

AGENDA

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

February 12, 2015 – 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CORRESPONDENCE

COMMENTS FROM THE PUBLIC

EXECUTIVE SESSION

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

PRESIDING OFFICER'S REPORT

ADMINISTRATION REPORT

CONSENT AGENDA

- 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: \$2,154,502.60
Payroll Fund Transfers: \$427,274.84
Total Certified Wire, Transfers, Voids, A/P and Payroll Vouchers: \$2,581,777.44
- Page 3 Item 2: PURCHASE OF NEW ELECTRONIC FUEL SYSTEM FOR PUBLIC WORKS SERVICE CENTER
Motion is to authorize the purchase of the Electronic Fuel System identified in Attachment 1 from Northwest Pump and Equipment Co. in the amount of \$58,987.42 plus sales tax, and authorize the City Manager or his designee to sign the purchase order substantially in the form as submitted.
- Page 13 Item 3: 2015 VEHICLE PURCHASES
Motion is to authorize the City Manager or his designee to purchase the vehicles and equipment as identified in Attachment 1.
- Page 25 Item 4: SURPLUS PROPERTY – VEHICLES AND EQUIPMENT
Motion is to adopt Draft Resolution No. 15-013 declaring certain vehicles and equipment identified in attachment 1 as surplus and authorize disposal of said surplus vehicles and equipment by auction or trade-in.
- Page 33 Item 5: REQUEST FOR AUTHORIZATION TO DISPOSE OF SURPLUS PROPERTY – 1971 36' FAIRLINER
Motion is that City Council declare the 1971 Fairliner Cabin Cruiser (hull number WAZ1626A1971) surplus to the City's needs and direct staff to dispose of it in the most cost effective manner.

PUBLIC HEARING/CONTINUED PUBLIC HEARING

Page 39 Item 1: PUBLIC HEARING TO CONSIDER ZONING CODE AND DEVELOPMENT
REGULATIONS FOR THE COMMUNITY COMMERCIAL (C-C) ZONED
PROPERTIES IN THE AREA ALONG PACIFIC HIGHWAY SOUTH BETWEEN
SOUTH 252ND STREET AND SOUTH 272ND STREET
Staff Presentation: Community Development Manager
Denise Lathrop

NEW BUSINESS

Page 105 Item 1: DRAFT STORMWATER COMPREHENSIVE PLAN BRIEFING
Staff Presentation: Surface Water Management Utility Manager
Loren Reinhold

Page 143 Item 2: DES MOINES BEACH PARK DINING HALL REHABILITATION PROJECT –
ADDITIONAL FUNDING
Staff Presentation: Planning, Building and Public Works
Director Dan Brewer

NEXT MEETING DATE

March 5, 2015

ADJOURNMENT

CITY OF DES MOINES
Voucher Certification Approval

12-Feb-15

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 **Feb 12, 2015** 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		141884	-	142071	188	2,096,213.93
Electronic Wire Transfers	6	WA DEPT LIC/FIREARMS, WA DEPT OF REVENUE, BOA VISA, MERITAIN,				187,894.97
Subtotal for this Council Packet						2,284,108.90
Voided Claim Checks this check run:		142014			1	(128,909.30)
Voided Claim Checks from previous check runs		140986	141801		2	(697.00)
Total Claims/Wire Transfers/Voids						2,154,502.60
Payroll Vouchers:		DISBURSED 01/20/15				Amounts
Payroll Checks		18595	-	18600	= 6	7,603.89
Direct Deposit		30001	-	30148	= 148	280,884.26
Payroll Taxes						60,038.59
Wage/Garnishments						572.07
Voids					0	0.00
Electronic Wire Transfers						78,176.03
ICMA 401 Forfeitures						0.00
Total Claims						427,274.84
Total certified Wire Transfers,Voids, A/P & Payroll vouchers for Feb 12, 2015						2,581,777.44

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A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Purchase of New Electronic Fuel
System for Public Works Service Center

AGENDA OF: February 12, 2015

DEPT. OF ORIGIN: Planning, Building & Public
Works

DATE SUBMITTED: February 2, 2015

ATTACHMENTS:

