

AGENDA

Finance and Economic Development Committee Meeting
Tuesday, April 30, 2013
5:30 p.m. – 7:30 p.m.
City Hall South Conference Room

1. Call to Order
2. Approval of the March 26, 2013, meeting minutes
3. Economic Development Update – 15 minutes
 - a. DMCBP
 - b. Pacific Ridge Projects
 - c. Artemis
 - d. Marina Floor
 - e. QFC
 - f. Others
4. Pacific Ridge Zoning Code Revision update – 10 minutes
5. Discussion of potential Parking and Sign Code changes – 15 minutes
6. Potential Code Enforcement Changes – Nuisance Properties – 30 minutes
7. Discussion of Planning, Building, and Public Works Department reorganization – 25 minutes
8. Discussion of property owner request to rezone northwest corner of South 272nd Street and 16th Avenue South – 10 minutes
9. Committee member comment – 10 minutes
10. Future meetings

Summary of Pacific Ridge Code Changes

Purpose: To agree on Draft Ordinance 13-086 to effect proposed changes to the DMMC to accelerate redevelopment of Pacific Ridge based on April 4th briefing to the City Council so that the staff can begin its SEPA analysis and 60-day State Department of Commerce reviews. Staff would also like to discuss recommended complementary changes to the Parking Sign Code and get policy direction on what, if any, potential changes to the Sign Code should be considered.

Questions for the F&ED Committee for the 4/30 Meeting:

1. Does the Committee want to make any changes in Draft Ordinance No. 13-086 (Attachment 1) before the SEPA and State reviews begin? May staff schedule Council consideration of a draft resolution setting the required public hearing when appropriate considering the status of the required SEPA and State reviews?
2. Does the Committee want staff to draft an ordinance changing the Parking Code (Ch. 18.44) based on the following markup (Attachment 2)?
 - a. Section 18.44.040, allowing administrative modifications or waivers rather than having the hearing examiner approve? (*Staff recommends changes as drafted*)
 - b. Section 18.44.040, incorporating “King County Right Size Parking Calculator” by reference in DMMC as optional method to justify waiver of reduced multi-family residential parking? (*Staff recommends changes as drafted*)
 - c. Section 18.44.060, reducing required motel/hotel parking to be more like SeaTac with 0.9/bedroom with no shuttle and 0.75 with shuttle? (*Staff recommends changes as drafted*)
 - d. Section 18.44.060, allowing less off-street parking for multi-family (now 1.5/multi-family unit, 1/retirement apartment and 2/2 BR mixed use 1.5/1 BR dwelling unit in PR-R) and commercial parking when supported by parking study? (*Staff recommends **no** changes at this time*)
3. Does the Committee want staff to begin developing possible changes to the Sign Code, (Ch. 18.42)(Attachment 3)? Staff has had only passing and infrequent suggestions made for changes.
 - a. Allowing pole signs and monument signs over 15-20 feet? (*Staff recommends “no”*)
 - b. Should sign size be increased? (*Staff recommends “no”*)
 - c. Should variable message sign use be expanded? (*Should be coordinated with ordinance that Community Development is working on*)
 - d. Should neon signs be allowed? (*Staff recommends “no”*)

CITY ATTORNEY'S FIRST DRAFT 04/23/2013

DRAFT ORDINANCE NO. 13-086

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to land use and development regulations for the Pacific Ridge area, adopting a new zoning map, repealing chapter 18.31 DMMC and all underlying ordinances, replacing chapter 18.31 DMMC as "*Pacific Ridge Zone*" as provided in this Ordinance, and amending DMMC 14.12.010 14.12.060, 18.41.315, 18.42.310, and 18.80.010.

WHEREAS, the City Council supports the redevelopment of the Pacific Ridge Neighborhood as a high density, commercially viable mixed use neighborhood, and

WHEREAS, the goal of the Pacific Ridge Element, Chapter 11, of the City of Des Moines Comprehensive Plan intends to transform Pacific Ridge into a new urban community that takes advantage of its geographic location, local and regional transportation linkages, stable soils, and view potential. The transformation of Pacific Ridge will include replacement of lower-scale, existing buildings with new, taller structures that will dramatically enhance the appearance, character, economy, and safety of the area, and

WHEREAS, many Pacific Ridge properties are not improved to the extent presently allowed by the City of Des Moines Comprehensive Plan and the Zoning Code and are unlikely to be redeveloped in the near future without changes to the City's development regulations, and

WHEREAS, it has been over thirteen years since the City's development regulations for the Pacific Ridge Neighborhood were established, and there has been very little successful commercial development and no new residential development, and

WHEREAS, Comprehensive Plan Policy 11-03-01, does not allow residential uses north of South 216th Street, encourages retail and employment uses for commercial properties south of South 216th Street, allows dwellings over street-level commercial

uses (mixed use) in this area, allows multifamily development (with minor and incidental commercial uses) on properties south of South 216th Street that do not front upon Pacific Highway South, and allows for limited townhouse development east of 30th Avenue with Council approval, and

WHEREAS, Policy 11-03-02 encourages developers to take advantage of increased building heights in this neighborhood to enhance land value, promote redevelopment, expand view opportunities, and to accommodate household growth targets specified by the Countywide Planning Policies for King County, and

WHEREAS, Policy 11-03-05 encourages affordable homeownership within Pacific Ridge, but the marketplace does not now nor is it expected in the foreseeable future to make this economically feasible, and

WHEREAS, Policy 11-03-07 seeks to promote redevelopment of Pacific Ridge properties to attract new or expanded businesses and commercial development to Pacific Ridge, and

WHEREAS, Strategy 2-04-08 of the Land Use Element of the Comprehensive Plan states that the City should "encourage improvement of the Pacific Ridge Neighborhood by working with the business community and other representative organizations to achieve the goals of the City of Des Moines Comprehensive Plan", and

WHEREAS, to implement this Policy, the Des Moines City Council has been reaching out to the development and design community and Pacific Ridge property owners since 2000 commissioning studies, and holding multiple stakeholder forums, meetings and tours, and

WHEREAS, those development professionals and property owners have encouraged the City to expand the permitted uses, increase building heights, reduce or remove dimensional standards, relax use percentages, reduce parking requirements and restrictions, relax building placement requirements, and

modify other restrictive language, allowing the marketplace to decide how best to achieve the City's broad development goals, and

WHEREAS, current development regulations in the commercial and residential zones appear to be unduly burdensome and restrictive, making it uneconomically feasible for property owners to redevelop their properties under current and projected future market conditions, and

WHEREAS, the City Council directed City staff to prepare an ordinance for its considerations which creates more flexible development regulations for Pacific Ridge, and

WHEREAS, the City believes these goals can be achieved with changes implemented by this Draft Ordinance in conjunction with the Pacific Ridge Design Guidelines, and enhanced personal safety and decreased property crimes through the City's development regulation, including use of Crime Prevention Through Environmental Design (CPTED) guidelines or regulations, as envisioned by Policies 11-03-14 and 11-03-15, and

WHEREAS, these changes will encourage land assemblage (lot consolidation) so that larger-scale development proposals can be considered as envisioned by Strategy 11-04-02, and

WHEREAS, some parts of Strategy 11-04-03 which do not allow or restricts the establishment of new land uses such as commercial parking lots, automobile sales, car washes, drive-through facilities and other automobile oriented uses fail to fully capitalize on the 33,000 cars per day which use Pacific Highway South, nor acknowledge that in many cases, the highest and best uses in this area should be more auto-friendly and capitalize on the proximity to Seattle-Tacoma International Airport, and

WHEREAS, the City adopted a SEPA Planned Action for the Pacific Ridge Neighborhood pursuant to Ordinance No. 1298 based on the adopted *Pacific Ridge Neighborhood Improvement Plan* and Comprehensive Plan, and

WHEREAS, the proposed textual code amendment is consistent with the range of impacts studied under the SEPA Planned Action Environmental Impact Statement, the Pacific Ridge Neighborhood Improvement Plan and the Comprehensive Plan, and

WHEREAS, the Acting Community Development Director acting as the SEPA responsible official reviewed this proposed non-project action and determined that the proposed textual code amendments are within the scope of the existing environmental documents and fulfilled the SEPA requirements established by chapter 197-11 WAC and chapter 165.04 DMMC pursuant to WAC 197-11-600 and DMMC 16.04.108, and

WHEREAS, pursuant to DMMC 18.56.080 amendment of the Zoning Code (Title 18 DMMC) is a legislative (Type VI) land use decision, and

WHEREAS, pursuant to DMMC 18.56.200 amendments to the Zoning Code (Title 18 DMMC) require the City Council to conduct a public hearing to receive public comment regarding this proposal, and

WHEREAS, DMMC 18.60.120(3) requires that the date of the public hearing to consider amendments to Title 18 DMMC be set by motion of the City Council, and

WHEREAS, the City Council set the date for the public hearing by Resolution No. _____, fixing the public hearing for _____, 2013, and

WHEREAS, the textual code amendments proposed in this Draft Ordinance were provided to the Department of Commerce as required by RCW 36.70A.106, and

WHEREAS, notice of the public hearing was issued on _____ in accordance with the DMMC, and

WHEREAS, a public hearing was held on _____ and all persons wishing to be heard were heard, and

WHEREAS, the City Council finds that the amendments contained in this Draft Ordinance are appropriate and necessary; now therefore,

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

Sec. 1. 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 No. 1420 as amended by section 2 of Ordinance No. 1431 as amended by section 2 of Ordinance No. 1520 as amended by section 3 of Ordinance No. 1546 are each amended to read as follows:

18.80.010 Designated.

The map filed in the City Clerk's office and marked Exhibit "~~CA~~" to Ordinance No. ~~12-107~~ and adopted ~~July 25, 2012~~, , 2013, 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.~~

NEW SECTION. Sec. 2. Chapter 18.31 DMMC, *Pacific Ridge Zone*, and applicable portions of underlying ordinances, are repealed and replaced with the provisions of this Draft Ordinance.

NEW SECTION. Sec. 3. 18.31.010 Purpose. The principal objective and purpose of this zone and its application is to implement the City of Des Moines Comprehensive Plan, Pacific Ridge Neighborhood Improvement Plan, the City's Economic

Development Plan and other adopted policies for the commercial and residential areas of Pacific Ridge.

Furthermore, it is the objective and purpose of this zone to provide development regulations that will promote redevelopment of Pacific Ridge properties in order to create attractive, safe, and desirable areas to work and reside, and to improve the City's economy. Redevelopment of Pacific Ridge is appropriate because this area has excellent access to road, transit and air transportation facilities, potential views of Mount Rainier, Puget Sound and the Olympic Mountains, and higher-density development on under-developed properties which can aid Des Moines in meeting or exceeding population and employment growth targets specified by the countywide planning policies for King County and capitalize on the zone's economic development potential.

A related consideration is to allow for effective, economical development of public services, light rail and other capital facilities and housing choices for those living or doing business within this zone. For all of the above reasons, the purpose of this chapter is to promote public health, safety, welfare and commercial development through redevelopment of Pacific Ridge properties.

NEW SECTION. Sec. 4. 18.31.020 Subareas within Pacific Ridge Zone.

(1) Except as provided below, properties within the Pacific Ridge Zone are located within one of two subareas as illustrated by the zoning map designated by DMMC 18.80.010. The two subareas, hereinafter referred to as zones, have unique land use and development regulations, and some general regulations apply to each zone. The two Pacific Ridge zones are as follows:

- (a) PR-R, Pacific Ridge Residential, and
- (b) PR-C, Pacific Ridge Commercial.

(2) For application of the general provisions of this title, PR-R is a multifamily residential zone while PR-C is a commercial zone.

