

AGENDA

**Economic Development Committee Meeting
Thursday September 27, 2018
6:00 p.m. – 6:50 p.m.
South Conference Room**

- 1. Call to Order**
- 2. Approval of the July 26th, 2018 meeting minutes**
- 3. Business License Code Update**
Staff will provide a briefing on required changes to the business license code.
- 4. Comprehensive Plan Amendments**
Staff will provide an overview of the 2018 comprehensive plan amendments.
- 5. Downtown Improvements**
Staff will provide a verbal update.
- 6. Big Catch Plaza**
Staff will provide a verbal update.

DRAFT MINUTES

**Economic Development Committee Meeting
Thursday July 26, 2018
6:00 p.m. – 6:50 p.m.
South Conference Room**

Council Members

Chair Jeremy Nutting
Co-Chair Vic Pennington
Mayor Matt Pina

City Staff

Michael Matthias – City Manager
Dan Brewer – Chief Operating Officer
Susan Cezar – Chief Strategic Officer
Denise Lathrop – Planning & Development Services
Manager
Brandon Carver – Public Works Director
Tim George – City Attorney
Matt Hutchins – Assistant City Attorney
Jason Woycke – Land Use Planner II
Jodi Grager – Community Development Assistant

Guests: Councilmember Matt Mahoney

1. Call to Order

Chair Jeremy Nutting called the meeting to order at 6:03 p.m.

2. Approval of the June 28, 2018 meeting minutes

Minutes approved as submitted.

3. Wasson House

City Manager Michael Matthias introduced this topic with a question: What are the possibilities with this property? The Shoreline Management Plan (SMP), which is currently in the process of a required update, would likely not allow for an Urban Conservancy designation. The SMP does allow for modest commercial endeavors in addition to recreational opportunities. The retention of the Wasson house would hinder the types of projects that could be considered, such as connectivity from the mouth of Des Moines Creek to the Marina. (See Memo and renderings) This vacant single family residence is now a non-conforming use in the Residential-Suburban Estates Zone (R-SE). The focus is on a project that will bring the greatest benefit to the community.

Brainstorm list of potential projects:

- Diving community recreational
- New restrooms
- Food trucks or restaurant style containers
- Play area
- Promenade
- Water feature

This topic will also be addressed in the Capital Improvement Program (CIP) discussion.

4. Height Limitations near Big Catch Plaza

According to City Manager Michael Matthias, the City's goal is to redevelop the downtown area through the highest and best use practices. It has been suggested that a building height increase to 75 or possibly 85 feet between 216th and 219th on Marine View Drive South would allow property owners to consider this desired redevelopment. (See Memo and renderings) The committee discussed the pros and cons of increasing height restrictions in this area:

PROS –

- The topography of the land works favorably with adding height to buildings
- Code language can be added to require development standards that would meet the City's need for quality construction
- Timing coincides with uptick in need for mixed use spaces
- Creating cohesion

CONS -

- View corridor
- Working with landlords cooperatively for best results

Chair Nutting recommended that staff review Renton's screening requirements when considering changes to DMMC.

The next meeting is scheduled for September 27th at 6:00-6:50 pm in the South Conference room.

Adjourned at 6:56 p.m.

Respectfully submitted by,

Jodi Grager, Community Development Assistant

Memo

Date: September 20, 2018
To: Council Economic Development Committee
From: Beth Anne Wroe – Finance Director
RE: Business License Model Ordinance

In the 2017 session, the Washington State Legislature passed engrossed House Bill 2005 (RCW 35.90) requiring cities with business licenses and local B&O taxes to:

1. Establish a workgroup, through the Association of Washington Cities (AWC), to create a model business license ordinance with a licensing threshold, by July 1, 2018, for adoption by all business license cities before January 1, 2019. The final “model ordinance” for local business licenses contains two required components that cities must incorporate into their existing business license ordinances:
 - a. The City may only impose licensing requirements upon individuals or companies “engaging in business within the city”; and
 - b. For businesses that engage in business within the city, but are not physically located within the city, a minimum dollar threshold must be established. For any business with activity of \$2,000 per year or below, these businesses are partially or fully exempted from licensing requirements. Although cities may adopt a higher threshold if desired. Below this threshold, cities must either:
 - i. Exempt these businesses from the licensing requirements entirely, or
 - ii. Require licensing registration at no cost to the businesses.
2. Administer their business license through the state’s Business Licensing System (BLS) by 2022 or FileLocal by 2020; and
3. Establish a task force on local B&O tax service apportionment, through the AWC, under RCW 35.102.130 to report to the Legislature by October 2018.

Attached is Draft Ordinance No. 18-089 to address the requirements listed under Item 1 above and amends DMMC 5.04 to comply with the necessary requirements set forth in EHB 2005. The Legal Department has provided the definition for “engaging in business”, as well as, setting the minimum threshold to the recommended \$2,000 per year. Staff’s recommendation is to require the person or business below the threshold to register with the city at no charge.