1. Purchase order for Northwest Pump &
Equipment Co. (State Contract #00808
Quote #DB-CODM-2)
2. 2015 Budget Worksheet

CLEARANCES:

☒ Legal PB
☒ Finance DM
☐ Marina N/A
☐ Parks, Recreation & Senior Services GD
☒ Planning, Building & Public Works DJB
☐ Police _____
☐ Courts N/A

APPROVED BY CITY MANAGER

FOR SUBMITTAL: GD ACM

Purpose and Recommendation:

The purpose of this agenda item is to seek Council approval to purchase a new Electronic Fuel System for the Service Center. The following motion will appear on the consent calendar:

Suggested Motion

Motion: "I move to authorize the purchase of the Electronic Fuel System identified in Attachment 1 from Northwest Pump and Equipment Co. in the amount of \$58,987.42 plus sales tax, and authorize the City Manager or his designee to sign the purchase order substantially in the form as submitted."

Background:

The current fuel system was installed 20 years ago in 1995. Since that time there have been upgrades to the system as repairs have been needed, but as of two years ago the system was considered obsolete. Replacement parts are no longer available.

Discussion:

Over the last few years there have been numerous issues at night and on weekends where the system completely shuts down and crews, mostly from the Police Department, were not able to get fuel. The new system will be electronically controlled solving the shut down issues, along with more accurate fuel tracking and ordering. This new system will also control the gate at the Service Center allowing the gate to be closed at all times greatly adding to the security of the Service Center yard. Access to the yard will be by code or gate openers installed in the City vehicles.

Alternatives:

None.

Financial Impact:

The Adopted 2015 Budget includes sufficient funds to purchase the Electronic Fuel System (refer to Attachment 2). The purchase and installation of the new system will cost \$58,987.42, plus Washington State Sales tax. It is anticipated that some additional incidentals will be needed as the system comes on-line. The total available budget as shown in Attachment 2 is \$73,791.

Recommendation/Conclusion:

Staff recommends the purchase of the new computer monitored Electronic Fuel System and asks Council to approve the suggested motion.

Concurrence:

The Finance, Legal, and Planning, Building and Public Works Departments concur.

CITY OF DES MOINES

Finance Division
 21630 11TH Avenue South
 Des Moines WA 98198-6317
 Phone 206.870.6511 Fax 206.870.6540

**PURCHASE ORDER**

THE FOLLOWING NUMBER MUST APPEAR ON ALL RELATED CORRESPONDENCE, SHIPPING PAPERS, AND INVOICES:

P.O. NUMBER: PBPW 2/01/2015 #009

TO: NORTHWEST PUMP & EQUIPMENT CO
Attn: David Booth
2800 NW 31st Avenue
Portland OR 97210

SHIP TO:
John Blackburn, Service Center
City of Des Moines WA
2255 South 223rd Street
Des Moines WA 98198
206.870.6559 FAX 206.870.6596

WA State Contract #00808 Quote #DB-CODM-2

P.O. DATE	REQUISITIONER	SHIPPED VIA	F.O.B. POINT	TERMS
February 2, 2015	John Blackburn			Net 30

QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
		**See attached 4-page Quote #DB-CODM-2 from WA State Contract #00808		\$58,237.42

Authority:

SUBTOTAL	\$58,237.42
8.6% SALES TAX	
SHIPPING & HANDLING	750.00
OTHER	
TOTAL	\$58,987.42

1. Please send two copies of your invoice.
2. Enter this order in accordance with the prices, terms, delivery method, and specifications listed above.
3. Please notify us immediately if you are unable to ship as specified.
4. Send all correspondence to: Address above

INTERNAL INSTRUCTIONS:

CHARGE TO DM CITY CODE: 500.100.040.594.48.64.00

Ordered by:

Date

Authorized by:

Date

NORTHWEST PUMP & EQUIPMENT CO.

