

AGENDA

**DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue South, Des Moines**

September 12, 2013 – 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMENTS FROM THE PUBLIC

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

PRESIDING OFFICER'S REPORT

- CALL FOR SPIRIT OF DES MOINES AWARDS/NOMINATIONS & COMMITTEE MEMBERS

ADMINISTRATION REPORT

CONSENT CALENDAR

- Page 1 Item 1: APPROVAL OF VOUCHERS
Motion is to approve for payment vouchers and payroll transfers included in the attached list and further described as follows:
Claim Checks: \$2,939,341.71
Payroll Fund Transfers: \$860,378.10
Total Certified Wire Transfers, Voids, A/P and Payroll Vouchers: \$3,799,719.81
- Page 3 Item 2: RECOGNITION OF DAY OF CONCERN FOR THE HUNGRY - SEPTEMBER 28, 2013
Motion is to acknowledge and support the Day of Concern for the Hungry on Saturday, September 28, 2013, and strongly urge all citizens to join the Emergency Feeding Program of Seattle & King County and our local food banks to nourish those who are hungry by taking a few minutes on September 28th to shop for their neighbors and donate food at volunteer staffed stores throughout King County.
- Page 9 Item 3: DRAFT RESOLUTION 13-170 SETTING A PUBLIC HEARING FOR TITLE 18 DMMC ENTITLED "ZONING"
Motion is to adopt Draft Resolution No. 13-170 setting a public hearing on October 24, 2013 to consider Draft Ordinance 13-170 which repeals and replaces Title 18 DMMC.

PUBLIC HEARING/CONTINUED PUBLIC HEARING

- Page 13 Item 1: CONTINUED PUBLIC HEARING FOR DRAFT ORDINANCE 13-086, PACIFIC RIDGE ZONE
Staff Presentation: Management Consultant Grant Fredricks

PUBLIC COMMENT PERIOD STILL OPEN

Page 99 Item 2: CONTINUED PUBLIC HEARING FOR DRAFT ORDINANCE 13-108,
LOADING AREAS AND OFF-STREET PARKING CODE
Staff Presentation: Management Consultant Grant Fredricks

PUBLIC COMMENT PERIOD STILL OPEN

NEXT MEETING DATE

September 26, 2013 Regular City Council Meeting

ADJOURNMENT

CITY OF DES MOINES
Voucher Certification Approval

12-Sep-13

Auditing Officer Certification

Vouchers and Payroll transfers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing, which has been made available to the City Council.

As of **September 12, 2013** the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the attached list and further described as follows:

The vouchers below have been reviewed and certified by individual departments and the City of Des Moines Auditing Officer.

Claims Vouchers:		Numbers				Amounts
Total A/P Checks/Vouchers		136705	-	137208	504	2,761,543.84
Electronic Wire Transfers	10	DEPT OF REV, BOA VISA, DEPT OF LIC, MERITAIN				218,679.28
Subtotal for this Council Packet						2,980,223.12
Voided Claim Checks this check run:		136958/136984/136749/137064				(39,643.46)
Voided Claim Checks from previous check runs		136650				(1,237.95)
Total Claims/Wire Transfers/Voids					514	2,939,341.71

Payroll Vouchers:		DISBURSED 08/05/13				Amounts
Payroll Checks	18271	-	18289	=	19	21,666.18
Direct Deposit	310001	-	310153	=	153	287,729.66
Payroll Taxes						62,161.22
Wage/Garnishments						744.07
Voids					0	0.00
Electronic Wire Transfers						84,846.82
ICMA 401 Forfeitures						(12,099.89)
Total Claims						445,048.06

Payroll Vouchers:		DISBURSED 08/20/13				Amounts
Payroll Checks	18290	-	18306	=	17	19,170.96
Direct Deposit	330001	-	330147	=	147	263,941.78
Payroll Taxes						60,253.12
Wage/Garnishments						744.07
Voids					0	0.00
Electronic Wire Transfers						79,339.70
ICMA 401 Forfeitures						(8,119.59)
Total Claims						415,330.04
Total certified Wire Transfers,Voids, A/P & Payroll vouchers for Sept 12, 2013						3,799,719.81

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT:

Recognition of Day of Concern for the
Hungry – September 28, 2013

FOR AGENDA OF: September 12, 2013

DEPT. OF ORIGIN: Administration

ATTACHMENTS:

1. Recognition letter from the Mayor for the
Day of Concern for the Hungry
2. Letter dated May 28, 2013, from Glenn
Turner, Interim Executive Director,
Emergency Feeding Program of Seattle &
King County

DATE SUBMITTED: June 7, 2013

CLEARANCES:

[] _____

APPROVED BY CITY MANAGER

FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is to request that the City Council recognize and support the Day of Concern for the Hungry on Saturday, September 28, 2013.

Suggested Motion

“I move to acknowledge and support the Day of Concern for the Hungry on Saturday, September 28, 2013, and strongly urge all citizens to join the Emergency Feeding Program of Seattle & King County and our local food banks to nourish those who are hungry by taking a few minutes on September 28th to shop for their neighbors and donate food at volunteer staffed stores throughout King County.”

Background and Discussion

The attached letter from Arthur R. Lee, Executive Director of the Emergency Feeding Program of Seattle and King County asks that the City of Des Moines proclaim Saturday, September 28, 2013 as a Day of Concern for the Hungry. Per the City’s normal procedure, the above noted motion to recognize this day is offered to the City Council for its consideration.



City of Des Moines

ADMINISTRATION
21630 11TH AVENUE SOUTH, SUITE A
DES MOINES, WASHINGTON 98198-6398
(206) 878-4595 T.D.D.; (206) 824-6024 FAX: (206) 870-6540



RECOGNITION

WHEREAS, King County cities recognize adequate nutrition as a basic goal for each citizen; and

WHEREAS, no parent should have to send a child to school hungry, no baby should be without the comfort of the feedings needed for mental and physical growth, no elderly person's health should be jeopardized by lack of appropriate foods; and

WHEREAS, food banks, emergency and hot meal programs working with our cities, local churches, social service agencies, and hundreds of volunteers are striving day in and day out to stem the rising tide of hunger, but still need more help; and

WHEREAS, we believe that when the citizens who are not involved hear of the especially desperate needs of the hungry as winter approaches and their low incomes must stretch to cover increasing fuel, electricity and rental costs, -- leaving even less money for monthly food purchase, an outpouring of community assistance will follow; and

WHEREAS, the Emergency Feeding Program of Seattle & King County coordinates an annual food drive to help support the efforts of their program and the area's food banks in fighting hunger which will be held at grocery stores throughout King County on Saturday, September 28, 2013.

NOW, THEREFORE, the City Council of Des Moines, Washington, does hereby recognize September 28, 2013 as

DAY OF CONCERN FOR THE HUNGRY

and strongly urges all citizens to join the Emergency Feeding Program and our local food banks to nourish those who are hungry.

David L. Kaplan, Mayor

Attest: _____
City Clerk



May 28, 2013

Mayor Dave Kaplan
21630 11th Ave. S, Suite A
Des Moines, WA 98198

The Emergency Feeding Program of Seattle & King County is once again beginning the annual coordination of King County's largest one-day food drive – Mayors' Day of Concern for the Hungry. EFP coordinates this event on behalf of the many food banks and feeding programs that participate throughout King County.

The City of Des Moines has long been a steadfast supporter of this vital project. We once again invite you to participate by declaring **Saturday, September 28, 2013** as a special Day of Concern for our hungry neighbors.

Mayors' Day brings together community volunteers, city officials, social service agencies, faith communities, and local food programs all in a single purpose – to collect nutritious food for the most vulnerable in our community.

This will mark the 21st annual Mayors' Day food drive. I regret to say that in all of those years, the need for this drive has never been greater. Some 250,000 individuals in King County face the daily risk of going hungry. Of them, 86,000 are children. Your support continues to be a big reason that our local food programs have the resources needed to serve.

Enclosed are a sample proclamation and a response form. We ask you return the response form indicating whether you will once again be participating by July 1, 2013 and that the Proclamation be presented at one of your City Council meetings in September. If you'd like, The Emergency Feeding Program would be delighted to have a representative present to accept your proclamation.

Please join the EFP, area food banks, feeding programs, volunteers, schools, faith communities, other organizations, agencies, and community, municipal and civic leaders as we work to fill empty shelves and pantries for the upcoming fall and holiday season.

Thank you in advance for your consideration, participation, and the return of the response form, all of which enables us to begin the publicity and marketing of this vital event to our communities.

Sincerely,

Glenn Turner
Interim Executive Director

**MAYORS' DAY
OF CONCERN
FOR THE**

⁸HUNGRY

Saturday, September 28, 2013

PROCLAMATION

MAYOR'S DAY OF CONCERN FOR THE HUNGRY

WHEREAS, our King County cities recognize adequate nutrition as a basic goal for each citizen; and

WHEREAS, no parent should have to send a child to school hungry, no baby should be without the comfort of the feedings needed for mental and physical growth, no elderly person's health should be jeopardized by lack of appropriate foods; and

WHEREAS, food banks, emergency and hot meal programs working with our cities, local churches, social service agencies, and hundreds of volunteers are striving day in and day out to stem the rising tide of hunger, but still need more help; and

WHEREAS, we believe that when the citizens who are not involved hear of the especially desperate needs of the hungry as winter approaches and their low incomes must stretch to cover increasing fuel, electricity and rental costs—leaving even less money for monthly food purchase, an outpouring of community assistance will follow; and

WHEREAS, the Emergency Feeding Program of Seattle & King County coordinates an annual food drive to help support the efforts of their program and the area's food banks in fighting hunger which will be held at grocery stores throughout King County on Saturday, September 28, 2013.

NOW, THEREFORE, I, _____ do hereby proclaim September 28, 2013 as a Mayors' Day of Concern for the Hungry, and strongly urge all citizens to join the Emergency Feeding Program and our local food banks to nourish those who are hungry.

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Draft Resolution 13-170
Setting a Public Hearing for Title 18 DMMC
entitled "Zoning."

ATTACHMENT:

1. Draft Resolution No.13-170

FOR AGENDA OF: September 12, 2013

DEPT. OF ORIGIN: Planning, Building and
Public Works

DATE SUBMITTED: August 27, 2013

CLEARANCES:

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

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is to schedule a public hearing date for the City Council to consider Draft Ordinance No. 13-170 which repeals and replaces Title 18 DMMC entitled "Zoning." Administration requests that the City Council approve the Draft Resolution No. 13-170 setting a public hearing in order to consider Draft Ordinance No. 13-170 by passing the following motion:

MOTION:

"I move to adopt Draft Resolution No. 13-170 setting a public hearing on October 24, 2013 to consider Draft Ordinance 13-170 which repeals and replaces Title 18 DMMC."

Background

The City Attorney seeks to make certain amendments to the City Code, specifically Titles 12, 14, 16, 17, and 18 DMMC. The purpose of the amendments are to bring uniformity to the Titles, organize them in a manner that is easier to search, ensure compliance with current state law and case law, and to provide uniformity and consistency within the DMMC. No substantive changes or policy decisions are being made.

Discussion

Over the last six months, the staff of the Legal Department and the Planning, Building, and Public Works Department, along with Mike Connelly of Koegen Edwards LLP, has met to discuss how to better organize the DMMC, so that it is easy to use and consistent with current statutes and case law. This effort has required input from Departments that read and enforce the DMMC routinely. While the amendments to Title 18 are minimal, such as changing references to departments and directors, we have also checked for authorities cited (state law, WAC references, and references to adopted code) to ensure their accuracy. Some definitions have been eliminated because the terms are defined in chapter 1.02 DMMC or because the words have a plain meaning. Antiquated references, such as the telegraph as a communication system, are also eliminated.

As the proposed amendment would modify the City development regulations, the amendments are required to be forwarded to the Department of Commerce for review and comment by the Department and other State Agencies. Pursuant to RCW 36.70A.106, this review period is a minimum of 60 days; during which a local jurisdiction cannot adopt proposed amendments to its development regulations. Staff requested a 15-day expedited review by Commerce on August 26, 2013. As such, the City will meet the Growth Management Act notice to state agency requirements in RCW 36.70A.106.

Pursuant to WAC 197-11-800, procedural actions containing no substantive standards respecting use or modification of the environment are exempt from SEPA review.

Alternatives

The City Council may:

1. Adopt the Draft Resolution No. 13-170 as written.
2. Adopt the Draft Resolution establishing a different hearing date.
3. Decline to adopt the Draft Resolution.

Financial Impact

None regarding setting a public hearing date.

Recommendation

Staff recommends the suggested motion.

Concurrence

Legal, and Planning, Building, and Public Works concur.

LEGAL DEPARTMENT'S FIRST DRAFT 8/21/2013

DRAFT RESOLUTION NO. 13-170

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, fixing a time for a public hearing to consider Draft Ordinance No. 13-170 which repeals and replaces Title 18 DMMC entitled "Zoning."

WHEREAS, the City Council is considering the repeal and replacement of Title 18 DMMC, related to the Zoning Code, and

WHEREAS, a public hearing is required for enacting an ordinance which amends Title 18 DMMC commonly referred to as the Zoning Code; now therefore,

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

The matter of repealing and replacing Title 18 DMMC is set for a public hearing before the City Council on Thursday, October 24, 2013, 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 12th day of September, 2013 and signed in authentication thereof this 12th day of September, 2013.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Draft Resolution No. 13-170.1
8/21/2013, 1:09 pm

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Continued Public Hearing for Draft Ordinance 13-086, Pacific Ridge Zone

FOR AGENDA OF: September 12, 2013

ATTACHMENTS:

DEPT. OF ORIGIN: Planning, Building & Public Works

1. Draft Ordinance 13-086 amending Chapter 18.31 DMMC, Pacific Ridge Zone with Exhibit A, new Zoning Map.
2. Council Member, Community Member and Staff-Requested Amendments
3. Chapter 18.31 DMMC showing Track Changes
4. August 7, 2013 Email from Robyn & Randy Clark, Emerald Valley Auto Sales
5. Information about Viewpoint Apartments submitted by Councilmember Scott
6. August 27, 2013 Email from Ronald Dupard, DuVestCo, Inc, Broker
7. Staff Presentation

DATE SUBMITTED: August 27, 2013

CLEARANCES:

- [X] Legal PB
 [] Finance N/A
 [] Marina N/A
 [] Parks, Recreation & Senior Services N/A
 [X] Planning, Building & Public Works DJB
 [] Police N/A
 [X] Economic Development Manager MM

APPROVED BY CITY MANAGER
FOR SUBMITTAL: AT

Purpose and Recommendation

The purpose of this agenda item is to complete a public hearing on Draft Ordinance 13-086 which amends the Pacific Ridge Zone Code codified as Chapter 18.31 DMMC. No SEPA comments or appeals have been received as of the date of distribution of this packet, but the SEPA appeal period is still open until September 11, 2013. The Council may adopt the Ordinance when the SEPA comment period and 10-day appeal window closes. If any SEPA appeals are received, the Council will be required to consider any appeals received as part of the continued public hearing.

Suggested Motions:

Motion 1A: "I move to waive Council Rule 26(a) in order to enact Draft Ordinance No.13-086 amending DMMC 18.31, Pacific Ridge Zone Code, on first reading."

Motion 1B: "I move to enact Draft Ordinance No.13-086 amending DMMC 18.31, Pacific Ridge Zone Code."

Or

Motion 2: "I move to pass Draft Ordinance No.13-086 amending DMMC 18.31, Pacific Ridge Zone Code, to a second reading on September 26, 2013."

Suggested Motions (continued)

Amending Motion: “ I move Amendment ____ amending Sec. ____ to ____ in order to ____.” *(See Attachment 2 for specific amending motion language)*

Background

The 1990 Growth Management Act is codified in RCW 36.70A. It requires, among other things, that “cities ... take action to review and, if needed, revise their ... *development regulations (emphasis added)* 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.”

