

STUDY SESSION DES MOINES CITY COUNCIL – June 7, 2012 - 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

COMMENTS FROM THE PUBLIC: Note: ***Comments must be limited to the items of business on the Study Session Agenda per Council Rule 10.*** Please sign in prior to the meeting and limit your comments to three minutes.

DISCUSSION ITEMS:

DISCUSSION LEADER:

GOAL:

EST. TIME:

- | | | | | |
|----|--|---|-----------|--------|
| 1. | Code Enforcement and Property Abatement
Policy Discussion | Planning Building Public Works
Director Grant Fredricks

Code Enforcement Officer Nancy Uhrich | Direction | 45 min |
| 2. | Pacific Highway Corridor Policy Discussion | Planning Manager Denise Lathrop

Senior Planner Jason Sullivan | Direction | 45 min |

NEXT MEETING DATE: Regular Meeting June 14, 2012

ADJOURNMENT

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Code Enforcement & Property
Abatement

FOR AGENDA OF: June 7, 2012

DEPT. OF ORIGIN: Planning, Building & Public
Works

DATE SUBMITTED: May 30, 2012

CLEARANCES:

☐ Legal NA

☐ Finance NA

☐ Marina N/A

☐ Parks, Recreation & Senior Services NA

☒ Planning, Building & Public Works *MA*

☐ Police NA

☐ Courts NA

APPROVED BY CITY MANAGER
FOR SUBMITTAL: *Lut*

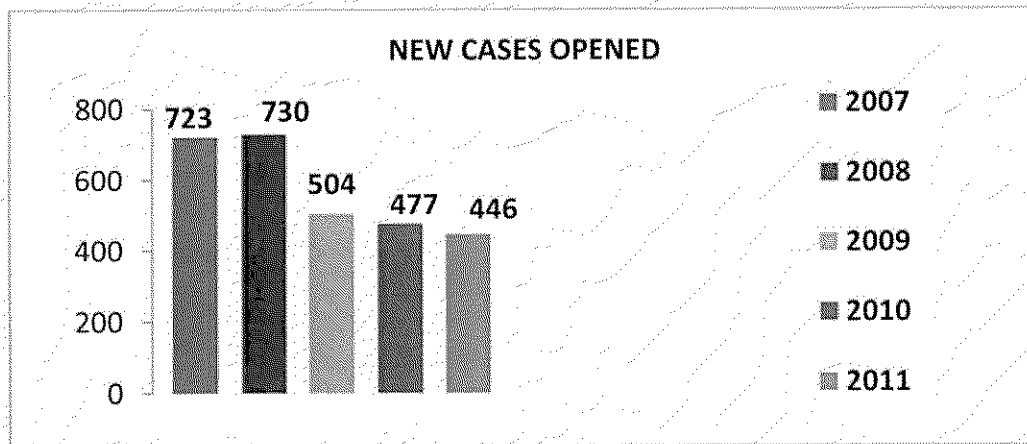
Purpose and Recommendation

The purpose of this item is to discuss with the City Council the City's current approach to code enforcement and property abatement. No formal Council action is required but Council policy direction is desired.

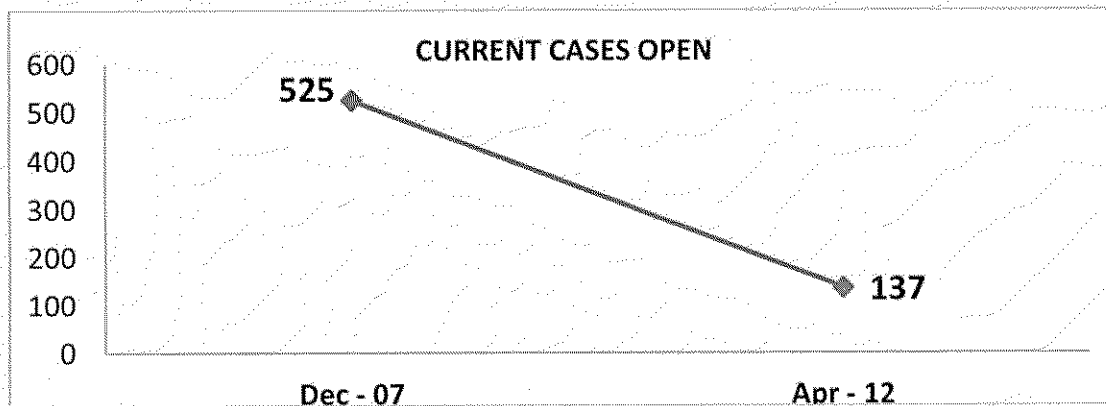
Background

The City's Code Enforcement Officer (CEO) is one of nine staff reporting directly to the Planning, Building & Public Works Director. At one time, the CEO had a full time administrative assistant, but this was eliminated for budget reasons.

The annual *new cases opened* load has steadily declined since 2007 as illustrated in the following chart:



Similarly, the *current cases open* fell from 525 at the end of 2007 to 137 at the end of April 2012 as shown below:



This reduction was done in large part by changing from multiple informal and formal contacts to a single formal letter advising the property owner of a problem and usually directing that it be corrected within 15 days to avoid a Notice of Infraction with a \$513 fine per property owner per day. Some of the complaints were handed off to other PB&PW divisions for enforcement as noted below.

Other reasons for the sharp drop in the number of open cases include:

- No longer helping with illegal dumping on right of way, site visits, writing letters – passed to Transportation/Engineering Division
- No longer coordinating weekly clean up in Pacific Ridge.
- Reduction in proactive code enforcement – when complaint came in, CEO would do code enforcement on the entire block. Now enforcement is targeted on only the complaint.
- No longer doing ground contamination enforcement – now done by NPDES Coordinator
- No longer coordinating minor home repair program – now done by part time employee paid for by the Minor Home Repair program
- No longer doing South King Fire notice of infractions – now being handled by Legal
- No longer doing business licenses, research and writing notice of infractions, except for notifying Business License Clerk of businesses CEO finds while doing site visits or complaints.
- Notices of Infraction are now getting promptly filed in the Court by the Assistant City Attorney. In the past, some cases drag on for years. Once the infractions started getting filed, a lot of these properties have been brought into compliance.

- Stronger Junk Vehicles ordinance – able to close cases that have been ongoing for years.
- No longer doing Building Code enforcement – CEO notifies Building Division and Building Division handles.
- No longer doing Zoning Code enforcement – assigned to Development Services
- No longer doing any Sign Code enforcement – assigned to Development Services.
- Vehicles on right of way –Police Department now enforces.
- No longer writing letters regarding graffiti – assigned to Police Department