2800 NW 31st Avenue, Portland, OR 97210, Phone: 503-227-7867

TELEPHONE:	FAX:	DATE OF QUOTATION: 02/21/14	QUOTE NUMBER DB-CODM-2
CUSTOMER / CONTACT: City of Des Moines 2255 S 223rd Street Des Moines, WA		PROJECT / LOCATION:	
		City of Des Moines Washington State Contract #00808	
TERMS AND CONDITIONS OF SALE			
N.W. Pump is not responsible for delays in delivery due to strikes, accidents, priority restrictions or other conditions beyond our control or its failure or delay to order or deliver due to the purchaser's failure to pay N.W. Pump any monies owed on an open job account or job basis. The prices herein do not apply in the event of an underground obstruction, including but not limited to utilities and impenetrable soil, is discovered after this proposal is made. In such event, Buyer is liable for all increased costs. Buyer may cancel by giving written notice, however, Buyer is liable for all costs incurred by N.W. Pump to the date notice is received. Cancellations or returns are subject to a minimum fifteen (15%) percent restocking charge. Payment terms are net cash on delivery, unless N.W. Pump has approved credit terms or otherwise specified within. If litigation is necessary to enforce this agreement, the prevailing party will be entitled to reasonable attorney's fees, court costs, and interest. Products carry only the manufacturer's warranty, if any. NWP makes no representations as to product compliance with government regulations. There are no expressed or implied warranties as to goods or services provided by NWP, including the implied warranty of merchantability or fitness for a particular purpose. Statements by a NWP representative that differ from the foregoing shall have no effect. NWP will not be liable for direct, indirect, special or consequential damages, business interruption or loss of profits damages, sustained by Customer or any party claiming by, through or under Customer.		This offer to furnish equipment on the following terms and conditions expires 15 days from the above date. N.W. Pump, Inc. reserves the right to adjust equipment prices to conform to prices in effect at the time of delivery. <u>Equipment prices are subject to all applicable taxes.</u> <u>Return of non-stock and special order items are subject to restock charges or may not be returnable.</u>	
Acceptance of Proposal:		SALES TOTALS	
The above price, specifications and conditions are satisfactory and are hereby accepted. You are authorized to supply equipment and/or labor as specified. Payment will be made as outlined above. I understand acceptance of the quotation does not constitute an order until credit has been approved. I understand that Northwest Pump may file a Right to Lien against the equipment/labor.		EQUIPMENT SUBTOTAL: \$ 58,237.42 ESTIMATED INCOMING FREIGHT: \$ 750.00 ESTIMATED SALES TAX: * Not Included *Actual sales tax may vary, the customer must pay the tax shown on the invoice. TOTAL: \$ 58,987.42 All equipment quoted FOB-NWP. Freight to jobsite will be billed as it occurs.	
1. Price excludes tank offloading, electrical, piping and installation. 2. All Prices are FOB Northwest Pump warehouse except where noted differently. 3. Terms: <u>25</u> % down. Tanks and dispensers balance due on completion at factory. Net 30 upon approved credit 4. Terms: <u>60</u> % down on all EVR/ISD systems. Non Returnable/Non Refundable 5. Prices are good for 15 days from date of quotation. Exception are steel tanks which are 7 days.			
BY SIGNING AND ACCEPTING THIS QUOTATION, CUSTOMER ACKNOWLEDGES THAT HE/SHE HAS READ, UNDERSTANDS AND AGREES WITH ALL OF THE TERMS AND CONDITIONS LISTED WITHIN			

QUOTED BY:	
SIGNATURE <i>David Boothe</i>	DATE 02/21/14
PRINT NAME David Boothe	DATE

ACCEPTED BY:		TITLE:	
SIGNATURE 0	DATE		
PRINT NAME City of Des Moines			

Desired Delivery Date _____

Northwest Pump and Equipment Co. is the West's largest distributor of tanks, piping, pumps, meters, tank monitoring systems, leak monitoring systems, car washes, truck washes and lubrication equipment. Our Service Departments and SolveOne program combine to offer field services nationwide. We are pleased to offer this quotation for the referenced project. Please contact me if you need additional information.