NEW SECTION. Sec. 5. 18.31.030 PR-R - Permitted uses. Only those uses listed below, and uses similar in nature as determined by the City Manager or designee, are permitted in the PR-R zone. Uses are more fully described in the "North American Industrial Classification System" (hereinafter "NAICS") Listed uses are subject to conditions by the DMMC. The numbers in parentheses following each of the following listed uses refer to NAICS code numbers:

(1) Uses permitted in PR-C zone when part of a contiguous PR-C development under single ownership.

(2) Multifamily dwellings (no NAICS code);

(3) Religious organizations (813110);

(4) Nursing care facilities (623110) and community care facilities for the elderly (6233);

(5) Public utility facilities and appurtenances necessary for the distribution of utility services to final customers within the immediate area;

(6) A mix of residential and nonresidential uses compatible with residential uses, subject to the limitations below and the limitations provided in DMMC 18.31.090, Environmental performance standards and general limitations:

(a) Retail trade (44-45), limited to the following:

(i) Food and beverage stores (445);

(ii) Health and personal care stores (446);

(b) Real estate and rental and leasing (53), limited to the following:

(i) Lessors of residential buildings and dwellings (531110);

(ii) Offices of real estate agents and brokers (531210);

(iii) Real estate property managers (53131);

(iv) Offices of real estate appraisers (531320)

(v) Other activities related to real estate (531390); and

(c) Professional, scientific, and technical services (54);

(d) Management of companies and enterprises (55);

(e) Health care and social assistance (62), except for temporary shelters (624221);

(f) Arts, entertainment and recreation (71);

(g) Food services and drinking places (722), further limited to the following:

(i) Full-service restaurants (722511);

(ii) Limited-service restaurants (722513);

(iii) Cafeterias, grill buffets and buffets (722514); and

(iv) Snack and nonalcoholic beverage bars (722515).

(h) Other services (81), further limited to the following:

(i) Footwear and leather goods repair (811430);

(ii) Personal care services (81211-812199);

(iii) Dry-cleaning and laundry services (except coin operated) (812320);

(iv) One-hour photofinishing (812922);

(v) Religious organizations (813110);

(vi) Civic and social organizations (813410);

(vii) Business associations (813910);

(viii) Professional organizations (813920);

(ix) Labor unions and similar labor organizations (813930);

(x) Political organizations (813940)

(i) Public administration (92);

(j) Public parks (no NAICS code);

(7) The following buildings, structures and uses are allowed when accessory to a use otherwise permitted by this chapter:

(a) Ancillary and incidental indoor storage and maintenance facilities related to on-site buildings and uses;

(b) Telecommunication facilities as allowed by Title 20 DMMC;

(c) Recreation facilities for use by residents of the property;

(d) Child and adult day care as regulated and licensed by the Washington State Department of Social and Health Services, or its successor agency;

(e) Home occupation, subject to the following limitations:

(i) The occupation shall be conducted entirely within the dwelling;

(ii) The occupation shall not require structural features that are not customary or incidental in a dwelling;

(iii) No sign identifying or advertising the home occupation shall be allowed;

(iv) A business license as provided by Title 5 DMMC is required by the city for the home occupation;

(v) In authorizing a home occupation, the City Manager may impose conditions of approval as necessary to ensure the activity is compatible with the surrounding uses;

(vi) In the event the City Manager determines that the home occupation has resulted in adverse land use impacts, the City Manager is authorized to impose additional conditions of approval as necessary to mitigate the adverse land use impacts; and

(viii) In the event the nature or extent of the home occupation changes so that the adverse land use impacts cannot be satisfactorily mitigated, the City Manager may revoke all approvals and licenses related to the home occupation.

NEW SECTION. Sec. 6. 18.31.040 PR-C - Permitted uses. Only those uses listed below, and uses similar in nature as determined by the City Manager or designee are permitted in the PR-C zone. Uses are more fully described in the "North American Industrial Classification System." Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

- (1) Retail trade (44-45).
- (2) Taxi (485310) and limousine service (485320);
- (3) Postal service (491110);
- (4) Couriers and express delivery services(492110);
- (5) Information establishments (51);
- (6) Finance and insurance (52);
- (7) Real estate rental and leasing (53), except mini-warehouses and self storage units (53113) may not front on SR99;
- (8) Professional, scientific, and technical services (54);
- (9) Management of companies and enterprises (55);
- (10) Administrative(561110) and support services (561210),
- (11) Educational services (61);
- (12) Health care and social assistance (62);
- (13) Arts, entertainment, and recreation (71) except that adult entertainment facilities and adult motion picture theaters (no NAICS code) are prohibited within 500 feet of the property lines of churches, common schools, day care centers,

public facilities, or other adult entertainment facilities or adult motion picture theaters;

(14) Accommodation and food services (72), limited to the following:

- (a) Hotels (except casino hotels) and motels (72111), except that these must contain a minimum of 75 guest rooms;
- (b) Casino hotels (721120);
- (c) Food services (722310-7223515), however, mobile food services (722330) are also regulated by chapter 5.57 DMMC;

(15) Other services(except public administration) (81)

(a) General automotive repair (811111), automotive exhaust system repair (811112), automotive transmission repair (811113), automotive body, paint, and interior repair and maintenance (811121), automotive glass replacement shops (811122), and automotive oil change and lubrication shops (811191) shall be allowed in the PR-C zone; provided, that all of the following requirements shall be met:

(i) The proposed use shall be fully located within an enclosed building area; and

(ii) Any business owner proposing to use a building or structure that the proposed use is located or proposed to be located within shall demonstrate to the City of Des Moines, South King Fire and Rescue, and Puget Sound Clean Air Agency that quantities, storage, and transport of hazardous materials are properly managed, work areas provide adequate containment to avoid pollution runoff, and facilities are equipped with proper pre-treatment devices to avoid discharge of pollutants to the air or public drainage systems.

(16) Public administration (92), except correctional institutions (92214).

(17) Single purpose multi-family dwellings (no NAICS code) except for properties fronting on SR 99 and South 216th Street, and properties north of South 216th Street.

(18) Mixed use (no NAICS code), except:

(i) In that part of PR-C north of South 216th Street, and properties fronting on SR99 and South 216th Street, dwellings must be located above the second story of the building and the ground floor must be designed to accommodate commercial uses; and

(ii) When a project fronting SR 99 or South 216th Street contains more than one building, those buildings not fronting on SR 99 or South 216th Street may be single purpose multi-family residential buildings.

(19) Public parks (No NAICS code).

(20) Public utility facilities and appurtenances necessary for the distribution of utility services to final customers within the immediate area.

NEW SECTION. Sec. 7. 18.31.080 Environmental performance standards and general limitations. Every use permitted within the PR zone shall conform to the following general limitations and standards:

(1) Provisions applicable to all PR zones:

(a) Accessory uses are permitted that are customarily appurtenant or incidental to the principally permitted uses.

(b) Landscaping and screening are required in accordance with chapter 18.41 DMMC.

(c) Off-street parking and loading areas are required in accordance with chapter 18.44 DMMC.

(d) Mixed-use development shall conform to the following limitations and standards:

(i) Within the PR-C zone, structures containing only residential uses are allowed except for properties north of South 216th Street, fronting on SR 99, and properties fronting on South 216th Street: and

(ii) On-site multifamily recreation area is required for developments with four or more dwelling units as provided by chapter 18.45 DMMC, except the minimum area of common recreation space per dwelling unit shall be 50 square feet and the private recreation space per dwelling unit shall be 40 square feet for buildings over 35 feet.

(e) Capital Facilities, Utilities, and Public Services.

(i) All capital facilities, utilities, and public services must be adequate to support the proposed land use or structure, including but not limited to drainage; street and walkway systems, both on-site and off-site; sewer and water systems; fire protection; police service; electrical power; and telecommunications. Improvements to capital facilities, utilities, and public services shall conform to adopted plans, policies, and regulations.

(ii) All development shall be required to install or pay for a proportional share of any new facilities or utilities required to serve the development. Mechanisms such as latecomer's agreements and impact fees may be used to equitably distribute the cost of required improvements.

(iii) Except for high-voltage (i.e., 115 kV) transmission circuitry, all preexisting and newly installed utilities on site and within the abutting rights-of-way shall be placed underground.

(f) In reviewing a proposed permitted use, the City Manager or designee or may include minimal conditions of approval as may be reasonably needed to ensure that the use is

consistent with the purpose of the PR zone, and to minimize the likelihood of adverse impacts.

(2) Provisions Applicable to the PR-R Zone.

(a) Parking and loading areas within the PR-R zone are further allowed but parking spaces not within a parking garage structure shall be subject to maximum lot coverage limitations.

(b) New construction shall conform to applicable Federal Aviation Administration regulations, including Part 77, Federal Aviation Regulations, Objects Affecting Navigable Airspace, as presently constituted or as may be subsequently amended.

(3) Provisions Applicable to the PR-C Zone.

(a) All uses shall be primarily contained within an enclosed structure except the following:

- (i) Outdoor seating and dining;
- (ii) Signs;
- (iii) Loading areas;
- (iv) Motor vehicle fuel pumps;
- (v) Nursery, garden center, and farm supply stores (44422);
- (vi) Incidental outdoor display areas for merchandise sold on site as approved through the design review process;
- (vii) Play/recreation areas; and
- (viii) Miscellaneous storage as an accessory use when limited to 10 percent of the site area and when

perimeter landscaping and fencing is provided as approved through the design review process.

(b) Automobile repair, automobile service stations, and similar uses shall conform to the following limitations and standards:

(i) Automobile repair and the installation of automobile parts and accessories shall be primarily contained within an enclosed structure;

(ii) Unless specifically authorized by the City Manager or designee, views into automobile service bays from Pacific Highway shall be diminished by building orientation, screening, or other means;

(iii) Unless specifically authorized by the City Manager or designee, vehicular access shall be limited to one driveway per street frontage;

(iv) Motor vehicle fuel pump islands shall be set back a minimum of 15 feet from property lines;

(v) A six-foot-high, 100 percent sight-obscuring fence shall be provided along property lines that abut residential properties as designated by the Des Moines Comprehensive Plan; and

(vi) Vehicle storage shall be limited to those vehicles contracted for repair or service.

(c) Social service facilities shall conform to the following limitations and standards:

(i) Outdoor play/recreation areas for children shall be set back a minimum of five feet from property lines; and

(ii) Unless specifically authorized by the City Manager or designee, passenger loading and unloading areas shall be provided on site.

NEW SECTION. Sec. 8. 18.31.090 Dimensional standards for new development.

(1) **Lot area.** Every lot shall have a minimum area of 7,500 square feet.

(2) **Lot width.** Every lot shall have a minimum width of 75 feet.

(3) **Front yard.**

(a) In the PR-R zone, not less than 15 feet except that no front yard is required if the project is at least 55 feet in height.

(b) In the PR-C zone, no front yard is required.

(4) **Side yard.**

(a) In the PR-R zone, not less than 10 feet when abutting a single family residence, except that no side yard is required if the project is at least 55 feet in height and not abutting a single family residence.

(b) In the PR-C zone, no side yard is required.

(5) **Rear yard.** Every lot shall have a rear yard of not less than 15 feet, **except as otherwise permitted in DMMC 18.31.090(13).**

(6) **Measurement of building height.**

(a) PR-R zone: Building height shall be measured from average finish grade.

(b) PR-C zone: Building height shall be measured from mean sidewalk grade as follows:

(i) Building height for properties abutting SR99 is measured from SR99.

(ii) Building height for properties extending from SR99 to 24th Avenue South is measured from SR99.