Notices of Infraction

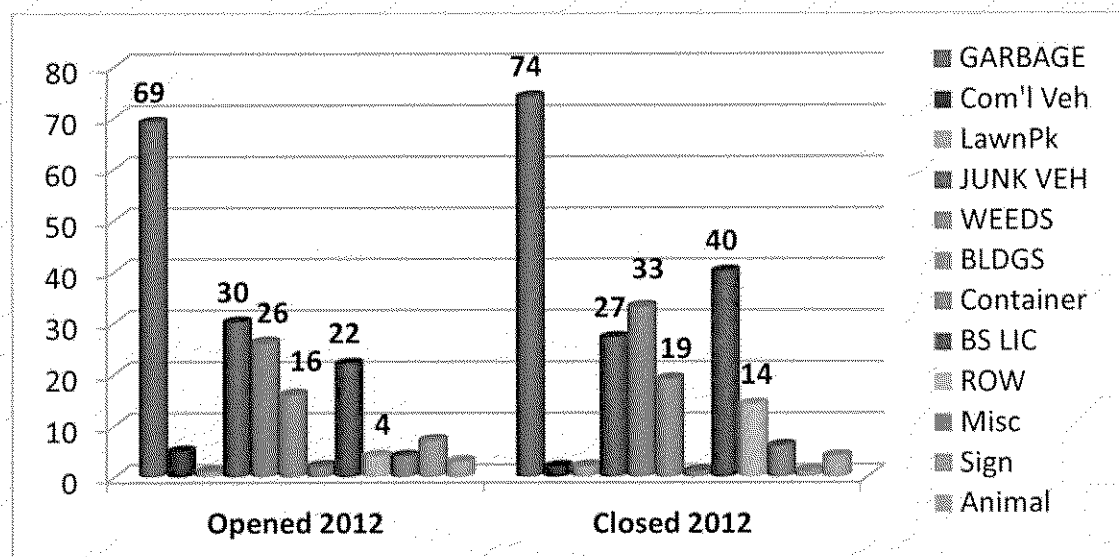
- Year to date notices of infractions (NOI's) written – 21. Out of the 21, 8 were repeat tickets from either this or last year. Some tickets had multiple violations. The NOI's were for:
 Garbage 11
 Junk vehicles 7
 Parking on landscape 5
 Noxious weeds 4
 Commercial vehicles in residential 3
 Unsecured/unsafe structure 2
 Shipping containers 1

Code Enforcement cases closed in 2012 to date totaled 207 and included:

 Garbage 74
 Commercial and home business license inspections – 40
 Noxious weeds 33
 Junk vehicles – 27
 Unsecured/unsafe structure/vacant illegal structures – 19
 Right of way issues 14
 Animals – 4
 Commercial vehicles in residential neighborhoods - 2
 Parking on landscape - 2
 Shipping containers - 1
 Sign – 1
 Misc – 6

Cases currently open include:

 Garbage - 69
 Junk vehicles – 30
 Noxious weeds - 26
 Commercial and home business license inspections – 22
 Unsecured/unsafe structure/vacant illegal structures - 16
 Sign – 7
 Commercial vehicles in residential neighborhoods - 5
 Right of way issues -4
 Animals – 3
 Shipping containers - 2
 Parking on landscape - 1
 Misc – 4



Current Code Enforcement Priority Categories

Priority 1

- Fire and life safety
- Assisting police
- Unsafe living conditions
- Illegal dumping
- Health and sanitation

Priority 2

- Junk vehicles
- Auto repair
- Abandoned (but not unsafe) structures
- Adult family home inspections
- Noxious weeds
- Business license inspections

Priority 3

- Any right of way issues – now under Transportation/Engineering
- Weekly enforcement in Pacific Ridge
- Clean up of Pacific Ridge – requires support from PW
- Animals
- Illegal fences
- Commercial vehicles in residential areas
- Cargo containers
- Parking on landscape
- Dumpster enclosures
- Recreational vehicles on right of way
- Homeless camps
- Kennel licensing
- Out of area business licensing
- Working with CleanScapes

Unlicensed businesses

Unlicensed rentals

Contaminated properties' (after Winston is complete) – now under SWM

Discussion

There are 3 basic policy questions that staff is asking the Council to consider:

1. Do staff's priorities align with expectations from the Council and the community? If not, what changes should be considered?
2. Should additional resources be allocated to Code Enforcement?
3. Should staff further develop a proposal to establish a property abatement fund to abate dangerous or nuisance properties similar to other abatement programs in Pierce and King Counties?

Summary

Code Enforcement has proven to be a valuable tool in protecting people and property and protecting the livability of our community. Resources are limited and finding the right balance between this activity and other essential City services with today's limited resources is a challenge. Aligning Code Enforcement effort with the Council's priorities with these limited resources is especially important for the community.

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Pacific Highway S, Corridor Policy
Discussion

ATTACHMENTS:

1. Map of Pacific Highway S, Corridor
2. Ordinance 1298

FOR AGENDA OF: June 7, 2012

DEPT. OF ORIGIN: Planning, Building and
Public Works

DATE SUBMITTED: May 30, 2012

CLEARANCES:

- ☒ Legal *PB*
- ☐ Finance *N/A*
- ☐ Marina *N/A*
- ☐ Parks, Recreation & Senior Services *N/A*
- ☒ Planning, Building & Public Works *HS*
- ☐ Police *N/A*
- ☐ Courts *N/A*

APPROVED BY CITY MANAGER
FOR SUBMITTAL: *SAE*

Purpose and Recommendation

The purpose of this agenda item is to obtain policy and work plan direction from the City Council regarding the planning for the Pacific Ridge Neighborhood and Midway Area. The location of these geographical areas is illustrated on Attachment 1.

Suggested Motions

Motion 1: "I move to direct staff to develop a Sub-Area Plan for the Midway Neighborhood"

Motion 2: "I move to direct staff to add review of the Pacific Ridge Element of the Des Moines Comprehensive Plan to the docket for the 2012 Comprehensive Plan Amendments."

Motion 3: "I move to direct staff to prepare an ordinance amending Ordinance 1258 in order to extend the date of the review of the Pacific Ridge SEPA Planned Action to no later than 2014."

Background

The Pacific Highway South Corridor is a key commercial area where significant private and public investment have been, are being or will be made in the near future that support the City of Des Moines economic goals of growing jobs and tax revenues. This commercial corridor contains the following two distinct geographical areas illustrated on **Attachment 1**: Pacific Ridge (South 212th Street to Kent- Des Moines Rd) and Midway (South 234th Street to South 272nd Street). These areas are influenced by planning and development efforts underway by the Port of Seattle, Puget Sound Energy, Benaroya Capital Company, Artemis, SSI Pacific Place (Waterview Crossing), Growing Transit Communities, Sound Transit, Highline Community College, and the Cities of Des Moines, SeaTac, Kent and Federal Way. As such, Des Moines has an opportunity to influence decisions that will be made in the future by having the planning, policy and regulatory framework in place that best represents the City's vision as to how it wants these areas to develop to support the City economically and support the following significant transportation improvements in these areas:

- Metro's RapidRide
- Sound Transit's ST2 Link Light Rail extensions
- SeaTac's 28th/24th Connection
- Des Moines' Transportation Gateway Project
- SeaTac Airport's South Access
- WSDOT's SR509 Freight Mobility Project

There is a significant body of work to be completed in order for the City to influence and take advantage of these opportunities, help set the stage for these investments, and put the City in a competitive position to influence important decisions that will be made along the way. This work will need to be completed with limited resources already committed to a number of projects that include the following:

- Des Moines Creek Business Park 2nd Development Agreement
- PSE/Benaroya Permitting
- Institutional Campus Zoning
- North Hill Business Park Zoning Reclassification
- Development Permitting (Healthpoint, Landmarque, SeaMar, etc.)
- Marina – Beach Park Development Plan
- Pacific Ridge SEPA Planned Action Review and Zoning Code Modifications
- South 216th Commercial Corridor Planning
- Cape Cod Design Theme and Incentive Program
- Land Use Review Procedures
- Planned Unit Development (PUD) Code Revisions

In order to accomplish the work needed to position the City for future commercial activity, Administration is seeking the City Council's direction regarding elevating the priority of the Midway Sub-Area Plan and lowering the priority of some of the Pacific Ridge work items.