COMPANY:		City of Des Moines	DATE OF QUOTATION		QUOTE NUMBER
PROJECT:		City of Des Moines	02/21/14		DB-CODM-2
QTY	Item	DESCRIPTION	MRF	UNIT PRICE	EXTENDED
1	9852KTW1 DF	Gasboy Atlas 9800K Series Electronic Fleet Suction Pump Twin - One Product, Side Load (Single Motor), up to 22 gpm, Gasoline/Gasoline	GASBOY	\$ 6,751.68	\$ 6,751.68
1	9852KTW1 DF	Gasboy Atlas 9800K Series Electronic Fleet Suction Pump Twin - One Product, Side Load (Single Motor), up to 22 gpm, Diesel/Diesel	GASBOY	\$ 8,751.68	\$ 6,751.68
2		Pulse Output	GASBOY	\$ 299.52	\$ 599.04
2		Gasboy Shipping and Handling per Dispenser	GASBOY	\$ 125.00	\$ 250.00
2	LMM-2313-T-S	Fiberglass dispenser sump, 23"x13", Single Wall	APT	\$ 1,018.50	\$ 2,037.00
1	K-2	K-2 Tank Monitoring System, incl:(2) Level Probes,(2) Float Kits	OMNTEC	\$ 4,576.00	\$ 4,576.00
2	K800-HFIT-4	Hybrid Fuel Island Terminal (HFIT) 4-Hose (Includes 4-Hose Pump Control, 2X16 LCD display, heater, pedestal and choice of ChipKey or 20-4139-01 magnetic stripe card readers	PETROVEND	\$ 4,242.00	\$ 8,484.00
1	20-6150-08	Factory-direct telephone training service for Phoenix SQL with OPW or Third Party Tank Gauge and Phoenix SQL.	PETROVEND	\$ 804.00	\$ 804.00
1	20-6182	Phoenix SQL Software Base Price (Includes connection for 2 sites with Petro Vand Fuel Controls and OPW Gauges)	PETROVEND	\$ 3,513.00	\$ 3,513.00
1	20-4270-01	Internal Dial-In Modem with phone line cable	PETROVEND	\$ 560.00	\$ 560.00
1	20-8057	The External FSC3000 Includes USB Transaction Storage, Standard Card Record Software, Downloadable Software, ARTWare Windows-Based Configuration Utility Software, Built- in 10base-T Ethernet Port, 8 Serial Communication Ports, Direct-Connect PC Cable, Petro-net Cable, Plug-in Memory Module with Transaction Memory Level 2 (500 Transactions) and Card Memory Level 2 (2000 cards), CD With System Documentation, Printed Installation Manual.	PETROVEND	\$ 4,282.00	\$ 4,282.00
1	START-UP	SSU System Start-up and Training, 1 Trip, up to 4 hrs Onsite	SME	\$ 5,000.00	\$ 5,000.00
2	532327124-01789	3/4" x 17' Hose	GOODYEAR	\$ 55.21	\$ 110.43
2	11AP-0400	3/4" Nozzle	OPW	\$ 54.48	\$ 108.92
2	3360	3/4" Breakaway	HUSKY	\$ 62.43	\$ 124.86
2	532327124-20869	3/4" x 8" Whip Hose	GOODYEAR	\$ 15.60	\$ 31.20
2	0350	3/4" Swivel	HUSKY	\$ 22.83	\$ 45.66
2	70010	Particulate Filter	CIM-TEK	\$ 5.32	\$ 10.64
2	6100-7000	Hose Retractor	OPW	\$ 300.97	\$ 601.94
2	532327132-01769	1" x 17' Hose	GOODYEAR	\$ 80.23	\$ 160.46
2	7H-0100	1" Nozzle	OPW	\$ 107.45	\$ 214.90
2	532327132-20888	1" x 8" Whip Hose	GOODYEAR	\$ 21.16	\$ 42.32
2	0087	1" Swivel	HUSKY	\$ 41.43	\$ 82.86
2	2276	1" Breakaway	HUSKY	\$ 91.01	\$ 182.02
2	70084	Hydrosorb Filter	CIM-TEK	\$ 6.62	\$ 13.24
2	6100-5000	Hose Retractor	OPW	\$ 350.34	\$ 700.68
1		Labor to perform the fuel system upgrades at the City of Des Moines facility located at 2255 S 223rd Street Des Moines, WA	ESE	\$ 12,198.89	\$ 12,198.89
		Includes: • Remove, haul, and dispose of 2 ea. suction pumps. • Set, pipe, and wire 2 ea. owner provided suction pumps, hanging hardware, and hose retractors. • Remove and replace 1 ea. owner provided card reader. • Remove and replace 1 ea. owner provided tank monitoring panel. • Remove and replace 2 ea. owner provided tank annular space probes. • Remove and replace 2 ea. owner provided tank level probes.			