I am seeking approval from the Committee to bring the Draft Ordinance amending the DMMC for business licenses to full Council on October 18, 2018.

CITY ATTORNEY'S FIRST DRAFT 09/20/2018

DRAFT ORDINANCE NO. 18-089

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON
relating to business licenses and amending DMMC 5.04.010,
5.04.020, 5.04.030, 5.04.035, and 5.04.080.

WHEREAS, the Legislature has given code cities the authority under RCW 35A.82.020 to license, regulate, and make inspection in regard to all places and kinds of business, production, commerce, entertainment, exhibition, and upon all occupations, trades and professions and any other lawful activity, and to impose excises for regulation or revenue of the same, and

WHEREAS, this authority granted by the Legislature is subject to limitations imposed from time to time by the Legislature, and

WHEREAS, the Des Moines City Council has provided for general business licenses and imposition of fees for obtaining such license, codified at chapter 5.04 DMMC, and

WHEREAS, in 2017 the Legislature passed Engrossed House Bill 2005 which required Washington cities, through the Association of Washington Cities to develop a model ordinance on general business licenses by July 1, 2018, and

WHEREAS, EHB 2005 further requires any city imposing a general business license requirement to adopt two mandatory provisions of the model ordinance that: (1) define "engaging in business within the city" and (2) provide for a minimum licensing threshold under which a person or business would be partially or fully relieved of the requirement to obtain the city's general business license, and

WHEREAS, any city that does not adopt the two mandatory provisions of the model ordinance by January 1, 2019 may not enforce its general business license requirements on any person until the date that the mandatory provisions take effect within the city, and

WHEREAS, the City of Des Moines must adopt the mandatory provisions of the model ordinance to maintain the requirement for persons engaging in business within the city to obtain a general business license, and

WHEREAS, the City Council finds that it is in the best interest of the public health, safety, and welfare to adopt the mandatory provisions of the model ordinance developed by the Association of Washington Cities, so that the City may continue to regulate the conduct of business within the City through general business licensing under chapter 5.04 DMMC, and

WHEREAS; now therefore,

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

Sec. 1. DMMC 5.04.010 and section 1 of Ordinance No. 39 as amended by section 1 of Ordinance No. 114 as amended by section 2 of Ordinance No. 859 as amended by section 1 of Ordinance No. 882 as amended by section 3 of Ordinance No. 1295 as amended by section 13 of Ordinance No. 1351 as amended by section 1 of Ordinance No. 1354 are each repealed, and the following is substituted:

Engaging in business - definition

(1) The term "engaging in business" means commencing, conducting, or continuing in business, and also the exercise of corporate or franchise powers, as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business.

(2) This section sets forth examples of activities that constitute engaging in business in the City, and establishes safe harbors for certain of those activities so that a person who meets the criteria may engage in de minimus business activities in the City without having to pay a business license fee. The activities listed in this section are illustrative only and are not intended to narrow the definition of "engaging in business" in subsection (1). If an activity is not listed, whether it constitutes engaging in business in the City shall be determined by considering all the facts and circumstances and applicable law.

(3) Without being all inclusive, any one of the following activities conducted within the City by a person, or its

employee, agent, representative, independent contractor, broker or another acting on its behalf constitutes engaging in business and requires a person to register and obtain a business license.

(a) Owning, renting, leasing, maintaining, or having the right to use, or using, tangible personal property, intangible personal property, or real property permanently or temporarily located in the City.

(b) Owning, renting, leasing, using, or maintaining, an office, place of business, or other establishment in the City.

(c) Soliciting sales.

(d) Making repairs or providing maintenance or service to real or tangible personal property, including warranty work and property maintenance.

(e) Providing technical assistance or service, including quality control, product inspections, warranty work, or similar services on or in connection with tangible personal property sold by the person or on its behalf.

(f) Installing, constructing, or supervising installation or construction of, real or tangible personal property.

(g) Soliciting, negotiating, or approving franchise, license, or other similar agreements.

(h) Collecting current or delinquent accounts.

(i) Picking up and transporting tangible personal property, solid waste, construction debris, or excavated materials.

(j) Providing disinfecting and pest control services, employment and labor pool services, home nursing care, janitorial services, appraising, landscape architectural services, security system services, surveying, and real estate services including the listing of homes and managing real property.

(k) Rendering professional services such as those provided by accountants, architects, attorneys, auctioneers, consultants, engineers, professional athletes, barbers, baseball clubs and other sports organizations, chemists, consultants, psychologists, court reporters, dentists, doctors, detectives, laboratory operators, teachers, veterinarians.

(l) Meeting with customers or potential customers, even when no sales or orders are solicited at the meetings.

(m) Training or recruiting agents, representatives, independent contractors, brokers or others, domiciled or operating on a job in the City, acting on its behalf, or for customers or potential customers.

