

RESOLUTION NO. 1371

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, setting a public hearing date for a draft ordinance relating to the Environment Code establishing an off-site mitigation and fees paid in lieu program and amending chapters 16.25 DMMC, and establishing an associated urban forestry fund in chapter 3.51 DMMC.

WHEREAS, the City Council acting through its standing committees directed City staff to prepare an ordinance for its consideration that both minimizes the impact of the acquisition of private property for the Federal Way Link Extension (FWLE), a regional essential public transportation facility, while helping to facilitate the project, engage the Pacific Ridge Neighborhood and minimize project costs, and

WHEREAS, the DMMC requires a twenty-five foot landscape buffer and a five foot berm for the portions of the FWLE adjacent to freeways, and

WHEREAS, a guideway edge landscape buffer otherwise satisfactory to the City may not provide adequate landscape space on site to accommodate all the replacement trees required by the DMMC without increasing the amount of right of way to be acquired from abutting property owners and also increasing project costs, and

WHEREAS, the City Council notes that Pacific Ridge is the most heavily impacted neighborhood along the entire FWLE project in terms of private property acquisitions and desires to minimize to the extent possible the impacts of right of way acquisitions on single and multi-family properties, and

WHEREAS, the City Council desires that the FWLE design represent the highest possible quality of urban and landscape design as validated by affected property owners and the Pacific Ridge Neighborhood, that it is a strong, complementary and integrating amenity of the Pacific Ridge Neighborhood, and that the landscape be tall and dense while incorporating Crime Prevention Through Environmental Design (CPTED) principles and features, and

WHEREAS, each of the 44 residential parcels acquired in whole or in part along the Des Moines portion of the FWLE are uniquely impacted by the right of way acquisition and design

requiring administrative flexibility in the application of the DMMC and design of the FWLE, and

WHEREAS, many parts of the urban forest in Des Moines are in poor health because of age, disease or invasive plants requiring increasing care, maintenance reforestation, and

WHEREAS, the City lacks adequate resources to address the needs of its urban forest areas and the City Council desires to establish ways to create additional resources to preserve, plant and maintain trees within the City including off-site mitigation and fees paid in lieu of on-site work when it is not feasible or desirable to reasonably meet the requirements of the DMMC, and

WHEREAS, at the May 18, 2017 City Council Public Safety and Transportation Committee and the June 8, 2017 Finance and Economic Development Committee, staff discussed how the City's development regulations currently in effect would affect the acquisition of private property and property remaining after the acquisitions, and

WHEREAS, on August 7, 2017, August 14, 2017 and September 6, 2017, public or homeowner association meetings were held where staff discussed how the City's development regulations currently in effect would affect the acquisition of private property and property remaining after the acquisitions; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

The matter of establishing an off-site mitigation and fees paid in lieu program and amending chapter 16.25 DMMC and establishing an associated urban forestry fund in chapter 3.51 DMMC is set for a public hearing before the City Council on

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Thursday, December 7, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers, 21630 11th Avenue South, Suite B, Des Moines, Washington.

ADOPTED BY the City Council of the City of Des Moines, Washington this 9th day of November, 2017 and signed in authentication thereof this 9th day of November, 2017.



M A Y O R

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Clerk