COMPANY:		City of Des Moines	DATE OF QUOTATION		QUOTE NUMBER
PROJECT:		City of Des Moines	02/21/14		DB-CODM-2
QTY	Item	DESCRIPTION	MRF	UNIT PRICE	EXTENDED
		Exclusions: • Permit procurement and permit fees, if required. • Concrete and/or asphalt removal and replacement. • Conduit removal and replacement. Proposal assumes existing conduit is clear, viable, and has adequate physical capacity for new fuel equipment requirements. • Underground piping removal and/or replacement. Proposal assumes existing piping system is tight and the required space to disconnect/reconnect piping exists under the suction pumps for work to be performed. • Providing and installation of sumps. Proposal assumes sumps are in-place under existing suction pumps. • Modifications to the underground fuel tanks. Proposal assumes existing bungs are in-place and adequate for the installation of the new tank annular space probes and the tank level monitor probes. • Modifications to the underground fuel tank slabs and/or manholes. Proposal based on adequate tank access existing for the installation of the new tank annular space probes and the tank level monitor probes. • Supply, startup, purge, and calibration of fuel equipment.			
			Sub Total	\$	58,237.42

Exclusions:

Fuel Surcharges- Many factories are now adding on fuel surcharges to cover the high cost of fuel. Currently Glibarco and Gasboy have implemented fuel surcharges. NWP expects many other factories to follow. NWP will have to pass these charges on. Please be aware that your final bill will include any fuel surcharges that NWP has to pay.

Please note: Installation and use of all above-ground fuel storage systems carry inherent risks and are subject to regulations and standards established by Federal, State and Local agencies such as the EPA, Building and Fire authorities etc. By signing this document, customer accepts full responsibility for investigation and implementation of technologies required to meet any applicable regulations and requirements related to the parts and or system(s) in this proposal. Customer also accepts full responsibility for any decision to comply or to not comply with applicable rules and regulations. Furthermore, by signing this document, customer agrees to hold harmless and defend Northwest Pump & Equipment Co. and its affiliates from any liability, penalty or disciplinary action that may occur as a result of decisions by customer, their employees or contractor's to ignore, circumvent or otherwise fail to obey any and all applicable federal, state and local rules and regulations and standards of good, safe, practice. Customer Initials: _____

Merchandise Returns: New Unused Stocking Items must be returned within 30 days of the original purchase for full credit. Special ordered items will be charged a minimum 25% restock fee if returned new unused. Cores must be returned within 20 days of the original purchase for full credit.

PCI Compliance Disclaimer: It is solely the Customers responsibility to verify PCI Compliance and Network Processing Compliance with their Merchant Provider. NWP will not be liable for direct, special or consequential damages, business interruption or loss of profits, sustained by Customer or any party claiming by, through or under the Customer.

Above Specifications Exclude the Following (Unless Otherwise Noted): Plans, Permits, Inspection, All Testing, Labor to Assemble or Install, Miscellaneous Pipe Fittings and Accessories, Any Electrical Consideration, Offloading or Setting Any Equipment or Tank, Site Improvements, Guard Barriers, Any Other Items (s) Not Specifically Mentioned Above

Equipment Only: No installation. Subject to engineer's approval. This quotation does not include or imply any equipment or quantities other than listed herein. Contractor to determine actual quantities required. No retainage to apply.

