

ORDINANCE NO. 1520

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON, amending the official zoning map of the City of Des Moines in order to change the zoning classification for a selected portion of a property currently zoned RM-900B Restricted Service Zone to H-C Highway Commercial.

WHEREAS, approximately 1.60 acres of property owned Sea Mar Community Health Center is currently zoned RM-900B, and

WHEREAS, primary propose of the zoning code as provided in Chapter 18.06 DMMC, is for the orderly development of property in the City and to prevent the intrusion of incompatible uses which would damage the security and stability of land and improvements, and

WHEREAS, the property's current zoning classification is inconsistent with the Preferred Land Designation of Commercial established by the Figure 2-06 of the *City of Des Moines Comprehensive Plan*, and

WHEREAS, Policy 2-03-12 and Strategy 2-04-03 of the *Des Moines Comprehensive Plan* require that the City should create consistency between the uses designated in the *City of Des Moines Comprehensive Plan* with those designated on the *City of Des Moines Zoning Map* as required by the Washington State Growth Management Act, Chapter 35.70A RCW, and

WHEREAS, the zone reclassification would not have a negative impact of the surrounding property owners or uses, and

WHEREAS, on April 22, 1999, the Des Moines City Council adopted a computer-drawn Zoning Map by enactment of Ordinance No. 1235, and

WHEREAS, pursuant to DMMC 18.56.060 approval of a site specific rezone is a Type IV land use decision, and

WHEREAS, the proposed zoning reclassification has been processed in accordance with the requirements of SEPA, a Determination of Nonsignificance (DNS) was issued on September 16, 2011 by the SEPA responsible official, and the applicable SEPA comment period has concluded, and

WHEREAS, on October 3, 2011, the Des Moines Planning Agency reviewed the proposed site specific rezone during a public meeting and recommended approval, and

WHEREAS, notice of the public hearing was given to the public in accordance with law and a public hearing was held on October 13, 2011, and all persons wishing to be heard were heard, and

WHEREAS, Des Moines City Council conducted a public hearing on October 13, 2011, to consider the zone reclassification contained in this ordinance, 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 and depicted on the attached map (incorporated herein by this reference) entitled Exhibit "A" is amended from RM-900B Restricted Service Zone to H-C Highway Commercial:

That Portion of the North Half of the Northeast Quarter located in Section 21 Township 22 N Range 04 E W.M., in King County, Washington described as follows:

Lots 5 - 8 of Block 7, Lots 1 - 8 Block 8, and Lots 32 - 40 Block 8 Interurban Heights Fifth Section filed in Volume 17 of Plats, Page 85, Records of King County, Washington; together with all portions of vacated Yukon Street lying between Lots 1 - 8 of Block 7 and Lots 1 - 8 of Block 8; except that portion of said Lots 6 Thru 8 of Block 7 conveyed to the State of Washington for road by deed under Recording No 2014199; together with that Portion of the West Half of the West Half of the Northeast Quarter of the Northeast Quarter of Section 21 Township 22 N Range 04 E W.M. lying

Westerly of State Highway Number 1 and South of Easterly extension of the North line of Lot 5 Block 7 of Interurban Heights Fifth Section filed in Volume 17 of Plats, Page 85, Records of King County.

Sec. 2. Official zoning map adoption. DMMC 18.80.010 and section 1 of Ordinance No. 179 amended by section 1 of Ordinance No. 1235, amended by section 8 of Ordinance No. 1237, amended by section 1 of Ordinance No. 1261, amended by section 1 of Ordinance No. 1267, amended by section 1 of Ordinance No. 1289, amended by section 1 of Ordinance No. 1372 amended by section 5 of Ordinance No. 1397 amended by section 1 of Ordinance No. 1420 by section 2 of Ordinance No. 1431 are each amended as follows:

18.80.010 Designated. The map filed in the City Clerk's office and marked Exhibit "B" to Ordinance No. 1520 and adopted October 13, 2011, 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. Conditional rezones or other special zoning designations shall be clearly outlined on the map along with the associated ordinance number.

