability - Construction.**

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

**Sec. 4. Effective date.** This Ordinance shall take effect and be in full force five (5) days after its final approval by the Des Moines City Council in accordance with law.

**PASSED BY** the City Council of the City of Des Moines this 8th day of September and signed in authentication thereof this 8th day of September, 2016.

  
M A Y O R

APPROVED AS TO FORM:

  
Interim City Attorney

ATTEST:

  
City Clerk

Published: September 14, 2016



# City of Des Moines

## Zoning

### RESIDENTIAL ZONING

- R-SE Residential: Suburban Estates
- R-SR Residential: Suburban Residential
- RS-15,000 Residential: Single Family 15,000
- RS-9,600 Residential: Single Family 9,600
- RS-8,400 Residential: Single Family 8,400
- RS-7,200 Residential: Single Family 7,200
- RS-4,000 Residential: Single Family 4,000
- RA-3,600 Residential: Attached Townhouse & Duplex
- RM-2,400 Residential: Multifamily 2,400
- RM-1,800 Residential: Multifamily 1,800
- RM-900 Residential: Multifamily 900
- RM-900A Residential: Multifamily 900A
- RM-900B Restricted Service Zone
- PR-R Pacific Ridge Residential

### COMMERCIAL ZONING

- N-C Neighborhood Commercial
- B-C Business Commercial
- C-C Community Commercial
- D-C Downtown Commercial
- C-G General Commercial
- B-P Business Park
- I-C Institutional Campus
- H-C Highway Commercial
- PR-C Pacific Ridge Commercial
- T-C Transit Community
- W-C Woodmont Commercial

See Comprehensive Plan for Development Potential

Planned Unit Development

Des Moines City Limits

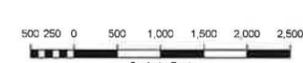
Tax Parcels

Tidelands

### Enacting Ordinances

Description	Ordinance	Effective Date
Adoption of digital zoning map	1235	May 5, 1999
Renaming of zones	1237	May 17, 1999
Business Park (B-P) rezone	1261	June 21, 2000
Pacific Ridge rezone	1267	July 25, 2000
Redondo Riviera annexation	1270	September 1, 2000
Adoption of GIS maps	1289	October 11, 2001
Mitchell/Charlton rezone	1372	January 11, 2006
Redondo rezone	1397	March 7, 2007
Crestwood Park	1420	December 6, 2007
Granville rezone	1431	June 28, 2008
Sea Mar rezone	1520	October 13, 2011
Barton rezone	1546	July 26, 2012
Addition of I-C zone	1563	March 28, 2013
Pacific Ridge rezone	1576	September 12, 2013
Addition of T-C Zone	1601	June 26, 2014
Addition of W-C Zone	1618-A	March 17, 2015
Blueberry Lane Rezone	1650	September 8, 2016

IN PROVIDING THIS MAP, THE CITY MAKES NO WARRANTY OF ANY KIND, expressed or implied, including without limitation, any warranties as to its fitness for a particular purpose or use. To the fullest extent permitted by law, the City shall not be liable for any damages to persons or property, whether direct, indirect, special or consequential, arising from the distribution or use of this map, including without limitation claims for damages based upon inaccuracies or erroneous information presented on this document. The user should not rely upon this document as a complete, current or accurate depiction of existing City zoning definitions, or other regulations, and IN USING THIS DOCUMENT, THE USER ASSUMES ALL RISK OF INJURY OR DAMAGE THAT MIGHT FLOW THEREFROM.



### Planning, Building & Public Works

21630 11th Ave S, Suite D  
Des Moines, WA 98198-6398  
PHONE: (206) 870-7576 \* FAX: (206) 870-6544  
WEB: <http://www.desmoineswa.gov>

Map Name: Zoning  
Map Generated: Sep 13, 2016  
©2016 City of Des Moines GIS