(n) Investigating, resolving, or otherwise assisting in resolving customer complaints.

(o) In-store stocking or manipulating products or goods, sold to and owned by a customer, regardless of where sale and delivery of the goods took place.

(p) Delivering goods in vehicles owned, rented, leased, used, or maintained by the person or another acting on its behalf.

(4) If a person, or its employee, agent, representative, independent contractor, broker or another acting on the person's behalf, engages in no other activities in or with the City but the following, it need not register and obtain a business license.

(a) Meeting with suppliers of goods and services as a customer.

(b) Meeting with government representatives in their official capacity, other than those performing contracting or purchasing functions.

(c) Attending meetings, such as board meetings, retreats, seminars, and conferences, or other meetings wherein the person does not provide training in connection with tangible personal property sold by the person or on its behalf. This provision does not apply to any board of director member or attendee engaging in business such as a member of a board of directors who attends a board meeting.

(d) Renting tangible or intangible property as a customer when the property is not used in the City.

(e) Attending, but not participating in a "trade show" or "multiple vendor events". Persons participating at a trade show shall review the City's trade show or multiple vendor event ordinances.

(f) Conducting advertising through the mail.

(g) Soliciting sales by phone from a location outside the City.

(5) A seller located outside the City merely delivering goods into the City by means of common carrier is not required to register and obtain a business license, provided that it engages in no other business activities in the City. Such activities do not include those in subsection (4).

The City expressly intends that engaging in business include any activity sufficient to establish nexus for purposes of applying the license fee under the law and the constitutions of the United States and the State of Washington. Nexus is presumed to continue as long as the taxpayer benefits from the activity that constituted the original nexus generating contact or subsequent contacts.

Sec. 2. DMMC 5.04.020 and section 2 of Ordinance No. 39 as amended by section 1(A) of Ordinance No. 460 as amended by section 1 of Ordinance No. 863 as amended by section 6 of Ordinance No. 993 as amended by section 2 of Ordinance No. 1394 are each amended to read as follows:

License or license registration required - Transfer prohibited.

(1) It is unlawful for a person to ~~conduct any~~engage in business within the city without first having secured a license ~~or license registration~~ to do so, or continue ~~conducting to~~ engage in business after such license or license registration is revoked. Each business location shall be deemed a separate business.

(2) ~~A business whose principal place of business is outside of the city of Des Moines may obtain a license registration to fulfill the requirement to secure a business license set forth in subsection (1) of this section~~Any person or business whose annual value of products, gross proceeds of sales, or gross income of the business in the city is equal to or less than \$2,000 and who does not maintain a place of business within the city, shall submit a business license registration to the City Clerk or the City Clerk's designee at no cost, in lieu of obtaining a business license under this chapter. An approved business license registration submitted under this subsection

Commented [MH1]: Or higher threshold TBD

shall fulfill the requirement to secure a business license set forth in subsection (1) of this section. The dollar threshold in this subsection does not apply to regulatory license requirements or activities that require a specialized permit.

[(2) Any person or business whose annual value of products, gross proceeds of sales, or gross income of the business in the city is equal to or less than \$2,000 and who does not maintain a place of business within the city shall be exempt from the general business license requirements in this chapter. The exemption does not apply to regulatory license requirements or activities that require a specialized permit.]

Commented [MH2]: Or higher threshold TBD

Commented [MH3]: This subsection is an alternative to (2) immediately above

(3) A license issued under this chapter is valid only for operation of the specific business for which application is made and is not transferable to any other person.

(4) Each day that a person ~~conducts~~engages in business without a valid business license or license registration constitutes a separate offense and may be punished as such; except a person that assumes operation of a business that has a current valid license is allowed 30 days to make application for a business license in the name of the new operator, but only if there is no change in the nature or type of business conducted, location, or use of the business premises and there are no existing violations of federal, state, or local law.

Sec. 3. DMMC 5.04.030 and section 3 of Ordinance No. 39 as amended by section 1(A) of Ordinance No. 454 as amended by section 1(B) of Ordinance No. 460 as amended by section 1 of Ordinance No. 556 as amended by section 1 of Ordinance No. 678 as amended by section 35 of Ordinance No. 770 as amended by section 3 of Ordinance No. 1354 are each amended to read as follows:

Licenses - Fees - Appeal.

(1) Applications for licenses or license registrations shall be made to the eCity eClerk or the City Clerk's designee on such forms as he or she may direct. All home occupations shall be licensed as a business. All applications for business licenses ~~or license registrations~~ shall be accompanied by a license fee ~~or license registration fee~~ set by resolution of the eCity eCouncil. ~~No fee shall be required for business license registrations.~~ The city clerk shall present all applications for licenses or license registrations to the city manager for investigation. No license or license registration shall be granted to any person, firm, or corporation whom the city manager finds:

(a) Will be engaging in a business which violates any federal or state law or city ordinance;

(b) Has had a similar license revoked or has operated without any required license(s) in any jurisdiction within a one-year period prior to the date of making application for a license under this chapter; or

(c) Is using or occupying the real property of the business in violation of the provisions of Title 14 DMMC or all amendments thereto or in violation of city provisions regarding nuisances.

