

## ORDINANCE NO. 1663

**AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON** relating to the Zoning Code and City land use and development regulations, and amending chapter 18.10 DMMC to reclassify zoning of certain Port of Seattle and Washington State Department of Transportation residential properties near South 216<sup>th</sup> Street to business park and higher density residential uses.

**WHEREAS**, the City Council directed City staff to prepare an ordinance for its consideration which changes zoning of certain Port of Seattle and Washington State Department of Transportation properties from Residential to Business Park and higher density residential uses, and

**WHEREAS**, at the June 9, 2016 City Council Finance and Economic Development Committee meeting, staff presented a proposal to rezone Port of Seattle and Washington State Department of Transportation properties west of Des Moines Creek Business Park and both north and south of S. 216<sup>th</sup> Street to more properly conform to the City's Comprehensive Preferred Land Use Map and to facilitate further economic development, and

**WHEREAS**, the Planning, Building and Public Works Director, acting as the SEPA responsible official, reviewed this proposed non-project action and determined that the proposed zoning changes were adequately evaluated for environmental impact as part of the City of Des Moines 2015 Comprehensive Plan Update (LUA2015-0023) when the City updated its preferred land use designations for these properties in order to further the economic vision for the City by promoting development in a manner that strengthens community sustainability, pedestrian accessibility, livability, business vitality, and employment and housing capacity, and

**WHEREAS**, the rezone is categorically exempt from threshold determination and EIS requirements in accordance with WAC 197-11-800(6)(c) and DMMC 16.05.350, and

**WHEREAS**, the City Council set the date for the public hearing by Resolution No. 1340, fixing the public hearing for October 13, 2016 as required by DMMC 18.30.070, and

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

**WHEREAS**, the revised notice of the public hearing was issued on September 28, 2016 in accordance with the DMMC, and

**WHEREAS**, a public hearing was held on October 13, 2016 where all persons wishing to be heard were heard, and

**WHEREAS**, the City Council finds that the Zoning Map amendments contained in this Ordinance comply with the requirements of chapter 36.70A RCW and are appropriate and necessary; now therefore,

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

**Sec. 1. Area of Business Park zone reclassification.**

The zoning classification of the following legally described property is amended from R-SE Residential Suburban Estates to BP Business Park:

PARCEL "092204-9042" PORT OF SEATTLE, PARCEL "092204-9303" PORT OF SEATTLE, and PARCEL "WSDOT 509 ROW NORTH OF SOUTH 216<sup>TH</sup> STREET"

THOSE PARCELS BOUNDED BY THE FOLLOWING DESCRIPTION: BEGINNING AT THE POINT OF THE SOUTH 216<sup>TH</sup> STREET RIGHT OF WAY AND THE SE CORNER OF THE PLAT OF THE DES MOINES TERRACE ADDITION, THENCE NORTH ALONG THE EASTERLY BOUNDARY OF THE PLAT OF DES MOINES TERRACE ADDITION EXTENDING TO A POINT 24 FT NORTH OF SOUTH 212<sup>TH</sup> STREET, THEN EAST ALONG A LINE PARALLEL TO SOUTH 212<sup>TH</sup> STREET TO A POINT ON THE NW CORNER OF DES MOINES CREEK BUSINESS PARK, THENCE SOUTH ALONG THE WEST BOUNDARY OF DES MOINES CREEK BUSINESS PARK TO THE POINT OF INTERSECTION WITH SOUTH 216<sup>TH</sup> STREET THENCE WEST ALONG THE SOUTH 216<sup>TH</sup> STREET RIGHT OF WAY TO THE POINT OF BEGINNING.

