

ORDINANCE NO. 1576

**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**, 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**, Comprehensive Plan 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**, the Des Moines City Council has been reaching out to the development and design community and Pacific Ridge property owners since 2000 and those stakeholders 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**, the City Council directed City staff to prepare an ordinance for its considerations which creates more flexible development regulations for Pacific Ridge, and

**WHEREAS**, some parts of Comprehensive Plan Strategy 11-04-03 which do not allow or restrict 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 Planning, Building and Public Works 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 16.04 DMMC pursuant to WAC 197-11-600 and DMMC 16.04.108, and

**WHEREAS**, the City Council set the date for the public hearing by Resolution No. 1234, fixing the public hearing for August 8, 2013 as required by DMMC 18.56.200, and

**WHEREAS**, the textual code amendments proposed in this 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 July 17, 2013 in accordance with the DMMC, and

**WHEREAS**, a public hearing was held on August 8, 2013 and continued on September 12, 2013 where all persons wishing to be heard were heard, and

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

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

**Sec. 1.** Chapter 18.31 DMMC, *Pacific Ridge Zone*, and applicable portions of underlying ordinances, are repealed and replaced with sections 1 through 12 of this Ordinance.

**Sec. 2. Title.** This chapter shall be entitled "Pacific Ridge Zone, Uses Allowed and Special Conditions."

**Sec. 3. Application.** The principal objective and purpose to be served by this zone and its application is to create a working and living environment of the highest standards for

commercial and residential properties. Other related uses contributing directly to a complete living environment are considered compatible and therefore also permitted. A further related consideration is to make it possible to more efficiently and economically design, install, and maintain all physical public service facilities in terms of size and capacity to adequately and permanently meet needs resulting from a defined intensity of land use.

**Sec. 4. 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 Strategy, 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. Redevelopment of Pacific Ridge is appropriate because this area has excellent access to transportation facilities, view opportunities, and higher-density development which can help Des Moines meet or exceed population and employment growth targets specified by the countywide planning policies for King County. Also, redevelopment of Pacific Ridge properties is appropriate because many of the existing structures and land uses have resulted in social problems such as: high crime rates (especially major felony crimes); declining property values; unsafe and undesirable housing conditions; insufficient building and property maintenance; absentee property ownership/management; violation of zoning, construction, and health codes; transient residency; and marginal businesses.

A related consideration is to make it possible to efficiently and economically plan for, design, finance, and provide public services, capital facilities, and utilities for the populations and activities within this zone. For all of the above reasons, the purpose of this chapter is to promote public health, safety, and welfare through redevelopment of Pacific Ridge properties.

**Sec. 5. Authority.** This chapter is adopted pursuant to the provisions of chapters 35.63, 35A.63 and 36.70A RCW and other applicable laws.

**Sec. 6. 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.

**Sec. 7. 18.31.030 PR-R - Permitted uses.** Only those uses listed below, and uses similar in nature as determined by the City Manager or the City Manager's 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.

**Sec. 8. 18.31.040 PR-C - Permitted uses.** Only those uses listed below, and uses similar in nature as determined by the City Manager or the City Manager's 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), but no more than two (2) exclusive used car dealers (441120).
- (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 north of South 216<sup>th</sup> Streets and 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 DMCC;

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

(i) In that part of PR-C fronting on SR99 and/or South 216<sup>th</sup> Street, dwellings may be located on the ground floor provided that they are accessed from the rear of the property, and provided that the commercial uses in that portion of the building must front and be accessed from SR99 or South 216<sup>th</sup> Street;

(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; and

(iii) No residential use is permitted north of South 216<sup>th</sup> Street.

(18) Public parks (No NAICS code).

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

**Sec. 9. 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 not allowed; 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) 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.

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

**(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 the City Manager's designee, views into automobile service bays from Pacific Highway shall be diminished by building orientation, screening, or other means;

(iii) Vehicular access shall be consistent with the City's Street Development and Construction Standards;

(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 the City Manager's designee, passenger loading and unloading areas shall be provided on site.

**Sec. 10. 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 does not abut 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 average finish grade on South 216th Street.

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

(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 the City Manager's 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 the

City Manager's 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: 55 feet west of SR 99 and 85 feet east of SR 99, except that buildings may be built to a height of 200 feet east of SR 99 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 the City Manager's 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) **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.

**(11) 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.

(12) **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.

**Sec. 11. 18.31.100 General site design requirements.** All development proposals shall demonstrate substantial compliance, as determined by the City Manager or the City

Manager's designee, with the adopted Pacific Ridge design guidelines.

**Sec. 12. 18.31.110 General building design requirements.**

(1) **Design guidelines.** All development proposals shall demonstrate substantial compliance, as determined by the City Manager or the City Manager's designee, with the adopted Pacific Ridge design guidelines.