(2) Any appeal from a denial of issuance of such license or license registration shall be taken to the hearing examiner within 10 days of such denial in accordance with the provisions of the hearing examiner code.

Sec. 4. DMMC 5.04.035 and section 1 of Ordinance No. 1227 as amended by section 4 of Ordinance No. 1354 are each amended to read as follows:

**Inspection as condition of license issuance or renewal -
Time limits for compliance.**

(1) A person, firm or corporation applying for or renewing any license under this title shall allow physical inspections by the city's building official and fire marshal, or their respective designee(s) (including re-inspections, as needed), of the premises, objects, equipment, vehicles, instruments, or devices on, in, or with which business is proposed to be conducted by the applicant to determine whether the business complies with city codes, including without limitation Title 14 DMMC, the Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, and American National Standards Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped.

(2) Applicants shall be responsible for scheduling any inspection authorized by this section in a timely manner.

(3) In the event the building official or fire marshal discover a violation of city code(s) during an inspection conducted as part of a business license application process (including applications for business license renewals), the building official shall issue a written notice of violation generally describing the violation and corrective action required

to bring the applicant's premises or other equipment into compliance with applicable city codes or regulations.

(4) The building official shall allow applicants found to be in violation of city codes, through an inspection conducted under authority of this chapter, a grace period of no more than 21 days in which to bring the business, premises, or equipment into compliance. No grace period shall be allowed where the building official determines that any dangerous circumstance or violation of a particular code provision poses an imminent risk of harm or damage to persons or property.

(a) For applicants seeking a new business license, failure to correct a violation within the time period provided by the building official will be cause for the city clerk to reject an application and require that a new application be made, accompanied by an additional fee of 100 percent of the fee payable upon an original application filed for any license required under this title. No license for a new business will be issued until appropriate corrective action is taken to the satisfaction of the building official.

(b) For applicants seeking to renew an existing business license, failure to correct a violation within the time period provided by the building official shall constitute a violation of this chapter in addition to or as an alternative to any other applicable violation of this code and shall expose the applicant to any and all civil and/or criminal penalties provided in this title, code, or other law.

(5) A determination by the building official of compliance with city codes for purposes of issuing or renewing a business license under this title shall in no way be construed as permission or acquiescence in a prohibited activity or other violation of law that occurs or is discovered following an inspection after issuance of any license.

(6) The provisions of this section shall not apply to businesses ~~whose principal place of business is outside of the city who does not maintain a place of business within the city~~ of Des Moines and who are applying for a license registration.

Commented [MH4]: Delete this clause?

Sec. 5. DMMC 5.08.080 and section 8 of Ordinance No. 39 as amended by section 1(F) of Ordinance No. 460 are each amended to read as follows:

Posting license.

(1) Any license issued under this title shall be posted in a conspicuous place within the establishment.

(2) The provisions of this section shall not apply to businesses ~~who do not maintain a place of business within whose principal place of business is outside of~~ the city of Des Moines and who are applying for a license registration.

Sec. 6. 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. 7. Effective date. This ordinance shall take effect and be in full force thirty (30) days after its passage and approval in accordance with law.

PASSED BY the City Council of the City of Des Moines this ____ day of _____, 2018 and signed in authentication thereof this ____ day of _____, 2018.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____

Effective Date: _____ [only if 30 day ordinance]

Memo

Date: September 19, 2018

To: Council Economic Development Committee

From: Denise Lathrop, AICP – Planning & Development Services Mgr.

RE: 2018 Comprehensive Plan Amendments

The docket for the 2018 comprehensive plan amendments includes seven (7) proposed amendments of which one was a public request and the remaining six are City staff initiated housekeeping items recognizing approved Planned Unit Developments (PUDs) and new parks.

There are five (5) amendments to the Preferred Land Use map (Refer to Attachment 1) along with amendments to the Parks, Recreation and Open Space Element and the Capital Facilities, Utilities, and Public Services Element (Refer to Attachment 2).

The public request (Amendment 2018-1) relates to an application received on June 28, 2018 requesting a change of the preferred land use designation for 12 properties from SF-Single Family and T-Townhome to MF-Multifamily (Refer to Attachment 1).



