

ORDINANCE NO. 1458

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON adopting the Comprehensive Transportation Plan for the City of Des Moines for the years 2009 through 2030.

WHEREAS, the State's growth management act requires that the agencies prepare a transportation plan that is directly tied to land use decisions and financial planning, and that plan must address growth and transportation planning for at least 10 years into the future, and

WHEREAS, the last update to the City's Comprehensive Transportation Plan was adopted in 2002, for the years 2001 through 2020, and

WHEREAS, the mandates of the Growth Management Act and various changes in conditions and circumstances have necessitated the preparation and adoption of an updated Comprehensive Transportation Plan, and

WHEREAS, in early 2008 the City commissioned Fehr & Peers-Mirai to prepare an update to the City's Comprehensive Transportation Plan that would provide a guide for improving the transportation system of the City of Des Moines to meet existing and future travel needs, and to provide a reference resource for the development of elements of the City's Comprehensive Plan, and

WHEREAS, the Comprehensive Transportation Plan was developed through an interactive process including the Public Safety and Transportation Committee, Planning Agency, City staff, interested community stakeholders, the general public, neighboring jurisdictions, and regular briefings to the City Council throughout the update process, and

WHEREAS, the Comprehensive Transportation Plan implements the Des Moines Comprehensive Plan by identifying and prioritizing improvements to the transportation system and by identifying appropriate revenue sources, and

WHEREAS, the Draft Comprehensive Transportation Plan is consistent with the transportation plans of other agencies, and

WHEREAS, the SEPA checklist for the Draft Comprehensive Transportation Plan was issued on March 11, 2009, and

WHEREAS, the Draft Comprehensive Transportation Plan was issued on March 11, 2009 and distributed for public comment, and

WHEREAS, SEPA was issued on March 26, 2009 and the SEPA comment period ended on May 4, 2009, and

WHEREAS, the Draft Comprehensive Transportation Plan was presented as a Public Hearing in front of the Des Moines Planning Agency on May 4, 2009, and

WHEREAS, the SEPA appeal period ended on May 14, 2009, and

WHEREAS, no appeals to the SEPA decision were filed, and

WHEREAS, the Draft Comprehensive Transportation Plan was presented at a Public Hearing in front of the Des Moines City Council on May 14, 2009, and

WHEREAS, based on the information presented, the City Council finds it to be in the public interest to adopt the Comprehensive Transportation Plan, and that this ordinance is appropriate and necessary; now therefore,

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

Sec. 1. Adopted by reference.

(1) The June 2009 Comprehensive Transportation Plan as presently constituted or as may be subsequently amended entitled "The Comprehensive Transportation Plan" attached to the ordinance is hereby adopted by reference as though fully set forth in this ordinance as the official Comprehensive Transportation Plan for the City of Des Moines.

(2) Not less than one (1) copy of the Des Moines Comprehensive Transportation Plan is filed in the office of the Des Moines City Clerk and is available for use and examination by the public.

Sec. 2. The Comprehensive Transportation Plan adopted by this ordinance shall be reviewed annually in order to aid in the preparation of the City's six-year transportation improvement program and capital improvement plan.

Sec. 3. The plan adopted by this ordinance shall be used to update the goals, policies, and strategies of the Transportation Element of the Des Moines Comprehensive Plan during the next Comprehensive Plan amendment process.

Sec. 4. The capacity adding projects identified in the plan adopted by this ordinance shall be used as the basis for updating and re-calculation the City's Transportation Impact Fee rates, and other information contained in chapter 12.56 DMMC.

Sec. 5. 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. 6. Effective date. This ordinance shall be in full force and effect thirty (30) days after its passage and approval in accordance with law.

PASSED BY the City Council of the City of Des Moines this 11th day of June, 2009 and signed in authentication thereof this 11th day of June, 2009.


M A Y O R

APPROVED AS TO FORM:


Assistant City Attorney

ATTEST:


Interim City Clerk

Published: June 16, 2009

Effective Date: July 11, 2009

LEGAL NOTICE

SUMMARY OF ADOPTED ORDINANCE

CITY OF DES MOINES

ORDINANCE NO. 1458, Adopted June 11, 2009

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance adopts the Comprehensive Transportation Plan for the City of Des Moines for the years 2009 through 2030.

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

Autumn Lingle
Interim City Clerk

Published: July 14, 2009