(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 the City Manager's 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 the City Manager's designee shall deny the request if it is determined that adverse impacts cannot be mitigated satisfactorily.

**Sec. 13.** 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 "A" to Ordinance No. 1576 and adopted September 12, 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.

**Sec. 14.** 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, 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, 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. 15.** 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, 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. 16.** Section 18.41.315 and section 4 of Ordinance No. 1267 are each amended to read as follows:

**Pacific Ridge, PR-R, and PR-C 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. 17.** DMMC 18.42.310 and section 3 of Ordinance No. 1509 and section 8 of Ordinance No. 1572 are amended to read as follows:

**Commercial zones.** The following signs are permitted in the Pacific Ridge Commercial Zone, Business Park 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 100 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 20 feet in height as measure from median sidewalk grade. The City Manager is authorized to formally waive the maximum sign height when signs must be set back from the arterial because of sloping site conditions provided the City Manager determines that the intent of this section is otherwise met.

(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) 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 two square feet per lineal foot of street frontage, up to a maximum of 200 square feet or no more than 10% of the front wall size, whichever is larger.

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

(4) 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.

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

**Sec. 18. 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. 19. 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.

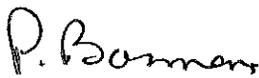
(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

**Sec. 20. 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 12th day of September, 2013 and signed in authentication thereof this 12th day of September, 2013.

  
MAYOR

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

ATTEST:

  
\_\_\_\_\_  
City Clerk

Published: September 20, 2013

LEGAL NOTICE

SUMMARY OF ADOPTED ORDINANCE

CITY OF DES MOINES

ORDINANCE NO. 1576, Adopted September 12, 2013.

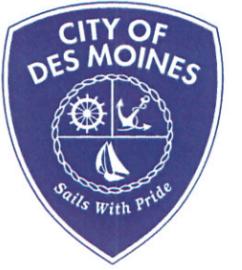
DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance relates to land use and development regulations for the Pacific Ridge area, adopts a new zoning map, repeals chapter 18.31 DMMC and all underlying ordinances, replaces chapter 18.31 DMMC as "*Pacific Ridge Zone*" as provided in this Ordinance, and amends DMMC 14.12.010 14.12.060, 18.41.315, 18.42.310, and 18.80.010.