City of Des Moines Comprehensive Plan Preferred Land Use

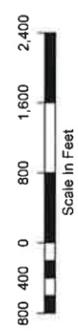
Designations

RESIDENTIAL	COMMERCIAL/NON RES
MF - Multifamily	BP - Business Park
PR-R - Pacific Ridge Residential	COM - Commercial
SF - Single Family	IC - Institutional Campus
T - Townhome	PARK - Park
TC-R - Transit Community Residential	PF - Public Facility
TC-T - Transit Community Townhome	PR-C - Pacific Ridge Commercial
	PR-M - Pacific Ridge Mixed
	TC-M - Transit Community Mixed
	Des Moines City Limits
	Streams
	Neighborhood Planning Areas
	PUD See Plan For Density

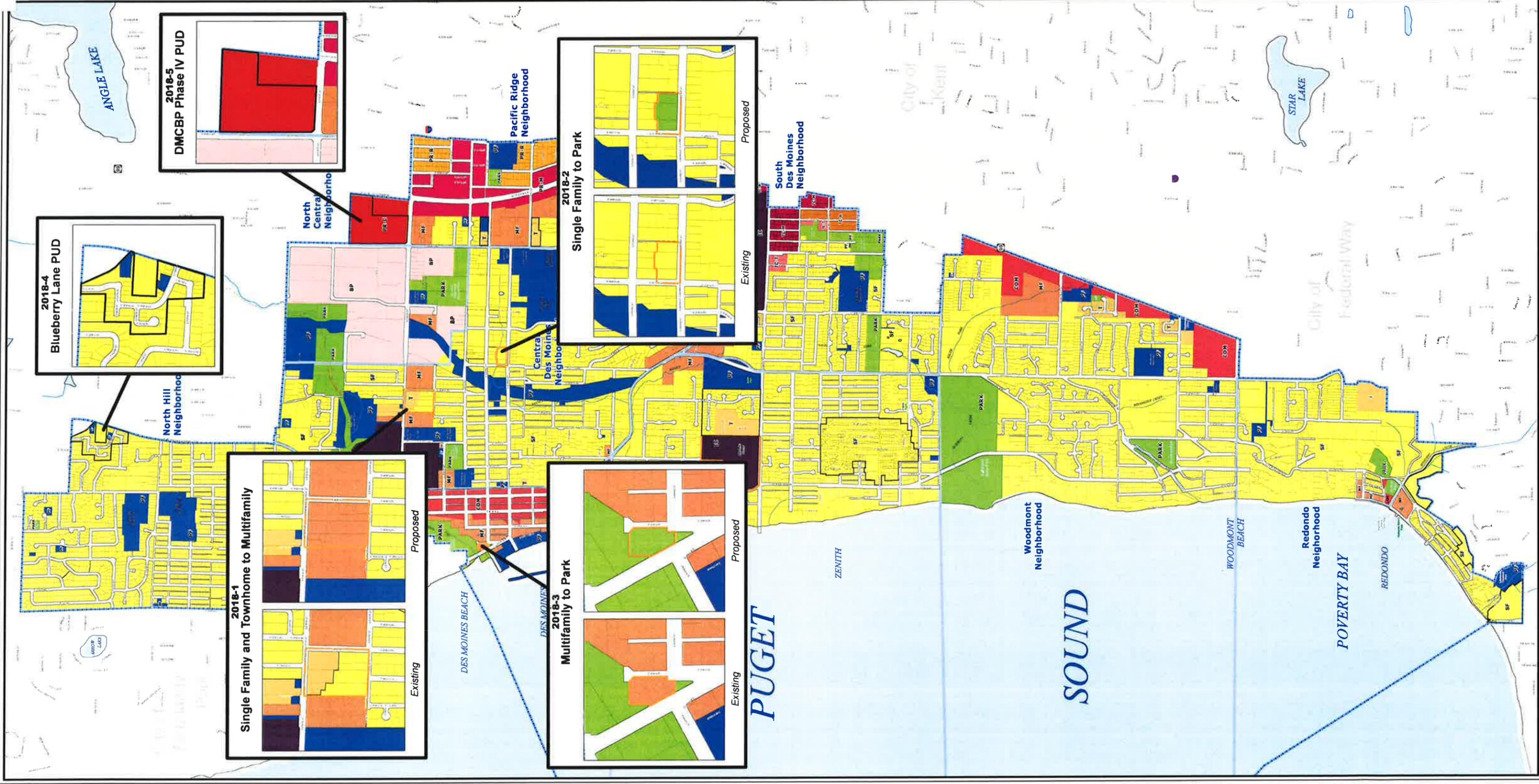
**CITY OF DES MOINES
COMPREHENSIVE PLAN MAP SERIES**
This map series is intended for general planning purposes related to the City of Des Moines Comprehensive Plan.

Enacting Ordinances

ORDINANCE, YEAR
Ord. 1551, 2012
Ord. 1528, 2011
Ord. 1498, 2010
Ord. 1469, 2009
Ord. 1425, 2008
Ord. 1376, 2006
Ord. 1232, 2003
Ord. 1265, 2000
Ord. 1238, 1999
Ord. 1176, 1996
Ord. 1160, 1995



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>



The availability of capital facilities, utilities, and public services directly influences the quality of life in Des Moines. Adequate facilities, utilities, and services are needed to ensure that those who reside and work in Des Moines are reasonably free of safety and environmental hazards, and provided with adequate public services.