Discussion

1. *Pacific Ridge Neighborhood Improvement Plan and SEPA Planned Action.*

Since the adoption of the Pacific Ridge Planned Action Ordinance, there has been little development so there is significantly more capacity than is needed for projects that are current in the pipeline. The lack of development in the last 10 years since the adoption of the *Pacific Ridge Neighborhood Improvement Plan* is consistent with the *Market Influence and Analysis* study prepared as part of the of the Neighborhood Improvement Plan. This study found that given the Pacific Ridge's lack of a track record in developing Class A office space and high density market rate residential projects, and the lack of supporting and compatible uses will be significant challenges facing the "pioneering" developers in the Pacific Ridge Neighborhood resulting in the slow redevelopment of the area. These disincentives were predicted to increase property development costs significantly and reduce the economic advantage of the relatively inexpensive land, thus significantly reducing the economic incentive to redevelop Pacific Ridge. The study also found that:

"While high rise projects could be built in Pacific Ridge, that location lacks the close proximity to a major economic center that makes high rise cost effective to the user. It will likely be some time before the necessary critical mass of supporting and complementary economic activities and amenities can be established in Pacific Ridge to support higher density projects. Without the implementation of significant incentives, the market will likely support a more moderate density of development that is in keeping with the distance between Pacific Ridge and the major economic centers in the region." (*Pacific Ridge Neighborhood Plan and Integrated Draft Environmental Impact Statement*, May 24, 2000 pg 3-10)

This information is also consistent with information presented to the City Council at the May 24, 2012 City Council meeting during the discussion of the Multi-Family Tax Exemption. In light of this information, the lack of redevelopment within the area and the coming transit improvements in the area, it may be appropriate for the City Council to revisit the vision and goals for the Pacific Ridge Neighborhood.

The first step in the process of revisiting the vision of the area is to review the Pacific Ridge Element of the *Des Moines Comprehensive Plan* as part of the 2012 Comprehensive Plan Review to either confirm the original vision or to chart a new course. If there are changes to the vision for the Pacific Ridge Neighborhood, the second step would be to review the development regulations for the area and determine what changes are required to meet the Council's updated vision for the Area. Following this work, staff would need to review the SEPA Planned Action and Neighborhood Plan to determine what modifications are needed in order to be consistent with the updated vision and development regulations. Review of the development regulations and the SEPA Planned Action is a significant effort and would need to be part of the 2013 work program following the Comprehensive Plan work in 2012.

In order to delay the review of the SEPA Planned Action the City Council would need to pass an ordinance to amend Ordinance 1298 (**Attachment 2**) which established the SEPA Planned Action in 2001. As part of Ordinance 1298, the City Council added the condition of approval stating that in 2012, the City Council would review the planned action provisions for Pacific Ridge to determine if

environmental impacts are adequately addressed during permit review. This review is not required by the EIS or the State law related to the establishment of SEPA Planned Action, but was a policy decision made by the City Council. Delaying the review would not impact any proposed development and would allow the City to have a comprehensive discussion regarding the Pacific Ridge Neighborhood before initiating any development regulation changes.

2. *Midway Subarea Plan including a Station Area Planning for Highline Community College*

The Midway planning effort builds upon the work completed during the ‘*Envision Midway*’ planning project with the City of Kent that was funded through a grant from the Department of Commerce (formerly CTED). ‘*Envision Midway*’ was formed by the City of Kent and Des Moines to work collectively to address inconsistent land use patterns along our shared “zig-zag border” and consider land use changes in anticipation of high-capacity transit improvements along SR-99 through Des Moines’ Pacific Ridge, South Des Moines and Woodmont neighborhoods and the Midway area in Kent. Des Moines and Kent City Councils jointly established the project mission and goals to guide the planning and citizen involvement.

From January 1, 2008 through June 2009, Des Moines and Kent worked with the community to create a shared vision for the study area that informs land use policies, regulations, and implementation strategies. As a regional collaboration planning project, *Envision Midway* benefited through the thoughtful participation and input from residents, stakeholders, property and business owners of the Cities of Des Moines and Kent, as well as the development community. Outcomes from the visioning effort guided the development of draft subarea plans, design guidelines, and coordinated development regulations for Kent and Des Moines to undergo further analysis by our respective communities. The City of Kent has since completed their planning with the recent adoption of the Midway Subarea Plan, Design Guidelines and development regulations (Ordinance No. 4009, adopted December 13, 2011).

In November 2009, Des Moines adopted the following Comprehensive Plan policies and strategies related to the extension of light rail to Des Moines and the need to further plan for the Midway area:

Land Use Element:

Strategy 2-04-11 Negotiate with Sound Transit and the Cities of Kent, SeaTac and Federal Way on the extension of light rail through Des Moines.

Strategy 2-04-12 Prepare a subarea plan/s, prepare zoning amendments and prepare design guidelines for the light rail station areas to be located within the South Des Moines and Woodmont Neighborhoods, considering the joint planning with the City of Kent on the Midway area.

Pacific Ridge Element:

Policy 11-03-11 Coordinate with Sound Transit and the Cities of Kent, SeaTac and Federal Way on the extension of light rail through Des Moines.

Strategy 11-04-07 Support a light rail alignment on or east of the SR 99 center median, or along 30th Avenue South, provided a light rail stop is added in the vicinity of South 216th Street; or designate the west margin of Interstate 5 as the light rail corridor through Pacific Ridge. Work with Sound Transit to establish a light rail stop in the vicinity of S 216th Street.

Remaining work items for Des Moines include coordination with the City Council, Planning Agency and stakeholders to finalize the subarea plan for the Midway area that includes: development standards; Transit Oriented Development (TOD) overlay zones around future light rail station areas; design guidelines; capital improvement plans; and funding strategies.

Alternatives

1. Alternative 1: Do Nothing

The City Council may decline to take any action. Under this option, Administration would begin work to immediately review the Pacific Ridge Planned Action to determine if the impacts associated with the current plan have been and will be mitigated by the City's development regulations. This work would not involve a review of the vision and would be completed by the end of 2012 per the direction provided in Ordinance 1258. This alternative results in no near-term revenue or other economic benefits for the City. This option would also likely prevent the staff from focusing on other areas that are likely to provide more economic development opportunities. This is not the recommended alternative.

Under this option, the City would not embark on completing a subarea plan for the Midway area. As such, the City would be put in a reactive position as it relates to future decisions regarding extension of light rail through Des Moines and other development efforts along the Pacific Highway S Corridor.

2. Alternative 2: Move the Suggested Motions

The City Council may make the three recommendation motions. This would allow Administration to begin planning work needed to ensure that key commercial areas will provide long term financial and economic benefits to the City. This option will also ensure the staff efforts are in line with the City Council's 2012 Strategic Objectives to review Pacific Highway South commercial corridor from South 216th Street to South 272nd Street and work to develop alternative revenue sources to address the City's structural deficit. This is the recommended alternative.

Financial Impact

Planning for Pacific Ridge and the Midway Area will help foster a strong economic environment for the City by creating new jobs, a stronger tax base, and tax revenues for the City of Des Moines. It will help the City strategically plan for capital improvements and investments in conjunction with growth and development and will position the City competitively for grant funding.