(iii) Building height for properties abutting South 216th Street is measured from South 216th Street.

(iv) Building height shall be measured from average finish grade for properties not abutting SR 99 or South 216th.

(7) **Minimum building height.**

(a) Except for buildings containing only a full-service restaurant or a gasoline service station, and other instances specifically authorized by the City Manager or designee in writing, no building shall be less than the height specified below:

(i) PR-R zone: 35 feet.

(ii) PR-C zone: No minimum building height for commercial projects and 55 feet for residential or mixed use projects.

(b) For the purposes of this subsection, minimum building height shall not include decorative towers or appurtenances, roof slopes out of character with the building's architecture, or other contrivances provided solely for achievement of the required minimum building height. In calculating minimum building height, the City Manager or designee shall include regular architectural features enclosing functional, occupiable building areas.

(8) **Maximum building height.** Buildings and structures may be built to the height specified below unless restricted by subsection (9) of this section:

(a) PR-R zone: 75 feet, except that buildings may be built to a height of 200 feet with approval of a floor area clustering height bonus when the minimum building site area

is 43,560 square feet and useable pedestrian plazas and open space are provided.

(b) PR-C zone: 85 feet, except that buildings may be built to a height of 200 feet with approval of a floor area clustering height bonus when the minimum building site area is 43,560 square feet and useable pedestrian plazas and open space are provided.

(9) **Building height limitation adjacent to single-family.** When an abutting property is designated single-family residential by the Des Moines Comprehensive Plan and being used as such, building height shall be limited as follows:

(a) Within 20 feet of the abutting single-family residential property, maximum building height shall be 35 feet.

(b) Within 40 feet of the abutting single-family residential property, maximum building height shall be 45 feet.

(c) During the design review and environmental review, the City Manager or designee may impose other conditions of approval in order to mitigate potential height, bulk, and scale impacts upon adjacent single-family residents not sufficiently mitigated by existing regulations.

(10) **Floor area clustering building height bonus.** In the PR-R and PR-C zones south of South 216th Street, the City Manager or designee may authorize buildings up to 200 feet in height when all of the following provisions are met:

(a) The minimum building site area is 43,560 square feet.

(b) Useable pedestrian plazas and open space are provided.

(11) **Height allowance for enhanced design of distinctive rooflines.** In the PR-C, and PR-R zones, a portion of a building may exceed the maximum building height; provided that the following provisions are met:

(a) The purpose of the additional height for the building is to provide a roofline that is of distinctive form through the use of design elements such as pitched roofs, sloped roofs, vertical offsets or other similar roof features that achieve the goals of Pacific Ridge Design Guideline 2.B.2.

(b) The maximum building height established in subsections (8) and (9) of this section shall only be increased by a maximum of 10 percent.

(c) Architectural features associated with the distinctive roofline shall be used to emphasize significant architectural elements of the building such as the main entrance of the building or the building's orientation to a corner, or to provide for pitched or sloped roofs for the building.

(d) Height allowed for distinctive rooflines under this section shall not be used to determine the building height for the purposes of establishing the maximum gross floor area under DMMC 18.31.110(3).

(e) The building area or amount of building structure extending above the maximum height established in subsection (9) of this section shall be limited to 30 percent of the building roof deck area. When multiple building rooflines exist at different building levels or stories, the 30 percent requirement shall only apply to the area of the roof deck of the tallest portion of a building.

(12) **Placement of buildings.**

(a) The distance between a building containing dwelling units and any other building shall be not less than 10 feet.

(b) On the rear third of an interior lot, accessory buildings not containing dwellings may be built to the side lot lines and the rear lot line

(c) On the rear one-third of a corner lot:

(i) Accessory buildings not containing dwellings may be built to the interior side lot line and the rear lot line.

(ii) Where a setback from the street is required for the adjoining lot, no building shall be erected closer than 10 feet to the street side lot line.

(d) On the rear third of a reverse corner lot:

(i) Accessory buildings not containing dwellings may be built to the interior side lot line.

(ii) Where a setback from the street is required for the adjoining lot, no building shall be erected closer than 10 feet to the street side lot line.

(iii) No building shall be erected closer than five feet to the rear lot line.

(13) **Adjustment of required yards.** In the PR-C and PR-R zones, the required rear yard area shall be reduced to a minimum of 5 feet provided that:

(a) A development site or potential project area is planned or may be planned for multiple buildings together as one development or in different development phases either under common ownership or separate ownership; and

(b) Building on a site or potential project area are served by a private, joint-use access or street which separates the rear yard area of one development site or project area from another development site or project area; and

(c) A physical separation of not less than 30 feet is provided between buildings which shall include the space or distance located within any such shared, joint-use access or street

together with the yard areas adjoining and abutting buildings and said shared streets.

NEW SECTION. Sec. 9. 18.31.100 General site design requirements.

(1) **Design guidelines.** All development proposals shall demonstrate substantial compliance, as determined by the City Manager or designee, with the adopted Pacific Ridge design guidelines. The guidelines shall provide objectives and techniques for ensuring that new construction provides lasting benefit to the community; minimizes incompatibility among land uses; and promotes crime prevention. Design guidelines shall address site design issues including, but not limited to, the following:

- (a) Placement and orientation of buildings and building entrances;
- (b) Vehicular access, parking, and circulation;
- (c) Pedestrian orientation and access;
- (d) Orientation to transit;
- (e) Placement and screening of service and loading areas;
- (f) Landscaping;
- (g) Freestanding signage;
- (h) Screening of parking and other site features;
- (i) Placement and design of open space;
- (j) Crime prevention; and
- (k) Exterior lighting.

**NEW SECTION. Sec. 10 18.31.110 General building
design requirements.**

(1) **Design guidelines.** All development proposals shall demonstrate substantial compliance, as determined by the City Manager or designee, with the adopted Pacific Ridge design guidelines. The guidelines shall provide objectives and techniques for ensuring that new construction provides lasting benefit to the community; minimizes incompatibility among land uses; and promotes crime prevention. Design guidelines shall address building design issues including, but not limited to, the following:

- (a) Building height, bulk, and scale;
- (b) Building modulation and fenestration;
- (c) Building silhouette and roof design;
- (d) Placement and orientation of building entrances, common areas, activity areas, balconies, and other features;
- (e) Exterior building materials;
- (f) Window and door detailing;
- (g) Continuity/variety in building design;
- (h) Orientation to transit;
- (i) Wall signage;
- (j) Crime prevention;
- (k) Awnings, covered walkways, and other weather protection; and
- (l) Placement and screening of mechanical equipment.

(2) **Minimum floor-to-ceiling height for dwellings.**
Dwellings shall have a minimum floor-to-ceiling height of eight feet, six inches.

(3) **Maximum gross floor area.**
(a) The maximum gross floor area for buildings within Pacific Ridge neighborhood shall be determined by multiplying the lot area of the site by the floor area ratio (FAR) number established in the following table:

Building Height	PR-C and PR-R FAR
35 Feet or Less	2.8
35 - 50	3.5
50 - 60	4
60 - 70	4.5
70 - 80	5
80 - 90	5.5
90 - 100	6.5
100 - 110	7.5
110 - 120	9
> 120	Increases by 0.5 per floor above 120 feet

(b) Gross floor area shall include the total square footage of the enclosed building; provided that:

(i) For properties located adjacent to Pacific Highway South, the area of parking garages constructed below the adjacent sidewalk grade on Pacific Highway South shall not be included in the calculation of gross floor area.

(ii) For all other properties in the Pacific Ridge neighborhood, the area of parking garages constructed below the lowest sidewalk grade adjacent to the property line shall not be included in the calculation of gross floor area.

(4) Within the PR-C zone, structural encroachments into the right-of-way, such as cornices, signs, eaves, sills, awnings, bay windows, balconies, facade treatment, marquees, etc., shall conform to the provisions set forth by Title 12 DMMC, the International Building Code, and the following provisions:

(a) Structural encroachments into the right-of-way shall be capable of being removed without impact upon the structural integrity of the primary building;

(b) Structural encroachments into the right-of-way shall not result in additional building floor area than would otherwise be allowed;

(c) Except for awnings, signs, and marquees, the maximum horizontal encroachment into the right-of-way shall be two feet;

(d) The maximum horizontal encroachment in the right-of-way by signs shall be four feet;

(e) The maximum horizontal encroachment in the right-of-way by awnings and marquees shall be six feet;

(f) The minimum horizontal distance between the structural encroachment and the curblines shall be two feet;

(g) Except for awnings over the public sidewalk which may be continuous, the maximum length of each balcony, bay window, or similar feature that encroaches the right-of-way shall be 12 feet;

(h) Structural encroachments into the right-of-way shall maintain adequate distance away from utility,

transportation, or other facilities as determined by the City Manager or designee in consultation with the public works director;

(i) The applicant shall demonstrate proof of public liability insurance and consent to a public place indemnity agreement;

(j) Owners of structural encroachments into the right-of-way must clear the public right-of-way when ordered to do so by city authorities for reasons of public health or safety; and

(k) In reviewing a proposed structural encroachment into the public right-of-way, the City Manager or designee may include conditions as may be reasonably needed to ensure that the structure is consistent with the purpose of the PR zone, and to minimize the likelihood of adverse impacts. The City Manager or designee shall deny the request if it is determined that adverse impacts cannot be mitigated satisfactorily.

Sec. 11. DMMC 14.12.010 and section 1(1) of Ordinance No. 1411 are each amended to read as follows:

Purpose - General. The purpose of this chapter is to authorize for Pacific Ridge Commercial—1, Pacific Ridge Residential, and Business Park North Subarea the construction of five-story wood frame buildings as an approved alternate design and construction method for Pacific Ridge Commercial—1, Pacific Ridge Residential, and Des Moines Creek Business Park North Subarea under Section 104.11 of the 2006 Edition of the International Building Code, and to set forth the criteria and standards which must be met before a building permit may be issued for a five-story wood frame building.

Sec. 12. DMMC 14.12.060 and section 1(6) of Ordinance No. 1411 are each amended to read as follows:

Height. The maximum height of buildings designed and constructed pursuant to this section shall be 75 feet for the areas zoned Pacific Ridge Commercial—1, Pacific Ridge Residential, and Business Park North Subarea. The height shall be measured as provided in the 2006 International Building Code as presently constructed or hereafter amended.

Sec. 13. Section 18.41.315 and section 4 of Ordinance No. 1267 are each amended to read as follows:

Pacific Ridge, PR-R, and PR-C1, and ~~PR-C2~~ zones.

(1) The perimeter of properties abutting a single-family residential zone shall provide a Type I landscaping strip with a minimum depth of 10 feet.

(2) The perimeter of properties abutting a multifamily residential zone shall provide a Type II landscaping strip with a minimum depth of five feet.

(3) A Type III landscaping strip, an average of five feet in depth, shall be provided along all property lines abutting a public right-of-way excluding alleys. When the building setback from a public right-of-way is not more than 10 feet, or when such setback is utilized as a public open space plaza not accompanying parking, no perimeter landscaping strip shall be permitted, but street trees as set forth in DMMC 18.41.360 shall be provided within tree planters. Such tree planters shall have a minimum interior dimension of three and one-half feet and shall be protected by a cast iron grate.

(4) Parking facilities landscaping as set forth in DMMC 18.41.320.

Sec. 13. DMMC 18.42.310 and section 3 of Ordinance No. 1509 are amended to read as follows:

Commercial zones. The following signs are permitted in the Pacific Ridge Commercial ~~z~~Zone ~~1~~, Pacific Ridge commercial zone ~~2~~, ~~b~~Business ~~p~~Park ~~z~~Zone and all commercial zones abutting Pacific Highway South that are not within the Pacific Ridge neighborhood:

(1) Freestanding signs. For single business properties, multiple-tenant buildings, multiple-building complexes, and shopping centers, freestanding signs are allowed as follows:

(a) Number of freestanding signs.