The City Council continues to support the redevelopment of the Pacific Ridge Neighborhood as a high density, commercially viable mixed use neighborhood, transforming Pacific Ridge into a new urban community that takes advantage of its geographic location, local and regional transportation linkages, stable soils, and view potential. The transformation of Pacific Ridge will include replacement of lower-scale, existing buildings with taller structures that will dramatically enhance the appearance, character, economy, and safety of the area.

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

Comprehensive Plan Policy 11-03-05 and Policy 11-03-07 seeks to promote redevelopment of Pacific Ridge properties to attract new or expanded businesses and commercial development to Pacific Ridge and 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.

Strategy 2-04-08 of the Land Use Element of the Comprehensive Plan states that the City should “encourage improvement of the Pacific Ridge Neighborhood by working with the business community and other representative organizations to achieve the goals of the City of Des Moines Comprehensive Plan”. To implement this Policy, the Des Moines City Council has been asking for help from the development and design community and Pacific Ridge property owners since 2000, commissioning studies, and holding multiple stakeholder forums, meetings and tours. Those development professionals and property owners have encouraged the City to expand the permitted uses, increase building heights, reduce or remove dimensional standards, relax use percentages, reduce parking requirements and restrictions, relax building placement requirements, and modify other restrictive language, allowing the marketplace to decide how best to achieve the City’s broad development goals.

Discussion

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

Accepting this representation, the City Council directed City staff to prepare an ordinance for its consideration which creates more flexible development regulations for Pacific Ridge.

Staff and the City Council Finance and Economic Development Committee have been researching and working on these development regulation changes for the past eight months and believe these goals can be achieved with changes implemented by this Draft Ordinance in conjunction with the Pacific Ridge Design Guidelines; more land assemblage (lot consolidation) so that larger-scale development proposals can be considered; fewer restrictions on land uses such as commercial parking lots, automobile sales, car washes, drive-through facilities and other automobile oriented uses that capitalize on the 33,000 cars per day which use Pacific Highway South, and acceptance that the highest and best uses in this area should be more auto-friendly and capitalize on the proximity to Seattle-Tacoma International Airport.

The Draft Ordinance offered for full Council consideration today:

1. Re-designates a portion of the PR-R (residential) zone to PR-C (commercial) and combines the old PR-C1 and PR-C2 into a single PR-C commercial zone.
2. Expands permitted uses in both the PR-R and PR-C zones and allows commercial uses in the PR-R zone based on two assumptions: ultimately the market will decide what gets built (or not) based on commercial viability, and if the City doesn't like choices the market is making, the City Council can change the zoning regulations in the future.
3. Limits residential uses on property fronting directly on and south of South 216th and fronting directly on SR99 to mixed use buildings above the ground floor. The rest of the PR-C zone south of South 216th can have single purpose or mixed use residential. Residential is still not permitted north of South 216th.
4. Increases unrestricted maximum building heights in the PR-R zone from 35 to 70 feet and in PR-C zone from 55 to 85 feet.
5. Eliminates requirement that buildings must be owner-occupied before increased heights up to 200 feet are allowed.
6. Eliminates 35 feet minimum building height in old PR-C1 zone.
7. Eliminates requirement that buildings fronting SR99 abut the highway.
8. Reduces or removes other dimensional, use percentages, parking restrictions and grandfather date restrictions.

The Finance & Economic Development Committee was not able to reach consensus on all of the issues on the Pacific Ridge Zone Draft Ordinance 13-086 and the Committee is referring the following policy questions to the full City Council for its consideration:

1. Should the City require a minimum recreation space? (See marginal comment [gf11] on p. 12 of Attachment 2).
2. Should 18.31.080(1)(e) be eliminated as redundant with other parts of the DMMC and/or because the section is vague and unnecessary? (Comment [gf12] on p. 12 of Attachment 2)
3. Should new 18.31.080(1)(f) be eliminated because it could be considered especially vague and therefore unconstitutional? (Comment [gf13] on p. 14 of Attachment 2)
4. Should outright permitted driveway accesses be increased from 1 to 2 in 18.31.080(3)(b)(iii)? (Comment [gf15] on p. 15 on Attachment 2). *Note that in accordance with the City's Street Design and Construction Standards and the City's current practice, additional driveways are permitted when safe and justified by traffic studies. To avoid confusion, staff is recommending*

Amendment 6 to the Draft Ordinance deleting the number of permitted accesses in the DMMC and simply incorporating the Streets Design and Construction Standards by reference.

5. Should vehicle storage be permitted if inside or shielded in 18.31.080(3)(b)(vi)? (Comment [gf16] on p. 15 on Attachment 2)
6. Should there be further changes in Dimensional Standards (18.31.090) to encourage more development? (Comment [gf17] on p. 16 of Attachment 2)
7. Should General Site Design Guidelines and Building Design Guideline Standards be eliminated for both commercial (PR-C) and residential (PR-R) zones (or just apply to PR-R zone)? (Comment [gf20] for Sections 9 and 10 of Draft Ordinance or 18.31.100 and 18.31.110(1) beginning on p. 20 of Attachment 2)
8. Should the regulations in 18.31.110(4)(c), (d), (e), (f) and (g) be relaxed or eliminated? (Comment [gf24] on p. 23 on Attachment 2)
9. Should the Pacific Ridge zone chapter have its own sign code regulations rather than leaving all City sign code regulations consolidated in Chapter 18.42?

In anticipation of action tonight on the Draft Ordinance, Council Members have requested staff prepare the following nine amendments for consideration by the full Council:

1. Allowing existing exclusive used car dealers to relocate to other Pacific Ridge sites to keep viable businesses in Pacific Ridge either by a change to the Draft Ordinance to outright permit used automobile dealers or creating a more narrow exception for the relocation of existing businesses. See Attachment 4 for the August 7, 2013 email from Robyn and Randy Clark, Emerald Valley Auto Sales, requesting this change.

The City Attorney's Office advises that including this amendment could result in a finding that the Council has acted in an arbitrary and capricious manner. The ultimate purpose of zoning ordinances is to confine certain classes of buildings and uses to certain localities and since the continued existence of those which are nonconforming is inconsistent with that object, non-conforming uses should be reduced to conformity as completely and as speedily as possible. This amendment would allow a used car dealership, a non-conforming use which has been grandfathered into the zone, to transfer that non-conforming use to a different piece of conforming property where it would also be a non-conforming use. This action would disregard the basic principles of zoning and non-conforming uses detailed above as it would allow the continuance of a non-conforming use in a different location. Additionally, the amendment only applies to one business and not any other potential non-conforming business that would like to relocate within the zone and therefore could be challenged as arbitrary. If the Council would like to allow the business to relocate within the zone, the advised method would be a change in the Draft Ordinance to allow for used car dealerships in the Pacific Ridge Zone.

2. Prohibiting single purpose multi-family dwellings from the PR-C zone.
3. Deleting Capital Facilities, Utilities and Public Services section because it is believed to be redundant.
4. Deleting a section of the Environmental Performance Standards section pertaining to the City Manager's approval authority because it is believed to be constitutionally vague.
5. Making it explicit in Chapter 18.31 that the FAA Part 77 navigable airspace building height review requirement applies to all of Pacific Ridge, not just the PR-R zone as currently written.

6. Amending a section of the Environmental Performance Standards section pertaining to driveway accesses and simply incorporate the City's Street Design and Construction Standards to avoid confusion.
7. Reducing the maximum building height on the west side of SR 99 from the 85 feet proposed to 55 feet to reduce view blockage and create a better transition to the residential properties to the west, and clarifying that 200 feet buildings are only allowed east of SR 99.
8. Eliminating redundant language pertaining to conditions when 200 feet tall buildings are allowed.
9. Eliminating DMMC requirements for General Site Design Guidelines.
10. Eliminating DMMC requirements for General Building Design Guidelines.

Eliminating the *requirements* for design guidelines will not, without further Council action, eliminate the 60 page Pacific Ridge Neighborhood Design Guidelines adopted by Ordinance 1268 in July 2000 as part of other amendments to DMMC Chapter 18.58, Design Review.

The proposed textual code amendments are believed to be consistent with the range of impacts studied under the SEPA Planned Action Environmental Impact Statement, the Pacific Ridge Neighborhood Improvement Plan and the Comprehensive Plan. The Planning, Building & Public Works Director acting as the SEPA Responsible Official has reviewed these proposed non-project actions and determined that the proposed textual code amendments are within the scope of the existing environmental documents and fulfill the SEPA requirements established by chapter 197-11 WAC and chapter 165.04 DMMC pursuant to WAC 197-11-600 and DMMC 16.04.108.

Pursuant to DMMC 18.56.080, amendments of the Zoning Code (Title 18 DMMC) are legislative (Type VI) land use decisions, and pursuant to DMMC 18.56.200 require the City Council to conduct a public hearing to receive public comment regarding these proposals. City Council set the public hearing date of August 8th by Resolution No. 1234 on July 11th and opened the public hearing on August 8th.

The textual code amendments proposed in this Draft Ordinance were provided to the Department of Commerce as required by RCW 36.70A.106. The Finance and Economic Development Committee completed its final review of Draft Ordinance 13-086, Pacific Ridge Zone, on May 28th and asked staff to highlight any unresolved Committee member issues for consideration by the full Council.

Because of the extensive changes to Chapter 18.31 DMMC, Draft Ordinance 13-086, Pacific Ridge Zone, repeals the entire chapter and replaces it with the proposed text. To help facilitate Council's review, Attachment 3 is a version of Chapter 18.31 with track changes to identify proposed changes and also show where no changes to the Code are recommended and the existing Code is simply re-codified.

Alternatives

Council may waive Rule 26(a) and act on Draft Ordinance 13-086 on September 12th or pass the Ordinance to a Second Reading.

Recommendation or Conclusion

Staff recommends that the City Council waive Council Rule 26(a) and adopt Draft Ordinance No. 13-086 on September 12th.

CITY ATTORNEY'S FIRST DRAFT 07/30/2013

DRAFT ORDINANCE NO. 13-086

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

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

WHEREAS, 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

7/30/2013 1:55 PM

Draft Ordinance No. 13-086.14

Ordinance No. _____
 Page 2 of 32

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 165.04 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 Draft 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 Draft Ordinance were provided to the Department of Commerce as required by RCW 36.70A.106, and

WHEREAS, notice of the public hearing was issued on July 17, 2013 in accordance with the DMMC, and

WHEREAS, a public hearing was held on _____, 2013 and all persons wishing to be heard were heard, and

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

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

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Sec. 1. Title. This chapter shall be entitled "Pacific Ridge Zone, Uses Allowed and Special Conditions."

Sec. 2. 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. 3. 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.

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

Sec. 5. DMMC 18.80.010 and section 1 of Ordinance No. 179 as amended by section 1 of Ordinance No. 1235 as amended by section 8 of Ordinance No. 1237 as amended by section 1 of Ordinance No. 1261 as amended by section 1 of Ordinance No. 1267 as amended by section 1 of Ordinance No. 1289 as amended by section 1 of Ordinance No. 1372 as amended by section 5 of Ordinance No. 1397 as amended by section 1 of Ordinance No. 1420 as amended by section 2 of Ordinance No. 1431 as amended by section 2 of Ordinance No. 1520 as amended by section 3 of Ordinance No. 1546 are each amended to read as follows:

18.80.010 Designated.

The map filed in the City Clerk's office and marked Exhibit "~~CA~~" to Ordinance No. ~~12-107~~ and adopted ~~July 25, 2012~~, 2013, constitutes the zoning map for the City. The map referenced herein supersedes all previously adopted maps. If the designations of the map are found to be in conflict with other land use designations, the map is deemed to control. ~~Conditional rezones or other special zoning designations shall be clearly outlined on the map along with the associated ordinance number.~~

Sec. 6. Chapter 18.31 DMMC, *Pacific Ridge Zone*, and applicable portions of underlying ordinances, are repealed and replaced with the provisions of this Ordinance.

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Sec. 7. 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. 8. 18.31.030 PR-R - Permitted uses. Only those uses listed below, and uses similar in nature as determined by the City Manager or 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);

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(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);

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(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);

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- (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;

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(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. 9. 18.31.040 PR-C - Permitted uses. Only those uses listed below, and uses similar in nature as determined by the City Manager or 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), except 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);

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(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 216th 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 DMMC;

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

(a) General automotive repair (811111), automotive exhaust system repair (811112), automotive

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

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

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

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

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

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

(i) In that part of PR-C fronting on SR99 and/or South 216th 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 216th 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

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(iii) No residential use is permitted north of South 216th Street.

(19) Public parks (No NAICS code).

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

Sec. 10. 18.31.080 Environmental performance standards and general limitations. Every use permitted within the PR zone shall conform to the following general limitations and standards:

(1) Provisions applicable to all PR zones:

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

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

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

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

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

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

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feet and the private recreation space per dwelling unit shall be 40 square feet for buildings over 35 feet.

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

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

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

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

(f) In reviewing a proposed permitted use, the City Manager or City Manager's designee may include minimal conditions of approval as may be reasonably needed to ensure that the use is consistent with the purpose of the PR zone, and to minimize the likelihood of adverse impacts.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 11. 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.

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(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.

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

(7) **Minimum building height.**

(a) Except for buildings containing only a full-service restaurant or a gasoline service station, and other instances specifically authorized by the City Manager or 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 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: 85 feet, except that buildings may be built to a height of 200 feet with approval of a floor area clustering height bonus when the minimum building site area

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

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

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

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

(a) The purpose of the additional height for the building is to provide a roofline that is of distinctive form through the use of design elements such as pitched roofs, sloped

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roofs, vertical offsets or other similar roof features that achieve the goals of Pacific Ridge Design Guideline 2.B.2.

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

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

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

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

(12) Placement of buildings.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 12. 18.31.100 General site design requirements.

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

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

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Sec. 13. 18.31.110 General building design requirements.

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

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

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(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

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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 curblin shall be two feet;

(g) Except for awnings over the public sidewalk which may be continuous, the maximum length of each balcony, bay

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

Sec. 14. DMMC 14.12.010 and section 1(1) of Ordinance No. 1411 are each amended to read as follows:

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

Sec. 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—1, Pacific Ridge Residential, and Business Park North Subarea. The height shall be measured as provided in the 2006 International Building Code as presently constructed or hereafter amended.

Sec. 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-C1, ~~and PR-C2~~ zones.

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

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

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(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 are amended to read as follows:

Commercial zones. The following signs are permitted in the Pacific Ridge Commercial ~~Zone 1, Pacific Ridge commercial zone 2,~~ 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.

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

(b) Freestanding sign size.

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

(ii) For properties with less than 80 feet of street frontage, sign area shall not exceed one square foot of sign area for each lineal foot of street frontage.

(c) Freestanding Sign Height.

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

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

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

(e) Off-premises signs, including but not limited to billboards, are prohibited. The City Manager or City Manager's designee may approve monument signs located on a separate parcel of

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property within a multiple-building complex or shopping center when the following conditions exist.

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

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

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

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

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

(2) Wall signs.

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

(b) Each multiple business property is permitted a total sign area not to exceed 20 square feet plus 40 square feet per licensed business; provided, however, that each

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business must be guaranteed a minimum of at least 25 square feet signage.

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

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

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

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

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

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

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

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

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

Sec. 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. Codification. Sections 1 through 10 of this Ordinance shall be codified as a new chapter 18.31 DMMC entitled "*Pacific Ridge Zone*."

Sec. 20. 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.