The increase in population within the City has and will continue to create a corresponding increase in the demand for capital facilities, utilities, and public services. The demand for, and the delivery of facilities, utilities, and services is influenced by regional factors, such as regional population densities, and the services provided by other jurisdictions. These regional factors must be considered in the planning for adequate facilities and utilities.

The siting, construction, and operation of capital facilities and utilities, including essential public facilities, has sometimes resulted in adverse impacts upon nearby properties and the natural environment. The City currently receives more than its fair share of adverse impacts associated with air transportation. Therefore, as permitted by state and federal law, before permitting the siting or expansion of any capital facilities or utilities it is extremely important that comprehensive environmental review of such proposals be completed so that decision makers are fully informed of the proposal's adverse impacts and whether adequate mitigation measures can be implemented to mitigate such impacts.

Comprehensive plans and capital improvement plans have been prepared by many of the providers of public facilities, utilities, and services within Des Moines. Such plans are applicable to Des Moines' Comprehensive Plan in that they contain detailed inventories of existing improvements, projected demand for services in the future, and funding strategies for capital improvements. The City adopts by reference, the following Capital Facilities, Utilities, and Public Services Plans:

1. City of Des Moines Comprehensive Marina Master Plan (2007)
2. City of Des Moines Surface Water Management Comprehensive Plan (2015, as amended)
3. City of Des Moines Comprehensive Transportation Plan (~~2016~~2009, as amended)
4. City of Des Moines Six-Year Capital Improvement Plan (updated annually)
5. City of Des Moines Parks, Recreation and Senior Services Master Plan (~~2016~~2009, as amended)
6. King County Water District #54 Capital Facilities Plan (2011)
7. Highline Water District Water ~~Facilities-System~~ Plan (~~2016~~2006)
8. Lakehaven Utility District Water Facilities Plan (2015)
9. Midway Sewer District CFP (2008)
10. Southwest Suburban Sewer District Sewer Plan (~~2014~~2015)
11. Lakehaven Utility District Sewer Facility Plan (~~2016~~2009)
12. Highline School District ~~2014-2018-~~2023 Capital Facilities Plan (~~2018, as amended~~2014)

13. Federal Way Public Schools ~~2019~~2015 Capital Facilities Plan (~~2018, as amended~~2014)
14. Highline College Master Plan (~~2017~~2014)

An inventory and analysis of the publicly owned capital facilities, and public/private utilities within the City of Des Moines are summarized below.

City Administration: The City of Des Moines owns several properties and buildings that are used for the administration of City services. The maintenance, improvement and expansion of City facilities are guided by a six-year capital improvement plan and an annual budget approved by the City Council. The capital improvement plan prioritizes projects, establishes improvement schedules, and identifies revenue sources.

Electricity and Natural Gas: The transmission of electricity and natural gas to the City is provided by Puget Sound Energy (PSE), a private electric utility whose operation and rates are governed by the Washington Utilities and Transportation Commission, the National Electric Reliability Corporation (NERC), and Federal Energy Regulatory Commission (FERC). PSE provides to approximately 12,700 electric customers and 6,350 natural gas customers in Des Moines. Bulk electrical power is distributed via 115 kilovolt (kV) high-voltage transmission lines from transmission stations in Kent and Renton to switching stations in Des Moines, Kent and Renton. Natural gas is distributed regional supply stations to district regulators (Doug Corbin - PSE, Personal Communication, 2/03/15).

Fire Protection: Fire protection and other emergency services within the City are provided by South King County Fire and Rescue. These services are guided by the comprehensive plans of the districts/departments.

Hazardous Waste Collection and Disposal: The collection and disposal of hazardous waste within the City is provided for through an Interlocal Agreement between King County and the municipalities within the City. The Local Hazardous Waste Management Plan for Seattle-King County provides for regional coordination and funding of this program.

Library: Library services in the City are provided by King County Library District. Adopted level of service guidelines direct the construction and expansion of library facilities. The Highline College also operates a library that is utilized by many residents of the City.

Marina: An 840-slip marina along Des Moines' shoreline is owned and operated by the City of Des Moines. The City's capital improvement program and annual budget guide the expenditure of funds for the operation of the facility. The 2007 Comprehensive Marina Master Plan identifies near-term and long-term capital improvements, funding strategies and project schedules for the existing marina.

Parks and Recreation: Publicly owned recreational facilities within the City are operated by the City of Des Moines, the State of Washington, and the Highline and Federal Way School Districts. A regional dog park is located in the City of SeaTac. City, County and State Parks and Recreation Plans guide the administration of recreational programs of the respective jurisdictions. Various services, such as the Des Moines Senior Center, are provided at one or more of Des Moines' recreational facilities. The Parks, Recreation and Senior Services Master Plan guides the scheduling and funding of future capital and programmatic improvements which are further addressed in Chapter 6: Parks Recreation and Open Space Element.