PARCEL "WSDOT 509 ROW SOUTH OF AND ABUTTING SOUTH 216<sup>TH</sup> STREET"

THAT PROPERTY BOUNDED BY THE FOLLOWING PARCELS: 0922049183 ON THE WEST, THE SOUTH 216<sup>TH</sup> STREET RIGHT OF WAY ON THE NORTH, THE UNDEVELOPED 16<sup>TH</sup> AVENUE SOUTH CITY RIGHT OF WAY ON THE EAST AND THE UNDEVELOPED SOUTH 218<sup>th</sup> STREET EXTENSION RIGHT OF WAY ON THE SOUTH.

**Sec. 2. Area of residential zone reclassification.** The zoning classification of the following legally described property is amended from R-SE Residential Suburban Estates to RS-8400 Single Family Residential:

PARCEL "WSDOT 509 ROW SOUTH OF AND ABUTTING SOUTH UNDEVELOPED SOUTH 218<sup>th</sup> STREET EXTENSION" (SOUTHWEST CORNER OF REZONE AREA)

THAT PROPERTY BOUNDED BY THE FOLLOWING PARCELS: RESIDENTIAL PARCELS 888888070, 888888030, 888888020, AND THE NORTHERN APPROXIMATELY 40 FEET OF PARCEL 888888010 ON THE WEST, THE UNDEVELOPED SOUTH 218<sup>th</sup> STREET EXTENSION RIGHT OF WAY ON THE NORTH, AND THE UNDEVELOPED 16<sup>TH</sup> AVENUE SOUTH CITY RIGHT OF WAY ON THE EAST.

**Sec. 3.** 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 as amended by section 2 of Ordinance No. 1660 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. 1663 and adopted October 13, 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. 4. 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. 5. 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 13th day of October and signed in authentication thereof this 13th day of October, 2016.

  
M A Y O R

APPROVED AS TO FORM:

  
Interim Assistant City Attorney

ATTEST:

  
City Clerk

Published: October 18, 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 Residential: Multifamily 900B
- 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
- G-C 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	1373	May 5, 1999
Renaming of zones	1377	May 17, 1999
Business Park (B-P) zone	1261	June 21, 2000
Pacific Ridge rezone	1381	July 25, 2000
Redondo Rivers amendment	1379	September 1, 2000
Adoption of GIS maps	1388	October 11, 2001
Mathew/Chapman rezone	1312	January 11, 2008
Redondo rezone	1391	March 7, 2007
Creswood Park	1420	December 6, 2007
Clayville rezone	1431	June 28, 2008
Sea Mar rezone	1320	October 13, 2011
Bayton rezone	1546	July 26, 2012
Adoption of I-C zone	1563	March 28, 2013
Pacific Ridge rezone	1338	September 12, 2015
Addition of T-C Zone	1661	June 26, 2014
Addition of W-C Zone	1619.A	March 17, 2015

IN PROVIDING THIS MAP, THE CITY MAKES NO WARRANTY OF ANY KIND AND ASSUMES NO LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY, INCLUDING BUT NOT LIMITED TO, DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE CITY'S USE OF THIS MAP. THE CITY SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE CITY'S USE OF THIS MAP. THE CITY SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE CITY'S USE OF THIS MAP. THE CITY SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE CITY'S USE OF THIS MAP.