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Sec. 21. Effective date. This Ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this _____ day of _____, 2013 and signed in authentication thereof this _____ day of _____, 2013.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____

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Council Member, Community or Staff-Requested Amendments to Pacific Ridge Zone Code

Amendments to Draft Ordinance 13-086	MOTION	Council Packet Page #	Ord Page #	DRAFT ORD/MOTIONS FROM FLOOR	ACTION
1A	"I move Amendment 1A amending Sec. 9, PR-C Permitted Uses, to allow exclusive used car dealers when relocating from another Pacific Ridge location to keep viable businesses in Pacific Ridge." OR		9 of 32	18.31.040 PR-C - Permitted Uses. (1) Retail trade (44-45), except exclusive used car dealers (441120) <u>except</u> when relocating from another Pacific Ridge Zone location.	1. 2. Pass Fail
1B	"I move Amendment 1B amending Sec. 9, PR-C Permitted Uses, to allow exclusive used car dealers."		9 of 32	18.31.040 PR-C - Permitted Uses. (1) Retail trade (44-45), except exclusive used car dealers (441120)	
2	"I move Amendment 2 amending Sec. 9, PR-C Permitted Uses, to <u>not</u> allow single purpose multi-family dwellings in the PR-C zone in order to preserve limited commercial properties for commercial uses."		11 of 32	18.31.040 PR-C - Permitted Uses. (17) Single purpose multi-family dwellings (no NAICS code) except for properties fronting on SR 99 and South 216th Street, and properties north of South 216th Street.	1. 2. Pass Fail

Council Member, Community or Staff-Requested Amendments to Pacific Ridge Zone Code

Amendments to Draft Ordinance 13-086	MOTION	Council Packet Page #	Ord Page #	DRAFT ORD/MOTIONS FROM FLOOR	ACTION
3	"I move Amendment 3 amending Sec. 10, Environmental Performance Standards, to delete (1)(e), Capital Facilities, Utilities and Public Services, because it is redundant with other parts of the DMMC."		13 of 32	18.31.080 Environmental Performance Standards. (1)(e) Capital Facilities, Utilities and Public Services. (i) All capital facilities, utilities, and public services must be adequate to support the proposed land use or structure, including but not limited to drainage; street and walkway systems, both on-site and off-site; sewer and water systems; fire protection; police service; electrical power; and telecommunications. Improvements to capital facilities, utilities, and public services shall conform to adopted plans, policies, and regulations. (ii) All development shall be required to install or pay for a proportional share of any new facilities or utilities required to serve the development. Mechanisms such as latecomer's agreements and impact fees may be used to equitably distribute the cost of required improvements. (iii) Except for high-voltage (i.e., 115 kV) transmission circuitry, all preexisting and newly installed utilities on-site and within the abutting rights-of-way shall be placed underground.	1. 2. Pass Fail
4	"I move Amendment 4 amending Sec. 10, Environmental Performance Standards, to delete (1)(f) because it is constitutionally vague."		13 of 32	18.31.080 Environmental Performance Standards. (1)(f) In reviewing a proposed permitted use, the City Manager or City Manager's designee may include minimal conditions of approval as may be reasonably needed to ensure that the use is consistent with the purpose of the PR zone, and to minimize the likelihood of adverse impacts.	1. 2. Pass Fail

Council Member, Community or Staff-Requested Amendments to Pacific Ridge Zone Code

Amendments to Draft Ordinance 13-086	MOTION	Council Packet Page #	Ord Page #	DRAFT ORD/MOTIONS FROM FLOOR	ACTION
5	"I move Amendment 5 amending Sec. 10, Environmental Performance Standards, to (1) add the requirement that all new construction in all PR zones conform to applicable FAA regulations affecting navigable airspace, including Part 77, to make developers aware of these existing FAA requirements; and (2) deleting similar language from the provisions applicable to the PR-R Zone."		13, 14 of 32	18.31.080 Environmental Performance Standards. (1) Provisions applicable to all PR zones: (g) 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. 18.31.080 Environmental Performance Standards. (2) Provision Applicable to the PR-R Zone. (b) New construction shall conform to applicable Federal Aviation Administration regulations, including Part 77, Federal Aviation Regulations, Objects Affecting Navigable Airspace, as presently constituted or as may be subsequently amended.	1. Pass 2. Fail
6	"I move Amendment 6 amending Sec. 10, Environmental Performance Standards, to delete the number of driveway accesses and simply incorporate the City's Street Design and Construction Standards by reference to avoid confusion."		15 of 32	18.31.080 Environmental Performance Standards. (1) Provisions applicable to all PR-C zones: (b)(iii) Unless specifically authorized by the public works director City Manager or City Manager's designee, Vehicular access shall be limited to one driveway per street frontage consistent with the City's Street Design and Construction Standards.	1. Pass 2. Fail

Council Member, Community or Staff-Requested Amendments to Pacific Ridge Zone Code

Amendments to Draft Ordinance 13-086	MOTION	Council Packet Page #	Ord Page #	DRAFT ORD/MOTIONS FROM FLOOR	ACTION
7	"I move Amendment 7 amending Sec. 11, Dimensional Standards for New Development, to lower the maximum building height west of SR 99 from 85 feet to 55 feet to prevent views from being blocked from the east side of SR 99 and better transition to residential uses to the west, and to clarify that 200 feet high buildings are only allowed east of SR 99."		17 of 32	18.31.090 Dimensional Standards for New Development. (8) Maximum Building Height.(b) PR-C Zone. (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 east of <u>SR 99</u> 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.	1. Pass 2. Fail
8	"I move Amendment 8 amending Sec. 11, Dimensional Standards for New Development, to eliminate (10) because it is redundant with (8)."		18 of 32	18.31.090 Dimensional Standards for New Development. (10) Floor area clustering-building height bonus. In the PR-R and PR-C zones south of South 216th Street, the City Manager or City Manager's designee may authorize buildings up to 200 feet in height when all of the following provisions are met: (a) The minimum building site area is 43,560 square feet. (b) Useable pedestrian plazas and open space are provided.	1. Pass 2. Fail

Council Member, Community or Staff-Requested Amendments to Pacific Ridge Zone Code

Amendments to Draft Ordinance 13-086	MOTION	Council Packet Page #	Ord Page #	DRAFT ORD/MOTIONS FROM FLOOR	ACTION
9	"I move Amendment 9 deleting Sec. 12, General Site Design Requirements, to eliminate Site Design Guidelines."		21 of 32	Sec. 12. 18.31.100 General site design requirements. (1) Design guidelines: All development proposals shall demonstrate substantial compliance, as determined by the City Manager or City Manager's designee, with the adopted Pacific Ridge design guidelines. The guidelines shall provide objectives and techniques for ensuring that new construction provides lasting benefit to the community; minimizes incompatibility among land uses; and promotes crime prevention. Design guidelines shall address site design issues including, but not limited to, the following: –(a) Placement and orientation of buildings and building entrances; –(b) Vehicular access, parking, and circulation; –(c) Pedestrian orientation and access; –(d) Orientation to transit; –(e) Placement and screening of service and loading areas; –(f) Landscaping; –(g) Freestanding signage; –(h) Screening of parking and other site features; –(i) Placement and design of open space; –(j) Crime prevention; and –(k) Exterior lighting. Sec. 12. 18.31.100 General site design requirements.	1. Pass 2. Fail

Council Member, Community or Staff-Requested Amendments to Pacific Ridge Zone Code

Amendments to Draft Ordinance 13-086	MOTION	Council Packet Page #	Ord Page #	DRAFT ORD/MOTIONS FROM FLOOR	ACTION
10	"I move Amendment 10 amending Sec. 13, General Building Design Requirements, to eliminate Building Design Guidelines."		22 of 32	18.31.110 General building design requirements. (1) Design guidelines. All development proposals shall demonstrate substantial compliance, as determined by the City Manager or City Manager's designee, with the adopted Pacific Ridge design guidelines. The guidelines shall provide objectives and techniques for ensuring that new construction provides lasting benefit to the community; minimizes incompatibility among land uses; and promotes crime prevention. Design guidelines shall address building design issues including, but not limited to, the following: – (a) Building height, bulk, and scale; – (b) Building modulation and fenestration; – (c) Building silhouette and roof design; – (d) Placement and orientation of building entrances, common areas, activity areas, balconies, and other features; – (e) Exterior building materials; – (f) Window and door detailing; – (g) Continuity/variety in building design; (h) Orientation to transit; – (i) Wall signage; – (j) Crime prevention; – (k) Awnings, covered walkways, and other weather protection; and – (l) Placement and screening of mechanical equipment.	1. 2. Pass Fail

Chapter 18.31 PACIFIC RIDGE **(PR)** ZONE

(Changes made by Draft Ordinance 13-086)

Sections

[18.31.010 Title](#)

[18.31.020 Application](#)

[18.31.0340 Purpose.](#)

[18.31.040 Authority](#)

[18.31.020](#) Subareas within Pacific Ridge zone.

[18.31.030](#) PR-R – Permitted uses.

[18.31.040](#) PR-C1 – Permitted uses.

~~[18.31.050](#) PR-C1 – Uses allowed in conjunction with a permitted use.~~

~~[18.31.060](#) PR-C2 – Permitted uses.~~

~~[18.31.070](#) PR-C2 – Uses allowed in conjunction with a permitted use.~~

[18.31.080](#) Environmental performance standards and general limitations.

[18.31.090](#) Dimensional standards.

[18.31.100](#) General site design requirements.

[18.31.110](#) General building design requirements.

Comment [gf1]: PR-C1 and PR-C2 proposed to be consolidated and expanded.

18.31.010. Title. This chapter shall be entitled “Pacific Ridge Zone, Uses Allowed and Special Conditions.”

18.31.020. 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.

18.31.0130 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.

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

18.31.0250 Subareas within Pacific Ridge zone.

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

(a) PR-R, Pacific Ridge Residential.

~~(b) PR-C1, Pacific Ridge Commercial 1.~~

~~(c) PR-C2, Pacific Ridge Commercial 2.~~

~~(b) PR-C, Pacific Ridge Commercial~~

~~(2) Other zones may be applied to existing and planned public facilities, parks, utilities, and similar land uses.~~

Comment [gf2]: PR-C1 and PR-C2 proposed to be combined into single PR-C expanded zone. That part of the old PR-C1 zone from 216th to 221st is proposed to be expanded to the east to the I-5 right of way except for the area between 29th, I-5, 216th and 219th which will remain PR-R..

(32) For application of the general provisions of this title, PR-R is a multifamily residential zone while PR-C1 and PR-C2 are commercial zones. [Ord. 1267 § 2(part), 2000.]

18.31.0630 PR-R – Permitted uses. Only those uses listed below, and uses similar in nature as determined by the ~~planning, building and public works~~ City Manager or the City Manager's designee ~~director~~, are permitted in the PR-R 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) ~~Uses permitted in PR-C zone when part of a contiguous PR-C development under single ownership.~~

(2) Multifamily dwellings (no NAICS code);

(23) Religious organizations (813110);

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

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

(56) ~~A mix of non-residential and commercial uses compatible with residential uses. Mixed-use (no NAICS code),~~ subject to the limitations below and the limitations provided in DMMC 18.31.090, Environmental performance standards and general limitations:

(a) ~~Total nonresidential floor area shall not exceed 15 percent of the total floor area of the individual building and a minimum of 25 percent of commercial space must be located along the ground floor;~~

Comment [gf3]: Allows the market place to decide what these ratios should be. If we don't like what's happening, the City Council can change it in the future.

~~(b) Permitted nonresidential uses shall be limited to the following:~~

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

(Ai) Food and beverage stores (445);

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

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

(~~A~~**i**) Lessors of residential buildings and dwellings (531110);

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

(~~B~~**iii**) Real estate property managers (531311);

(~~C~~**iv**) Offices of real estate appraisers (531320);

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

(~~E~~**)** Video tape and disc rental (53223);

(~~iii~~**c**) Professional, scientific, and technical services (54);

(~~iv~~**d**) Management of companies and enterprises (55);

(~~iii~~**e**) Health care and social assistance (62), limited to the following except for temporary shelters (624221);

(~~A~~**)** Ambulatory health care services (621) except blood and organ banks (621991); and

(~~B~~**)** Child care facilities (6244);

(~~v~~**i**) Arts, entertainment and recreation (71);

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

(~~A~~**i**) Full service restaurants (722511); and

(~~B~~**ii**) Limited-service eating places restaurants (722722513);

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

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

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

(~~A~~**i**) Footwear and leather goods repair (811430);

(~~B~~**ii**) Personal care services (8121);

(~~C~~**iii**) Dry-cleaning and laundry services (812320); and

~~(Div)~~ Photofinishing (81292);

~~(Ev)~~ Religious organizations (813110);

~~(Fvi)~~ Civic and social organizations (813410);

~~(Gvii)~~ Business associations (813910);

~~(Hviii)~~ Professional organizations (813920);

~~(Iix)~~ Labor unions and similar labor organizations (813930);

~~(Jx)~~ Other similar organizations (813990).

~~(vi7)~~ Public administration (92), ~~limited to police protection (92212);~~;

~~(6)~~ Botanical gardens (712130);

~~(78)~~ Public parks (no NAICS code);

~~(89)~~ 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 signs identifying or advertising the home occupation, or other exterior evidence of the home occupation is allowed;

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

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

(vi) In the event the ~~city-City manager-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; 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-City manager-Manager~~ may revoke all approvals and licenses related to the home occupation. [Ord. 1406 § 1, 2007; Ord. 1267 § 2(part), 2000.]

18.31.0470 PR-C1 – Permitted uses. Only those uses listed below, and uses similar in nature as determined by the ~~community-development-director~~, City Manager or the City Manager's designee are permitted in the PR-C1 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), ~~except exclusive used car dealers (441120), except the following:~~

- ~~(a) Automobile dealers (4411);~~
- ~~(b) Other motor vehicle dealers (4412);~~
- ~~(c) Tire dealers (44132);~~
- ~~(d) Manufactured (mobile) home dealers (45393);~~
- ~~(e) Heating oil dealers (454311); and~~
- ~~(f) Other fuel dealers (454319);~~

~~(2) A maximum of one gasoline station (447) is permitted within the PR-C1 zone. Buildings containing only a gasoline station are not subject to the minimum building height provisions contained in this chapter;~~

~~(32) Taxi (485310) and Limousine service (485320) when primarily contained within an enclosed structure;~~

~~(43) Postal service (491110);~~

Comment [gf4]: Any type of retail trade under NAICS 44 or 45 is allowed if this change is made including new car dealers and used car sales in conjunction with new car dealers. Exclusively used car dealers would still not be permitted.

~~(54)~~ Couriers and messengers (492~~110~~);

~~(65)~~ Information establishments (51), ~~except telecommunication (5133), which is regulated by Title 20 DMMC;~~

~~(76)~~ Finance and insurance (52);

~~(87)~~ Real estate and rental and leasing (53), ~~except the following mini-warehouses and self storage units (53113) may not front on SR99;~~

~~(a) Lessors of miniwarehouses and self-storage units (53113);~~

~~(b) Automotive equipment rental and leasing (5321); and~~

~~(c) Commercial and industrial machinery and equipment rental and leasing (5324);~~

~~(98)~~ Professional, scientific, and technical services (54), ~~except off-premises signs (billboards) which are regulated by chapter 18.42 DMMC;~~

~~(109)~~ Management of companies and enterprises (55);

~~(110)~~ Administrative (~~561110~~) and support services (~~561210~~), ~~except the following:~~

~~(a) Repossession services (561491);~~

~~(b) Services to buildings and dwellings (5617); and~~

~~(c) Waste management and remediation services (562);~~

~~(121)~~ Educational services (61);

~~(1312)~~ Health care and social assistance (62); ~~subject to the following limitations:~~

~~—(a) The following uses are prohibited:~~

~~(i) Outpatient mental health and substance abuse centers (62142);~~

~~(ii) Hospitals (622);~~

~~(iii) Residential mental retardation, mental health, and substance abuse facilities (6232);~~

~~(b) Permitted nursing and residential care facilities (623) and community care facilities for the elderly (6233) are allowed only within the residential portion of a mixed-use building;~~

~~(4413)~~ Arts, entertainment, and recreation (71) except that adult entertainment facilities and adult motion picture theaters (no NAICS code) are prohibited north of South 216th Street 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; subject to the following limitations:

~~(a) The following uses are prohibited:~~

~~(i) Spectator sports (7112);~~

~~(ii) Amusement, gambling, and recreation industries;~~

~~(b) Adult entertainment facilities and adult motion picture theaters (no NAICS code) are prohibited within 500 feet of the property lines of churches, common schools, day care centers, public facilities, or other adult entertainment facilities or adult motion picture theaters;~~

~~(4514)~~ Accommodation and food services (72), limited to the following:

~~(a) Hotels (72111 (except casino hotels) and motels (72111), except that these must contain a minimum of 75 guest rooms; subject to the following:~~

~~(b) Casino hotels (72120);~~

~~(i) Casino hotels and motels are prohibited; and~~

~~(iii): and Hotels and resort hotels are further allowed as follows:~~

~~(A) Hotels and resort hotels shall contain a minimum of 125 guest rooms;~~

and

~~(B) Hotels and resort hotels shall contain meeting room facilities;~~

and

~~(C) A maximum of six hotel and/or resort hotel developments shall be allowed within the PR-C1 zone; and~~

~~(D) A maximum of 1,500 guestrooms shall be allowed within the PR-C1 zone;~~

~~(bc) Food services and drinking places (722), however, mobile food services (72233) are also regulated by chapter 5.57 DMMC; subject to the following provisions:~~

~~(i) Fast food restaurants (722211) are allowed only in conjunction with a permitted use;~~

~~(ii) Mobile food services (72233) are regulated by chapter 5.57 DMMC;~~

Comment [gf5]: Minimum size is the only limitation with this change. The market place will control the rest.

