

ORDINANCE NO. 1712

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, adopting the 2018 amendments to the *Des Moines 2035: Charting Our Course for a Sustainable Future* (the comprehensive plan) and amending chapters 18.05 and 18.25 DMMC.

WHEREAS, the Growth Management Act requires, among other things, that "cities ... take action to review and, if needed, revise their *comprehensive plans* (emphasis added) and development regulations to ensure the plan and regulations comply with the requirements of this chapter . . . Any amendment of or revision to development regulations shall be consistent with and implement the comprehensive plan," and

WHEREAS, the goals and policies for growth and the provision of services are guided by GMA requirements and are based in part upon state and regional goals, and reflect the vision and goals of elected officials, community advisory groups and citizens, and

WHEREAS, pursuant to DMMC 18.25 comprehensive plan amendments are legislative (Type VI) land use decisions and require the City Council to conduct a public hearing to receive public comment regarding the amendments, and

WHEREAS, each amendment of the Comprehensive Plan was processed in accordance with the requirements of the State Environmental Policy Act (chapter 197-11 WAC) and public hearings were conducted in accordance with law, and

WHEREAS, the Des Moines Community Development Director acting as the SEPA responsible official issued a determination of nonsignificance (DNS) on the 18th day of September 2018 and the accompanying comment and appeal periods have lapsed, and

WHEREAS, notice was given to the Washington State Department of Commerce of these amendments as required by chapter 36.70A RCW, and

WHEREAS, the City Council set the date for the public hearing by motion on September 13, 2018, fixing the public hearing for October 18, 2018, and

WHEREAS, notice of the public hearing before the City Council was provided to the public in accordance with law and a public hearing was opened on October 18, 2018, and

WHEREAS, the City Council continued the public hearing on November 15, 2018 to allow for the 60 day notice period for Department of Commerce review to lapse, and all persons wishing to be heard were heard, and

WHEREAS, the City Council finds that the amendments contained in this Ordinance are appropriate and necessary for the preservation of the public health, safety and welfare; now therefore,

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

Sec. 1. DMMC 18.05.050 and section 3 of Ordinance No. 1469 as amended by section 2 of Ordinance No. 1528, as amended by section 19 of Ordinance No. 1551, as amended by section 1 of Ordinance No. 1623, as amended by section 1 of Ordinance No 1664 are amended to read as follows:

Preferred land use map designation.

The map filed in the City Clerk's office and marked Exhibit "B" to Ordinance No. 1469 and adopted November 12, 2009, as amended by Exhibit "B" to Ordinance No. 1528, as amended by Exhibit "B" to Ordinance No. 1551, as amended by Exhibit "B" to Ordinance No. 1623, as amended by Exhibit "B" to Ordinance No. 1664 is amended as described in Exhibit "B" to Ordinance No. 1712 and constitutes the comprehensive land use map, also referred to as the preferred land use map, for the City. The map referenced herein supersedes all previously adopted preferred land use maps.

Sec. 2. DMMC 18.25.120 and section 3 of Ordinance No. 1623, as amended by section 2 of Ordinance No. 1664 are amended to read as follows:

18.25.120 Comprehensive Plan amendments. There is adopted by reference a Comprehensive Plan, on file with the City Clerk, as subsequently amplified, augmented and amended pursuant to the provisions in this Title, as identified below.

(1) Chapter 1: Introduction;

(2) Chapter 2: Land Use Element;

(3) Chapter 3: Transportation Element;

(4) Chapter 4: Conservation and Environment Element;

(5) Chapter 5: Capital Facilities, Utilities, and Public Services Element;

(a) 2018 Amendment: Selected portions of this element of the Comprehensive Plan are amended as described in Exhibit "A" to Ordinance No. 1712.

(6) Chapter 6: Parks, Recreation, and Open Space Element;

(a) 2016 Amendment: This element of the Comprehensive Plan is amended as described in Exhibit "A" to Ordinance No. 1664.

(b) 2018 Amendment: Selected portions of this element of the Comprehensive Plan are amended as described in Exhibit "A" to Ordinance No. 1712.

(7) Chapter 7: Housing Element;

(8) Chapter 8: Economic Development Element;

(9) Chapter 9: North Central Neighborhood Element;

(10) Chapter 10: Marina District Element;

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

PASSED BY the City Council of the City of Des Moines this 15th day of November, 2018 and signed in authentication thereof this 15th day of November, 2018.


MAYOR

APPROVED AS TO FORM:


Assistant City Attorney

ATTEST:


City Clerk

Published: November 20, 2018

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1712, Adopted November 15, 2018.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This Ordinance adopts the 2018 amendments to the *Des Moines 2035: Charting Our Course for a Sustainable Future* (the comprehensive plan) and amends chapters 18.05 and 18.25 DMMC.

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

Bonnie Wilkins, CMC
City Clerk

Published: November 20, 2018

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, 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, as amended)
6. King County Water District #54 Capital Facilities Plan (2011)
7. Highline Water District Water System Plan (2016)
8. Lakehaven Utility District Water Facilities Plan (2015)
9. Midway Sewer District CFP (2008)
10. Southwest Suburban Sewer District Sewer Plan (2014)
11. Lakehaven Utility District Sewer Facility Plan (2016)
12. Highline School District 2018-2023 Capital Facilities Plan (2018, as amended)

13. Federal Way Public Schools 2019 Capital Facilities Plan (2018, as amended)

14. Highline College Master Plan (2017)

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 27 parks totaling 190.64 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 1.1.6 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 1.1.7 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 1.1.8 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 1.1.9 Make maximum use of lands associated with surface water management and other public utilities to meet recreation and conservation needs.
- PR 1.1.10 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 2.1.10 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
Mary Gay Park	1.78
Midway Park	1.58
Parkside Park	4.04
Water Tower Park*	1.0
Wooton Park	2.24
Total Neighborhood Parks	11.52

* 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
Total Community Parks	26.8

*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
Van Gasken Park	0.67
Total Special Parks	42.81



City of Des Moines
Comprehensive Plan
Preferred Land Use

Designations

- RESIDENTIAL**
- MF - Multifamily
 - PR-R - Pacific Ridge Residential
 - SF - Single Family
 - T - Townhome
 - TC-R - Transit Community Residential
 - TC-T - Transit Community Townhome
- COMMERCIAL/NON RES**
- BP - Business Park
 - COM - Commercial
 - IC - Institutional Campus
- PARK - Park**
- PF - Public Facility
 - 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. 1712, 2018
 - Ord. 1664, 2016
 - Ord. 1623, 2015
 - Ord. 1551, 2012
 - Ord. 1528, 2011
 - Ord. 1499, 2010
 - Ord. 1469, 2009
 - Ord. 1425, 2008
 - Ord. 1376, 2006
 - Ord. 1232, 2003
 - Ord. 1265, 2000
 - Ord. 1238, 1999
 - Ord. 1178, 1996
 - Ord. 1160, 1995



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