Recommendation or Conclusion

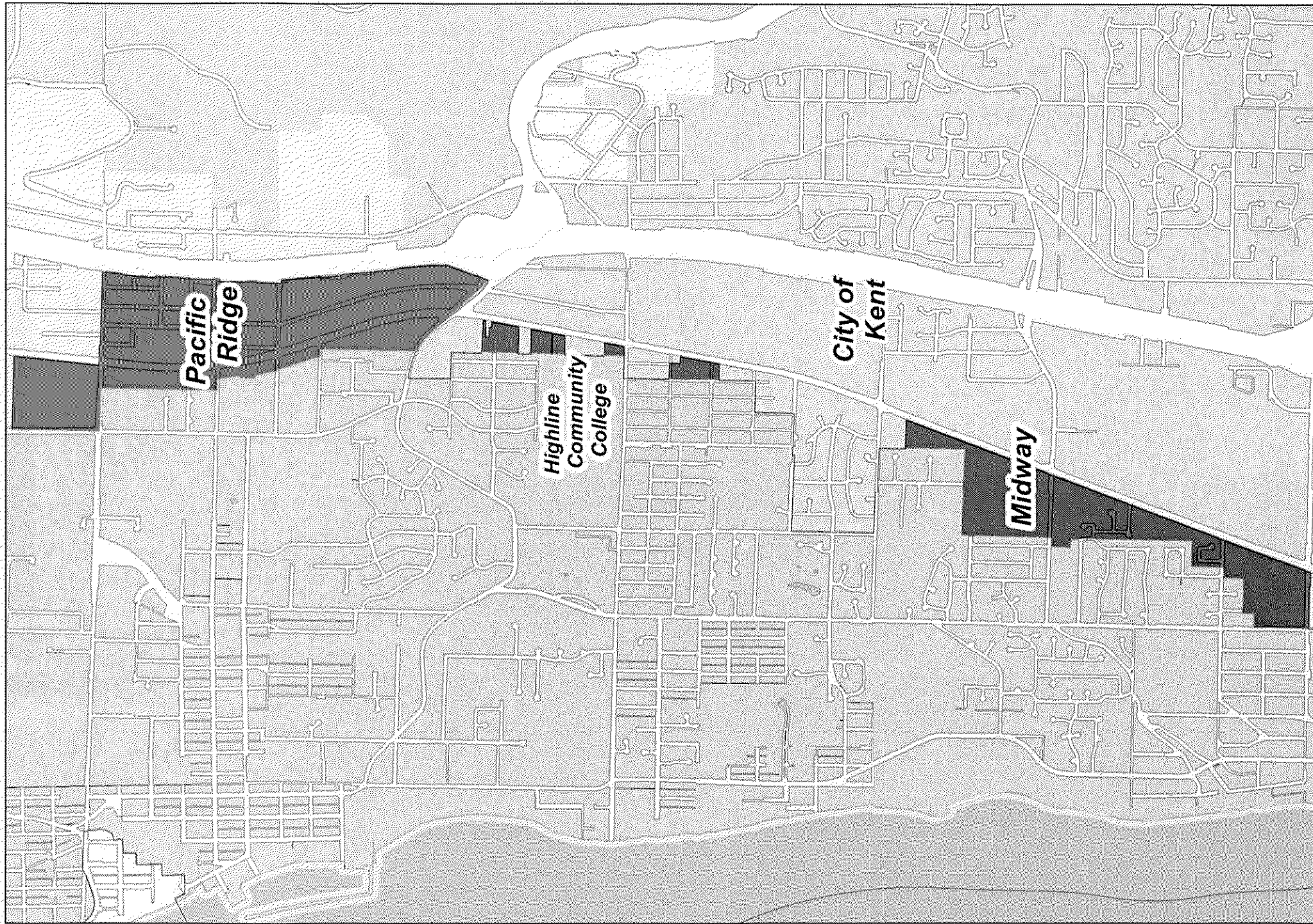
Staff recommends that City Council approve the planning work program items identified above, beginning with the Pacific Ridge Comprehensive Plans and followed by the Midway Subarea Planning, and move the Pacific Ridge SEPA Planned Action work to 2014 by adopting the recommended motions.

Concurrence

N/A

Pacific Highway Corridor

Attachment 1



ORDINANCE NO. 1298

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON, relating to SEPA Planned Actions, adding a new section to Article VI of Chapter 16.04 DMMC to summarize existing state and city law authorizing designation of "Planned Actions"; designating Pacific Ridge as an area in which development proposals may be reviewed as Planned Actions; amending the Pacific Ridge Neighborhood Improvement Plan; and adopting findings supporting the potential designation of certain development proposals within Pacific Ridge as SEPA Planned Actions.

WHEREAS, the State Environmental Policy Act, at RCW 43.21C.031, authorizes cities to review certain development project proposals as "Planned Actions", subject to compliance with legislation and regulations guiding review of such projects, and

WHEREAS, RCW 43.21C.031 expressly provides that the term "Planned Action" means one or more types of project action that have had the significant impacts adequately addressed in an environmental impact statement prepared in conjunction with a comprehensive plan or subarea plan adopted under chapter 36.70A RCW, among other requirements, and

WHEREAS, SEPA regulations, adopted by the state Department of Ecology at WAC 197-11-172 and incorporated in the city code at DMMC 16.04.180, explain that review of a project proposed as a Planned Action is intended to be simpler and more focused than for other projects, and

WHEREAS, the City Council finds that the Pacific Ridge area presents an opportunity for use of the Planned Action process, given the detailed environmental analysis already conducted regarding future development in such area, and

WHEREAS, on December 7, 1995, the City Council adopted the Greater Des Moines Comprehensive Plan with an integrated environmental impact statement through passage of Ordinance No. 1160, and

WHEREAS, on July 13, 2000, the City Council added the Pacific Ridge Element to the Greater Des Moines Comprehensive Plan through passage of Ordinance No. 1265, and

WHEREAS, on July 13, 2000, the City Council adopted the Pacific Ridge Neighborhood Improvement Plan (a subarea plan) with an integrated environmental impact statement through passage of Ordinance No. 1267, and

WHEREAS, the Pacific Ridge Neighborhood Improvement Plan calls for redevelopment of the Pacific Ridge area, and

WHEREAS, in addition to the environmental impact statement, the Pacific Ridge Neighborhood Improvement Plan contains land use policies, development regulations, design guidelines, market analysis, and a capital financing plan, and

WHEREAS, on June 28, 2001, the City Council adopted Street Development Standards specifically for Pacific Ridge, and

WHEREAS, the land use policies and regulations contained within the Pacific Ridge Neighborhood Improvement Plan are intended to improve real estate market conditions in the area and encourage privately-sponsored redevelopment activity, and

WHEREAS, to further promote and simplify the redevelopment process for the Pacific Ridge area, the City Council directed preparation of an addendum to the environmental impact statement for Pacific Ridge which provides project-level environmental analysis of proposed redevelopment within Pacific Ridge, and

WHEREAS, designating redevelopment of Pacific Ridge properties as Planned Actions can provide a significant incentive to prospective applicants, and

WHEREAS, the Des Moines community development director acting as the SEPA responsible official reviewed this proposed action and subsequently concluded it constitutes a procedural action and is therefore categorically exempt from threshold determination and EIS requirements, and

WHEREAS, on the 13th day of December, 2001, following public notice given in accordance with law, the city council held a public hearing to hear public testimony and all persons wishing to be heard were heard; NOW THEREFORE:

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

Sec. 1. Caption changed to include Planned Actions. The existing caption to sections of the City's SEPA code known as "Article VI," placed immediately above DMMC 16.04.180, is hereby amended to read as follows:

**"ARTICLE VI. EXISTING ENVIRONMENTAL DOCUMENTS
AND PLANNED ACTIONS"**

Sec. 2. A new section is hereby added to Article VI of chapter 16.04 DMMC, which shall be codified as DMMC 16.04.185, to read as follows:

DMMC 16.04.185 Planned Actions.

(1) The City endorses the procedures in the SEPA rules adopted in this Article for project proposal review as a "Planned Action" and will apply the provisions of WAC 197-11-164 through WAC 197-11-172 to projects which meet the criteria for planned action environmental review under Chapter 43.21C.031 RCW.

(2) Where a project proposal meets the requirements and criteria for a planned action set forth in WAC 197-11-164 to 172, and any planned action ordinance adopted by the city, the responsible official shall not be required to issue a threshold determination or EIS under the provisions of this chapter.

(3) Nothing in this section limits the City from using this chapter or other applicable law to place conditions on the project in order to mitigate nonsignificant impacts through the normal project review and permitting process.

(4) Public notice for projects that qualify as planned actions shall be tied to the underlying permit. If notice is otherwise required for the underlying permit, the notice shall state that the project has qualified as a planned action. If notice is not otherwise required for the underlying permit, no special notice is required.