~~(iii) Drive-through facilities are prohibited;~~

~~(iv) Buildings containing only a full-service restaurant (72211) are not subject to the minimum building height provisions contained in this chapter;~~

Comment [gf6]: Minimum building heights are eliminated in 18.31.090 (7)

(1615) Other services (81) ~~(except public administration) (81))~~, subject to the following limitations:

(a) The following uses are prohibited:

(i) Carwashes (811192), except automotive detail shops;

(ii) Other automotive repair and maintenance (811198);

(iii) Death care services (8122);

(iv) Industrial launderers (812332); and

(v) Commercial parking lots and garages (812930);

~~(ba) Automobile body, paint, interior, and/or glass repair (81112), general~~ General automotive repair (811111), automotive exhaust system repair (811112), automotive transmission repair (811113), ~~automobile 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-C4 zone; provided, that all of the following requirements shall be met:

~~(i) The proposed use shall be located within a building constructed on or before October 30, 2009, and said building is or has been previously used for such use; and~~

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

~~(iii) Any building or structure that the proposed use is located or proposed to be located within shall not be expanded or enlarged in gross floor area or volume after October 30, 2009; and~~

~~(ivii)~~ 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;

~~(c) Pet boarding (812910) is allowed only in conjunction with a permitted use;~~

~~(1716) Public administration (92), except correctional institutions (92214) the following:~~

~~(a) Correctional institutions (92214); and~~

~~(b) Parole offices and probation officers (92215);~~

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

Comment [gf7]: Single purpose multi-family allowed except for old PR-C2 zone and properties on arterials.

~~(18) Mixed use (no NAICS code), except when dwellings are located above the second story of the building~~

~~(i) (i) In that part of PR-C fronting on SR99 and/or South 216th 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 216th Street;~~

Comment [gf8]: Note that some ground floor space accessed from the rear of the property may be designed for non-commercial space.

~~(ii) When a project fronting SR 99 or South 216th Street contains more than one building, those building 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 216th Street.~~

Comment [dl9]: Long-term, this could limit TOD potential around SR-99/S 216th node (e.g., front part of Safeway lot could be redeveloped with mixed use and complement residential across from SeaTac residential.

~~(19) Public parks (No NAICS code); and~~

~~(20) Public utility facilities and appurtenances necessary for the distribution of utility services to final customers within the immediate area. [Ord. 1467 § 1, 2009; Ord. 1267 § 2(part), 2000.];~~

~~18.31.050 PR-C1—Uses allowed in conjunction with a permitted use.~~

~~The uses listed below, and uses similar in nature as determined by the community development director, are only allowed in the PR-C1 zone when located within the same building as a permitted use. 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:~~

Comment [gf10]: This section eliminated in its entirety since there is no longer a need for "uses allowed in conjunction with a permitted use" because of the expanded permitted uses.

~~(1) Fast food restaurants (722211);~~

~~(2) Pet boarding (812910). [Ord. 1267 § 2(part), 2000.]~~

~~18.31.060 PR-C2—Permitted uses.~~

~~Only those uses listed below, and uses similar in nature as determined by the community development director, are permitted in the PR-C2 zone. Uses identified in this section 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) Except for the uses listed below, uses permitted in the PR-C1 zone are permitted in the PR-C2 zone:

- (a) Hospitals (622);
- (b) Nursing and residential care facilities (623);
- (c) Community housing services (62422);
- (d) Hotels and motels (72111);
- (e) Mixed use (no NAICS code);
- (f) Adult entertainment facilities and adult motion picture theaters (no NAICS code);
- (2) Tire dealers (44132);
- (3) Gasoline stations (447);
- (4) Automotive repair and maintenance (8111). [Ord. 1267 § 2(part), 2000.]

18.31.070 PR-C2 — Uses allowed in conjunction with a permitted use:

The uses listed below, and uses similar in nature as determined by the community development director, are only allowed in the PR-C2 zone when located within the same building as a permitted use. 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) Fast food restaurants (722211);
- (2) Pet boarding (812910);
- (3) Light manufacturing, processing, and assembly of goods sold onsite at retail (no NAICS code). [Ord. 1267 § 2(part), 2000.]

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 a mixed-use building, nonresidential building area shall be located at or near street level, and shall be visible from the public right-of-way;~~

(iii) Within the PR-C~~4~~ zone, structures containing only residential uses are allowed ~~on corner and through lots when a commercial or mixed-use structure is located along the Pacific Highway South frontage in the PR zone; except for properties north of South 216th Street, fronting on SR 99 and properties fronting on South 216th Street;~~ and

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

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

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

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

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

~~(f) Nuisances.~~

Comment [gf11]: Policy Question 1: Should the City require a minimum recreation space? Already reduced from 200sf to 50sf for common and from 60sf to 40sf for private as required by 18.45 DMMC. Note that 18.45 allows developer to buy out of the common recreation space requirement. Ultimately, the goal is to ensure quality recreation space is developed for the end user (i.e., tenants). The goal is to provide flexibility to allow developers to demonstrate, through either a combination of private/common recreation space or larger common space that is much higher quality, that the need is being met.

Comment [gf12]: Policy Question 2: Should (e) be eliminated as redundant with other parts of the DMMC and/or because the section is vague and unnecessary?

~~(i) As provided by chapter 9.64 DMMC, no use, activity, or equipment shall be permitted that creates a nuisance or is offensive, objectionable, or hazardous by reason of creation of odors, noise, sound, light or glare, steam, vibrations, dust, dirt, smoke, or other pollutants, fumes or gases (toxic or nontoxic), radiation, explosion or fire hazard, or by reason of the generation, disposal, or storage of hazardous or dangerous wastes or materials in a manner(s) inconsistent with Title 70 RCW as presently constituted or as may be subsequently amended.~~

~~(ii) In addition to the uses, activities and equipment deemed a nuisance under the provisions of subsection (1)(f)(i) of this section, the following are declared to be nuisances in all PR zones: all houses, housing units, other buildings, premises or places of resort where controlled substances identified in Article II of chapter 69.50 RCW and not authorized by that chapter, are manufactured, delivered, or possessed, or where any such substance not obtained in a manner authorized by chapter 69.50 RCW is consumed by ingestion, inhalation, injection, or any other means.~~

~~(iii) Any person, firm or corporation found by a court of competent jurisdiction to be keeping or maintaining a nuisance as provided in this chapter shall be liable for all costs and expenses of abating the same, when the nuisance is abated by any officer of the city, and the costs and expenses shall be taxed as part of the cost of said prosecution against the party liable, to be recovered as other costs are recovered. In addition to other powers given in the Des Moines Municipal Code and other applicable law to collect such costs and expenses, the city may bring suit for the same in any court of competent jurisdiction against the person, firm or corporation allowing, creating, enabling, keeping, maintaining or otherwise failing to correct the nuisance so abated.~~

~~(g) Hazardous Substances:~~

~~(i) No use permitted in this chapter, with the exception of public utility and service facilities, shall store any hazardous substance, except that for the purposes of this chapter the following substances shall be exempt:~~

~~(A) Heating oil stored in an underground tank sufficiently contained so as to preclude soil and ground water contamination;~~

~~(B) Gasoline stored in an approved Underwriters Laboratory container;~~

~~(C) Prepackaged retail quantities of fertilizers, pesticides, and auto and home care products only for home use.~~

~~(ii) Failure to comply with any of the requirements of this section shall be deemed a violation and shall result in enforcement by civil penalty as set forth in DMMC 18.72.060 and/or civil violation enforcement penalties or abatement procedures as established in chapter 1.28 DMMC. Any person or business who fails to comply with the provisions of this chapter, or allows a violation to continue after receiving written notice of violation from the community development director, shall be deemed to be~~

~~causing or permitting a public nuisance and shall be liable in an action for abatement filed by the city in superior court.~~

~~(hf) In reviewing a proposed permitted use, the community-development direct City Manager or the City Manager's designee or may include minimal conditions of approval as may be reasonably needed to ensure that the use is consistent with the purpose of the PR zone, and to minimize the likelihood of adverse impacts.~~

Comment [gf13]: Policy Question 3: Should (f) be eliminated because it could be considered especially vague and therefore unconstitutional?

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

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

~~(i) For land uses with more than 20 required off-street parking spaces, a minimum of 70 percent of the total off-street spaces provided shall be located within a parking garage structure.~~

~~(ii) Parking spaces not within a parking garage structure shall be subject to maximum lot coverage limitations.~~

~~(b) Multifamily recreation area is required in accordance with chapter 18.45 DMMC, except that 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.~~

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

~~(3) Provisions Applicable to the PR-C1 Zone.~~

~~(a) Off-street parking not within a parking garage structure shall occupy not more than 35 percent of the building site.~~

Comment [gf14]: Note that 35% off street parking maximum is proposed to be eliminated.

(43) Provisions Applicable to the PR-C1 and PR-C2 Zones.

(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) Retail nursery and garden centers (44422) in the PR-C2 zone;

(vi) ~~Minor and incidental~~ Incidental outdoor display areas for merchandise sold on site as approved through the design review process;

(vii) Play/recreation areas; and

(viii) Miscellaneous storage 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 ~~community development director~~ City Manager or the City Manager's designee, views into automobile service bays from Pacific Highway South shall be diminished by building orientation, screening, or other means;

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

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

(v) A six-foot-high, 100 percent sight-obscuring fence shall be provided along property lines that abut residential properties as designated by the ~~Greater-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 ~~community development director~~ City Manager or the City Manager's designee, passenger loading and unloading areas shall be provided on site. [Ord. 1410 § 1, 2007; Ord. 1267 § 2(part), 2000.]

Comment [gf15]: Policy Question 4:
Should outright permitted driveway accesses be increased from 1 to 2? Or, alternatively, should the ordinance simply state that the number and location of driveway access points shall be consistent with the City's Street Design and Construction Standards?

Comment [gf16]: Policy Question 5:
Should vehicle storage be permitted if inside or shielded?

18.31.090 Dimensional standards.

(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 provided that the project is at least 55 feet in height every lot shall have a front yard of not less than 15 feet.~~

(b) In the PR-C1 and PR-C2 zones, no front yard is required.

(4) Side Yard.

(a) In the PR-R zone, ~~every lot shall have a not less than 10 foot side yard on each side of the lot 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 abutting a single family residence. The side yards shall have a width of not less than 10 feet.~~

(b) In the PR-C1 and PR-C2 zones, 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-C1 zone: Building height shall be measured from mean sidewalk grade of Pacific Highway South.~~

(c) PR-C2 zone: Building height shall be measured from mean sidewalk grade as follows:

(i) Building height for properties abutting ~~Pacific Highway South SR99~~ is measured from ~~Pacific Highway South SR99~~.

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

(iii) Building height for properties ~~abutting South 216th Street that do not abut Pacific Highway South or 24th Avenue South~~ is measured from ~~from average finish grade on South 216th Street~~.

Comment [gf17]: Policy Question 6: Should there be additional changes in dimensional standards in addition to those proposed below to encourage more development?

Comment [gf18]: The 55 feet requirement is to prevent additions to existing underdeveloped residential properties in transitional areas.

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

(7) Minimum Building Height.

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

(i) PR-R zone: 35 feet.

~~(ii) PR-C1 zone: 35 feet.~~

(iii) PR-C2 zone: No minimum building height for commercial projects and 55 feet for residential or mixed use projects.

Comment [gf19]: Note - this means that any residential/mixed use projects under 55' would not be permitted thereby helping the City achieve the density we are looking for.

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

(8) Maximum Building Height. Buildings and structures may be built to the height specified unless restricted by (9) below:

(a) PR-R zone: ~~35-75 feet, except that b-~~ Buildings may be built to a height of ~~120~~ 200 feet with ~~approval of a condominium height bonus or with~~ approval of a floor area clustering height bonus ~~as provided by this chapter when the minimum building site area is 43,560 square feet and useable pedestrian plazas and open space are provided.~~

(b) PR-C1 zone: ~~85 feet, except that buildings may be built to a height of 200 feet with approval of a floor area clustering height bonus when the minimum building site area is 43,560 square feet and useable pedestrian plazas and open space are provided.~~

~~(i) Except as provided by subsection (8)(b)(ii) of this section, 55 feet.~~

~~(ii) In that portion of the PR-C1 zone east of Pacific Highway: 85 feet.~~

~~(c) PR-C2 zone: 55 feet.~~

(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~~ City manager ~~Manager~~ or 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) Condominium Building Height Bonus. In the PR-R zone, the City Manager or designee may authorize buildings 36 to 120 feet in height when a condominium declaration which satisfies chapter 64.34 RCW is recorded for all dwellings within the building.~~

(1110) Floor Area Clustering Building Height Bonus. In the PR-R zone, the ~~city~~ City manager ~~Manager~~ or City Manager's designee may authorize buildings up to 200 feet in height when all of the following provisions are met:

~~(a) A condominium height bonus was granted pursuant to the condominium building height bonus established by subsection (10) of this section.~~

~~(b) The total floor area of the building does not exceed the total maximum floor area of a building that could have been built under the condominium building height bonus established by subsection (10) of this section.~~

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

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

(1211) Height Allowance for Enhanced Design of Distinctive Rooflines. In the PR-C1, ~~PR-C2~~ 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.

(1312) Placement of Buildings.

~~(a) Where a building site abuts the public right-of-way of Pacific Highway South, at least one of the main buildings on the site shall be placed as follows:~~

Comment [gf20]: This eliminates all setback requirements for commercial projects fronting on SR99

~~(i) Except as provided below, the building shall abut, or be in close proximity to, the public right-of-way of Pacific Highway South. (ii) Through the permit review process, the City Manager or designee may determine it is in the public interest to allow the proposed building to be set back from the right-of-way. In considering a request for setback, the director shall consider matters such as adopted land use policies, vehicular and pedestrian circulation, sight distances, landscaping, existing site improvements, adjacent site improvements, easements or other encumbrances, and public benefit features such as plazas and public artwork.~~

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

~~(eb)~~ 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, ~~provided, not less than 10 feet of the rear lot line shall be free and clear of buildings.~~

~~(ec)~~ 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.

~~(ed)~~ 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. [Ord. 1559 § 1, 2012; Ord. 1513 § 1, 2011; Ord. 1405 § 1, 2007; Ord. 1267 § 2(part), 2000.]

18.31.100 General site design requirements.

Comment [gf21]: Policy Question 7: Should Site Design Guidelines be eliminated for PR-C and/or PR-R?

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

- (a) Placement and orientation of buildings and building entrances;
- (b) Vehicular access, parking, and circulation;
- (c) Pedestrian orientation and access;
- (d) Orientation to transit;
- (e) Placement and screening of service and loading areas;
- (f) Landscaping;
- (g) Freestanding signage;
- (h) Screening of parking and other site features;
- (i) Placement and design of open space;
- (j) Crime prevention; and
- (k) Exterior lighting. [Ord. 1267 § 2(part), 2000.]

18.31.110 General building design requirements.

Comment [gf22]: Policy Question 7 (continued): Should Building Design Guidelines be eliminated for PR-C and/or PR-R zones?