(i) For building sites with up to 300 feet of street frontage, one sign is allowed.

(ii) For building sites with more than 300 feet of street frontage and having more than one vehicular access, two signs are allowed; provided, that the total allowable sign area is not exceeded and the signs are more than 100 feet apart.

(b) Freestanding sign size.

(i) Each sign allowed shall not exceed 80 square feet in area.

(ii) For properties with less than 80 feet of street frontage, sign area

shall not exceed one square foot of sign area for each lineal foot of street frontage.

(c) Freestanding Sign Height.

(i) For single business properties and multiple business properties, freestanding signs shall not exceed 15 feet in height as measure from median sidewalk grade.

(ii) For shopping centers and multi-building complexes freestanding signs shall not exceed 20 feet in height as measured from median sidewalk grade.

(d) Allowed signs, sign area, or sign height may not be transferred from one street frontage to another.

(e) Off-premises signs, including but not limited to billboards, are prohibited. The city manager or designee may approve monument signs located on a separate parcel of property within a multiple-building complex or shopping center when the following conditions exist.

(i) The multiple-building complex or shopping center appears and functions as one building site; and

(ii) The monument sign appears and functions as an on-premises sign; and

(iii) The approval would not result in additional signs or sign area for the multiple-building complex or shopping center than would otherwise be allowed; and

(iv) All monument and wall signs within the multiple-building complex or shopping center conform to the provisions of this chapter.

(f) Freestanding signs shall not be located on, above, nor project over the public right-of-way.

(2) Wall signs.

(a) Each single business property is permitted a total sign area not to exceed one square foot per lineal foot of street frontage, up to a maximum of 100 square feet.

(b) Each multiple business property is permitted a total sign area not to exceed 20 square feet plus 40 square feet per licensed business; provided, however, that each business must be guaranteed a minimum of at least 25 square feet signage.

(c) Each multi-building complex and shopping center is permitted a total sign area not to exceed 150 square feet plus 40 square feet per licensed business; provided, however, that each business must be guaranteed a minimum of at least 35 square feet signage.

(d) Except for buildings containing multiple business, wall signage shall not extend horizontally a distance greater than 50 percent of the width of the building wall on which it is displayed.

(e) Allowed wall signage is not transferable from one property to another; except within a shopping center or multi-building complex.

(f) Wall signs shall not be placed higher than 35 feet above median sidewalk grade.

(g) Projecting signs may not project further than six feet from the surface of the building. A right-of-way use permit shall be required for signs projecting over the public right-of-way.

(3) Internally illuminated signs shall be constructed using individual letters/characters, or sign cabinets with an opaque field or background so that only the individual letters/characters are illuminated.

(4) Reader board signs and changeable message center signs are permitted as per the requirements established in DMMC 18.42.220.

(5) Gasoline price signs shall not be located in, nor project over, the public right-of-way and shall not be portable. Such signs may be freestanding or attached to canopy columns. The area of the price sign shall not count towards the allowed total wall or freestanding signage.

(6) Temporary signs shall be permitted as provided in DMMC 18.42.090.

Sec. 14. Repealer. The previously codified provisions of chapter 8.31 DMMC and section 2 (part) of Ordinance No. 1267 as amended by section 1 of Ordinance No. 1405 as amended by section 1 of Ordinance No. 1406 as amended by section 1 of Ordinance No. 1410 as amended by section 1 of

Ordinance No. 1467 as amended by sections 1 and 2 of Ordinance No. 1513 are each repealed and replaced by this Ordinance.

Sec. 15. Codification. Sections 3 through 10 of this Ordinance shall be codified as a new chapter 18.31 in Title 18 DMMC entitled "*Pacific Ridge Zone.*"

Sec. 16. 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. 17. 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 _____ day of _____, 2013 and signed in authentication thereof this _____ day of _____, 2013.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

Ordinance No. _____
Page 33 of 33

City Clerk

Published: _____

Parking Code Proposed Changes (4/23/13)

Chapter 18.44 LOADING AREAS AND OFF-STREET PARKING¹

Sections

- 18.44.010 Purpose.
- 18.44.020 Off-street parking and loading areas required.
- 18.44.030 General requirements.
- 18.44.040 Modification of parking provisions.
- 18.44.050 Parking spaces to serve one use, building, or complex – Exceptions.
- 18.44.060 Required number of off-street parking spaces.
- 18.44.070 Compact car allowance.
- 18.44.080 Off-site parking.
- 18.44.090 *Repealed.*
- 18.44.095 Design requirements.
- 18.44.096 Parking area dimensions.
- 18.44.097 On-site parking facilities location.
- 18.44.098 Parking area and parking area entrance and exit slopes.
- 18.44.099 Driveways and maneuverability.
- 18.44.100 Surface.
- 18.44.101 Lighting.
- 18.44.102 Curb cuts.
- 18.44.103 Vehicle circulation between adjoining properties required.
- 18.44.104 Obstructions.
- 18.44.105 Landscaping and screening.
- 18.44.106 Walkways required.
- 18.44.107 Parking for the handicapped.
- 18.44.110 Parking and storage of recreational, utility, and commercial vehicles in residential neighborhoods.
- 18.44.120 Required loading areas.
- 18.44.130 Code official.
- 18.44.140 Enforcement.

18.44.010 Purpose.

It is the purpose of this chapter to specify off-street parking and loading requirements, describing design standards and other required improvements, in order to provide for adequate, convenient, and safe off-street parking and loading areas for the different land uses described in this title. [Ord. 695 § 1, 1987.]

18.44.020 Off-street parking and loading areas required.

Every parking space or facility and vehicle sales areas, trailer sales areas, and boat sales areas, shall be developed, improved, and maintained as provided within this chapter.

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(1) Pre-Existing Parking Spaces. A development in existence prior to May 8, 1987, or at the time of its annexation to the city if later, which does not have sufficient parking space on the basis of this section, may continue to operate with the parking deficiency as long as no enlargement or other change is made which would require additional parking spaces.

(2) Off-street parking and loading areas shall be provided as an accessory use in accordance with the provisions of this chapter for every building hereafter erected, altered, enlarged, relocated, or at the time there is a change in its principal use.

(3) When there are alterations or additions to a nonresidential building or when an alteration or addition results in an increase in the number of dwelling units in a multifamily residential structure, off-street parking shall be provided for any increase in the number of dwelling units or increase in gross floor area in accordance with the requirements of DMMC 18.44.060; however, no parking spaces need be provided in the case of an enlargement or expansion where the number of parking spaces required for expansion or enlargement is less than 10 percent of the parking spaces specified for a similar structure. [Ord. 695 § 2, 1987.]

18.44.030 General requirements.

(1) Off-street Parking Development Permit Required. No off-street parking facility or spaces, nor enlargement thereof, shall be constructed without having first secured an off-street parking development permit from the code official; provided, that no such permit shall be required if a building permit is required. Such permit shall be authorized upon the approval of a parking plan as provided in subsection (2) of this section and adherence to the provisions of this chapter and shall be subject to such inspections deemed necessary by the code official to ensure compliance.

(2) Parking Plan Required. Prior to issuance of a building permit for any new building or structure or for the enlargement of the floor area of an existing building or structure, the use of which requires off-street parking facilities to be provided as set forth in this title, and prior to issuance of an off-street parking development permit; a plan of the parking area accurately showing grades and other required design features, shall be approved by the code official.

(3) Compliance Required Prior to Certificate of Occupancy or Issuance of Business License. Parking facilities and traffic-control devices such as parking stripes designating car stalls, directional arrows, etc., as provided in this chapter, shall be installed and completed prior to issuance of an occupancy permit or business license.

(4) Parking Stall Use Restricted – Commercial Zones. Parking stalls shall be used for the temporary parking of motor vehicles only of patrons, personnel, residents, and the like. Parking stalls shall not be used for storage of motor vehicles or materials, signs, sales, repair work, or dismantling of motor vehicles, etc.

(5) Maintenance. Maintenance of all areas provided for off-street parking shall be required and shall include removal and replacement of dead and dying trees, grass, and shrubs, removal of trash and

Parking Code Proposed Changes (4/23/13)

weeds, and repair of traffic-control devices, signs, light standards, fences, walls, surfacing materials, curbs, and railings. [Ord. 695 § 3, 1987.]

18.44.040 Modification of parking provisions.

(1) Number of Spaces. The hearing examiner city manager or designee may, by formal action, waive or modify the number of spaces required, establishing the amount of required parking for uses involving very limited number of employees or which do not require personnel and daily attendance or for which the number of parking spaces proposed is demonstrated sufficient to fully serve the use, is consistent with the intent of this chapter and when strict application of the code would result in unnecessary hardship. The use of King County's Multi-Family Residential Parking Calculator is recommended to demonstrate sufficiency of proposed parking.

Comment [gf1]: Most cities give this authority to the Community Development Director.

(2) Dimensions. In cases where the strict application of this title would unreasonably limit full utilization of a site for parking, the code official may authorize a reduction of up to three percent of any minimum dimension required in this chapter, except where such reduction would substantially restrict ease of travel or maneuverability of vehicles using the parking facility.

Comment [gf2]: The Committee is urged to review the model at the following: new online website and parking calculator tool

(3) Marina District. The parking provisions for commercial uses established by DMMC 18.44.060 are waived; provided, that there is compliance with all the following standards:

(a) The property is zoned downtown commercial according to the official zoning map.

(b) Residential uses within a mixed-use development are not included in this exemption. Residential uses in a mixed use building shall comply with the requirements established by DMMC 18.44.060.

(c) The property owner shall enter into a no protest agreement regarding the formation of a downtown business or parking improvement district.

(d) This provision is only valid until December 31, 2013. [Ord. 1530 § 1, 2011: Ord. 1475 § 1, 2009: Ord. 1453 § 1, 2009: Ord. 1448 § 1, 2008: Ord. 770 § 62, 1988: Ord. 695 § 4, 1987.]

18.44.050 Parking spaces to serve one use, building, or complex – Exceptions.

(1) Off-street parking facilities approved in conjunction with one use, building, or complex of buildings shall not be considered as providing required parking facilities for any other use, except as hereinafter provided.

(2) Exception for Cooperative Use. Where adjoining parking facilities of two or more land uses can be joined or coordinated to achieve efficiency of vehicular and pedestrian circulation, provision of additional landscaping or usable public open space, economy of space, and a superior grouping of buildings or uses, a reduction of 20 percent of the total combined required parking may be permitted when consistent with the intent of this chapter. The common parking facilities for residential and nonresidential uses within a mixed use development may be included in the Pacific Ridge zone established by chapter 18.31

Comment [gf3]: The yellow-highlighted sections are simply intended to draw attention to those parts of the Parking Code that reference Pacific Ridge.

Parking Code Proposed Changes (4/23/13)

DMMC. The residential allowance shall not apply to residential land uses within other commercial zones of the city. Where cooperative use is permitted, assignment of parking spaces to individual uses or buildings shall be prohibited.

(3) Exception for Nonconflicting Time in Use. A reduction of up to 50 percent of required parking stalls, except for residential, may be authorized under the following conditions, as long as the total reduction doesn't fall below the levels for residential uses:

(a) The building or use for which application is made to utilize off-street parking facilities provided by another building or use shall be located within 500 feet of such parking facilities and shall be connected by continuous pedestrian walkways or sidewalks to the parking facility.

(b) The applicant must show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed, i.e., no more than one hour overlap in operating hours exists.