Performance: Performance of equipment listed is based upon the accuracy of the information supplied to NW Pump and Equipment Co. by the customer or customer's engineer. Guarantee of performance may require approval by a licensed engineer at the customer's expense. NWP is not responsible for any warranty outside of standard manufacturer warranties.

COMPANY:		City of Des Moines	DATE OF QUOTATION 02/21/14		QUOTE NUMBER DB-CODM-2
PROJECT:		City of Des Moines			
QTY	Item	DESCRIPTION	MRF	UNIT PRICE	EXTENDED
Tank Submittal Drawings: Tanks require approved, signed drawings before production of the tank may begin. Any quoted lead time is based on production time required once approved submittal drawings have been received by Northwest Pump & Equipment.					

Verifone Terms: Special terms apply to the Verifone Equipment. Prices reflect a 3% cash discount. Payments must be received within 10 days of invoice. 3% will be added to invoice and may be deducted if paid within 10 days. Credit card payment not applicable with these terms. Initials _____

Gilbarco / Gasboy Terms: Special terms apply to the Gilbarco/Gasboy Equipment. Prices reflect a 3% cash discount. Payments must be received within 10 days of invoice. Invoices are sent upon completion of the order at the factory. 3% will be added to invoice and may be deducted if paid within 10 days. Credit card payment not applicable with these terms.

****60 month lease option** for this project shown above. Actual monthly payment is calculated by Patriot Capital Corporation and is subject to their qualifications to acquire this lease payment structure. Lease is structured with a One Dollar Purchase Option, ownership of the equipment takes place at the end of the lease term. For more information, contact Geoff Smith at 415-550-8951