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

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

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

(3) Maximum Gross Floor Area.

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

Building Height	PR- C1 and PR-C2 and PR-R FAR	PR-R FAR
35 Feet or Less	2.8	2.8
35 – 50	3.5	3.5
50 – 60	4	4.0

Comment [gf23]: Allows larger floor area ratios and allows buildings to be less skinny (and more economical)

Building Height	PR- C1 and PR-C2 and PR-R FAR	PR-R FAR
60 -70	4.5	4.5
70 – 80	5	5
80 – 90	5.5	5.5
90 – 100	Not Applicable6.5	6.5
100 – 110	Not Applicable7.5	7.5
110 – 120	Not Applicable9	9
> 120	Increases by 0.5 per floor above 120 feetNot Applicable	9

(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-C1 and PR-C2-zones, 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 ~~Uniform-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 curbline 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 ~~community-development director~~City Manager or the City Manager's designee in consultation with the ~~public-Public works-Works director~~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 ~~community-development director~~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 ~~community-development director~~City Manager or the City Manager's designee shall deny the request if it is determined that adverse impacts cannot be mitigated satisfactorily. [Ord. 1513 § 2, 2011: Ord. 1267 § 2(part), 2000.]

Comment [gf24]: Policy Question 8: Should any of the yellow-highlighted sections (c)-(g) be relaxed or eliminated?

From: Robyn Clark <robynclark@hotmail.com>
To: dkaplan <dkaplan@desmoineswa.gov>; jnutting <jnutting@desmoineswa.gov>; mpina <mpina@desmoineswa.gov>; mmusser <mmusser@desmoineswa.gov>; jburrage <jburrage@desmoineswa.gov>; bsheckler <bsheckler@desmoineswa.gov>; cscott <cscott@desmoineswa.gov>
Sent: Wed, Aug 7, 2013 6:35 pm
Subject: Allowed Pacific Ridge Permitted Uses

Hello,

My husband and I currently operate a used car dealership called Emerald Valley Auto Sales at 22002 Pacific Hwy S in Des Moines and are interested in relocating our business within the city limits. The property we currently occupy has been sold and is slated for development in the near future – hence the need to move.

We are interested in possibly moving to the old Hertz Rental property that is vacant at 22868 Pacific Hwy S. Unfortunately, the property is in the Pacific Ridge development area and does not allow for used car dealerships. I see that the City is considering changing the permitted uses to allow new car dealerships but not stand alone used car ones and I would like to ask that used stand alones be included in the changes.

We have been in business 17 years (3 of those in Des Moines) and have developed a good reputation for fair and honest transactions. Our specialty is lower mileage, well kept vehicles with an emphasis on lower cost collector cars – though we carry other types as well. We like to keep our premises clean and tidy, our vehicles displayed neatly and the landscape trimmed. The police have never been called to our lot for unruly behavior from ourselves or our customers though we have experienced the occasional theft. We believe ourselves to be a valuable business asset to the community and would like you to consider stand alone used car dealerships as a permitted use within the Pacific Ridge area.

Our reviews speak to the type of business owners that we are:
<http://www.cars.com/dealers/208624/emerald-valley-auto-sales/reviews/>

Thank you for your consideration,
Robyn and Randy Clark
Emerald Valley Auto Sales
206-824-4457



21 Exterior Tenant Parking Spaces



10 Exterior Staff & Visitor Parking Spaces , available to tenants on evenings and weekends



Viewpoint Apartments Playground

214XX Pacific Hwy So. (Hwy 99)



103 Underground Assigned Parking Spaces are all full at night



Medium Size SUV fills tight spaces

last time increased
market rents was 4/19/13

MTJ LN

2/28/2013 12:15 PM

Market Rent Schedule

Viewpoint (10285)

As Of = 02/28/2013

Unit Type	Units	Unit Type		Unit Type	Sq Ft	Total		Total Unit Rent	Average Unit Rent	Occupied Units Resident Rent	Average
		Rent	Rent			Unit Type	Rent				
1x1 Small (285111)	6.00	955.00	529.00	5,730.00		5,740.00		956.67		5.00	899.80
1x1 Medium (285112)	10.00	920.00	561.00	9,200.00		9,865.00		986.50		10.00	937.80
1x1 Large (285113)	10.00	974.00	638.00	9,740.00		10,160.00		1,016.00		10.00	960.40
2x1 Small (285211)	9.00	1,073.00	740.00	9,657.00		10,592.00		1,176.89		8.00	1,116.88
2x1 Medium (285212)	15.00	1,115.00	833.00	16,725.00		17,955.00		1,197.00		15.00	1,111.00
2x2 Small (285221)	1.00	1,170.00	817.00	1,170.00		1,195.00		1,195.00		1.00	1,120.00
2x2 Medium (285222)	3.00	1,250.00	966.00	3,750.00		3,855.00		1,285.00		3.00	1,213.00
2x2 Large (285223)	4.00	1,315.00	1,101.00	5,260.00		5,290.00		1,322.50		4.00	1,249.25
Studio Small (285stu1)	7.00	760.00	337.00	5,320.00		5,445.00		777.86		7.00	721.29
Studio Medium (285stu2)	17.00	805.00	409.00	13,685.00		14,510.00		853.53		17.00	792.41
Studio Large (285stu3)	8.00	885.00	532.00	7,080.00		7,240.00		905.00		8.00	845.00
Grand Total	90.00	970.19	622.00	87,317.00		91,847.00		1,020.52		88.00	955.88

Monthly rent until April 19, 2013

Rent since April 19th

OX1 = \$780. - \$945

\$950. - \$1,015.

1X1 = \$970. - \$1,200.

\$1,040. - \$1,270.

2X1 = \$1,183. - \$1,300.

\$1,253. - \$1,370.

2X2 = \$1,220. - \$1,366.

\$1,290. - \$1,435.

Carmen Scott

From: Carmen Scott [carmenscott3@comcast.net]
Sent: Thursday, July 18, 2013 5:53 PM
To: 'Marion Yoshino'; 'JBurrage Home'
Cc: 'Matt Pina'
Subject: Visit to Viewpoint Apartments
Attachments: Rent schedule VIEWPOINT 216th & 99.pdf

Marion and Jeanette,
 These are my notes from our visit with the manager at Viewpoint Apartments Tuesday afternoon.
 Please let me know if I have left anything out or made any errors.

There are a total of 90 units.
 See attached PDF for unit sizes and rental amounts.

There are a total of
 103 assigned parking spaces in the secure underground garage. Every unit has one underground space. Twelve larger units have two underground spaces.
 21 additional tenant spaces are located in the fenced outdoor parking lot, first come, first served.
 10 additional outdoor spaces for management and potential renters, are **available for tenant use after hours and weekends**.
 Highline Community College International students live in at least 6 units. They do not have vehicles. Other tenants use their spaces.
 134 total parking spaces.

30 units are Studio.
 26 units are one bedroom
 24 Two bedroom one bath units
 8 Two bedroom 2 bath units.
 (The rental office takes up one unit)

Studio and one bedroom units have a limit of no more than two occupants each.
When everyone is home, all spaces are full. One tenant parks across Hwy 99 to free up his space for someone else. Each individual has a one-car-on-site limit.
 The basement spaces are tight. A medium size SUV fills its space. The turning radius is tight. People park carefully.

Commuters?? Public Transportation?? (Manager's comments)
 People don't use Rapid-Ride, the stop is in a horrible location (fears about safety).
 Those who do use public transportation drive to the light rail stop or to the Park & Ride.

Balconies? Great Views & Balconies. The back (East) units do not have balconies. People pay an extra \$40 to \$60. Per month for a unit with a balcony.

Playgrounds?? We don't need both. One would be plenty. Not many children.

What are the main reasons people do or don't rent here??

Plusses:

 New, clean, attractive, terrific views from many of the units, secure grounds and parking, responsible management.
 Excellent local shopping across the street. Handy to the airport.

Minuses:

Price is a deterrent to some. We have increased rent an average of \$90. In the last 3 months. (Our units are full)

The lack of an exercise room or party space causes some to look elsewhere. Our strongest nearby competition seems to be Belvidere, in the valley at the bottom of 216th.

Flight noise deters some who have not lived near airports or flight patterns.

Some people won't rent this close to an area of crime concerns (Pacific Ridge)

Tell me what needs to be added or changed.

My main new thought is that the more amenities and conveniences, the more people are willing to pay. These are high rents for the size spaces. The one thing that Riverview lacks (which a lot of renters want) is a workout room. We might benefit by visiting Belvidere, just to broaden our knowledge base. Belvidere would not have any good shopping nearby, except a big 7-11 & gas station, but

They are close to the river trail, away from the flight pattern, and not near any deteriorated/higher crime areas.

Carmen

→ Viewpoint

Grant Fredricks

From: Ronald Dupard [ron_dupard@msn.com]
Sent: Tuesday, August 27, 2013 5:00 PM
To: 'Imad Bahbah'; Marion Yoshino
Cc: Grant Fredricks
Subject: RE: Your comments on Pacific Ridge zone and Parking proposed ordinances

Hello Marion & Grant,

I hope this finds you doing well, and thank you for all your efforts on the rezone. I apologize for my eleventh hour response to your request for input, but I think Imad did a great job on covering just about all the pertinent issues except one, recreational space. My comment is as follows:

1. Pg. 222 Comment gf11: I think the city should allow the market to determine what kind of recreation space a developer must include in a project because all developers must compete with other projects. Accordingly, if a developer chooses not to include any recreational space and a nearby competing project includes recreation space, the developer will most likely lose customers to that project. Accordingly, an astute developer will in all likelihood include enough recreation space so that they will be competitive.

Regards,

Ronald J. Dupard, President/Designated Broker

DuVestCo, Inc.

11023 SE 240th Street #D2

Kent, WA 98031-4906

Phone: (425) 968-5500

Cell: (206) 478-0951

Fax: (425) 968-5656

email: ron_dupard@msn.com

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From: imadb123@gmail.com [mailto:imadb123@gmail.com] **On Behalf Of** Imad Bahbah

Sent: Tuesday, August 27, 2013 8:12 AM

To: Marion Yoshino

Cc: Ronald Dupard; Grant Fredricks

Subject: Re: Your comments on Pacific Ridge zone and Parking proposed ordinances

Hello Marion and Grant:

First, your hard work and diligence in making key revisions for the sake of improved economic vitality, encouraging higher density development and overall visioning towards your City's growth is admirable. Well done on all the proposed revisions!

Thank you for allowing my feedback and input into your Pacific Ridge and parking revisions. I very much appreciate the opportunity.

Following are my comments and questions on the Aug 8th Council Packet.

1. pg. 224, Policy Question 3: Yes, I agree the language seems vague here. Either eliminate or be more specific.
2. pg. 225, Policy Question 4: I suggest that the language should state "consistent with City's street design and construction standards" but also add the language that allows the option for a second driveway based on the outcome of a traffic study that shows how a second driveway will not adversely impact the neighborhood or the development.
3. pg 226, Dimension Standards, I concur with your changes, not sure any other language is needed.
4. pg. 227-228, agree with yard and height revisions, thank you
5. pg 231, Gross Floor Area, I agree with the improved FARs, however, I do recommend a clarification on the height definition on the chart. Is the height defined as the allowable height in the new regulations or is the height defined as " the actual proposed height" . This seems needed since you're offering height increased per the Floor Area Clustering Bldg Height Bonus section and FARs should be adjusted accordingly. Just needs clarificaion, in my opinion.
6. Attachment #2, Parking
 1. pg 265, Motel/Hotel pkg, I agree with your revisions to follow suit with SeaTac code. This will be very beneficial.
 2. pg. 267, Multi-family.....it appears no changes were made to this area.....is there a reason why less restrictive parking is not being addressed in this project type? My previous proposal for revisions still seems valid and appropriate to encourage higher density development in this market. Multi-family economics would greatly benefit from these suggested revisions. Can this still be considered?
 3. pg 268, compact car allowance of 50% is great, I concur
 4. pg 269, parking stall chart, I recommend reducing 90 degree stalls to 9x18 or 9x18.5 to allow denser parking, therefore denser development. Angled parking lengths should also follow suit. The compacts are currently 8x16 and standards are currently 9x20, it seems the disparity is too large between the two sizes. Please consider this recommendation for denser development and better developer economics.
7. Will there be other opportunities to revise the parking standards in the near future, if some of the above suggestions do not get considered on 9/12?

Thank you for considering my suggestions and comments. Any reply to these prior to 9/12 is appreciated.
Thank you.

Sincerely,

Imad H. Bahbah, Principal
IHB Architects

Mobile: 253-468-7696
Office: 253-537-0737
Fax: 253-537-0737

On Thu, Aug 22, 2013 at 2:48 PM, Marion Yoshino <myoshino@desmoineswa.gov> wrote:

Hello Ron and Imad,

Thank you both for your continued participation in our rezoning of the Pacific Ridge neighborhood!

We are preparing our agenda packet for the September meeting, and need your comments before next Tuesday.

Here is a link to the August 8th packet that presented the ordinances:

<http://wa-desmoines.civicplus.com/Archive.aspx?AMID=42>

(Let me know if you have any trouble following this link)

All your comments are welcome, and appreciated,

Marion

Marion Yoshino

Economic Development Manager

City of Des Moines

21630 11th Ave S.

Des Moines Wa 98198

(206) 870-6725

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Imad H. Bahbah, Principal

IHB Architects

Mobile: 253-468-7696
Office: 253-537-0737
Fax: 253-537-0737

Continued Public Hearing Pacific Ridge Zone Code September 12, 2013

Grant Fredricks
Denise Lathrop



1

Zoning
Map
Changes



2

Proposed Policy Changes Draft Ordinance 13-086

1. Re-designates a portion of the PR-R (residential) zone to PR-C (commercial) and combines the old PR-C1 and PR-C2 into a single PR-C commercial zone.
2. Expands permitted uses in both the PR-R and PR-C zones and allows commercial uses in the PR-R zone.
3. Limits residential uses on property fronting directly on and south of South 216th and fronting directly on SR99 to mixed use buildings above the ground floor. The rest of the PR-C zone south of South 216th can have single purpose or mixed use residential. Residential is still not permitted north of South 216th Street.



Proposed Policy Changes Draft Ordinance 13-086

4. Increases unrestricted maximum building heights in PR-R zone from 35 to 70 feet and in PR-C zone from 55 to 85 feet.
5. Eliminates requirement that buildings must be owner-occupied before increased heights up to 200 feet are allowed.
6. Eliminates 35 feet minimum building height in old PR-C1 zone.
7. Eliminates requirement that buildings fronting SR99 abut the highway.
8. Reduces or removes other dimensional, use percentages, parking restrictions and grandfather date restrictions.



Policy Questions

(refer to Attachment 3 for more detail)

1. Should the City require a minimum recreation space? (See marginal comment [gf11] on p. 12 of Attachment 3).
2. Should 18.31.080(1)(e) be eliminated as redundant with other parts of the DMMC and/or because the section is vague and unnecessary? (Comment [gf12] on p. 13)
3. Should new 18.31.080(1)(f) be eliminated because it could be considered especially vague and therefore unconstitutional? (Comment [gf13] on p. 14)
4. Should outright permitted driveway accesses be increased from 1 to 2 in 18.31.080(3)(b)(iii)? Or, alternatively, should the Ordinance simply state that the number and location of driveway access points shall be consistent with the City's Street Design and Construction Standards? (Comment [gf15] on p. 16)
5. Should vehicle storage be permitted if inside or shielded in 18.31.080(3)(b)(vi)? (Comment [gf16] on p. 16)

5

Policy Questions

(refer to Attachment 2 for more detail)

6. Should there be further changes in Dimensional Standards (18.31.090) to encourage more development? (Comment [gf17] on p. 16 and extending to top of p. 21)
7. Should General Site Design Guidelines and Building Design Guideline Standards be eliminated for both commercial (PR-C) and residential (PR-R) zones (or just apply to PR-R zone)? (Comments [gf21] and [gf22] for Sections 9 and 10 of Draft Ordinance or 18.31.100 and 18.31.110(1) on p. 21 through p. 22)
8. Should the regulations in 18.31.110(4)(c), (d), (e), (f) and (g) be relaxed or eliminated? (Comment [gf24] on p. 24)
9. Should the Pacific Ridge Zone chapter have its own sign code regulations rather than leaving all City sign code regulations consolidated in Chapter 18.42?
10. Should current used car sales lots be allowed to relocate to other Pacific Highway locations in Pacific Ridge, or should used auto sale be outright permitted?