(i) For the purposes of this chapter, the following uses are considered as daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing or wholesale buildings, and other similar primarily daytime uses.

(ii) Nighttime or Sunday uses include: auditoriums incidental to a public or private grade school, churches, bowling alleys, dance halls, theaters, bars, or restaurants, and other similar primarily nighttime uses.

(4) Exemptions granted under the above provisions shall be made after filing with the city a record of covenant or other contract between the cooperating property owners approved by the city attorney. Joint-use privilege shall continue in effect only so long as such agreement, binding on all parties, remains in force. If such agreement becomes legally ineffective due to changed circumstances including but not limited to a change in the type or nature of business activities, then parking shall be provided as otherwise required by this chapter.

(5) Nothing in this section shall be construed to prevent cooperative provision of off-street parking facilities for two or more buildings or uses when the total off-street parking is not less than the sum of the required parking facilities for the various uses computed separately. [Ord. 1409 § 1, 2007; Ord. 1267 § 9, 2000; Ord. 695 § 5, 1987.]

18.44.060 Required number of off-street parking spaces.

The minimum number of off-street parking spaces required of each use shall be provided as follows:

(1) Appliance (retail), bakeries, cabinet shops, dry-cleaning, furniture stores, heating services: one parking space per 400 square feet of gross floor area.

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(2) Auto and boat sales, new and used: one space per 1,000 square feet of floor space of showroom and service facilities; but in no case shall there be less than six spaces provided.

(3) Day care centers and mini-day care programs: one space for each 10 children or one for each staff member, whichever is greater, and one passenger loading and unloading space for each 20 children.

(4) Hardware and building supplies: one space per 400 square feet of gross floor area.

(5) Industrial and Manufacturing Activities.

(a) Freight terminals and wholesale facilities: one parking space per two employees on a maximum work shift, or one per 1,000 square feet of gross floor area; use whichever is greater.

(b) Manufacturing, including but not limited to the following, except that no retail operations are included: research and testing laboratories, creameries, bottling establishments, bakeries, upholstery shops, printing and engraving shops: two parking spaces for each three employees on a maximum work shift, or one space per 700 square feet of gross floor area; use whichever is greater.

(c) Uncovered storage area: one parking space for each 2,000 square feet of area.

(d) Warehouse and storage: two parking spaces for each three employees or one space for each 1,500 square feet of gross floor area; use whichever is greater.

(6) Laundry, self-service: one parking space per 250 square feet of gross floor area.

(7) Medical Facilities.

(a) Convalescent, rest homes, retirement homes, nursing and health institutions: one parking space for each two employees, plus one space for each four beds.

(b) Hospitals: one parking space for each three beds, plus one parking space for each staff doctor, plus one parking space for each three employees.

(8) Motels, motor hotels, and hotels: one parking space per sleeping unit plus two parking spaces for a resident manager or employees. In Pacific Ridge, this is reduced to 0.9 parking space per bedroom when no airport shuttle is provided and to 0.75 parking space per bedroom when airport shuttle is provided.

(9) Motor vehicle, small engine, and boat repair and services: one parking space for each 600 square feet of gross floor area.

(10) Offices, including professional and business, banks, and related activities: one space per 350 square feet of gross floor area.

Comment [gf4]: This is the City of SeaTac standard as recommended by a developer at a recent Council meeting.

Parking Code Proposed Changes (4/23/13)

(11) Offices not providing customer services on the premises: one space for each 800 square feet of gross floor area.

(12) Personal Services.

(a) C-C zone: one parking space per 300 square feet of gross floor area.

(b) D-C and PR zones: one parking space per 350 square feet of gross floor area.

(c) H-C zone: one parking space per 200 square feet of gross floor area.

(13) Pleasure craft moorage: one parking space for each two moorage stalls.

(14) Public Assembly and Recreation.

(a) Assembly halls, auditoriums, stadiums, sports arenas, and community clubs: one parking space for every three persons based on occupancy load.

(b) Churches: one parking space per five seats in the principal place of assembly for worship, including balconies and choir loft.

Where fixed seats consist of pews or benches, the seating capacity is computed upon not less than 20 lineal inches of pew or bench length per seat. If there are no fixed seats, then one parking space for each 40 square feet of gross floor area in such principal place of assembly or worship shall be provided.

(c) Libraries and museums: one parking space per 250 square feet of gross floor area.

(d) Parks: as determined by the planning agency.

(e) Theaters: one parking space for each three seats.

(15) Residences.

(a) Single-family: two parking spaces per dwelling unit.

(b) Duplex and townhouse: two parking spaces per dwelling unit and one parking space for every five dwellings for use as visitor parking. A minimum of one visitor parking space shall be provided.

(c) Multifamily.

(i) Two parking spaces per dwelling.

(ii) One guest parking space shall be provided per each 10 dwellings.

Parking Code Proposed Changes (4/23/13)

(iii) For one-bedroom dwellings within the PR zone: one and one-half parking spaces per dwelling.

Comment [gf5]: Staff recommends this not be changed. No recent change has been requested.

(d) Retirement apartments: One parking space per dwelling unit, except that the plan shall show two parking spaces, spaces not initially installed. The additional parking spaces plus required landscaping shall be installed at such time that the structure is not used for retirement apartment purposes.

(e) Rooming and lodging houses: one space per occupant.

(f) Children's institutions, homes for the retired (group homes): one space for each five employees plus one for each four beds.

(g) Mixed Use.

(i) Except as provided below, two parking spaces per dwelling.

(ii) For one-bedroom dwellings within the PR zone: one and one-half parking spaces per dwelling.

Comment [gf6]: Staff recommends this not be changed. No recent change has been requested.

(iii) On-site parking for nonresidential areas shall be provided based upon the ratio specified by this section.

(h) Accessory living quarters: one parking space.

(16) Restaurants, including drive-in restaurants, night clubs, taverns, and lounges: one parking space for each 125 square feet of gross floor area, except that none shall be required for establishments under 2,000 square feet located in the D-C and PR zones.

(17) Retail, Other.

(a) C-C zone: one parking space per 300 square feet of gross floor area.

(b) D-C and PR zones: one parking space per 350 square feet of gross floor area.

(c) H-C zone: one parking space per 250 square feet of gross floor area, except there are a minimum of six spaces.

(18) Uses Not Specified. The parking requirements for a use not provided for in this section is determined in the manner set forth in DMMC 18.36.050, and such determination is based upon the requirements for the most comparable use specified in this section.

(19) Fractional Spaces. When units of measurement determining the number of required parking spaces result in requirements of a fractional space, a fraction one-half or more shall require one parking space.

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(20) Maximum Number of Off-Street Spaces. Within the Pacific Ridge area, the number of off-street spaces provided shall not exceed 150 percent of the minimum number of spaces specified by this section. [Ord. 1409 § 2, 2007; Ord. 1378 § 12, 2006; Ord. 1267 § 10, 2000; Ord. 1197 § 13, 1997; Ord. 1170 § 6, 1996; Ord. 1140 § 7, 1995; Ord. 1104 § 9, 1994; Ord. 793 § 9, 1989; Ord. 695 § 6, 1987.]

18.44.070 Compact car allowance.

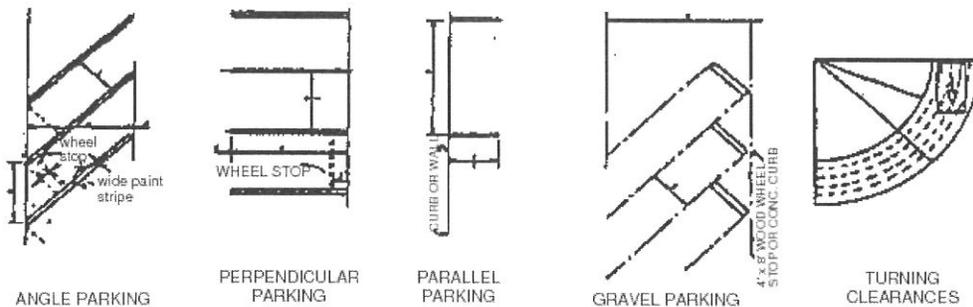
(1) A maximum of 50 percent of the total required off-street parking stalls may be permitted and designated for compact cars.

(2) Each compact stall shall be designated as such.

(3) Dimensions of compact parking stall shall be eight feet by 16 feet, 128 square feet, as depicted in the table on the following page.

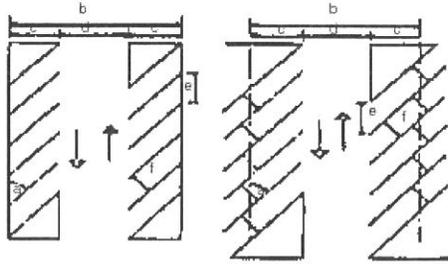
(4) Compact stalls shall be dispersed throughout the parking facility. [Ord. 695 § 7, 1987.]

Table 1



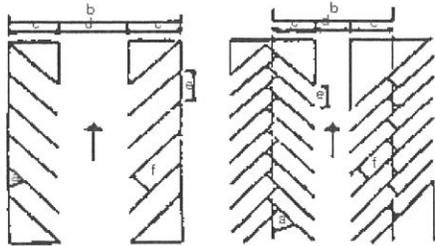
Parking Code Proposed Changes (4/23/13)

TWO-WAY TRAFFIC



a	b	c	d	e	f	b ¹	c ¹
Parking Angle	Parking Section Width	Parking Stall Width	Traffic Aisle Width	Curb Length Per Car	Car Stall Width	Parking Section Width	Parking Stall Width
0°	56'	8'	20'	23'	8'		
—	—	—	—	—	—	—	—
35°	56'	18'	20'	14.8'	8.5'	49'	14.5'
40°	57'	18.5'	20'	13.2'	8.5'	50'	15'
45°	58'	19'	20'	12.0'	8.5'	51'	15.5'
50°	59'	19.5'	20'	11.1'	8.5'	53'	15.5'
55°	60'	20'	20'	10.4'	8.5'	55'	17.5'
60°	60'	20'	20'	9.8'	8.5'	55'	17.5'
65°	60'	20'	20'	9.7'	8.8'	56'	18'
70°	60'	20'	20'	9.6'	9'	57'	18.5'
—	—	—	—	—	—	—	—
90°	64'	20'	24'	9'	9'		

ONE-WAY TRAFFIC



a	b	c	d	e	f	b ¹	c ¹
Parking Angle	Parking Section Width	Parking Stall Width	Traffic Aisle Width	Curb Length Per Car	Car Stall Width	Parking Section Width	Parking Stall Width
0°	28'	8'	12'	23'	8'		
—	—	—	—	—	—	—	—
35°	48'	10'	12'	14.8'	8.5'	41'	14.5'
40°	49'	18.5'	12'	13.2'	8.5'	42'	15'
45°	50'	19'	12'	12.0'	8.5'	43'	15.5'
50°	51'	19.5'	12'	11.1'	8.5'	45'	16.5'
55°	53'	20'	13'	10.4'	8.5'	48'	17.5'
60°	55'	20'	15'	9.8'	8.5'	50'	17.5'
65°	57'	20'	17'	9.7'	8.8'	53'	18'
70°	59'	20'	19'	9.6'	9'	56'	18.5'
—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—

Compact Car Stall Dimensions: minimum 8' x 16', 128 square feet.