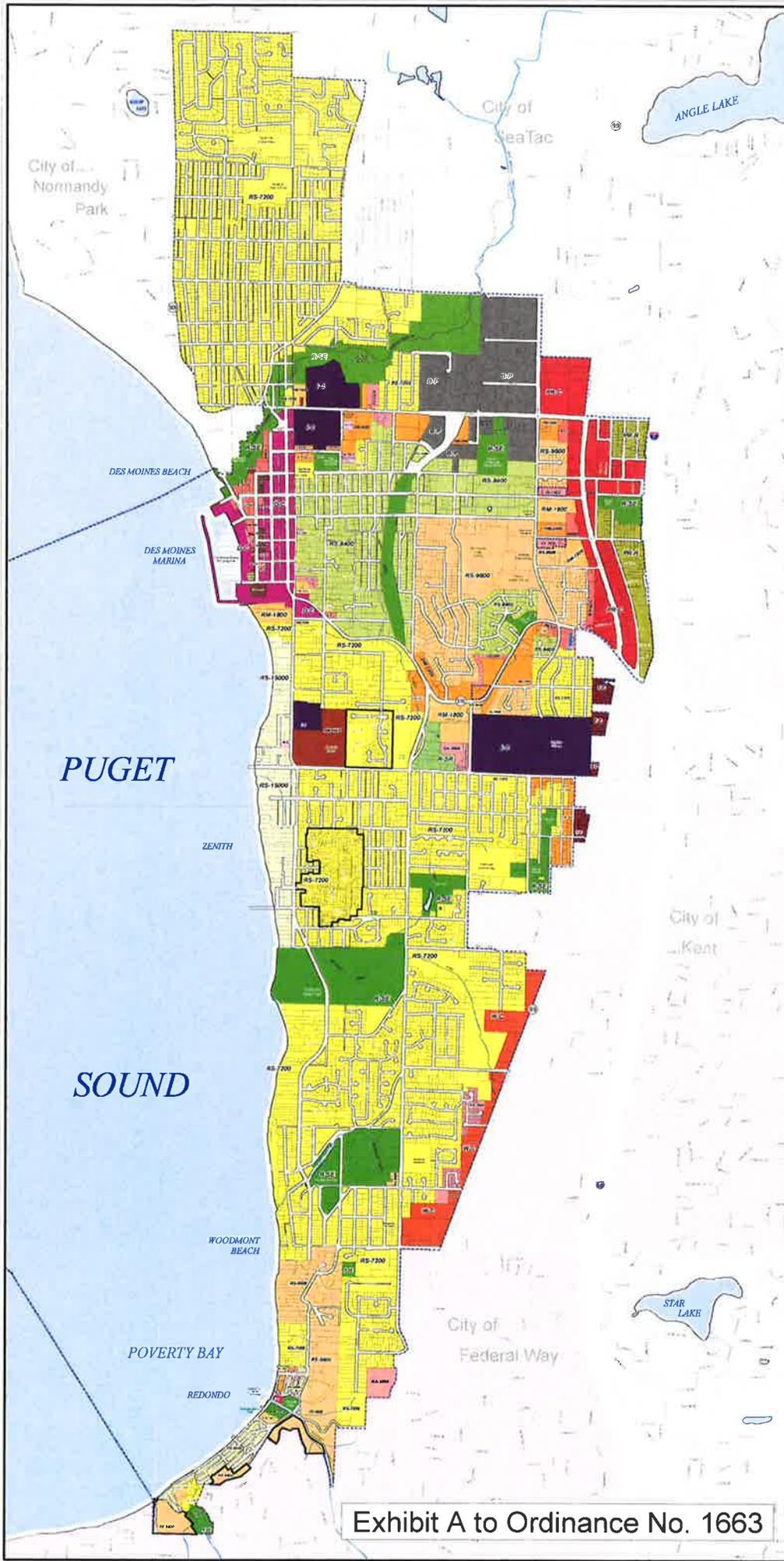


### Planning, Building & Public Works

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WEB: <http://www.desmoineswa.gov>

Map Name: Ordinance1663  
Map Generated: Oct 14, 2016  
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## Exhibit A to Ordinance No. 1663



LEGAL NOTICE  
SUMMARY OF ADOPTED ORDINANCE  
CITY OF DES MOINES

ORDINANCE NO. 1663, Adopted October 13, 2016.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This Ordinance relates to the Zoning Code and City land use and development regulations, and amends chapter 18.10 DMMC to reclassify zoning of certain Port of Seattle and Washington State Department of Transportation residential properties near South 216th Street to business park and higher density residential uses.

The full text of the Ordinance will be mailed without cost upon request.

Bonnie Wilkins, CMC  
City Clerk

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