6

Council Member or Community Member- Requested Amendments

1. Allowing existing exclusive used car dealers to relocate to other Pacific Ridge sites to keep viable businesses in Pacific Ridge either by a change to the Draft Ordinance to outright permit used automobile dealers or creating a more narrow exception for the relocation of existing businesses. *See City Attorney's opinion on Council Packet page 4.*

Council, Community or Staff- Requested Amendments

1. Allowing existing exclusive used car dealers to relocate to other Pacific Ridge sites to keep viable businesses in Pacific Ridge either by a change to the Draft Ordinance to outright permit used automobile dealers or creating a more narrow exception for the relocation of existing businesses. *See City Attorney's opinion on Council Packet page 4.*

Council, Community or Staff- Requested Amendments

2. Prohibiting single purpose multi-family dwellings from the PR-C zone to preserve limited commercial properties for commercial uses.
3. Deleting Capital Facilities, Utilities and Public Services section because it is redundant with other parts of the DMMC.
4. Deleting a section of the Environmental Performance Standards section pertaining to the City Manager's approval authority because it is believed to be constitutionally vague.

9

Council, Community or Staff- Requested Amendments

5. Making it explicit that the FAA Part 77 navigable airspace building height review requirement apply to all of Pacific Ridge, not just the PR-R zone as currently codified to ensure developers are alerted to FAA requirements.
6. Deleting the number of driveway accesses and referring to the City's Streets Design and Construction Standards.
7. Reducing the maximum building height on the west side from the 85 feet proposed to 55 feet to reduce view blockage and create a better transition to the residential properties to the west, and to clarify that 200 feet buildings are only allowed east of SR 99.
8. Eliminating redundant language pertaining to conditions when 200 feet tall buildings are allowed.

10

Council, Community or Staff- Requested Amendments

9. Eliminating DMMC requirements for General Site Design Guidelines.
10. Eliminating DMMC requirements for General Building Design Guidelines.

11

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Continued Public Hearing for Draft Ordinance 13-108, Loading Areas and Off-Street Parking Code.

FOR AGENDA OF: September 12, 2013

DEPT. OF ORIGIN: Planning, Building & Public Works

ATTACHMENTS:

DATE SUBMITTED: August 29, 2013

1. Draft Ordinance 13-108 amending Chapter 18.44 DMMC, Loading Areas and Off-Street Parking Code.
2. Council Member, Community Member or Staff-Requested Amendments
3. Chapter 18.44 DMMC showing Track Changes
4. Information about Viewpoint Apartments submitted by Councilmember Scott
5. August 27, 2013 Email from Imad H. Bahbah, IHB Architects
6. Staff Presentation

CLEARANCES:

- ☒ Legal RG
☐ Finance N/A
☐ Marina N/A
☐ Parks, Recreation & Senior Services N/A
☒ Planning, Building & Public Works DEL
☐ Police N/A
☒ Economic Development Manager _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: AT

Purpose and Recommendation

The purpose of this agenda item is to continue the public comment portion of the public hearing for Council to consider Draft Ordinance 13-108 which amends the Loading Areas and Off-Street Parking Code (Parking Code) codified as Chapter 18.44 DMMC. The SEPA comment period closed on August 21, 2013 and no comments were received. The appeal period closed on September 2, 2013 and no appeals were filed. The Council may adopt the Ordinance after the public hearing is closed.

Suggested Motion

Motion 1A: "I move to waive Council Rule 26(a) in order to enact Draft Ordinance No.13-108 amending Chapter 18.44 DMMC, Loading Areas and Off-Street Parking Code, on first reading."

Motion 1B: "I move to enact Draft Ordinance No.13-108 amending Chapter 18.44 DMMC, Loading Areas and Off-Street Parking Code."

Or

Motion 2: "I move to pass Draft Ordinance No.13-108 amending Chapter 18.44 DMMC, Loading Areas and Off-Street Parking Code, to a second reading on September 26, 2013."

Suggested Motions If Offered (continued)

Amending Motion: “I move Amendment ____ amending Sec. ____ to ____ in order to ____.” *(See Attachment 2 for specific amending motion language)*

Background

The 1990 Growth Management Act is codified in RCW 36.70A. It requires, among other things, that “cities ... take action to review and, if needed, revise their ... *development regulations (emphasis added)* 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.”

The City Council continues to support the redevelopment of the Pacific Ridge Neighborhood as a high density, commercially viable mixed use neighborhood, transforming Pacific Ridge into a new urban community that takes advantage of its geographic location, local and regional transportation linkages, stable soils, and view potential. The City Council also supports reducing ambiguity and increasing clarity in the code related to parking regulations throughout the City to ensure a better understanding of what is currently allowed and prohibited.

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 including parking. Current parking regulations in the Pacific Ridge commercial zone appear to be unduly burdensome and restrictive, helping to make it uneconomically feasible for property owners to redevelop their properties under current and projected future market conditions.

Strategy 2-04-08 of the Land Use Element of the Comprehensive Plan states that the City should “encourage improvement of the Pacific Ridge Neighborhood by working with the business community and other representative organizations to achieve the goals of the City of Des Moines Comprehensive Plan”. To implement this Policy, the Des Moines City Council has been asking for help from the development and design community and Pacific Ridge property owners since 2000, commissioning studies, and holding multiple stakeholder forums, meetings and tours. Those development professionals and property owners have encouraged the City to be more flexible in waiving required parking and reducing parking requirements by capitalizing on the proximity to Seattle-Tacoma International Airport and allowing the marketplace to decide how best to achieve the City’s broad development goals.

The proposed textual code amendments in Draft Ordinance 13-108 are consistent with the range of impacts studied under the SEPA Planned Action Environmental Impact Statement, the Pacific Ridge Neighborhood Improvement Plan and the Comprehensive Plan. 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 State and City SEPA regulations.

Pursuant to DMMC 18.56.080, amendment of the Parking Code (Title 18 DMMC) is a legislative (Type VI) land use decision, and requires the City Council to conduct a public hearing to receive public

comment regarding this proposal. The City Council set the date for the public hearing by Resolution No. 1235 for August 8, 2013 and opened the public hearing on August 8th.

The textual code amendments proposed in this Ordinance were provided to the Department of Commerce as required by RCW 36.70A.106, and notice of the public hearing was issued on July 17, 2013 in accordance with the DMMC.

Discussion

Staff and the City Council Finance and Economic Development Committee have been researching and working on development regulation changes for the past eight months and believe these goals can be achieved with changes implemented by this Draft Ordinance in conjunction with changes to the Pacific Ridge Zone and Sign Codes.

The Draft Ordinance offered for full Council consideration today:

1. Authorizes the City Manager or City Manager's designee, not the hearing examiner, to formally waive or modify the number of parking spaces required. Most cities delegate this waiver authority to their Community Development Director.
2. Reduces the amount of required parking when hotels offer airport shuttle services to their guests.
3. Removes ambiguous language from the DMMC regarding parking in required yard areas and limits regulation of vehicles on private property to the removal of junk vehicles. The Junk Vehicle Ordinance prohibits damaged and inoperable vehicles from being on private property and sets discernible standards with effective enforcement capabilities. This proposal recognizes available resources and priorities of enforcement and wouldn't prohibit working or undamaged vehicles from being parked or stored in required yard areas, but would allow set a discernible standard for violations and would allow Code Enforcement to focus on higher priorities such as building , sanitation issues and other health and safety issues.
4. Permits tandem or valet stacked parking which is currently not now allowed. The requirements of the tandem or valet parking plan are added based on the City of SeaTac's Code and their many years of experience.
5. Clarifies that recreational vehicles may be occupied for up to four weeks, or longer when approved as a building permit condition.

The Code Enforcement Officer has offered four observations for Council's consideration as it considers changes to this section:

- a) *Enforcement of violations of overstaying the four week limit may require an additional 6 to 8 weeks to document the violation, provide notice to the violator, and then begin the citation process.*
- b) *Sanitation issues sometimes arise with sewage or gray water storage and disposal when occupancy extends beyond 2 weeks.*
- c) *Noise from TV's, sound systems and running generators within 5 feet from property lines sometimes generates complaints from neighboring properties.*

d) RV's have an option to set up in mobile home parks with appropriate hookups when longer occupancies are desired.

6. Clarifies several sections of the Parking Code to address long standing code enforcement or judicial issues with antiquated DMMC language.

The Finance & Economic Development Committee was not able to reach consensus on policy issue #2 below on the Parking Code Draft Ordinance 13-108 and the Committee is referring it to the full City Council for its consideration. Staff is also requesting policy direction (item 1 below) on whether the Marina District parking waiver for commercial uses should be extended beyond the end of 2013. The Draft Ordinance will be changed to include any Council-directed changes.

1. Should the Marina District parking waiver for commercial uses (but not residential) under DMMC 18.44.040(3)(d), initially adopted in 2008 and currently expiring on December 31, 2013, be extended?
2. Referring to item 4 above, should the City allow more than four weeks for recreational vehicles to be temporarily occupied?

Alternatives

Council may waive Rule 26(a) and act on Draft Ordinance 13-108 on September 12th or pass the Ordinance to a Second Reading.

Recommendation or Conclusion

Staff recommends that the City Council waive Council Rule 26(a) and adopt Draft Ordinance No. 13-108 on September 12th.

CITY ATTORNEY'S FIRST DRAFT 07/25/2013

DRAFT ORDINANCE NO. 13-108

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to the Des Moines Parking Code amending DMMC 18.44.040, 18.44.060, 18.44.097, 18.44.099 and 18.44.110.

WHEREAS, DMMC 18.44 establishes regulations for loading areas and off-street parking throughout the City as well as in the Pacific Ridge Neighborhood specifically, and

WHEREAS, the City Council supports reducing restrictive development regulations in the Pacific Ridge Neighborhood to facilitate redevelopment as a high density, commercially viable mixed use neighborhood, and

WHEREAS, the City Council supports reducing ambiguity and increasing clarity in the code related to parking regulations throughout the City to ensure a better understanding of what is currently allowed and prohibited, 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, Strategy 2-04-08 of the Land Use Element of the Comprehensive Plan states that the City should "encourage improvement of the Pacific Ridge Neighborhood by working with the business community and other representative organizations to achieve the goals of the City of Des Moines Comprehensive Plan", and

WHEREAS, those development professionals and Pacific Ridge property owners have encouraged the City to be more flexible in waiving required parking and reducing parking requirements by capitalizing on the proximity to Seattle-Tacoma International Airport and allowing the marketplace to decide how best to achieve the City's broad development goals, and

7/25/2013 4:50 PM

Draft Ordinance No. 13-108.13

ATTACHMENT 1

Ordinance No. ____
Page 2 of 18

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

WHEREAS, the City believes these goals can be achieved with changes implemented by this Ordinance in conjunction with changes to the Pacific Ridge Zone City-wide sign regulations as envisioned by Policies 11-03-14 and 11-03-15, and

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

WHEREAS, the 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

WHEREAS, the SEPA responsible official determined that the existing environmental documentation 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, pursuant to DMMC 18.56.080 amendment of the Zoning Code (Title 18 DMMC) is a legislative (Type VI) land use decision, and

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

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

7/25/2013 4:50 PM
Draft Ordinance No. 13-108.13

Ordinance No. ____
Page 3 of 18

WHEREAS, the City Council set the date for the public hearing by Resolution No. 1235, fixing the public hearing for August 8, 2013, 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 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. DMMC 18.44.040 and section 4 of Ordinance No. 695 as amended by section 62 of Ordinance No. 770 as amended by section 1 of Ordinance No. 1448 as amended by section 1 of Ordinance No. 1453 as amended by section 1 of Ordinance No. 1475 as amended by section 1 of Ordinance No. 1530 are amended to read as follows:

Modification of parking provisions.

(1) **Number of spaces.** The ~~hearing Examiner~~City Manager or City Manager's designee may, by formal action, waive or modify the number of spaces required, establishing the amount of required parking for uses involving very limited number of employees or which do not require personnel and daily attendance or for which the number of parking spaces proposed is demonstrated sufficient to fully serve the use, is consistent with the intent of this chapter and when strict application of the code would result in

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unnecessary hardship. The Institute of Transportation Engineers (ITE) Parking Generation Manual or an independent consultant study are examples that could be used to demonstrate sufficiency of proposed parking.

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

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

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

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

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

(d) This provision is only valid until December 31, 2013.

Sec. 2. DMMC 18.44.060 and section 6 of Ordinance No. 695 as amended by section 9 of Ordinance No. 793 as amended by section 9 of Ordinance No. 1104 as amended by section 7 of

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Ordinance No. 1140 as amended by section 6 of Ordinance No. 1170 as amended by section 13 of Ordinance No. 1197 as amended by section 10 of Ordinance No. 1267 as amended by section 12 of Ordinance No. 1378 as amended by section 2 of Ordinance No. 1409 are amended to read as follows:

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

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

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

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

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

(5) Industrial and Manufacturing Activities.

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

(b) Manufacturing, including but not limited to the following, except that no retail operations are included: research and testing

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laboratories, creameries, bottling establishments, bakeries, upholstery shops, printing and engraving shops: two parking spaces for each three employees on a maximum work shift, or one space per 700 square feet of gross floor area; use whichever is greater.

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

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

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

(7) Medical Facilities.

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

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

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

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

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

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

(12) Personal Services.

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

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

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

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

(14) Public Assembly and Recreation.

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

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

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

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

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

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

(15) Residences.

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

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

(c) Multifamily.

(i) Two parking spaces per dwelling.

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

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

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

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

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

(g) Mixed Use.

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

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

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

(h) Accessory living quarters: one
parking space.

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

(17) Retail, Other.

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

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

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

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

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

(20) Maximum Number of Off-Street Spaces. Within the Pacific Ridge area, the number of off-street spaces provided shall not exceed 150 percent of the minimum number of spaces specified by this section.

Sec. 3. DMMC 18.44.097 and section 10(B) of Ordinance No. 695 and section 1 of Ordinance No. 800, and section 33 of Ordinance No. 1197 are amended to read as follows:

~~On-site parking facilities driveway location. In no case shall a motor vehicle or trailer of any kind be parked or stored, nor shall internal aisles or roadways be permitted, in any required yard, open space or landscaped area; provided, however, that~~ the following ~~exceptions requirements~~ shall apply:

(1) Single-Family Dwellings. ~~Parking shall be permitted on a~~ A driveway serving individual single-family dwellings ~~shall provided the driveway~~ maintains a minimum five-foot setback from an interior lot line, a 20-foot setback from any alley right-of-way parallel to

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the driveway (except where access to the driveway is from the alley), a 25-foot setback from any street right-of-way parallel to the driveway, and a 45-foot setback from any arterial street right-of-way parallel to the driveway; provided further, however, that with regard to the 45-foot setback from arterial streets the ~~community development director upon consultation with the public works director~~City Manager or City Manager's Designee shall be authorized to permit the location of a driveway at a point less than 45 feet but not less than 25 feet from an arterial street where the size of the lot is such that the 45-foot requirement is impractical; and provided further, that no driveway in which parking is permitted may be located under this subsection where in the professional opinion of the ~~community development director upon consultation with the public works director~~City Manager or City Manager's Designee, documented in writing, dangerous traffic conditions may result.

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

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~~with the public works director~~ shall be authorized to permit the location of the driveway at a point less than 45 feet but not less than 25 feet from an arterial street where the size of the lot is such that the 45-foot requirement is impractical; and provided further, that no driveway in which parking is permitted may be located under this subsection where in the professional opinion of the ~~City Manager or City Manager's Designee~~~~community development director upon consultation with the public works director~~, documented in writing, dangerous traffic conditions may result.