18.44.080 Off-site parking.

(1) Use Agreement. Off-site parking areas shall be provided through:

- (a) Deed, Easement, or Covenant. The term of such legal agreement shall be at least as long as the reasonable life of the premises served thereby. Evidence shall be provided of such covenant, deed, or other agreement prior to parking plan approval. The document shall be filed with the King County director of records and elections, providing that the area used for parking shall not be diverted or converted to any other use as long as the principal building or use to which the parking is accessory continues to exist; or

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(b) Ground Lease. The ground lease shall include a legal description of the area being leased, the purpose of the lease and the terms of the lease and signatures of all parties with an interest in the lease. Evidence of the ground lease must be submitted prior to approval of the parking plan. A copy of the ground lease shall accompany the application for a city business license and all subsequent yearly renewals. If the ground lease expires or is not provided then the city shall deny the business license application or yearly renewal. In order to obtain a new business license after a denial the applicant shall demonstrate that sufficient parking is provided based on the parking requirements effective at the time of the new application either on site or off site through a new easement, deed, covenant, or ground lease.

(2) Off-Site Parking Permitted. The city manager or designee shall have the authority to approve an off-street parking facility; provided, adherence to the following:

(a) Compliance with subsection (1) of this section.

(b) The location of the parking facility off the subject property will conform to the intent and purpose of this chapter, and safe vehicular and pedestrian connections between the parking facility and the principal use exist. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve.

(i) For single-family, duplex, and medium-density multiple dwellings, parking facilities shall be located on the same lot or building site as the building they are required to serve. For townhouse dwellings, parking shall be located not more than 200 feet from the townhouse dwelling it is required to serve, with connecting permanent pedestrian access;

(ii) For high-density and maximum-density multiple dwellings, the parking facilities shall be located on the same site as the dwellings they are required to serve;

(iii) For churches located in a single-family residential, RA-3,600 or RM-2,400 zone, parking facilities shall be located on site; for churches located in any other zone, parking facilities shall be located not farther than 150 feet and not in a single-family residential zone;

(iv) For hospitals, sanitariums, homes for the aged, children's institutions, homes for the retired, nursing and convalescent homes, dormitories, boarding, rooming, and lodging houses, community clubs, and fraternity, sorority, and group student houses, not more than 400 feet from the building they are required to serve; and

(v) For uses other than those specified, parking facilities shall be located not over 600 feet from the building served.

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(c) Any parking facility not on the same lot with the principal use to which it is accessory shall be considered, for bulk regulation purposes, a principal use on the lot on which located. [Ord. 1454 § 1, 2009; Ord. 1237 § 4, 1999; Ord. 1197 § 32, 1997; Ord. 695 § 8, 1987.]

18.44.090 Off-street parking facilities location – In-lieu fees in B-C and C-C zones.

Repealed by Ord. 1104. [Ord. 695 § 9, 1987.]

18.44.095 Design requirements.

Any off-street parking facility shall be developed in accordance with the design specifications set forth in DMMC 18.44.096 through 18.44.107. [Ord. 695 § 10(part), 1987.]

18.44.096 Parking area dimensions.

Minimum parking area dimensions for surface and structured parking facilities shall be as provided in Table 1 following DMMC 18.44.070. [Ord. 695 § 10(A), 1987.]

18.44.097 On-site parking facilities location.

In no case shall a motor vehicle or trailer of any kind be parked or stored, nor shall internal aisles or roadways be permitted, in any required yard, open space or landscaped area; provided, however, that the following exceptions shall apply:

(1) Single-Family Dwellings. Parking shall be permitted on a driveway serving individual single-family dwellings provided the driveway maintains a minimum five-foot setback from an interior lot line, a 20-foot setback from any alley right-of-way parallel to the driveway (except where access to the driveway is from the alley), a 25-foot setback from any street right-of-way parallel to the driveway, and a 45-foot setback from any arterial street right-of-way parallel to the driveway; provided further, however, that with regard to the 45-foot setback from arterial streets the community development director upon consultation with the public works director shall be authorized to permit the location of a driveway at a point less than 45 feet but not less than 25 feet from an arterial street where the size of the lot is such that the 45-foot requirement is impractical; and provided further, that no driveway in which parking is permitted may be located under this subsection where in the professional opinion of the community development director upon consultation with the public works director, documented in writing, dangerous traffic conditions may result.

(2) Duplexes. Parking shall be permitted on driveways serving a duplex constructed on a single lot, except in planned unit developments; provided, that the driveways shall have a maximum width of 24 feet at their intersections with the street; that the width of all driveways serving a particular lot shall consist of not more than 40 percent of the lot frontage footage; that the driveways maintain a 20-foot setback from any alley right-of-way parallel to the driveway (except where access to the driveway is from the alley), a 25-foot setback from any street right-of-way parallel to the driveway, and a 45-foot setback from any arterial right-of-way street parallel to the driveway; provided further, however, that with regard to the 45-foot setback from arterial streets the community development director upon consultation with the public works director shall be authorized to permit the location of the driveway at a point less than 45 feet but

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not less than 25 feet from an arterial street where the size of the lot is such that the 45-foot requirement is impractical; and provided further, that no driveway in which parking is permitted may be located under this subsection where in the professional opinion of the community development director upon consultation with the public works director, documented in writing, dangerous traffic conditions may result.

(3) Townhouse Dwellings. Parking shall be permitted on a driveway serving one or more townhouse dwellings provided the driveway has a maximum width of 24 feet at its intersection with the street, a minimum 20-foot setback from any alley right-of-way parallel to the driveway (except where access to the driveway is from the alley), a 25-foot setback from any street right-of-way parallel to the driveway, and a 45-foot setback from any arterial street right-of-way parallel to the driveway; provided further, however, that with regard to the 45-foot setback from arterial streets the community development director upon consultation with the public works director shall be authorized to permit the location of a driveway at a point less than 45 feet but not less than 25 feet from an arterial street where the size of the lot is such that the 45-foot requirement is impractical; and provided further, that no driveway in which parking is permitted may be located under this subsection where in the professional opinion of the community development director upon consultation with the public works director, documented in writing, dangerous traffic conditions may result. [Ord. 1197 § 33, 1997; Ord. 800 § 1, 1989; Ord. 695 § 10(B), 1987.]

18.44.098 Parking area and parking area entrance and exit slopes.

In order to encourage the construction of usable, convenient, and safe parking areas, a maximum pavement slope of five percent shall be permitted. A maximum slope of 14 percent shall be permitted for driveways or aisles between separated parking areas. The long dimension of a parking stall shall be generally parallel to ground contours. If existing ground slopes in a proposed parking area exceed 10 percent, the code official may require the submission of a topographic survey showing existing and proposed contours. Parking lots depressed two or three feet below the level of the street shall be encouraged wherever possible. Plans for adequate drainage shall be approved by the public works director. [Ord. 695 § 10(C), 1987.]

18.44.099 Driveways and maneuverability.

(1) Adequate ingress to and from each parking space shall be provided without moving another vehicle and without backing more than 50 feet. All parking spaces shall be so arranged that ingress and egress is possible without backing over a sidewalk or walkway/ bicycle area unless specifically approved by the community development director upon consultation with the public works director.

(2) Turning and maneuvering space shall be located entirely on private property except that the usable portion of an alley may be credited as aisle space subject to approval as to safety by the community development director upon consultation with the public works director.

(3) Backing onto public streets to exit a parking stall shall be prohibited, except in single-family residential and RA zones.

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(4) When off-street parking is provided in the rear of a building and a driveway lane alongside the building provides access to the rear parking area, such driveway shall require a minimum width of 12 feet and a sidewalk of at least a three-foot section, adjoining the building, curbed or raised six inches above the driveway surface.

(5) Ingress and egress to any off-street parking lot shall not be located closer than 20 feet from point of tangent to an intersection or crosswalk. They may not be permitted where, in the opinion of the community development director upon consultation with the public works director, dangerous or confusing traffic patterns would result.

(6) Driveway intersections with north-south bearing streets shall be minimized to the extent possible in order to diminish traffic hazards, to conserve space and to promote orderly development generally. Driveways shall be limited to one per building site per street frontage, except the lesser of one driveway for each 150 feet of street frontage or three driveways for two lots having common parking may be permitted upon a finding of the community development director upon consultation with the public works director that smoother or safer flow of traffic can result without significant disruption of the streetscape. [Ord. 1237 § 4, 1999; Ord. 1197 § 34, 1997; Ord. 695 § 10(D), 1987.]

18.44.100 Surface.²

(1) The surface of any required off-street parking or loading facility and accessory accessways (driveways) shall be paved with asphalt or concrete to a standard comparable to the standard for the public street providing access thereto and shall be graded and drained as to dispose of all surface water, but shall not drain across sidewalks.

(2) Paved parking areas except in single-family residential zones shall use paint or similar devices to delineate car stalls and direction of traffic.

(3) Pedestrian walks, used for the use of foot traffic only, shall be curbed or raised six inches above the lot surface. All pedestrian walks shall be conspicuously delineated.

(4) Wheel stops shall be required to protect landscaping and to prevent vehicles from striking buildings, overhanging walkways, property lines, or other limits of a parking facility. Wheel stops shall be installed a minimum of two feet from the end of parking stalls, except in single-family residential zones. [Ord. 695 § 10(E), 1987.]

18.44.101 Lighting.

Any lighting on a parking lot shall illuminate only the parking lot, and be designed to avoid undue glare or reflection on adjoining premises, including public streets. Where a common boundary is shared with any residential property, illuminating devices shall be so shaped and directed to play their light away from residential property. Parking lot lighting shall not exceed 14 feet in height. [Ord. 1237 § 4, 1999; Ord. 695 § 10(F), 1987.]

18.44.102 Curb cuts.

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All parking facilities shall have specific entrance and/or exit areas to a street or alley. Access roads and curb cuts shall be minimized and shall not exceed 24 feet in width for combined ingress/egress points and 12 feet for one-way entrances or exits unless recommended by the public works director to facilitate left turn lanes or otherwise foster safe movement of vehicles and upon a finding that pedestrian safety is not adversely affected. [Ord. 695 § 10(G), 1987.]

18.44.103 Vehicle circulation between adjoining properties required.

Parking lots shall be designed to provide for off-street vehicle circulation to adjoining properties and parking areas where physically feasible. [Ord. 695 § 10(H), 1987.]

18.44.104 Obstructions.

No obstruction which would restrict car door opening shall be permitted within five feet of the centerline of a parking space. [Ord. 695 § 10(I), 1987.]

18.44.105 Landscaping and screening.

Landscaping and screening shall be provided in accordance with chapter 18.41 DMMC. [Ord. 695 § 10(J), 1987.]

18.44.106 Walkways required.

Marked walkways, separated from traffic lanes and vehicle overhangs, shall be provided from parking areas to the entrances of establishments and from parking areas to right-of-way sidewalks/ walkways. [Ord. 695 § 10(K), 1987.]

18.44.107 Parking for the handicapped.

Parking and access for physically handicapped shall be provided in accordance with Section 7503 of the regulations adopted pursuant to chapter 19.27 RCW (State Building Code), chapter 70.92 RCW (Public Buildings – Provision for Aged and Handicapped), and RCW 46.61.581. [Ord. 695 § 10(L), 1987.]

18.44.110 Parking and storage of recreational, utility, and commercial vehicles in residential neighborhoods.

(1) Exemptions. Pickup or light trucks, 10,000 pounds gross weight or less and not exceeding 20 feet in length or 7.5 feet in width, with or without a mounted camper unit, which are primarily used by the property owner for transportation purposes are exempt from this subsection.

(2) Recreational and utility vehicles are defined as travel trailers, folding tent trailers, motor homes, truck campers removed from a truck or pickup, horse trailers, boat trailers with or without boats, and utility trailers. Recreational and utility vehicles may be parked in residential areas provided the following conditions are met:

- (a) Vehicles shall not intrude into public rights-of-way or obstruct sight visibility from adjacent driveways.