Sec. 3. Pacific Ridge designated as a Planned Action. Development applications received for projects proposed to occur in the Pacific Ridge area, which area is defined in the Pacific Ridge element of the City's Comprehensive Plan, are hereby designated as "Planned Actions", subject to the Community Development Director's written determination that such project(s):

(a) Has had the significant environmental impacts adequately addressed in the City's Environmental Impact Statement (EIS) prepared in conjunction with the Pacific Ridge Neighborhood Improvement Plan, the Addendum to the Pacific Ridge EIS, and the Des Moines Comprehensive Transportation Plan.

(b) Constitutes an implementing project for the Pacific Ridge Neighborhood Improvement Plan;

(c) Is not an essential public facility, as defined in RCW 36.70A.200;

(d) Is consistent with the City's Comprehensive Plan;

(e) Implements mitigation measures and/or development regulations set forth in the EIS prepared for the Pacific Ridge Neighborhood Improvement Plan and Chapter 18.31 DMMC;

(f) Satisfies all other requirements found in RCW 43.21C.031 and WAC 197-11-164 through 197-11-172; and

(g) Will not result in probable significant adverse environmental impacts not adequately addressed in the EIS prepared for the Pacific Ridge Neighborhood Improvement Plan or other existing documents designated in DMMC 16.04.200 as possible bases for the City's exercise of SEPA authority.

(h) Within 30 days after receipt of a complete application for a project seeking designation as a "Planned Action", the community development director shall prepare a written determination as to whether such project constitutes a "Planned Action". If not, the project may not be deemed a Planned Action and a threshold determination is required, setting forth the nature and scope of any additional environmental review as provided by WAC 197-11-172(b).

Sec. 4. The City of Des Moines' Pacific Ridge Neighborhood Improvement Plan adopted by Ordinance No. 1266 and amended by Ordinance No. 1284 is hereby amended to include the addendum to the environmental impact statement for the Pacific Ridge Neighborhood Improvement Plan, which addendum is incorporated by this reference and attached as Exhibit "B".

Sec. 5. Findings. Consistent with RCW 43.21C.031 and WAC 197-11-168, the City Council hereby incorporates and adopts the findings set forth in the preamble to this ordinance as well as those included in Exhibit "A", attached hereto, in support of its underlying decision to designate certain projects in the Pacific Ridge area as "Planned Actions".

Sec. 6. 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.

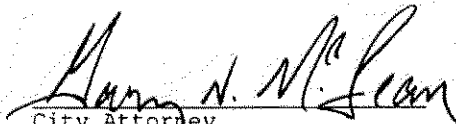
(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

Sec. 7. 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.

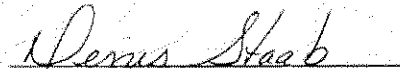
PASSED BY the City Council of the City of Des Moines this 13th day of December, 2001 and signed in authentication thereof this 13th day of December, 2001.


MAYOR

APPROVED AS TO FORM:


City Attorney

ATTEST:


City Clerk

Published: December 20, 2001

*Exhibit "B" on file in City Clerk's
files per. RCW 35A.12.140*

EXHIBIT "A"
ORDINANCE NO. 1298

FINDINGS – PACIFIC RIDGE SEPA PLANNED ACTIONS

1. Ordinance No. 1298 establishes procedures whereby land uses and building types allowed by and consistent with the: a) Pacific Ridge Element of the Greater Des Moines Comprehensive Plan (GDMCP); b) Pacific Ridge Neighborhood Improvement Plan (NIP); and c) Pacific Ridge zoning regulations may be designated as planned actions.
2. The following documents contain detailed analysis of the potential environmental impacts that may accompany redevelopment of the Pacific Ridge area:
 - a. Environmental Impact Statement (EIS) for the Pacific Ridge NIP (July 2000).
 - b. Addendum to the Pacific Ridge NIP EIS (December 2001).
 - c. City of Des Moines Comprehensive Transportation Plan (1993) and the draft Update of the City of Des Moines Comprehensive Transportation Plan (2001).
3. The City Council finds that the above-referenced environmental studies adequately identify and address the project-level environmental impacts that may result from redevelopment of Pacific Ridge.
4. The Pacific Ridge Element of the GDMCP and the Pacific Ridge NIP together constitute a subarea plan for the area known as Pacific Ridge.
5. Land development proposals that are consistent with the NIP and that are within the scope of development considered in the NIP EIS constitute actions that are subsequent to and that implement the subarea plan for Pacific Ridge.
6. Pacific Ridge is located within the urban area of King County, an urban growth area as defined in RCW 36.70A.030.
7. WAC 197-11-164 excludes essential public facilities from being considered planned actions. Essential public facilities are defined by RCW 36.70A.200.
8. Land development proposals that are consistent with the NIP and that are within the scope of development considered in the NIP EIS are considered to be consistent with the Greater Des Moines Comprehensive Plan.
9. Ordinance No. 1298 limits the applicability of the planned action process to certain types of development and to a specific geographic area that is less extensive than the jurisdictional boundaries of the City of Des Moines.
10. Ordinance No. 1298 specifies the criteria that must be satisfied in order for a proposed land use action to be determined to be a SEPA planned action.
11. Ordinance No. 1298 requires that new developments within Pacific Ridge contribute funds to the Pacific Ridge Transportation Mitigation Plan. The Pacific Ridge Transportation Mitigation Plan provides transportation mitigation measures comparable to those that would be imposed using SEPA substantive authority during permit review.
12. Ordinance No. 1298 requires that new developments include mitigation measures relating to surface water as necessary to avoid significant adverse impacts. This requirement provides surface water mitigation measures comparable to those that would be imposed using SEPA substantive authority during permit review.
13. The City Council intends to review the planned action provisions for Pacific Ridge no later than 2012 to determine if environmental impacts are adequately addressed during permit review.

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1298, Adopted December 13, 2001.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance relates to SEPA Planned Actions, adds a new section to Article VI of chapter 16.04 DMMC to summarize existing state and city law authorizing designation of "Planned Actions"; designates Pacific Ridge as an area in which development proposals may be reviewed as Planned Actions; amends the Pacific Ridge Neighborhood Improvement Plan; and adopts findings supporting the potential designation of certain development proposals within Pacific Ridge as SEPA Planned Actions