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

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Sec. 4. DMMC 18.44.099 and section 10(D) of Ordinance No. 695 and section 343 of Ordinance No. 1197, and section 4 of Ordinance No. 1237 are amended to read as follows:

Driveways and maneuverability.

(1) Adequate ingress to and from each parking space shall be provided without moving another vehicle and without backing more than 50 feet, except that vehicles may be parked in a stacked or tandem way upon City approval of a stacked or valet parking plan developed in accordance with section 18.44.097 (7) below. All parking spaces shall be so arranged that ingress and egress is possible without backing over a sidewalk or walkway/ bicycle area unless specifically approved by the City Manager or City Manager's Designee~~community development director upon consultation with the public works director.~~

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

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

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

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

(6) Driveway intersections with north-south bearing streets shall be minimized to the extent possible in order to diminish traffic hazards, to conserve space and to promote orderly development generally. Driveways shall be limited to one per building site per street frontage, except the lesser of one driveway for each 150 feet of street frontage or three driveways for two lots having common parking may be permitted upon a finding of the City Manager or City Manager's Designee~~community development director~~
~~upon consultation with the public works director~~ that smoother or safer flow of traffic can result without significant disruption of the streetscape.

(7) Stacked or valet parking plan requirements.

(a) Stacking spaces for vehicle parking or for auto rental/sales uses may be allowed; provided, that the area utilized for stacking spaces conforms with the parking lot landscaping requirements of DMMC 18.44.105. Stacking of required off-street parking spaces shall not be allowed for employee or customer parking. Stacking aisle widths shall be a minimum of eight (8) feet, six (6) inches.

(b) Stacking spaces for commercial uses other than vehicle parking or auto rental/sales may be allowed through the use of valet parking, upon approval of a valet parking plan, by the City

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Manager or City Manager's designee. The area of the lot utilized for stacking spaces shall conform with the parking lot landscaping requirements of DMMC 18.44.105. Stacking aisle widths shall be a minimum of eight (8) feet, six (6) inches. At a minimum, the valet parking plan shall include, but not be limited to:

(i) A site plan showing the location of the valet parking on the property;

(ii) The hours of operations;

(iii) A detailed description of the valet parking system's operation including methods to control noise, glare from impacting adjacent properties, and methods to eliminate any impacts on adjacent or nearby residential neighborhoods;

(iv) The name, address and phone number of the operator of the valet parking.

Valet parking is allowed on or off-site. No valet parking shall be allowed on public rights-of-way.

Sec. 5. DMMC 18.44.110 and section 11 of Ordinance No. 695 are amended to read as follows:

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

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

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transportation purposes are exempt from this subsection.

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

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

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

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

(d) At no time shall parked or stored recreational vehicles be occupied or used as ~~a~~-permanent or temporary dwelling units on the host's premises for more than four (4) weeks except when specifically allowed under DMMC 18.36.130. ~~that guests may not reside in a recreational vehicle on the host's premises on a temporary basis.~~

(e) For the purposes of this section, commercial vehicles are defined as any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals or passengers for hire.

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(f) For the purposes of this section, publicly maintained right-of-way is defined as right-of-way currently opened and maintained by eCity.

(3) **Truck Tractors, Trailers, and Large Commercial Vehicles.** Parking of commercial vehicles ~~over 10,000 pounds gross weight, exceeding 20 feet in length and/or 7.5 feet in width,~~ is prohibited in residential areas, except on a temporary and nonregular basis not exceeding ~~six~~ twenty four (24) hours when sight visibility is not obstructed.

NEW SECTION. 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.

NEW SECTION. Sec. 7. Effective date. This ordinance shall take effect and be in full force thirty (30) days after its passage and approval in accordance with law.

PASSED BY the City Council of the City of Des Moines this ____ day of ____, 2013 and signed in authentication thereof this ____ day of ____, 2013.

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APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____

Effective Date: _____

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Amendments to Draft Ordinance 13-108	MOTION	Council Packet Page #	Ord Page #	DRAFT ORD/MOTIONS FROM FLOOR	ACTION
1	"I move Amendment 1 amending Sec. 1, Modification of parking requirements, to extend the Marina District parking waiver for commercial uses currently expiring on December 31, 2013 to December 31, 20__."		4 of 18	18.44.040 Modification of parking requirements. (3) Marina District. The parking provisions for commercial uses established by DMMC 18.44.060 are waived; provided, that there is compliance with all the following standards: (a) The property is zoned downtown commercial according to the official zoning map. (b) Residential uses within a mixed-use development are not included in this exemption. Residential uses in a mixed use building shall comply with the requirements established by DMMC 18.44.060. (c) The property owner shall enter into a no protest agreement regarding the formation of a downtown business or parking improvement district. (d) This provision is only valid until December 31, 2013 ____.	1. 2. Pass Fail
2	"I move Amendment 2 amending Sec. 5, Parking and storage of recreational, utility, and commercial vehicles in residential neighborhoods, to increase the allowable time that RV's may be used as dwellings from the 4 weeks proposed to ____ weeks"		16 of 18	18.44.110 Parking and storage of recreational, utility, and commercial vehicles in residential neighborhoods. (2)(d) At no time shall parked or stored recreational vehicles be occupied or used as a permanent or temporary dwelling units on the host's premises for more than four (4) ____ () weeks except when specifically allowed under DMMC 18.36.130. that guests may not reside in a recreational vehicle on the host's premises on a temporary basis.	1. 2. Pass Fail

Chapter 18.44 LOADING AREAS AND OFF-STREET PARKING¹

Sections

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

18.44.010 Purpose.

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

[Ord. 695 § 1, 1987.]

18.44.020 Off-street parking and loading areas required.

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

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

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

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

18.44.030 General requirements.

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

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

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

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

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

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

18.44.040 Modification of parking provisions.

(1) Number of Spaces. The ~~hearing examiner~~City Manager or City Manager's designee may, by formal action, waive or modify the number of spaces required, establishing the amount of required parking for uses involving very limited number of employees or which do not require personnel and daily attendance or for which the number of parking spaces proposed is demonstrated sufficient to fully serve the use, is consistent with the intent of this chapter and when strict application of the code would result in unnecessary hardship. The Institute of Transportation Engineers (ITE) Parking Generation Manual or an independent consultant study are examples that could be used to demonstrate sufficiency of proposed parking.

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

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

- (a) The property is zoned downtown commercial according to the official zoning map.
- (b) Residential uses within a mixed-use development are not included in this exemption. Residential uses in a mixed use building shall comply with the requirements established by DMMC 18.44.060.
- (c) The property owner shall enter into a no protest agreement regarding the formation of a downtown business or parking improvement district.
- (d) This provision is only valid until December 31, 2013. [Ord. 1530 § 1, 2011: Ord. 1475 § 1, 2009: Ord. 1453 § 1, 2009: Ord. 1448 § 1, 2008: Ord. 770 § 62, 1988: Ord. 695 § 4, 1987.]

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

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

(2) Exception for Cooperative Use. Where adjoining parking facilities of two or more land uses can be joined or coordinated to achieve efficiency of vehicular and pedestrian circulation, provision of additional landscaping or usable public open space, economy of space, and a superior grouping of buildings or uses, a reduction of 20 percent of the total combined required

parking may be permitted when consistent with the intent of this chapter. The common parking facilities for residential and nonresidential uses within a mixed use development may be included in the Pacific Ridge zone established by chapter [18.31](#) DMMC. The residential allowance shall not apply to residential land uses within other commercial zones of the city. Where cooperative use is permitted, assignment of parking spaces to individual uses or buildings shall be prohibited.

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

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

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

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

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

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

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

18.44.060 Required number of off-street parking spaces.

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

- (1) Appliance (retail), bakeries, cabinet shops, dry-cleaning, furniture stores, heating services: one parking space per 400 square feet of gross floor area.
- (2) Auto and boat sales, new and used: one space per 1,000 square feet of floor space of showroom and service facilities; but in no case shall there be less than six spaces provided.
- (3) Day care centers and mini-day care programs: one space for each 10 children or one for each staff member, whichever is greater, and one passenger loading and unloading space for each 20 children.
- (4) Hardware and building supplies: one space per 400 square feet of gross floor area.
- (5) Industrial and Manufacturing Activities.
 - (a) Freight terminals and wholesale facilities: one parking space per two employees on a maximum work shift, or one per 1,000 square feet of gross floor area; use whichever is greater.
 - (b) Manufacturing, including but not limited to the following, except that no retail operations are included: research and testing laboratories, creameries, bottling establishments, bakeries, upholstery shops, printing and engraving shops: two parking spaces for each three employees on a maximum work shift, or one space per 700 square feet of gross floor area; use whichever is greater.
 - (c) Uncovered storage area: one parking space for each 2,000 square feet of area.
 - (d) Warehouse and storage: two parking spaces for each three employees or one space for each 1,500 square feet of gross floor area; use whichever is greater.
- (6) Laundry, self-service: one parking space per 250 square feet of gross floor area.
- (7) Medical Facilities.
 - (a) Convalescent, rest homes, retirement homes, nursing and health institutions: one parking space for each two employees, plus one space for each four beds.
 - (b) Hospitals: one parking space for each three beds, plus one parking space for each staff doctor, plus one parking space for each three employees.
- (8) Motels, motor hotels, and hotels: one parking space per ~~unit~~sleeping ~~with~~hotel room plus two parking spaces for a resident manager or employees. In Pacific Ridge, this is reduced to 0.9 parking spaces per hotel room when no airport shuttle is provided and to 0.75 parking spaces per hotel room when airport shuttle is provided.

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

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

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

(12) Personal Services.

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

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

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

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

(14) Public Assembly and Recreation.

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

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

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

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

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

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

(15) Residences.

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

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

(c) Multifamily.

(i) Two parking spaces per dwelling.

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

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

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

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

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

(g) Mixed Use.

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

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

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

(h) Accessory living quarters: one parking space.

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

(17) Retail, Other.

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

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

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

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

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

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

18.44.070 Compact car allowance.

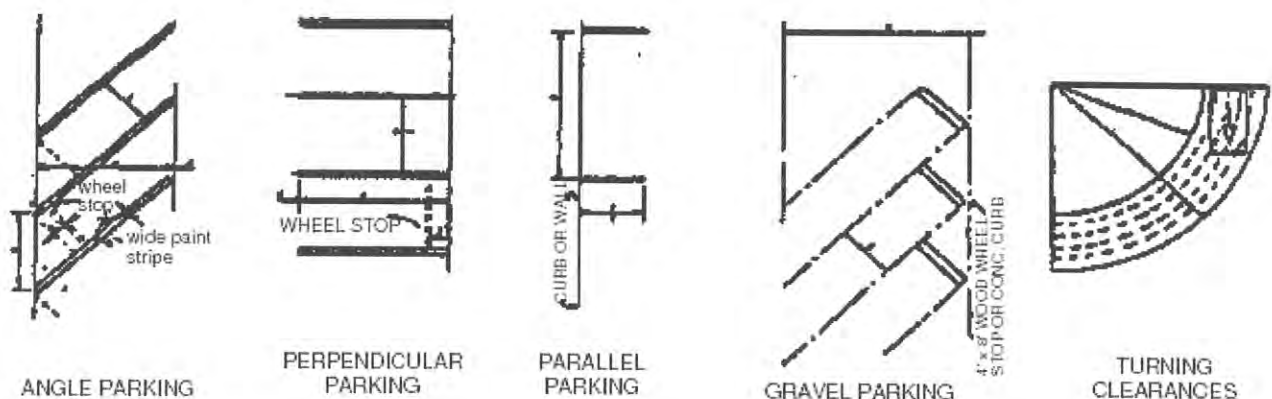
(1) A maximum of 50 percent of the total required off-street parking stalls may be permitted and designated for compact cars.

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

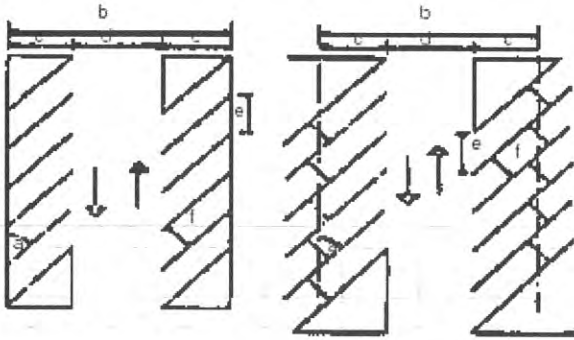
(3) Dimensions of compact parking stall shall be eight feet by 16 feet, 128 square feet, as depicted in the table on the following page.

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

Table 1

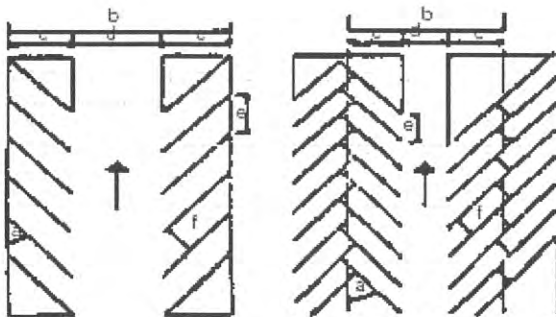


TWO-WAY TRAFFIC



a	b	c	d	e	f	b ¹	c ¹
Parking Angle	Parking Section Width	Parking Stall Width	Traffic Aisle Width	Curb Length Per Car	Car Stall Width	Parking Section Width	Parking Stall Width
0°	56'	8'	20'	23'	8'	—	—
—	—	—	—	—	—	—	—
35°	56'	18'	20'	14.8'	8.5'	49'	14.5'
40°	57'	18.5'	20'	13.2'	8.5'	50'	15'
45°	58'	19'	20'	12.0'	8.5'	51'	15.5'
50°	59'	19.5'	20'	11.1'	8.5'	53'	16.5'
55°	60'	20'	20'	10.4'	8.5'	55'	17.5'
60°	60'	20'	20'	9.8'	8.5'	55'	17.5'
65°	60'	20'	20'	9.7'	8.8'	56'	18'
70°	60'	20'	20'	9.6'	9'	57'	18.5'
—	—	—	—	—	—	—	—
90°	64'	20'	24'	9'	9'	—	—

ONE-WAY TRAFFIC



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

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

18.44.080 Off-site parking.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18.44.095 Design requirements.

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

18.44.096 Parking area dimensions.

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

18.44.097 On-site ~~parking facilities~~driveway location.

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

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

(2) Duplexes. ~~Parking shall be permitted on a~~A driveways serving a duplex constructed on a single lot, except in planned unit developments; ~~provided, that the driveways shall have a maximum width of 24 feet at their intersections with the street; that the width of all driveways serving a particular lot shall consist of not more than 40 percent of the lot frontage footage; that the~~

driveways shall maintain a 20-foot setback from any alley right-of-way parallel to the driveway (except where access to the driveway is from the alley), a 25-foot setback from any street right-of-way parallel to the driveway, and a 45-foot setback from any arterial right-of-way street parallel to the driveway; provided further, however, that with regard to the 45-foot setback from arterial streets ~~City Manager or City Manager's designee the community development director upon consultation with the public works director~~ shall be authorized to permit the location of the driveway at a point less than 45 feet but not less than 25 feet from an arterial street where the size of the lot is such that the 45-foot requirement is impractical; and provided further, that no driveway in which parking is permitted may be located under this subsection where in the professional opinion of the ~~City Manager or City Manager's designee community development director upon consultation with the public works director~~, documented in writing, dangerous traffic conditions may result.

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

18.44.098 Parking area and parking area entrance and exit slopes.

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

18.44.099 Driveways and maneuverability.

(1) Adequate ingress to and from each parking space shall be provided without moving another vehicle and without backing more than 50 feet, except that vehicles may be parked in a stacked

or tandem way upon City approval of a stacked or valet parking plan developed in accordance with section 18.44.097 (7) below. All parking spaces shall be so arranged that ingress and egress is possible without backing over a sidewalk or walkway/ bicycle area unless specifically approved by the ~~community development director upon consultation with the public works director~~City Manager or City Manager's designee.

