

ORDINANCE NO. 1431

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 RS-7200 Residential: Single Family 7,200 to RA-3600 Residential: Attached Townhouse and Duplex.

**WHEREAS**, approximately 9.19 acres of property controlled by Pacific West LLC is currently zoned R-7200, 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 *Settlement Agreement, Waiver and Release By and Between Granville Southern Corporation, Donald & Marie Tavis, and the Cities of Des Moines and Federal Way* (hereinafter "the Agreement") governs the review and approval of the development of the property, and

**WHEREAS**, As part of the Agreement, the City of Des Moines agreed to zone the property RA-3600

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

**WHEREAS**, Strategy 2-03-07(1) of the Des Moines Comprehensive Plan states that the City should "[C]onsider townhouse/duplex development in areas that are transitional between single family and higher intensity uses", and

**WHEREAS**, the City of Des Moines along other portions of Pacific Highway has utilized the RA-3600 zone as a transitional zone between high intensity uses along Pacific Highway and the adjacent residential neighborhoods, and

**WHEREAS**, the zone reclassification would not have an impact on the recently approved Pacific Heights Planned Unit Development, 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 rezone have been processed in accordance with the requirements of SEPA, a determination of nonsignificance (DNS) was issued on October 18, 2007 by the SEPA responsible official, and the applicable SEPA comment period has concluded, and

**WHEREAS**, on June 2, 2008 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 June 26, 2008, and all persons wishing to be heard were heard, and

**WHEREAS**, Des Moines City Council conducted a public hearing on June 26, 2008, 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 subject property of this zone reclassification is legally described as follows:

Portion of the Northeast Quarter of the Northeast Quarter of the Southeast Quarter located in Section 32 Township 22 Range 04 lying westerly of proposed easterly right-of-way line of 15th Avenue South as shown in illustrative site plan for proposed development called "Pacific Place" dated 10 March 2000

A map illustrating property subject to the zone reclassification is attached as Exhibit A.

**Sec. 2. Official zoning map adoption.** DMMC 18.80.010 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 1420 are each amended to read as follows:

**18.80.010 Designated.** The map filed in the City Clerk's office and marked Exhibit "B" to Ordinance No. 1431 and adopted June 26, 2008, 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.

**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.

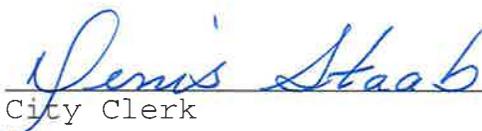
**PASSED BY** the City Council of the City of Des Moines this 26th day of June, 2008 and signed in authentication thereof this 26th day of June, 2008.

  
M A Y O R

APPROVED AS TO FORM:

  
City Attorney

ATTEST:

  
City Clerk

Published: July 3, 2008

LEGAL NOTICE

SUMMARY OF ADOPTED ORDINANCE

CITY OF DES MOINES

ORDINANCE NO. 1431, Adopted June 26, 2008.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