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

Denis Staab
City Clerk

Published: December 20, 2001

Exhibit "B"
in Top File
Drawer

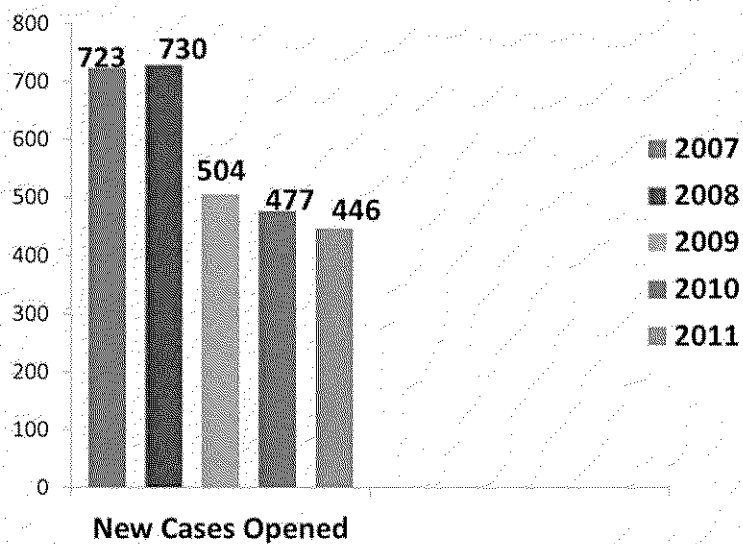


CODE ENFORCEMENT & PROPERTY ABATEMENT

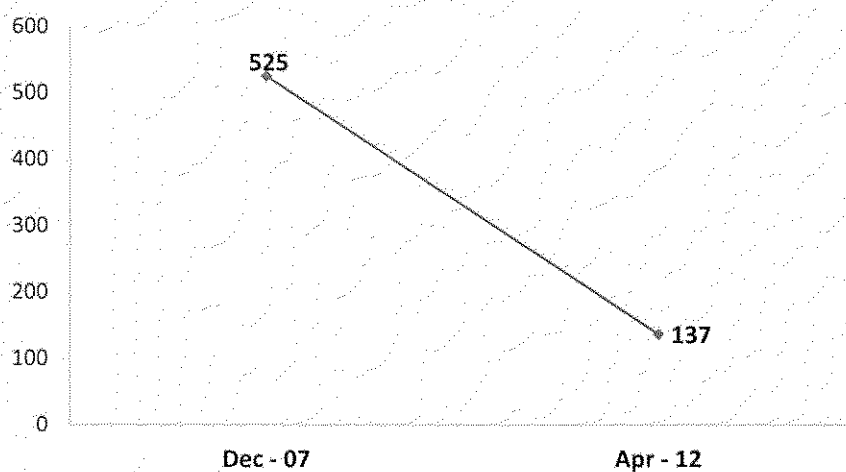
Grant Fredricks, Planning, Building & Public Works Director
Nancy Uhrich, Code Enforcement Officer