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

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

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

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

(6) Driveway intersections with north-south bearing streets shall be minimized to the extent possible in order to diminish traffic hazards, to conserve space and to promote orderly development generally. Driveways shall be limited to one per building site per street frontage, except the lesser of one driveway for each 150 feet of street frontage or three driveways for two lots having common parking may be permitted upon a finding of the City Manager or City Manager's designee ~~community development director upon consultation with the public works director~~ that smoother or safer flow of traffic can result without significant disruption of the streetscape.

(7) Stacked or valet parking plan requirements.

(a) Stacking spaces for vehicle parking or for auto rental/sales uses may be allowed; provided, that the area utilized for stacking spaces conforms with the parking lot landscaping requirements of DMMC 18.44.105. Stacking of required off-street parking spaces shall not be allowed for employee or customer parking. Stacking aisle widths shall be a minimum of eight (8) feet, six (6) inches.

(b) Stacking spaces for commercial uses other than vehicle parking or auto rental/sales may be allowed through the use of valet parking, upon approval of a valet parking plan, by the

City Manager or City Manager's designee. The area of the lot utilized for stacking spaces shall conform with the parking lot landscaping requirements of DMMC 18.44.105. Stacking aisle widths shall be a minimum of eight (8) feet, six (6) inches. At a minimum, the valet parking plan shall include, but not be limited to:

(i) A site plan showing the location of the valet parking on the property;

(ii) The hours of operations;

(iii) A detailed description of the valet parking system's operation including methods to control noise, glare from impacting adjacent properties, and methods to eliminate any impacts on adjacent or nearby residential neighborhoods;

(iv) The name, address and phone number of the operator of the valet parking.

Valet parking is allowed on or off-site. No valet parking shall be allowed on public rights-of-way. [Ord. 1237 § 4, 1999; Ord. 1197 § 34, 1997; Ord. 695 § 10(D), 1987.]

18.44.100 Surface.²

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

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

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

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

18.44.101 Lighting.

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

18.44.102 Curb cuts.

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

18.44.103 Vehicle circulation between adjoining properties required.

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

18.44.104 Obstructions.

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

18.44.105 Landscaping and screening.

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

18.44.106 Walkways required.

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

18.44.107 Parking for the handicapped.

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

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

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

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

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

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

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

(d) At no time shall parked or stored recreational vehicles be occupied or used as a permanent or temporary dwelling units on the host's premises for more than four (4) weeks except when specifically allowed under DMMC 18.36.130 .that guests may reside in a recreational vehicle on the host's premises on a temporary basis.

(e) For the purposes of this section, commercial vehicles are defined as any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals or passengers for hire.

(f) For the purposes of this section, publicly maintained right-of-way is defined as right-of-way currently opened and maintained by City.

(3) Truck Tractors, Trailers, and Large Commercial Vehicles. Parking of commercial vehicles over 10,000 pounds gross weight, exceeding 20 feet in length and/or 7.5 feet in width, is prohibited in residential areas, except on a temporary and nonregular basis not exceeding six hourstwenty four (24) hours when sight visibility is not obstructed. [Ord. 695 § 11, 1987.]

18.44.120 Required loading areas.

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

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

196,000	
For each additional 36,000	1 additional

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

Square Feet of Aggregate Gross Floor Area	Required Number of Berths
40,000 up to and including 60,000	1
60,001 up to and including 160,000	2
160,001 up to and including 264,000	3
264,001 up to and including 388,000	4
388,001 up to and including 520,000	5
520,001 up to and including 652,000	6
652,001 up to and including 784,000	7
784,001 up to and including 920,000	8
For each additional 140,000	1 additional

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

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

18.44.130 Code official.

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

18.44.140 Enforcement.

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



21 Exterior Tenant Parking Spaces



10 Exterior Staff & Visitor Parking Spaces , available to tenants on evenings and weekends



103 Underground Assigned Parking Spaces are all full at night



Viewpoint Apartments Playground

214XX Pacific Hwy So. (Hwy 99)



Medium Size SUV fills tight spaces

last time increased
market rents was 4/19/13

My km

2/28/2013 12:15 PM

Market Rent Schedule

Viewpoint (10285)

As Of = 02/28/2013

Unit Type	Units	Unit Type		Unit Type		Total Rent	Total Unit Rent	Average Unit Rent	Occupied Units	Average Resident Rent
		Rent	Sq Ft	Unit Type	Unit Type					
1x1 Small (285111)	6.00	955.00	529.00	5,730.00	5,740.00	956.67	5.00	899.80		
1x1 Medium (285112)	10.00	920.00	561.00	9,200.00	9,865.00	986.50	10.00	937.80		
1x1 Large (285113)	10.00	974.00	638.00	9,740.00	10,160.00	1,016.00	10.00	960.40		
2x1 Small (285211)	9.00	1,073.00	740.00	9,657.00	10,592.00	1,176.89	8.00	1,116.88		
2x1 Medium (285212)	15.00	1,115.00	833.00	16,725.00	17,955.00	1,197.00	15.00	1,111.00		
2x2 Small (285221)	1.00	1,170.00	817.00	1,170.00	1,195.00	1,195.00	1.00	1,120.00		
2x2 Medium (285222)	3.00	1,250.00	966.00	3,750.00	3,855.00	1,285.00	3.00	1,213.00		
2x2 Large (285223)	4.00	1,315.00	1,101.00	5,260.00	5,290.00	1,322.50	4.00	1,249.25		
Studio Small (285stu1)	7.00	760.00	337.00	5,320.00	5,445.00	777.86	7.00	721.29		
Studio Medium (285stu2)	17.00	805.00	409.00	13,685.00	14,510.00	853.53	17.00	792.41		
Studio Large (285stu3)	8.00	885.00	532.00	7,080.00	7,240.00	905.00	8.00	845.00		
Grand Total	90.00	970.19	622.00	87,317.00	91,847.00	1,020.52	88.00	955.88		

Monthly rent until April 19, 2013

Rent since April 19th

OX1 = \$780. - \$945

\$950. - \$1,015.

1X1 = \$970. - \$1,200.

\$1,040. - \$1,270.

2X1 = \$1,183. - \$1,300.

\$1,253. - \$1,370.

2X2 = \$1,220. - \$1,366.

\$1,290. - \$1,435.

Carmen Scott

From: Carmen Scott [carmenscott3@comcast.net]
Sent: Thursday, July 18, 2013 5:53 PM
To: 'Marion Yoshino'; 'JBurrage Home'
Cc: 'Matt Pina'
Subject: Visit to Viewpoint Apartments
Attachments: Rent schedule VIEWPOINT 216th & 99.pdf

Marion and Jeanette,

These are my notes from our visit with the manager at Viewpoint Apartments Tuesday afternoon. Please let me know if I have left anything out or made any errors.

There are a total of 90 units.

See attached PDF for unit sizes and rental amounts.

There are a total of

103 assigned parking spaces in the secure underground garage. Every unit has one underground space. Twelve larger units have two underground spaces.

21 additional tenant spaces are located in the fenced outdoor parking lot, first come, first served.

10 additional outdoor spaces for management and potential renters, are **available for tenant use after hours and weekends**.

Highline Community College International students live in at least 6 units. They do not have vehicles. Other tenants use their spaces.

134 total parking spaces.

30 units are Studio.

26 units are one bedroom

24 Two bedroom one bath units

8 Two bedroom 2 bath units.

(The rental office takes up one unit)

Studio and one bedroom units have a limit of no more than two occupants each.

When everyone is home, all spaces are full. One tenant parks across Hwy 99 to free up his space for someone else. Each individual has a one-car-on-site limit.

The basement spaces are tight. A medium size SUV fills its space. The turning radius is tight. People park carefully.

Commuters?? Public Transportation?? (Manager's comments)

People don't use Rapid-Ride, the stop is in a horrible location (fears about safety).

Those who do use public transportation drive to the light rail stop or to the Park & Ride.

Balconies? Great Views & Balconies. The back (East) units do not have balconies. People pay an extra \$40 to \$60. Per month for a unit with a balcony.

Playgrounds?? We don't need both. One would be plenty. Not many children.

What are the main reasons people do or don't rent here.??

Plusses:

New, clean, attractive, terrific views from many of the units, secure grounds and parking, responsible management.

Excellent local shopping across the street. Handy to the airport.

Minuses:

Price is a deterrent to some. We have increased rent an average of \$90. In the last 3 months. (Our units are full)

The lack of an exercise room or party space causes some to look elsewhere. Our strongest nearby competition seems to be Belvidere, in the valley at the bottom of 216th.

Flight noise deters some who have not lived near airports or flight patterns.

Some people won't rent this close to an area of crime concerns (Pacific Ridge)

Tell me what needs to be added or changed.

My main new thought is that the more amenities and conveniences, the more people are willing to pay. These are high rents for the size spaces. The one thing that Riverview lacks (which a lot of renters want) is a workout room. We might benefit by visiting Belvidere, just to broaden our knowledge base. Belvidere would not have any good shopping nearby, except a big 7-11 & gas station, but

They are close to the river trail, away from the flight pattern, and not near any deteriorated/higher crime areas.

Carmen

→ Viewpoint

Grant Fredricks

From: imadb123@gmail.com on behalf of Imad Bahbah [imad@ihbarchitects.com]
Sent: Tuesday, August 27, 2013 8:12 AM
To: Marion Yoshino
Cc: Ronald Dupard; Grant Fredricks
Subject: Re: Your comments on Pacific Ridge zone and Parking proposed ordinances

Hello Marion and Grant:

First, your hard work and diligence in making key revisions for the sake of improved economic vitality, encouraging higher density development and overall visioning towards your City's growth is admirable. Well done on all the proposed revisions!

Thank you for allowing my feedback and input into your Pacific Ridge and parking revisions. I very much appreciate the opportunity.

Following are my comments and questions on the Aug 8th Council Packet.

1. pg. 224, Policy Question 3: Yes, I agree the language seems vague here. Either eliminate or be more specific.
2. pg. 225, Policy Question 4: I suggest that the language should state "consistent with City's street design and construction standards" but also add the language that allows the option for a second driveway based on the outcome of a traffic study that shows how a second driveway will not adversely impact the neighborhood or the development.
3. pg 226, Dimension Standards, I concur with your changes, not sure any other language is needed.
4. pg. 227-228, agree with yard and height revisions, thank you
5. pg 231, Gross Floor Area, I agree with the improved FARs, however, I do recommend a clarification on the height definition on the chart. Is the height defined as the allowable height in the new regulations or is the height defined as " the actual proposed height" . This seems needed since you're offering height increased per the Floor Area Clustering Bldg Height Bonus section and FARs should be adjusted accordingly. Just needs clarification, in my opinion.
6. Attachment #2, Parking
 1. pg 265, Motel/Hotel pkg, I agree with your revisions to follow suit with SeaTac code. This will be very beneficial.
 2. pg. 267, Multi-family.....it appears no changes were made to this area.....is there a reason why less restrictive parking is not being addressed in this project type? My previous proposal for revisions still seems valid and appropriate to encourage higher density development in this market. Multi-family economics would greatly benefit from these suggested revisions. Can this still be considered?
 3. pg 268, compact car allowance of 50% is great, I concur
 4. pg 269, parking stall chart, I recommend reducing 90 degree stalls to 9x18 or 9x18.5 to allow denser parking, therefore denser development. Angled parking lengths should also follow suit. The compacts are currently 8x16 and standards are currently 9x20, it seems the disparity is too large between the two sizes. Please consider this recommendation for denser development and better developer economics.
7. Will there be other opportunities to revise the parking standards in the near future, if some of the above suggestions do not get considered on 9/12?

Thank you for considering my suggestions and comments. Any reply to these prior to 9/12 is appreciated.
Thank you.

Sincerely,

***Imad H. Bahbah, Principal
IHB Architects***

Mobile: 253-468-7696

Office: 253-537-0737

Fax: 253-537-0737

On Thu, Aug 22, 2013 at 2:48 PM, Marion Yoshino <myoshino@desmoineswa.gov> wrote:

Hello Ron and Imad,

Thank you both for your continued participation in our rezoning of the Pacific Ridge neighborhood!

We are preparing our agenda packet for the September meeting, and need your comments before next Tuesday.

Here is a link to the August 8th packet that presented the ordinances:

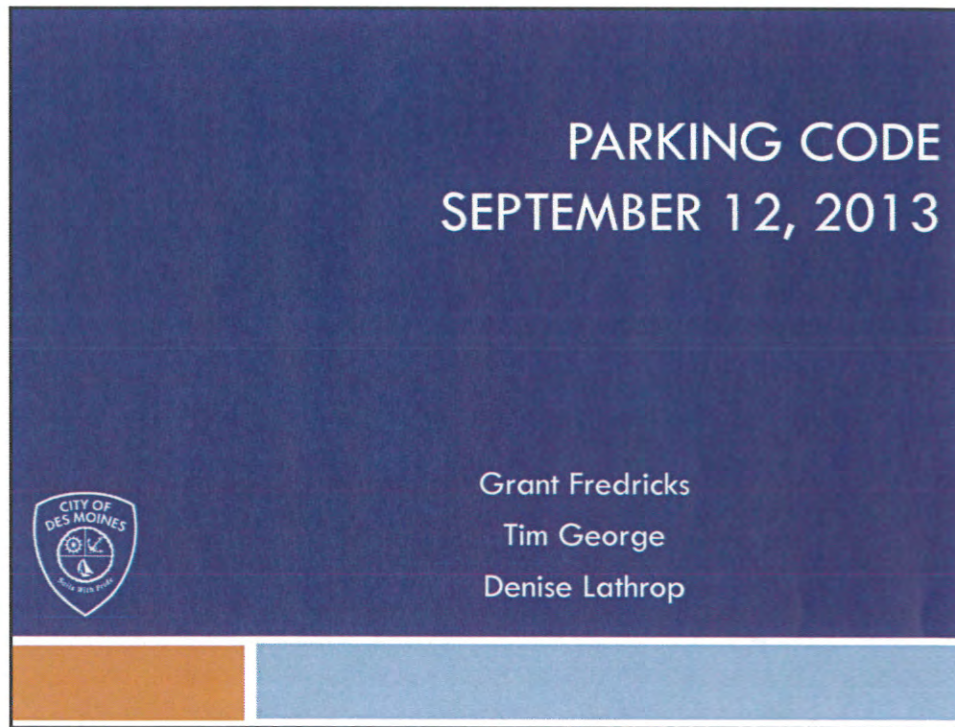
<http://wa-desmoines.civicplus.com/Archive.aspx?AMID=42>

(Let me know if you have any trouble following this link)

All your comments are welcome, and appreciated,

Marion

Marion Yoshino



Recent Modified Sections

□ Ordinances

- 1530 (2011) - Modification of Parking Provisions in Marina District
- 1409 (2007) - Shared Parking, Required Number
- 1454 (2009) - Off-Site Parking

Everything else in Parking Code was adopted in 2008 (Marina District commercial parking waiver), 1999, 1997 or 1987

Proposed Policy Changes Draft Ordinance 13-108

1. Authorizes the City Manager or City Manager's designee, not the hearing examiner, to formally waive or modify number of parking spaces required.
2. Reduces the amount of required parking when hotels offer airport shuttle services to their guests.
3. Removes ambiguous language from the DMMC regarding parking in required yard areas and limits regulation of vehicles on private property to the removal of junk vehicles.
4. Permits tandem or valet stacked parking which is currently not now allowed.
5. Clarifies that recreational vehicles may be occupied for up to four weeks, or longer when approved as a building permit condition. *Note 4 Code Enforcement Officer concerns on page 3 of Council Packet.*
6. Clarifies several sections of the Parking Code to address long standing code enforcement or judicial issues with antiquated DMMC language.

Policy Questions

1. Should the Marina District parking waiver for commercial uses (but not residential) under DMMC 18.44.040(3)(d), initially adopted in 2008 and currently expiring on December 31, 2013, be extended?
2. Should the City allow more than four weeks for recreational vehicles to be temporarily occupied?