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(b) Vehicles shall not be parked in the front building setback unless there is no reasonable access to the building side yards or rear yards because of topography or other physical conditions of the site.

(c) Vehicles shall be maintained in a clean, well-kept state which does not detract from the appearance of the surrounding area.

(d) At no time shall parked or stored vehicles be occupied or used as a permanent or temporary dwelling units except that guests may reside in a recreational vehicle on the host's premises on a temporary basis.

(3) Truck Tractors, Trailers, and Large Commercial Vehicles. Parking of commercial vehicles over 10,000 pounds gross weight, exceeding 20 feet in length and/or 7.5 feet in width, is prohibited in residential areas, except on a temporary and nonregular basis not exceeding six hours when sight visibility is not obstructed. [Ord. 695 § 11, 1987.]

18.44.120 Required loading areas.

(1) Every department store, freight terminal or railroad yard, hospital or sanitarium, industrial or manufacturing establishment, retail or wholesale store or storage warehouse establishment, or any similar use, which has or is intended to have an aggregate gross floor area of 10,000 square feet or more, shall provide truck loading or unloading berths in accordance with the following table:

Square Feet of Aggregate Gross Floor Area	Required Number of Berths
10,000 up to and including 16,000	1
16,001 up to and including 40,000	2
40,001 up to and including 64,000	3
64,001 up to and including 96,000	4
96,001 up to and including 128,000	5
128,001 up to and including 160,000	6
160,001 up to and including 196,000	7
For each additional 36,000	1 additional

(2) Every auditorium, convention hall, exhibition hall, sports arena, hotel, office building, restaurant, or any similar use, which has or is intended to have an aggregate gross floor area of 40,000 square feet or more, shall provide off-street truck loading or unloading berths in accordance with the following table:

Square Feet of Aggregate Gross Floor Area	Required Number of Berths
40,000 up to and including 60,000	1
60,001 up to and including 160,000	2
160,001 up to and including 264,000	3
264,001 up to and including 388,000	4

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388,001 up to and including 520,000	5
520,001 up to and including 652,000	6
652,001 up to and including 784,000	7
784,001 up to and including 920,000	8
For each additional 140,000	1 additional

(3) Each loading space shall measure not less than 30 feet by 12 feet, and shall have an unobstructed height of 14 feet 6 inches, shall be made permanently available for such purpose, and shall be surfaced, improved, and maintained as required. Such facilities shall be located so that trucks using the loading space do not interfere with areas reserved for off-street parking nor project into any public right-of-way or off site, or be situated along any street frontage, and shall be adjacent to the building to be served thereby.

(4) Any floor area provided by additions to or structural alterations to a building shall be provided with loading space or spaces as set forth in this chapter whether or not loading spaces have been provided for the original floor space. [Ord. 695 § 12, 1987.]

18.44.130 Code official.

The code official is the city manager or his/her designated representative. [Ord. 695 § 13, 1987.]

18.44.140 Enforcement.

Enforcement of the parking requirements contained in this chapter for new construction, alterations to a structure, or change in principal use, shall be in accordance with the enforcement sections of the buildings and construction code (Title 14 DMMC) or the provisions of the DMMC regulating business licenses (chapter 5.04 DMMC), as the case may be. [Ord. 695 § 14, 1987.]

1

Prior legislation: Ords. 175, 193, and 248.

Code reviser's note: DMMC 18.44.095 – 18.44.107 are former DMMC 18.44.100.

2

Code reviser's note: Former DMMC 18.44.100 has been recodified as DMMC 18.44.095 – 18.44.107

Memorandum

Date: April 24, 2013
To: Finance & Economic Development Committee Members
From: Lorri Ericson, Assistant City Manager
Re: Nuisance Code Changes

Attached is staff's first draft of proposed changes to clarify identified problem areas in some portions of the city code that affect the code enforcement function. Outlined below are the details:

10.16.050 – Parking of Oversized Vehicles on Right of Way

- Clarify definition of “oversize vehicle” to only include vehicles that are over 7.5 feet wide or 20 feet long
- Remove the 10,000 lb weight capacity limit since many modern passenger trucks have the capacity to exceed that limit
- Changed time frame from 6 hours to 24 to match other parking requirements
- Changed the penalty to \$50 from \$20 since \$20 does not cover basic court costs
 - Most surrounding agencies are in this range or higher

14.08.150 – Adoption by Reference of the International Property Maintenance Code

- Updated to reflect current International Building Code (from 2006)
- Based on earlier direction from the committee, included a section pertaining to appearance of commercial and multi-family properties for council consideration

18.44.097 – Parking of Vehicles on Landscaped Areas

- This code section was typically cited when directing individuals they cannot park a car on their grass on landscaped area of their property.
- No proposed changes. This code limits parking prohibition to required yard areas. Any excess yard area can be used for parking.
- Policy Question: Do we want to prohibit parking on landscaping? Or should we just focus on parking in required yard areas and junk vehicles?
 - Enforcement of parking on required yard area requires a technical and time consuming determination
- The above may give the appearance of inconsistency to citizens
- Staff suggestions
 - Trial period to see if the junk vehicle ordinance is sufficient
 - Identify a specific # of vehicles that may be parked on a property that is zoned residential

18.44.110 Parking of oversized vehicles (RV's, Commercial, etc) in residential neighborhood (not on right of way).

- Exempts all vehicles not considered oversize (this would include commercial vehicles such as taxis, smaller work trucks, and smaller work vans).
- Defined temporary as 2 weeks.
- Defined Commercial Vehicle using RCW definition

- Changed time frame from 6 hours to 24 to match other parking requirements and allow for work/commute vehicles
- Clearly defines improved ROWs for easier enforcement

Shipping Containers

- The City currently does not have a policy about containers.
- If the committee feels we should adopt one, we would like direction from the committee on the specifics.
- Attached are sample codes from other cities.
- Considerations:
 - Limit by zoning
 - Require setbacks and/or screening
 - Allow only in back or side yard?
 - Limit by size
 - Prohibit in landscaped or designated parking areas
 - Allow on a temporary basis
 - Staff suggestion:
 - Allow temporary (defined), grandfather in existing containers for a specified period of time.
 - Anything that does not fall into the above two would be considered a structure and regulated by normal requirements for structures. (Size is aggregate.)

10.16.050 Parking – Oversized vehicles.

(1) No person having control or charge of any vehicle exceeding seven and one-half feet in width or exceeding 20 feet in length shall park such vehicle on any city street or unimproved right of way for a period exceeding twenty four (24) continuous hours.

(2) Penalty for violation of certain sections. Any violation of this chapter related to parking for which no penalty is specifically provided shall be an infraction and punishable by a mandatory penalty of fifty dollars (\$50.00).

Comment [le1]: Removed the weight restriction as Tim indicated 10,000 includes trucks. Changed it to 24 hours to be consistent.

Added a new section to increase fine from \$20 to \$50 since \$20 doesn't even cover the court cost, so officers are reluctant to write citations.

14.08.150 International Property Maintenance Code (IPMC) amended.

The International Property Maintenance Code (IPMC), as adopted by Section 101.4.5 of the International Building Code, is hereby amended, added to, and excepted as follows:

(1) Any reference to an appeal of any administrative action regarding this chapter shall be in accordance with the city of Des Moines Hearing Examiner Code, chapter 18.94 DMMC, or with procedures set forth in chapter 1.24 DMMC for civil infractions or chapter 1.28 DMMC for civil violations and penalties.

(2) The following sections of the current IBC, or the corresponding section of any updated or amended version of the IPMC, are removed in their entirety and not adopted:

111	Means of Appeal
302.2	Grading and Drainage
302.5	Rodent harborage
302.8	Motor vehicles
302.9	Defacement of property
304.2	Protective treatment
304.3	[REDACTED]
304.13.2	Openable windows
304.14	Insect screens
304.15	Exterior Doors
304.17	Guards for basement windows
304.18	Building security
305.3	Interior surfaces
305.6	Interior doors
307	Rubbish and Garbage
308	Extermination
404.4.1	Room area
404.5	Overcrowding
404.6	Efficiency unit
604.2	Electrical appliance service

Comment [le2]: See Amended Section 5

(3) That portion of Section 103.5 of the current International Building Code (IBC), is adopted by reference as presently constituted or as may be subsequently amended, added to, or expected as fully set forth in this title. The portion that is left for the decision of the local jurisdiction shall read as follows:

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be set by the City Manager.

(4) That portion of Section 302.4 of the 2006 IPMC, or the corresponding section of any updated or amended version of the IPMC, that is left for the decision of the local jurisdiction shall read as follows:

All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12") inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided; however, this term shall not include cultivated flowers and gardens.

(5) That portion of Section 304.2 of the 2012 IPMC, or the corresponding section of any updated or amended version of the IPMC, that is left for the decision of the local jurisdiction shall read as follows:

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, of commercial properties and multi-family residences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

Comment [1e3]: Taken straight from the IPMC but narrowed to apply only to commercial and multi-family homes

(6) The last sentence of Section 304.9 of the 2006 IPMC, or the corresponding section of any updated or amended version of the IPMC, is not adopted so that Section 304.9 shall read only:

All overhang extensions, including but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition.

[Ord. 1407 § 40, 2007.]

14.08.160 Manufactured housing.

All manufactured homes, which are newly installed in residentially zoned areas outside of mobile home parks, shall comply with the following requirements:

- (1) Shall be newly constructed and shall not meet the definition of a used mobile home.
- (2) Shall have a permanent perimeter foundation of either concrete, concrete masonry units or other approved concrete product.
- (3) Shall meet the same design standard as the surrounding neighborhood for new construction.
- (4) Shall be thermally equivalent to the State Energy Code.

(5) Shall be designed to support the local snow load of 25 pounds per square foot of ground snow load.

(6) Shall be designed to comply with the sound control requirements in this chapter. [Ord. 1407 § 41, 2007.]

14.08.170 Modular housing.

All modular homes, which are newly installed in residentially zoned areas outside of mobile home parks, shall comply with the following requirements:

(1) Shall be constructed in accordance with the International Residential Code. Factory-built homes are required to have a gold seal.

(2) Shall have a permanent perimeter foundation of either concrete, concrete masonry units or other approved concrete product.

(3) Shall meet the design standards of Title 18 DMMC for new construction.

(4) Shall meet the requirements of the State Energy Code.

(5) Shall be designed to support the local snow load of 25 pounds per square foot of ground snow load.

(6) Shall be designed to comply with the sound control requirements in this chapter. [Ord. 1407 § 42, 2007.]

18.44.097 On-site parking facilities location.

In no case shall a motor vehicle or trailer of any kind be parked or stored, nor shall internal aisles or roadways be permitted, in any required yard, open space or landscaped area; provided, however, that the following exceptions shall apply:

(1) Single-Family Dwellings. Parking shall be permitted on a driveway serving individual single-family dwellings provided the driveway maintains a minimum five-foot setback from an interior lot line, a 20-foot setback from any alley right-of-way parallel to the driveway (except where access to the driveway is from the alley), a 25-foot setback from any street right-of-way parallel to the driveway, and a 45-foot setback from any arterial street right-of-way parallel to the driveway; provided further, however, that with regard to the 45-foot setback from arterial streets the community development director upon consultation with the public works director shall be authorized to permit the location of a driveway at a point less than 45 feet but not less than 25 feet from an arterial street where the size of the lot is such that the 45-foot requirement is impractical; and provided further, that no driveway in which parking is permitted may be located under this subsection where in the professional opinion of the community development director upon consultation with the public works director, documented in writing, dangerous traffic conditions may result.