June 7, 2012

New Cases Opened

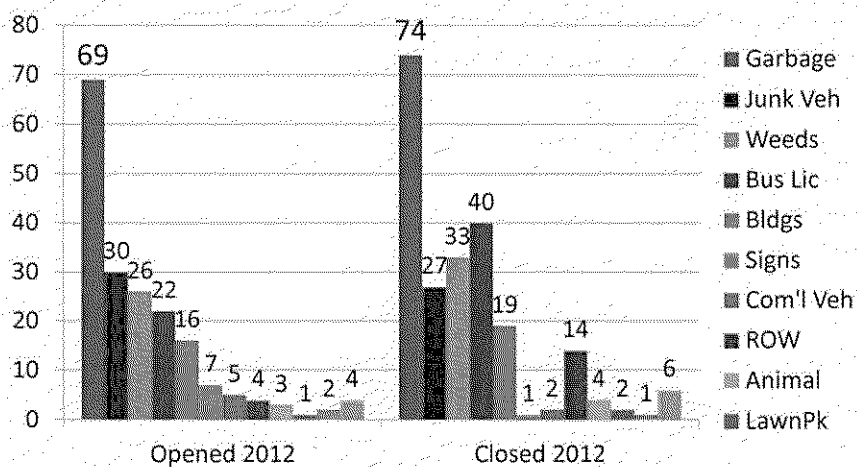


CURRENT CASES OPEN

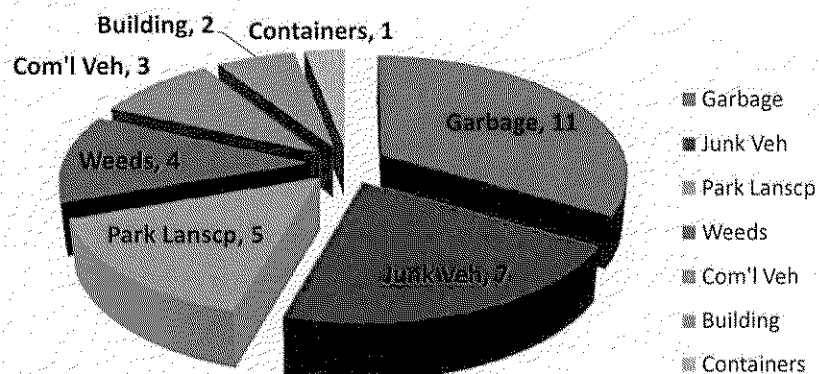


CODE ENFORCEMENT CASES

Opened 2012 - Closed 2012



2012 NOTICES OF INFRACTION



GARBAGE



GARBAGE



GARBAGE



GARBAGE



GARBAGE



GARBAGE



GARBAGE



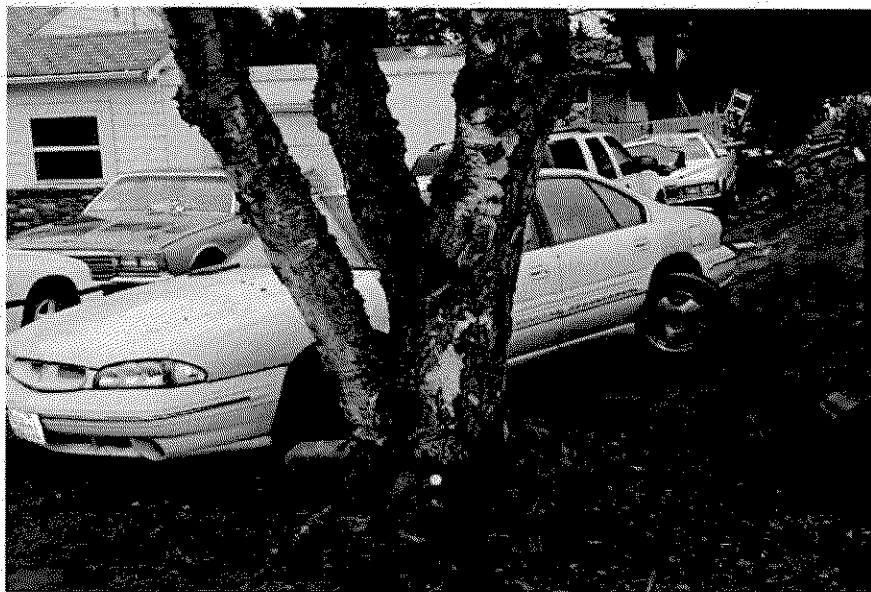
GARBAGE – COMMERCIAL 4-PLEX



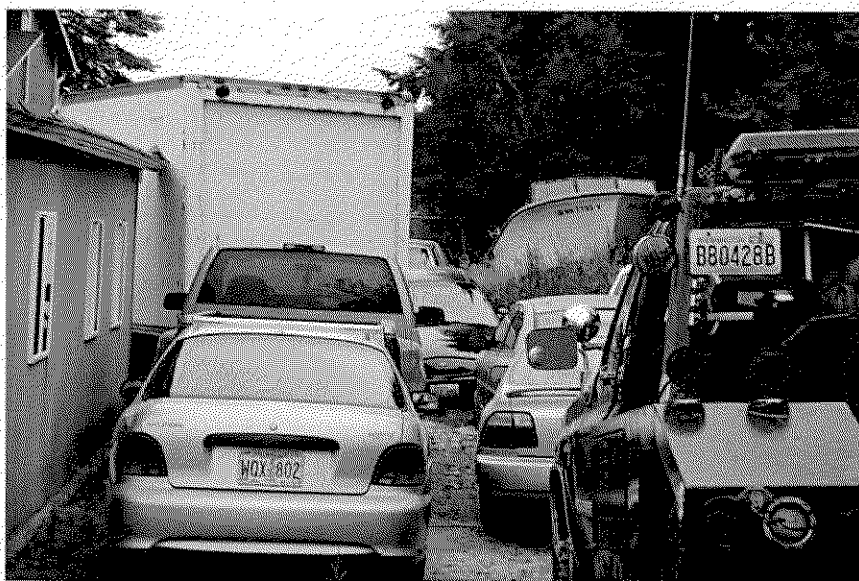
JUNK VEHICLES



PARKING ON LANDSCAPE/JUNK VEHICLE



COMMERCIAL VEHICLE ON LANDSCAPE



COMMERCIAL VEHICLE ON LANDSCAPE



SHIPPING CONTAINER



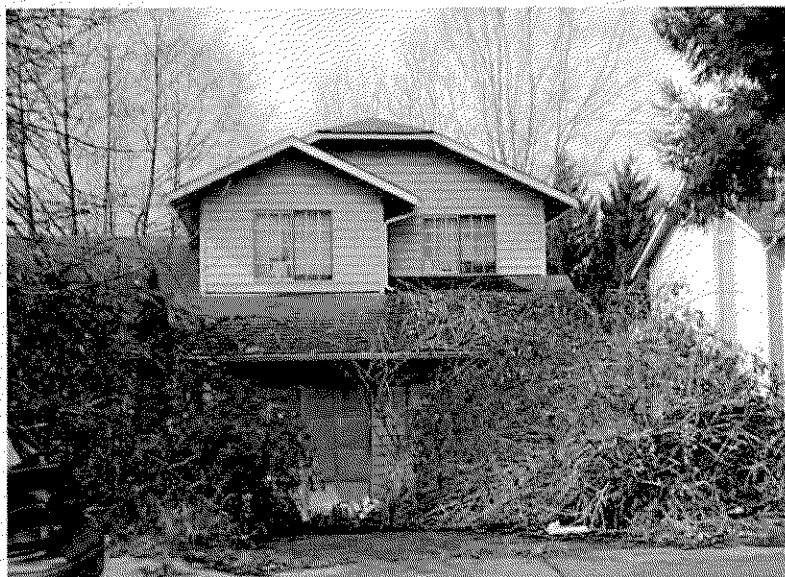
SHIPPING CONTAINER



SHIPPING CONTAINERS



NOXIOUS WEEDS



NOXIOUS WEEDS



NOXIOUS WEEDS



ABANDONED HOUSE



ABANDONED HOUSE



ABANDONED HOUSE



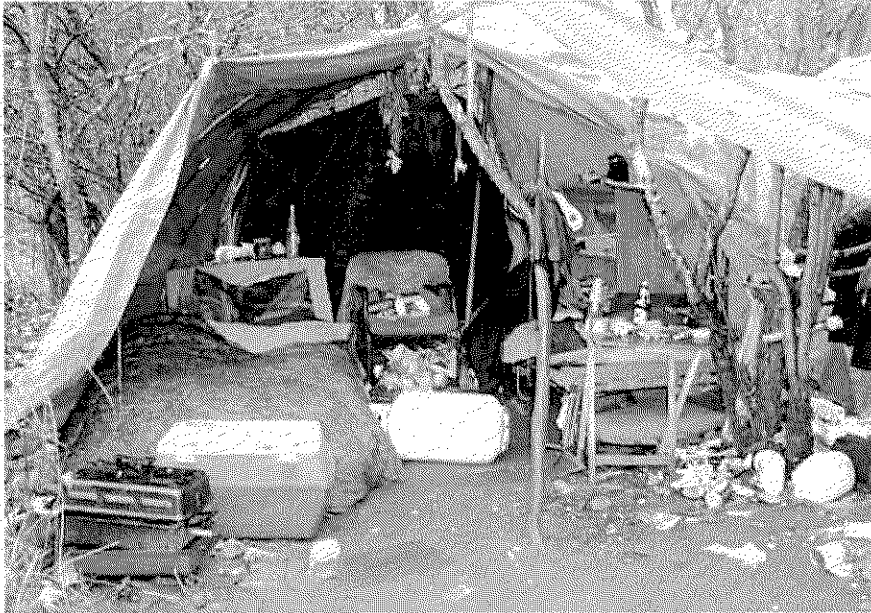
PROPERTY ABATEMENT



PROPERTY ABATEMENT



HOMELESS CAMP



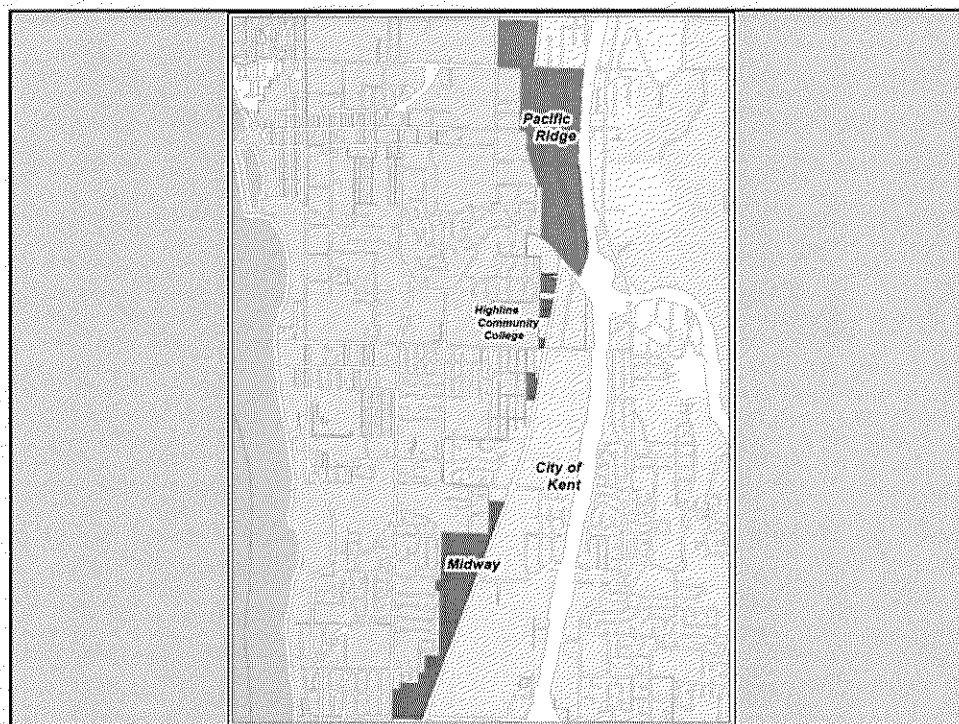
Council Policy Questions

1. Do staff's priorities align with Council & community expectations?
2. Should additional resources be allocated to Code Enforcement?
3. Should staff develop a 2013 proposal to establish a property abatement fund?

Pacific Highway South Corridor Planning

*Des Moines City Council Meeting
June 7, 2012*

Denise Lathrop, Planning Manager
Jason Sullivan, Senior Planner



Pacific Highway South Corridor

- Key commercial corridor
- Significant public/private investments:
 - Port of Seattle
 - Puget Sound Energy
 - Benaroya Capital Company
 - Artemis
 - SSI Pacific Place (Waterview Crossing)
 - Growing Transit Communities
 - Sound Transit
 - Highline Community College
 - Cities of Des Moines, SeaTac, Kent and Federal Way
- Significant transportation improvements:
 - Metro's RapidRide
 - Sound Transit's ST2 Link Light Rail extensions
 - SeaTac's 28th/24th Connection
 - Des Moines' Transportation Gateway Project
 - Sea-Tac Airport's South Access
 - WSDOT's SR509 Freight Mobility Project
- Opportunity to influence decisions:
 - Vision for areas
 - Planning, policy and regulatory framework