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

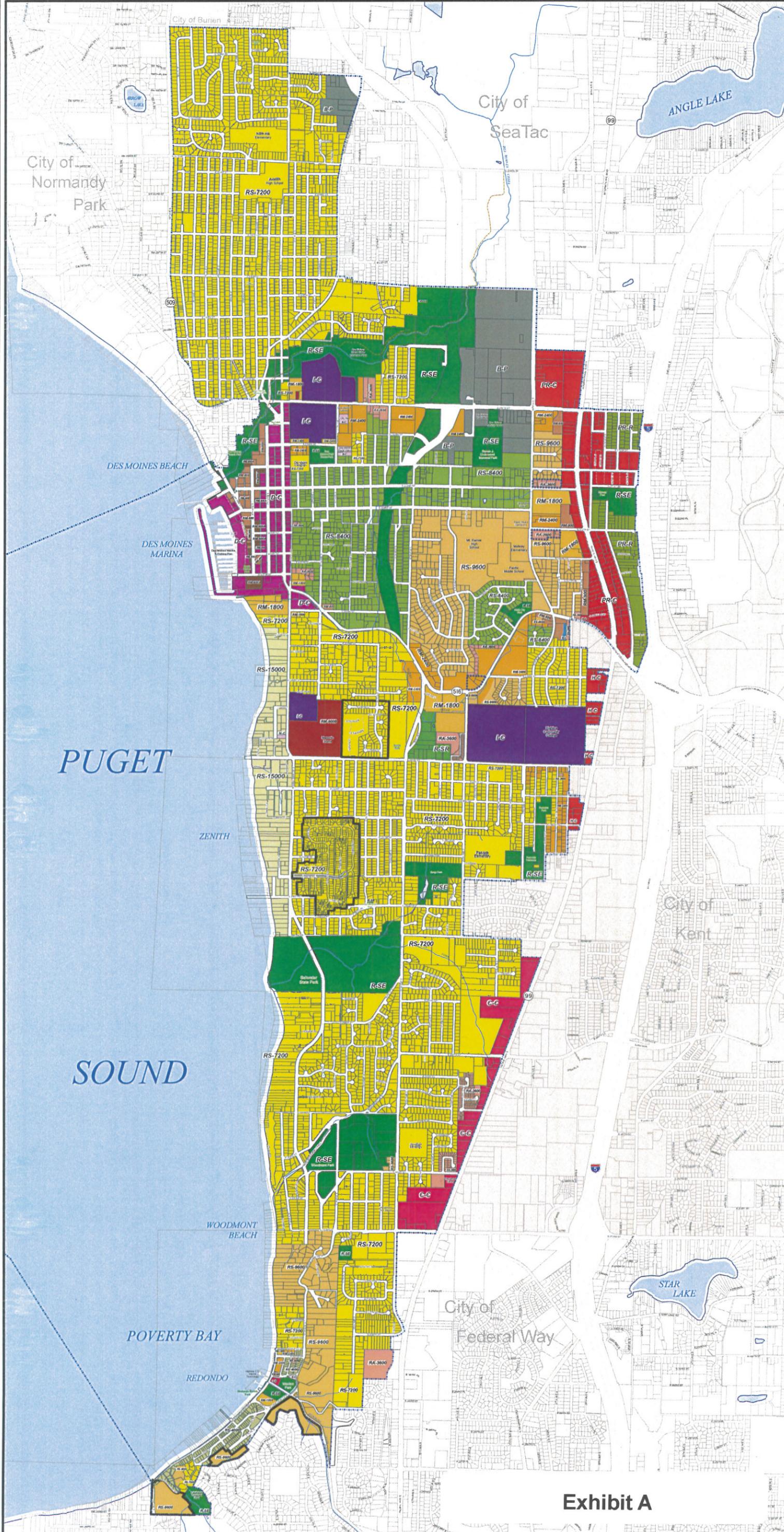
Bonnie Wilkins  
City Clerk

Published: September 20, 2013



# City of Des Moines

## Zoning



- RESIDENTIAL ZONING**
- R-SE Residential: Suburban Estates
  - R-SR Residential: Suburban Residential
  - RS-15,000 Residential: Single Family 15,000
  - RS-9,600 Residential: Single Family 9,600
  - RS-8,400 Residential: Single Family 8,400
  - RS-7,200 Residential: Single Family 7,200
  - RS-4,000 Residential: Single Family 4,000
  - RA-3,600 Residential: Attached
  - Townhouse & Duplex
  - RM-2,400 Residential: Multifamily 2,400
  - RM-1,800 Residential: Multifamily 1,800
  - RM-900 Residential: Multifamily 900
  - RM-900A Residential: Multifamily 900A
  - RM-900B Restricted Service Zone
  - PR-R Pacific Ridge Residential

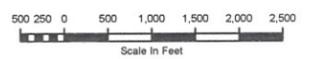
- COMMERCIAL ZONING**
- N-C Neighborhood Commercial
  - B-C Business Commercial
  - C-C Community Commercial
  - D-C Downtown Commercial
  - C-G General Commercial
  - B-P Business Park
  - I-C Institutional Campus
  - H-C Highway Commercial
  - PR-C Pacific Ridge Commercial

- See Comprehensive Plan for Development Potential
- Planned Unit Development
- Des Moines City Limits
- Tax Parcels
- Tidelands

### Enacting Ordinances

Description	Ordinance	Effective Date
Adoption of digital zoning map	1235	May 5, 1999
Renaming of zones	1237	May 17, 1999
Business Park (B-P) rezone	1261	June 21, 2000
Pacific Ridge rezone	1267	July 25, 2000
Redondo Riviera annexation	1270	September 1, 2000
Adoption of GIS maps	1289	October 11, 2001
Mitchell/Chamlian rezone	1372	January 11, 2006
Redondo rezone	1397	March 7, 2007
Crestwood Park	1420	December 6, 2007
Granville rezone	1431	June 26, 2008
Sea Mar rezone	1520	October 13, 2011
Barton rezone	1546	July 26, 2012
Addition of I-C zone	1563	March 28, 2013
Pacific Ridge rezone	1576	September 12, 2013

IN PROVIDING THIS MAP, THE CITY MAKES NO WARRANTY OF ANY KIND, expressed or implied, including without limitation, any warranties as to its fitness for a particular purpose or use. To the fullest extent permitted by law, the City shall not be liable for any damages to persons or property, whether direct, indirect, special or consequential, arising from the distribution or use of this map, including without limitation claims for damages based upon inaccuracies or erroneous information presented on this document. The user should not rely upon this document as a complete, current or accurate depiction of existing City zoning, definitions, or other regulations; and IN USING THIS DOCUMENT, THE USER ASSUMES ALL RISK OF INJURY OR DAMAGE THAT MIGHT FLOW THEREFROM.



**Planning, Building & Public Works**  
 21630 11th Ave S, Suite D  
 Des Moines, WA 98198-6398  
 PHONE: (206) 870-7576 \* FAX: (206) 870-6544  
 WEB: <http://www.desmoineswa.gov>

**Exhibit A**