Sec. 3. Severability - Construction.

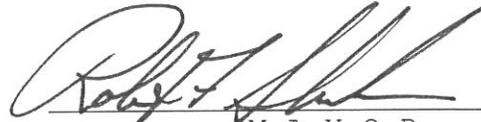
(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(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.

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Sec. 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

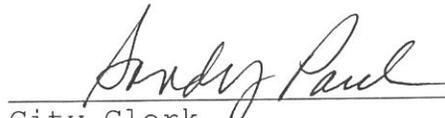
PASSED BY the City Council of the City of Des Moines this 13th day of October, 2011 and signed in authentication thereof this 13th day of October, 2011.


MAYOR

APPROVED AS TO FORM:


Assistant City Attorney

ATTEST:


City Clerk

Published: October 25, 2011

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1520, Adopted October 13, 2011.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance amends the official zoning map of the City of Des Moines in order to change the zoning classification for a selected portion of a property currently zoned RM-900B Restricted Service Zone to H-C Highway Commercial.

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

Sandy Paul, CMC
City Clerk

Published: October 25, 2011

Sea Mar Rezone

40 20 0 40 80 120

Scale In Feet

1 inch equals 100 feet



File: SeaMar_ReZone.pdf
Map Generated: Oct 03, 2011
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Ordinance No. 1520, Exhibit A