Envision Midway

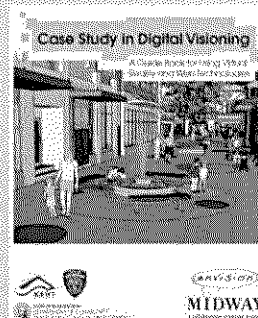
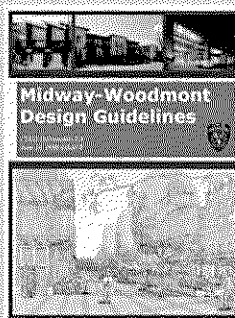
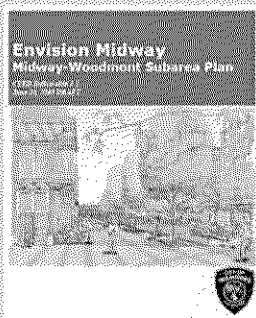
(CTED Grant: January 2008 – June 2009)

Des Moines and Kent Partnership to:

- Address inconsistent land use patterns along shared "zigzag border"
- Consider land use changes in anticipation of transit improvements along SR-99
- Create a shared vision for the study area that informs land use policies, regulations, and implementation strategies

Outcomes

- Des Moines and Kent – Draft land use, development regulations, and subarea plans; example design guidelines; and Virtual Reality Guidebook (CTED Deliverables, June 2009)
- Des Moines – Comprehensive Plan policy and strategies (Adopted November 2009)
- Kent – Subarea plan, design guidelines and zoning for Midway (Adopted December 2012)



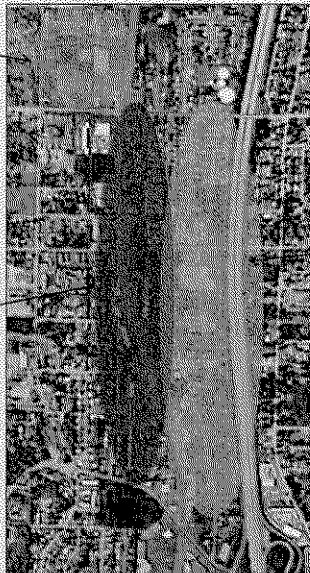
Council Policy Direction

Motion 1: *"I move to direct staff to develop a Sub-Area Plan for the Midway Neighborhood"*

Pacific Ridge

PACIFIC RIDGE
COMMERICAL 2

PACIFIC RIDGE
COMMERICAL 1

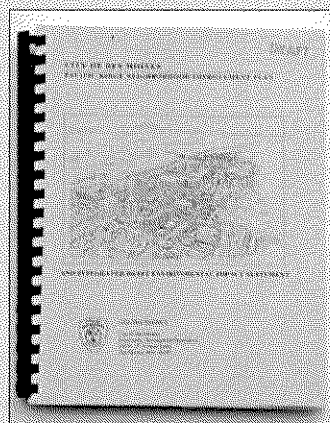


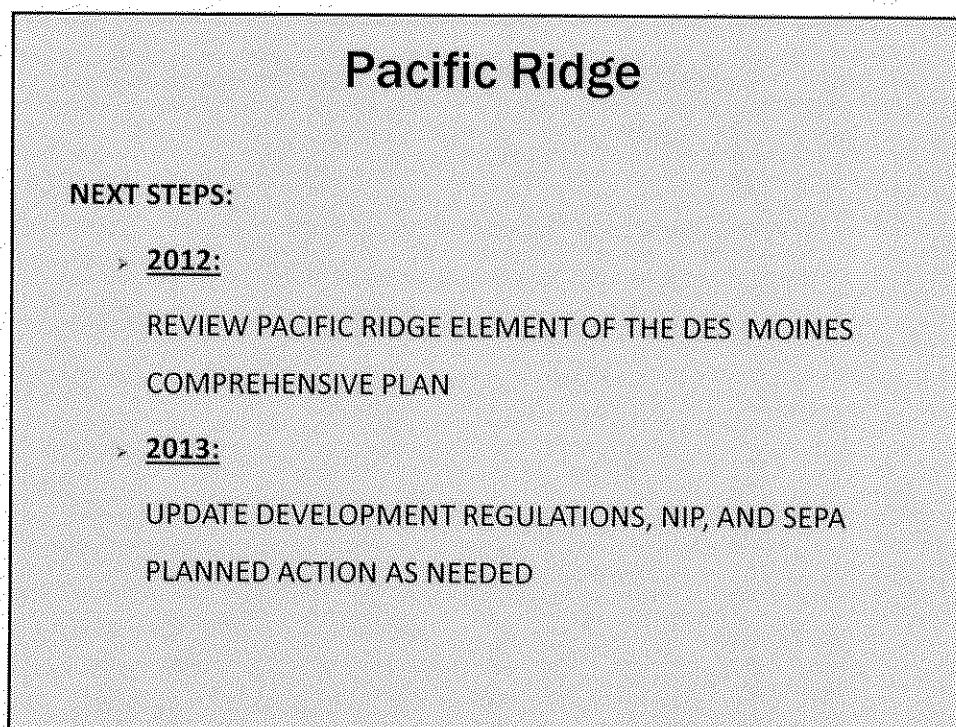
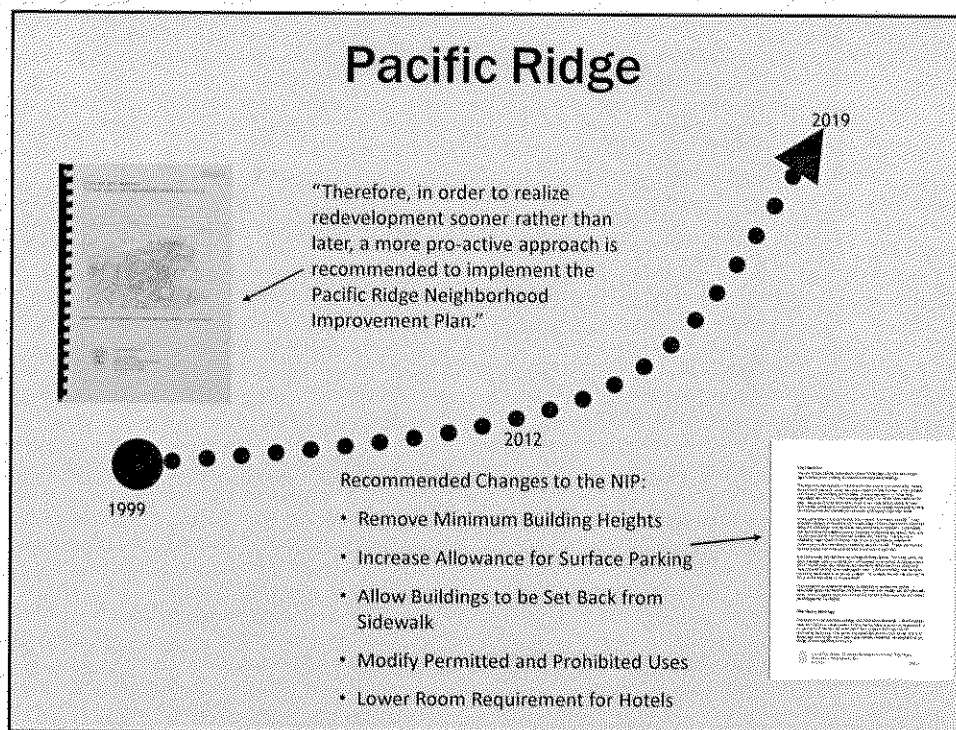
PACIFIC RIDGE
RESIDENTIAL

Pacific Ridge

Neighborhood Improvement Plan:

- Zoning requirements
- Design guidelines
- Comprehensive Plan policies
- Environmental Impact Statement
- SEPA Planned Action





Council Policy Direction

Motion 2: *"I move to direct staff to add review of the Pacific Ridge Element of the Des Moines Comprehensive Plan to the docket for the 2012 Comprehensive Plan Amendments"*

Motion 3: *"I move to direct staff to prepare an ordinance amending Ordinance 1258 in order to extend the date of the review of the Pacific Ridge SEPA Planned Action to no later than 2014."*