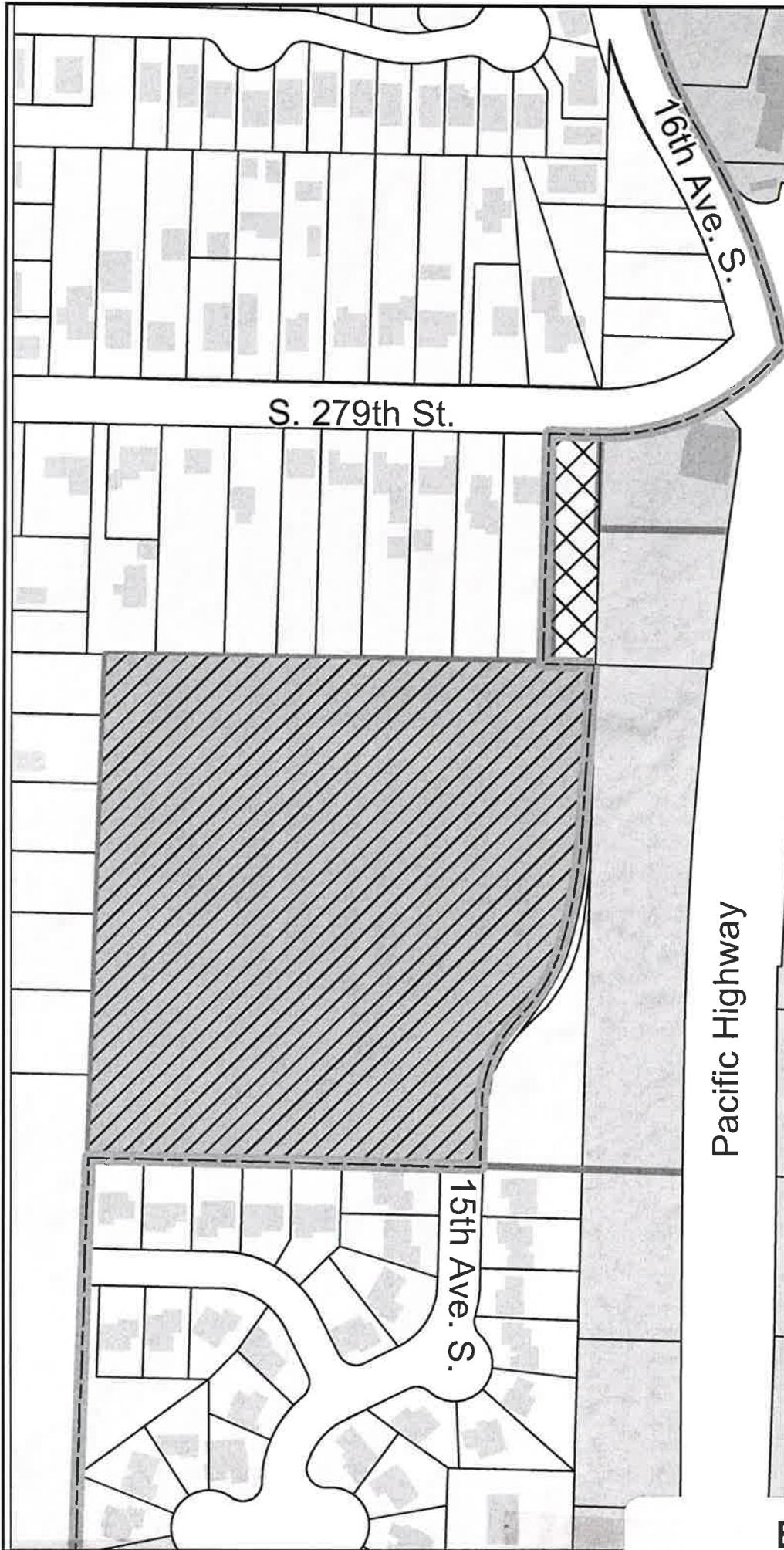
This ordinance amends the official zoning map of the City of Des Moines in order to change the zoning classification for a selected portion of a property currently zoned RS-7200 Residential: Single Family 7,200 to RA-3600 Residential: Attached Townhouse and Duplex.

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

Denis Staab  
City Clerk

Published: July 3, 2008

Ord. 1431



**City of Des Moines**  
Granville Rezone  
Proposed Zoning  
Map

**Des Moines City Limits**

**Zoning Reclassification Area**

- Pacific Heights PUD Boundaries
- Granville Rezone Area

**Zoning**

**Des Moines**

- RESIDENTIAL
- RS-7200 - Residential: Single Family 7,200
- RA-3600 - Residential: Attached Townhouse and Duplex

**Federal Way**

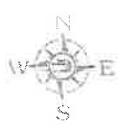
- RESIDENTIAL
- RS-72 - 1 Unit per 7,200 Sq. Ft.
- RM1800 - Residential Multifamily 1,800
- RM2400 - Residential Multifamily 2,400

**COMMERCIAL**

- BC - Business Community

**King County**

- Zoning Classification Not Shown on King County Zoning Map



21630 11th Ave S  
Des Moines, WA 98198-6398  
PHONE: (206) 878-4595 | FAX: (206) 870-7626

**EXHIBIT "A"**