Chapter 6: Parks, Recreation and Open Space Element

BACKGROUND AND CONTEXT

The Parks, Recreation, and Open Space Element contains goals and policies regarding how Des Moines parks, recreational facilities and open space will be acquired, designed, managed, and programmed. The City parks system contains ~~26-28~~ parks totaling ~~194-1196.6~~ acres of park land and 3.85 miles of trails (2015). These are made up of conservancy and open space, mini-parks, neighborhood parks, community parks, special/waterfront parks, trails, pathways, streetscapes and ROWs, and Interlocal City/School District facilities.

The goals and policies in this element are taken from, and must be consistent with, the City's Parks, Recreation, and Senior Services Master Plan also known as the PRO Plan, which is required by the Washington State Recreation and Conservation Office (RCO) to remain eligible for grant funding. This element also connects and supports other comprehensive plan elements, such as the Land Use Element (through discussion of quality of life and public health), Transportation Element (through the discussion of trails, bikeways, and paths), the Environment & Conservation Element (through the objectives on water conservation and recycling), and the Healthy Des Moines Element (through the discussion of healthy eating and active living).



Consistent with the Comprehensive Plan's framework for sustainability and healthy communities, this element plays an important role in promoting good public health. Park, waterfront, and recreation facilities provide opportunities for physical activity through the use of park, waterfront, trails and athletic fields and participation in a broad array recreation activities, programs and services, countering national trends toward physical inactivity and obesity. Studies have also shown that parks and recreation can provide mental health benefits, including reduction of depression and anxiety.

Background information for this element is found in the Parks, Recreation and Senior Services Master Plan (2016) which includes estimates of demand for parks, a needs assessment, as well as a discussion about opportunities to coordinate with other jurisdictions to provide parks, recreation, senior services, human services, health and wellness, cultural arts, historic preservation, tourism and aquatics. Refer to Sections 1 through 3 of the Master Plan for this information.

Goals

To ensure the Parks, Recreation and Senior Services Vision is achieved, the City has the following goals:

Goal PR 1 *Provide adequate and accessible park, waterfront and recreation facilities that are responsive and inclusive to the diverse interests and needs of people of all ages, income levels, cultural or educational backgrounds, or physical abilities. Such recreational facilities should satisfy outdoor*

Goal PR 12 Pursue funding for Parks and Facilities improvements from all potential sources.

Goal PR 13 Utilize a ratio of 6.5 acres per 1,000 population and specific standards for the development of mini, neighborhood, community, waterfront, sports fields/complexes, trails and pathways, conservancy and open space areas as a general guide in the acquisition and development of park and facility resources.

POLICIES AND IMPLEMENTATION STRATEGIES

Parks and Land Use

- PR 1.1 Develop and maintain procedures and priorities for the selection, classification and acquisition of park lands and the use of such lands for recreation purposes. All lands designated for recreation purposes shall be suitable for the intended recreation activity.
- PR 1.1.1 Work with other entities and public agencies (Highline and Federal Way School Districts, Highline College, State Parks and Utility and Jr. Taxing Districts) to maximize opportunities for acquisition of land that qualifies for the City's park system through Interlocal agreements for “right-of-use” and/or joint development agreements, land transfers, lease, property exchange, dedication and surplus or easement land acquisition procedures.
- PR 1.1.2 Utilize the resources of national, regional and local conservation organizations corporations, non-profit associations and benevolent entities to identify and acquire environmentally sensitive land, urban wildlife habitat or preservation areas.
- PR 1.1.3 Identify lands that enhance the appearance and character of the City. Such lands may serve as community or neighborhood connectors, create gateway features into Des Moines, enhance the park system, preserve local history or link existing natural or built amenities.
- PR1.1.4 Preserve significant critical areas as passive open space. The City may construct improvements that enhance the public's awareness of, and appreciation for, natural areas.
- PR 1.1.5 Ensure that the quantity and quality of park land increases and is located proportionately with population growth, and that new acquisition reflects the community’s recreational, health and cultural needs. Des Moines should use a variety of means to provide recreational opportunities.
- PR 1.1.~~7~~⁶ Coordinate and maintain procedures for conservation of open space through mechanisms such as zoning, land donation, purchase of easements, conservation easements with coordinated planning, taxing and management actions.
- PR 1.1.~~8~~⁷ Ensure that proposed land-use and transportation facilities that would subject locally significant parks, trails and conservation resources, historic buildings or districts, recreation and sports facilities to exterior noise exposure levels which exceed limits identified in the DMMC are opposed or include mitigation measures commensurate with the magnitude of adverse impact anticipated.

PR 1.1.~~98~~ Where appropriate for recreation or open-space purposes, transfer derelict land, easements, tax delinquent land, surplus roadway/highway rights-of-way, and other land not presently in productive use where such land can be used for land exchange, purchase or long-term leases to increase City park land.

