

**ORDINANCE NO. 1746**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON,** adopting the 2020 amendments to the *Des Moines 2035: Charting Our Course for a Sustainable Future* (the Comprehensive Plan) and amending chapter 18.25 DMMC.

**WHEREAS,** the Growth Management Act requires, among other things, that "cities ... take action to review and, if needed, revise their *comprehensive plans (emphasis added)* and development regulations to ensure the plan and regulations comply with the requirements of this chapter . . . Any amendment of or revision to development regulations shall be consistent with and implement the comprehensive plan," and

**WHEREAS,** the goals and policies for growth and the provision of services are guided by GMA requirements and are based in part upon state and regional goals, and reflect the vision and goals of elected officials, community advisory groups and citizens, and

**WHEREAS,** pursuant to chapter 18.25 DMMC, Comprehensive Plan amendments are legislative (Type VI) land use decisions and require the City Council to conduct a public hearing to receive public comment regarding the amendments, and

**WHEREAS,** each amendment of the Comprehensive Plan was processed in accordance with the requirements of the State Environmental Policy Act (chapter 197-11 WAC) and public hearings were conducted in accordance with law, and

**WHEREAS,** notice was given to the Washington State Department of Commerce of these amendments as required by chapter 36.70A RCW, and

**WHEREAS,** the City provided notice of the public hearing on November 18, 2020, setting the public hearing for December 3, 2020, and

**WHEREAS,** the City Council finds that the amendments contained in this Ordinance are appropriate and necessary for the preservation of the public health, safety and welfare; now therefore,

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

**Sec. 1.** DMMC 18.25.120 and section 3 of Ordinance No. 1623, as amended by section 2 of Ordinance No. 1664, as amended by

section 2 of Ordinance No. 1712, as amended by section 2 of Ordinance No. 1731 are amended to read as follows:

**18.25.120 Comprehensive Plan amendments.** There is adopted by reference a Comprehensive Plan, on file with the City Clerk, as subsequently amplified, augmented and amended pursuant to the provisions in this Title, as identified below.

(1) Chapter 1: Introduction;

(2) Chapter 2: Land Use Element;

(3) Chapter 3: Transportation Element;

(4) Chapter 4: Conservation and Environment Element;

(a) 2019 Amendment: Selected portions of this element of the Comprehensive Plan are amended as described in Exhibit "A" to Ordinance No. 1731.

(5) Chapter 5: Capital Facilities, Utilities, and Public Services Element;

(a) 2018 Amendment: Selected portions of this element of the Comprehensive Plan are amended as described in Exhibit "A" to Ordinance No. 1712;

(6) Chapter 6: Parks, Recreation, and Open Space Element;

(a) 2016 Amendment: This element of the Comprehensive Plan is amended as described in Exhibit "A" to Ordinance No. 1664.

(b) 2018 Amendment: Selected portions of this element of the Comprehensive Plan are amended as described in Exhibit "A" to Ordinance No. 1712;

(c) 2019 Amendment: Selected portions of this element of the Comprehensive Plan are amended as described in Exhibit "A" to Ordinance No. 1731.

(d) 2020 Amendment: Selected portions of this element of the Comprehensive Plan are amended as described in Exhibit "A" to Draft Ordinance No. 20-044.

(7) Chapter 7: Housing Element;

(8) Chapter 8: Economic Development Element;

(9) Chapter 9: North Central Neighborhood Element;

(10) Chapter 10: Marina District Element;

(11) Chapter 11: Pacific Ridge Element;

(12) Chapter 12: Healthy Des Moines Element;

(13) Appendix A: City of Des Moines Buildable Lands Report;

(14) Appendix B: Transportation Technical Memorandum;

(15) Appendix C: City of Des Moines Housing Inventory and Needs Assessment.

**Sec. 2. 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. 3. Effective date.** This Ordinance shall take effect and be in full force five (5) days after its final passage by the Des Moines City Council in accordance to law.


**PASSED BY** the City Council of the City of Des Moines this 3rd day of December, 2020 and signed in authentication thereof this 3rd day of December, 2020.

  
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APPROVED AS TO FORM:

/s/ Timothy George  
City Attorney

ATTEST:

  
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City Clerk

Published: December 8, 2020