(2) Duplexes. Parking shall be permitted on driveways serving a duplex constructed on a single lot, except in planned unit developments; provided, that the driveways shall have a maximum width of 24 feet at their intersections with the street; that the width of all driveways serving a particular lot shall consist of not more than 40 percent of the lot frontage footage; that the driveways maintain a 20-foot setback from any alley right-of-way parallel to the driveway (except where access to the driveway is from the alley), a 25-foot setback from any street right-of-way parallel to the driveway, and a 45-foot setback from any arterial right-of-way street parallel to the driveway; provided further, however, that with regard to the 45-foot setback from arterial streets the community development director upon consultation with the public works director shall be authorized to permit the location of the driveway at a point less than 45 feet but not less than 25 feet from an arterial street where the size of the lot is such that the 45-foot requirement is impractical; and provided further, that no driveway in which parking is permitted may be located under this subsection where in the professional opinion of the community development director upon consultation with the public works director, documented in writing, dangerous traffic conditions may result.

(3) Townhouse Dwellings. Parking shall be permitted on a driveway serving one or more townhouse dwellings provided the driveway has a maximum width of 24 feet at its intersection with the street, a minimum 20-foot setback from any alley right-of-way parallel to the driveway (except where access to the driveway is from the alley), a 25-foot setback from any street right-of-way parallel to the driveway, and a 45-foot setback from any arterial street right-of-way parallel to the driveway; provided further, however, that with regard to the 45-foot setback from arterial streets the community development director upon consultation with the public works director shall be authorized to permit the location of a driveway at a point less than 45 feet but not less than 25 feet from an arterial street where the size of the lot is such that the 45-foot requirement is impractical; and provided further, that no driveway in which parking is permitted may be located under this subsection where in the professional opinion of the community development director upon consultation with the public works director, documented in writing, dangerous traffic conditions may result. [Ord. 1197 § 33, 1997; Ord. 800 § 1, 1989; Ord. 695 § 10(B), 1987.]

Comment [le4]: Do to the confusion about required vs. optional landscaped areas, do we want to keep this or eliminate it and beef up our junk vehicle ordinance? If we keep it as is, planning will need to work with CE to determine what is a required open space or setbacks in order to determine what is truly a violation and what is just a landscaped area of what could be a parking area.

18.44.110 Parking and storage of recreational, utility, and commercial vehicles in residential neighborhoods.

(1) Exemptions. Vehicles 10,000 pounds gross weight or less and not exceeding 20 feet in length or 7.5 feet in width, with or without a mounted camper unit, which are primarily used by the property owner for transportation purposes are exempt from this subsection.

(2) Recreational and utility vehicles are defined as travel trailers, folding tent trailers, motor homes, truck campers removed from a truck or pickup, horse trailers, boat trailers with or without boats, and utility trailers. Recreational and utility vehicles may be parked in residential areas provided the following conditions are met:

(a) Vehicles shall not intrude into improved public rights-of-way or obstruct sight visibility from adjacent driveways.

Comment [gf5]: Adding "improved" would help address some of the Code Enforcement issues we've been dealing with.

(b) Vehicles shall not be parked in the front building setback unless there is no reasonable access to the building side yards or rear yards because of topography or other physical conditions of the site.

(c) Vehicles shall be maintained in a clean, well-kept state which does not detract from the appearance of the surrounding area.

(d) At no time shall parked or stored vehicles be occupied or used as a permanent or temporary dwelling units except that guests may reside in a recreational vehicle on the host's premises on two (2) week basis.

Comment [le6]: I arbitrarily chose 2 weeks. It is a policy decision whether shorter or longer, but needs to be a definite time frame.

(e) Commercial Vehicles are defined in RCW 46.04.140 as any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals or passengers for hire."

(3) Truck Tractors, Trailers, and Large Commercial Vehicles. Parking of commercial vehicles.

is prohibited in residential areas, except on a temporary and nonregular basis not exceeding 24 hours when sight visibility is not obstructed. [Ord. 695 § 11, 1987.]

Comment [le7]: Consistent at 24 hrs in all cases and, allows for those with marked, "take home" work vehicles that meet the definition of commercial vehicle.

Burien

19.17.040 Cargo Containers

1. Purpose. The purpose of this section is to promote vibrant, attractive pedestrian mixed use areas while protecting residential neighborhoods and allow use of cargo containers by Burien businesses, contractors and community-related uses to provide secure, easily accessible accessory storage at relatively inexpensive levels.
2. Temporary Use. Cargo containers may be used for temporary storage of equipment and/or materials at a construction site during active construction that is authorized by a city permit.
3. Cargo containers are not allowed in the Downtown Commercial (DC), Office (O), Neighborhood Center (CN), Professional Residential (PR) and Special Planning Area 1 (SPA-1) zones, except as permitted in subsection (2) of this section.
4. Cargo containers are permitted as accessory uses in residential zones at a community facility, government facility, hospital, public park and recreation facility, or school.
 - A. All requirements, permits and approvals of BMC Titles 15 and 19 pertaining to structures shall apply, including but not limited to setbacks, lot coverage, critical area and transition area requirements.
 - B. Cargo containers located within a residential zone shall be no greater in size than ten (10) feet by twenty (20) feet, and shall have a stick-built structure constructed to completely enclose the cargo container. Upon removal of the cargo container the screening structure shall also be removed. No stick-built structure shall be required if the cargo container is totally screened from abutting residential zone lots as determined by the Director.
 - C. Cargo containers shall not be stacked.
 - D. Cargo containers shall not occupy any required off-street parking spaces, vehicular access, pedestrian facilities or landscape areas for the site.
5. Cargo containers are permitted as accessory uses in the Industrial (I), Intersection Commercial (CI), Community Commercial (CC-1 and CC-2), Regional Commercial (CR), Special Planning Area 3 (SPA-3), Airport Industrial (AI) zones and in the SPA-2 zone as part of the master plan review (pursuant to BMC 19.15.060.1). Cargo containers in these zones are subject to the requirements below. Airplane unit load devices located in the I and AI zones are not regulated as cargo containers.
 - A. All requirements, permits and approvals of BMC Titles 15 and 19 pertaining to structures shall apply, including but not limited to setbacks, lot coverage, critical area and transition area requirements.
 - B. Cargo containers shall be screened from abutting rights-of-way and adjoining lots with a minimum of 10 feet of Type I landscaping. The Director may approve alternate screening that achieves the intent of a visual barrier. In reviewing alternate screening, the Director shall consider the proposed location of the cargo container, amount of usable space on the site for landscaping, view of the cargo container from abutting rights-of-way and adjoining

lots, and the physical condition of the cargo container. All proposed screening shall be submitted for the review and approval by the Director.

C. Cargo containers shall not be located between a building and front property line. On a site with all front property lines, the cargo container shall be placed in a location that minimizes visual impact of the cargo container from surrounding streets and properties.

D. Cargo containers shall be painted to match the primary color of the adjacent building. If the cargo container is located within a building or not visible from abutting rights-of-way and adjoining lots as determined by the Director, painting is not required.

E. A cargo container located within 100 feet of a residential zone shall be no greater in size than ten (10) feet by twenty (20) feet, and shall have a stick-built structure constructed to completely enclose the cargo container. Upon removal of the cargo container the screening structure shall also be removed. No stick-built structure shall be required if the cargo container is totally screened from abutting residential zone lots as determined by the Director.

F. Cargo containers shall not occupy any required off-street parking spaces, vehicular access, pedestrian facilities or landscape areas for the site.

G. Cargo containers may be stacked two-high in the Industrial (I) zone, and shall not be stacked in any other zone.

H. Cargo containers shall not be used for warehouse/storage as the primary use of the property.

I. Outdoor cargo containers shall not be refrigerated.

6. Legal Nonconforming Cargo Containers. Cargo containers that have been legally located on a site prior to November 12, 2002, shall be a legal nonconforming structure. In addition to the provisions for nonconforming structures in Chapter 19.55 BMC, cargo containers shall lose legal nonconforming status under the following circumstances:

A. Any legal nonconforming cargo container that is moved to a different location on a site shall comply with the requirements of this section.

B. If a legal nonconforming cargo container is removed from a site, any subsequent cargo containers placed on the site shall comply with the requirements of BMC Titles 15 and 19.

7. Illegal Cargo Containers. Cargo containers located on a site prior to {Effective date of ordinance} that do not have all required permits and approvals are considered illegal and shall have until {12 months after effective date of ordinance} to either come into compliance with BMC Titles 15 and 19 or be removed.

8. Permits for cargo containers shall include all necessary approvals from the Director, Building Official and Fire Marshal. Required permits include a building permit and a General Use Fire Permit. Use of the container shall not inhibit the Building Official and/or Fire Marshal from

conducting all necessary inspections. [Ord. 560 § 1 (Exh. A), 2012; Ord. 529, 2009, Ord. 396 §1, 2003, Ord. 369 §1, 2002; Ord. 313 §1, 2000]

NORMANDY PARK

18.44.060 Storage containers, metal, regulations.

(1) Storage containers, metal, shall be allowed only by temporary use permit and only on construction sites where site development permits and building permits have already been issued. They shall only be allowed during a period of active construction on the site and for a period of time not exceeding six months. Upon application, and while construction is continuing, a temporary permit may be extended for an additional six months.

(2) Any storage containers, metal, placed, delivered or used for storage in the city of Normandy Park at the time of the adoption of the ordinance codified in this section shall be removed no later than 48 months after the approval and publication of the ordinance codified in this section, unless permitted as provided for in this section. (Ord. 800 § 2, 2007).

SEATAC

15.10.098 Cargo Containers

A standardized, reusable vessel, designed without an axle or wheels, which was:

- A. Originally, specifically, or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or
- B. Designed for or capable of being mounted or moved on a rail car; and/or
- C. Designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

When used for any purpose other than those listed in subsection A of this section, a cargo container is a structure (SMC 15.10.631). (Ord. 01-1010 § 1)

Memorandum

Date: April 25, 2013

To: Finance & Economic Development Committee Members

From: Dan Brewer, Acting Public Works Director
Lorri Ericson, Assistant City Manager

Re: PBPW Streamlining

Attached is the PBPW organization chart as it currently exists, a draft of the proposed organization chart and a synopsis of savings by fund.

The proposal is to recombine PBPW into one department and streamline it by organizing it in functional divisions, creating budget savings, more flexibility and efficiencies. The key points are as follows:

- Four Divisions
 - Administration
 - Engineering Services
 - Community Development
 - Public Works & Maintenance
- New/Vacant positions proposed to be filled
 - PBPW Director
- Vacant positions proposed for reclassification
 - NPDES Tech replaced with a Civil Engineer 1
 - Development Services Manager replaced with Community Development Manager
- Vacant positions proposed for elimination
 - Planning Manager
 - Land Use Planner 1
 - Engineering Technician
 - Combo Building Inspector/Plans Examiner
 - Building Inspector - Artemis
- Other Considerations
 - Bring more Engineering/CIP work in house
 - Potential elimination of Len Madsen contract in 2014 if Prop 1 fails
 - Staff to average workload and use consultants to manage peak workloads
- Budget Impact
 - \$68,112 annual reduction when compared to 2013 budget
 - \$65,217 of those savings from the general fund, minimal changes to other funds
 - \$138,300 additional to address ongoing structural deficit
 - Total General Fund savings \$203,517
 - Anticipate at least 10% in additional savings based on a more detailed analysis of the cost (savings) of employee benefits.
- Other Considerations
 - Additional savings from reduced overhead, administration, fleet, etc.
 - Indirect savings from added efficiencies
 - Some changes can be immediate for 2013 savings, but some will need to be phased in
 - Planning Division is cut significantly and will not be able to be as flexible as in the past