

RESOLUTION NO. 1275

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, fixing a time for a public hearing to consider Substitute Draft Ordinance No. 14-043-A revising and updating City of Des Moines regulations relating to the cutting and removal of trees on private developed sites, private undeveloped sites, public properties, City-owned property and right-of-way, and environmentally critical areas; adding and codifying a new chapter entitled "Trees" to Title 16, amending chapters 14.20, 16.01, and 18.95 of the Des Moines Municipal Code (DMMC) to add new definitions and development regulations; repealing DMMC 18.95.130 and section 424 of Ordinance No. 1591; and finding that the revised development regulations meet the statutory requirements of RCW 36.70A.106.

WHEREAS, tree cutting, tree removal and tree retention are regulated pursuant to the Use and Maintenance of Public Rights-of-Way (chapter 12.05 DMMC), Land Filling, Clearing and Grading Code (chapter 14.20 DMMC), Environmentally Critical Areas Code (chapter 16.10 DMMC), Shoreline Master Program (chapter 16.20 DMMC), Layout and Design of Subdivisions and Similar Requirements (chapter 17.35 DMMC), and Landscaping and Screening Requirements (chapter 18.195 DMMC), and

WHEREAS, there is no clear policy or development criteria in the DMMC regarding "best management practices" for the cutting of trees, and

WHEREAS, the City researched and assessed the experience of other jurisdictions in regard to standards and requirements for regulating the cutting of trees, and

WHEREAS, the City Council Environment Committee held three meetings to consider the matter and provided guidance on the development of Draft Ordinance No. 14-043, and

WHEREAS, a public hearing is necessary to receive public comment regarding amendments to Title 18 DMMC, and

WHEREAS, a public hearing is required for adoption of an ordinance which amends portions of Title 18 DMMC commonly referred to as the Zoning Code, and

WHEREAS, a public hearing was held on May 22, 2014 to consider Draft Ordinance No. 14-043, and a number of concerns were raised at the public hearing, and

WHEREAS, the City Council sent Draft Ordinance No. 14-042 back to the Environment Committee for further review and discussion in order to address the concerns, and

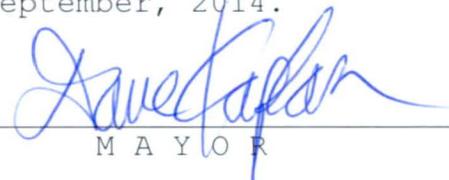
WHEREAS, the Environment Committee met on July 17, 2014 to review and discuss Substitute Draft Ordinance 14-043-A, which was prepared to address concerns raised at the May 22, 2014 Public Hearing, and

WHEREAS, the Environment Committee directed that Substitute Draft Ordinance No. 14-043-A be brought back to the Council for consideration, now therefore,

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

The matter of adding and codifying a new chapter entitled "Trees" to Title 16 DMMC, amending chapters 14.20, 16.01, and 18.95 DMMC to add new definitions and development regulations; repealing DMMC 18.95.130 and section 424 of Ordinance No. 1591, is set for a public hearing before the City Council on Thursday, October 2, 2014, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers, 21630 11th Avenue South, Suite B, Des Moines, Washington.

ADOPTED BY the City Council of the City of Des Moines, Washington this 11th day of September, 2014 and signed in authentication thereof this 11th day of September, 2014.


M A Y O R

APPROVED AS TO FORM:


Assistant City Attorney

ATTEST:


City Clerk