PR 1.1.~~109~~ Make maximum use of lands associated with surface water management and other public utilities to meet recreation and conservation needs.

PR 1.1.~~110~~ Work with conservation groups and the private sector to encourage donations, bargain sales of land or recreation or conservation easements through equitable incentives and to identify, acquire and conserve or manage natural open space areas and other recreational land.

Park and Facility Improvement

PR 2.1 Develop and maintain procedures and priorities for the selection, classification and acquisition of park lands and the use of such lands for recreation purposes. All lands designated for recreation purposes shall be suitable for the intended recreation activity.

PR 2.1.1 Enforce regulations for new residential, business, commercial or industrial development and redevelopment which require either the dedication of park lands, provision of recreation facilities and/or payment of impact fees or fees in-lieu of land to a park and recreation trust fund.



PR 2.1.2 Park and facility design shall conform to local ordinance or recognized standards for access, safety, environmental sustainability, health and protection of humans, domestic animals, wildlife and tidal life. Park development shall be of high quality and aesthetically pleasing, sensitive to the opportunities or constraints of the natural, physical or architectural environment.

PR 2.1.3 Consider community recreational needs during planning stages of all single family, multi-family, subdivisions and planned unit residential developments; retail, commercial and business park development; educational institutions, utilities and other governmental facilities development.

PR 2.1.4 Provide barrier-free access by modifying existing facilities when designing and/or constructing.

PR 2.1.5 Whenever possible and appropriate provide basic amenities at recreation and open space facilities including restrooms, lighting, seating, public art, drinking fountains, trash and recycling receptacles, bicycle racks, shelters, signage and parking.

PR 2.1.6 Recreational facilities should be connected by linear open spaces, pedestrian paths, or bicycle routes. Linkages between Des Moines’ waterfront facilities along Puget Sound connecting from Des Moines Creek Trail to Redondo Beach are a priority for the park system.

- PR 2.1.7 Actively seek joint- development and programming opportunities with intergovernmental and private partners and the application of reasonable standards and conditions for such use.
- PR 2.1.8 Encourage and support development of local neighborhood and community-based programs for park improvements, including participation of civic clubs, non-profit organizations, neighborhoods, schools, churches, businesses, and other organized volunteer groups.
- PR 2.1.9 Establish sustainable park and facility design and construction and historic preservation practices that result in facilities that are high-performing, good for the environment, healthy, and culturally enriching for our park visitors and building occupants.
- PR 2.1.910 Protect existing and planned park, waterfront and recreation resources from adverse impacts associated with incompatible land uses and/or transportation activities. Adverse impacts may include traffic congestion, inadequate parking, surface water runoff, vibration, air, water and noise pollution.



Open Space, Cultural and Locally Significant and Historic Resources

- PR 3.1 Conserve open space, natural and cultural resources.
 - PR 3.1.1 Coordinate and maintain procedures for conservation of open space through mechanisms such as zoning, land donation, purchase of easements, conservation easements with coordinated planning, taxing and management actions.
 - PR 3.1.2 Ensure that proposed land-use and transportation facilities that would subject locally significant parks, trails and conservation resources, historic buildings or districts, recreation and sports facilities to exterior noise exposure levels which exceed limits identified in the DMMC are opposed or include mitigation measures commensurate with the magnitude of adverse impact anticipated.
 - PR 3.1.3 Where appropriate for recreation or open-space purposes, transfer derelict land, easements, tax delinquent land, surplus roadway/highway rights-of-way, and other land not presently in

PR 13.3.2 Existing Neighborhood Parks

Neighborhood Parks within Des Moines	Size (acres)
Dr. Shirley Gordon Park	0.88
<u>Mary Gay Park</u>	<u>1.78</u>
Midway Park	1.58
Parkside Park	4.04
Water Tower Park*	1.0
Wooton Park	2.24
Total Neighborhood Parks	<u>11.529.74</u>

* Water Tower Park is leased from Highline Water District

PR 13.3.3 Existing Community Parks

Community Parks/Sports Complexes within Des Moines	Size (acres)
Des Moines Field House Park	5.2
Steven J. Underwood Memorial Park and Activity Center	21.6
Zenith Park*	5.5
Total Community Parks	29.6

*Zenith Park is leased from Highline School District

PR 13.3.4 Existing Regional Parks

Regional Parks within Des Moines	Size (acres)
Saltwater State Park*	88.0
Total Regional Parks	88.0

*Saltwater State Park is of waterfront resource of particular local significance to the residents of Des Moines and should be protected and preserved.

PR 13.3.5 Existing Special-Use Parks

Special-Use Parks within Des Moines	Size (acres)
Des Moines Beach Park and Tidelands	22.3
Marina, Fishing Pier and Tidelands	15.9
Redondo Park, Beach and Tidelands	3.94
<u>Van Gaskin Park</u>	<u>0.67</u>
Total Special Parks	<u>42.8142.14</u>