24048

24054

RS-7200

24060

2620

24064

24141

S 242ND ST

24206

24201

24216

24217

24227

24226

RM-2400

24303

24236

24311

24246

24319

24256

24327

H-C

24215

24202

24225

PACIFIC HWYS

27TH AVE S

H-C

24325

S 244TH ST

24401

Des Moines City Limits

Zoning Designations

Residential

RS-7200 Residential: Single Family 7200

RM-2400 Residential: Multifamily 2400

Commercial

H-C Highway Commercial

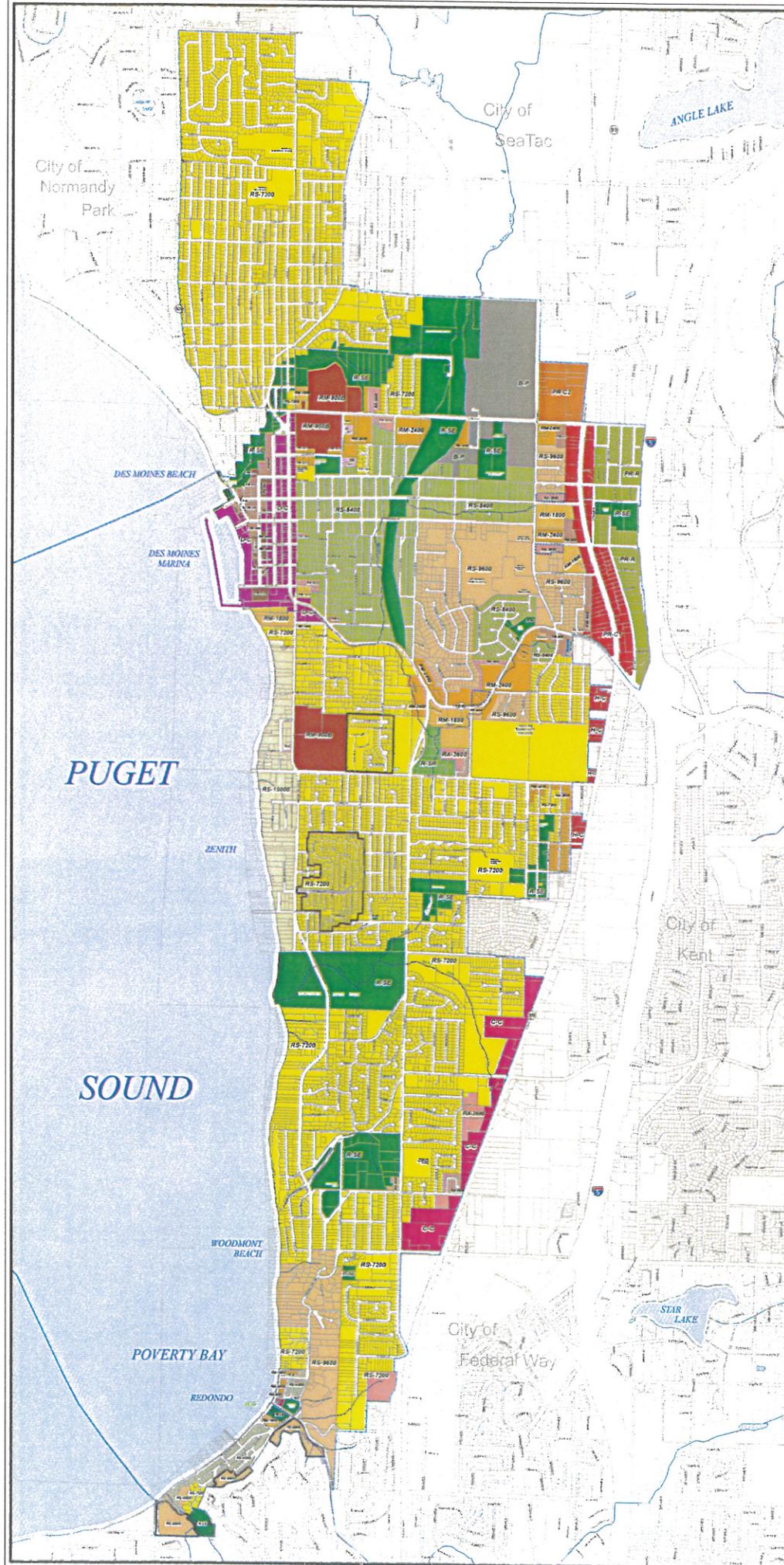
Jurisdictions

Kent



City of Des Moines

Zoning Map



- RESIDENTIAL ZONING**
- R-SE Residential: Suburban Estates
 - R-SR Residential: Suburban Residential
 - RS-15,000 Residential: Single Family 15,000
 - RS-9,000 Residential: Single Family 9,000
 - 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-3,000 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

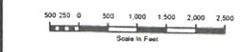
- COMMERCIAL ZONING**
- N-C Neighborhood Commercial
 - B-C Business Commercial
 - C-C Community Commercial
 - D-C Downtown Commercial
 - C-G General Commercial
 - B-P Business Park
 - H-C Highway Commercial
 - PR-C1 Pacific Ridge Commercial 1
 - PR-C2 Pacific Ridge Commercial 2

- 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) zone	1281	June 21, 2000
Pacific Ridge zones	1287	July 26, 2000
Redondo River annexation	1270	September 1, 2000
Adoption of GIS maps	1289	October 11, 2001
Michael/Cherian rezoning	1372	January 11, 2006
Redondo Rezoning	1387	March 7, 2007
Crosswood Park	1425	December 9, 2007
Granville Rezoning	1431	June 26, 2008
Sea Mer Rezoning	1520	October 13, 2011

IN PROVIDING THIS MAP, THE CITY MAKES NO WARRANTY OF ANY KIND, expressed or implied, regarding the location, use, or value of the land shown. The City shall not be liable for any damages to persons or property, whether direct, indirect, special, incidental, or consequential, arising from the use of this map, including but not limited to, claims for damages based upon reliance on or use of this map, whether or not presented on the document. This use shall not constitute an endorsement, approval, or other recognition, and the USER SHALL ACCEPT THE USER'S ASSUMED ALL RISK OF INJURY OR DAMAGE THAT MIGHT FLOW FROM THIS USE.



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