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CITY OF DES MOINES

2015 BUDGET REQUEST

PLANNING, BUILDING, AND PUBLIC WORKS
EQUIPMENT RENTAL-OPERATIONS

		2013 AMEND	2013 ACTUAL	2014 ADOPTED	2014 AMEND	2014 ACTUAL Jan-June	2014 EST YR TOTAL	2015 DEPT REQ	2015 NEW REQ	2015 EXEC AMEND	2015 ADOPTED
500.100.040	EQUIPMENT RENTAL OPS										
548.60.10.00	SALARIES & WAGES	107,452	111,129	102,168	102,168	50,686	104,743	104,827		104,827	104,827
548.60.11.00	OVERTIME	525	132	525	525	132	275	525		525	525
548.60.10	SUB TOTAL	107,977	111,261	102,693	102,693	50,818	105,018	105,352	-	105,352	105,352
548.60.20.00	PERSONNEL BENEFITS	45,376	51,882	51,099	51,099	27,085	55,975	44,050		44,050	44,050
548.60.20.90	EMPLOYEE MED. CONTRIBUTION	(870)	(858)	(1,243)	(1,243)	(402)	(805)	(460)		(460)	(460)
548.60.21.00	UNIFORMS	600	517	-	-	-	600	-		-	-
548.60.20	SUB TOTAL	45,106	51,541	49,856	49,856	26,683	55,770	43,590	-	43,590	43,590
548.60.31.00	OPERATING SUPPLIES	50,000	52,613	55,000	55,000	24,760	54,400	55,000		55,000	55,000
548.60.32.01	UNLEADED FUEL (ISF)	3,757	2,864	3,554	3,554	1,615	2,763	2,858		2,858	2,858
548.60.32.02	DIESEL FUEL (ISF)	116	17	34	34	30	35	35		35	35
548.60.34.06	FUEL PURCHASED FOR RESALE	245,281	218,309	233,262	233,262	103,201	214,674	231,513		231,513	231,513
548.60.35.00	SMALL TOOLS	1,500	-	1,500	1,500	468	1,000	1,500		1,500	1,500
548.60.35.90	SMALL EQP >\$1,000 <\$5,000	2,000	-	2,000	2,000	-	750	2,000		2,000	2,000
548.60.30	SUB TOTAL	302,654	273,802	295,350	295,350	130,075	273,622	292,906	-	292,906	292,906
548.60.41.00	PROFESSIONAL SERVICES	-	286	268	268	264	600	600		600	600
548.60.41.32	JANITORIAL SERVICES	950	950	950	950	547	1,022	1,100		1,100	1,100
548.60.41.45	ADVERTISING	450	-	450	450	-	-	450		450	450
548.60.42.00	COMMUNICATIONS	1,335	1,254	1,346	1,346	631	1,284	1,346		1,346	1,346
548.60.43.00	TRAVEL EXPENSES	250	-	250	250	-	-	250		250	250
548.60.45.00	OPERATING RENTALS & LEASES	250	-	250	250	-	-	250		250	250
548.60.45.02	COPIER LEASE	150	27	20	20	159	43	55		55	55
548.60.46.00	INSURANCE	950	-	850	850	-	-	-		-	-
548.60.47.XX	UTILITIES	3,751	3,070	3,410	3,410	1,502	2,400	3,410		3,410	3,410
548.60.48.00	REPAIRS/MAINTENANCE	38,000	40,435	42,000	42,000	32,288	46,500	50,000		50,000	50,000
548.60.48.21	REPAIRS/MAJOR MAINTENANCE	5,000	3,777	5,000	5,000	16,091	19,091	15,000		15,000	15,000
548.60.48.31	TRAVEL LIFT REPAIRS & MAINT	-	-	-	-	-	-	-		-	-
548.60.49.00	MISCELLANEOUS	1,000	603	1,000	1,000	331	1,000	1,000		1,000	1,000
548.60.49.20	LAUNDRY	1,800	1,540	1,500	1,500	1,071	2,179	2,200		2,200	2,200
548.60.49.22	DUES, SCHOOLS, & CONFERENCES	500	620	500	500	120	500	500		500	500
548.60.40	SUB TOTAL	54,386	52,561	57,794	57,794	53,005	74,618	76,161	-	76,161	76,161
548.60.99.01	COMPUTER MAINTENANCE	9,779	9,779	7,322	7,322	4,327	7,322	9,302		9,302	9,302
548.60.99.02	COMPUTER REPLACEMENT	2,573	2,573	2,580	2,580	1,290	2,580	2,581		2,581	2,581
548.60.99.04	EQUIPMENT REPLACEMENT	2,114	2,114	2,253	2,253	1,127	2,253	2,101		2,101	2,101
548.60.99.05	INTERFUND INSURANCE	5,828	5,828	6,268	6,268	6,268	6,268	10,278		10,278	10,278
548.60.99.06	FACILITY REPLACEMENT	1,410	1,410	1,410	1,410	705	1,410	1,410		1,410	1,410
548.60.90	SUB TOTAL	21,704	21,704	19,833	19,833	13,716	19,833	25,672	-	25,672	25,672

CITY OF DES MOINES

2015 BUDGET REQUEST

PLANNING, BUILDING, AND PUBLIC WORKS
EQUIPMENT RENTAL-OPERATIONS

		2013 AMEND	2013 ACTUAL	2014 ADOPTED	2014 AMEND	2014 ACTUAL Jan-June	2014 EST YR TOTAL	2015 DEPT REQ	2015 NEW REQ	2015 EXEC AMEND	2015 ADOPTED
500.100.040	EQUIPMENT RENTAL OPS										
591.48.75.03	PRINCIPAL-COPIER CAPITAL LEASE	247	247	258	258	-	258	269		269	269
592.48.83.03	INTEREST-COPIER CAPITAL LEASE	30	30	19	19	-	19	8		8	8
594.48.64.00	EQUIPMENT		-	-	-	-	-		73,791	73,791	73,791
	SUB TOTAL	277	277	277	277	-	277	277	73,791	74,068	74,068
	TOTAL	532,104	511,147	525,803	525,803	274,297	529,139	543,958	73,791	617,749	617,749
508.80.00	ENDING FUND BALANCE	166,322	159,353	186,111	186,111	-	172,749	163,032		163,032	163,032
		698,426	670,500	711,914	711,914	274,297	701,888	706,990	73,791	780,781	780,781

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: 2015 Vehicle Purchases

AGENDA OF: February 12, 2015

DEPT. OF ORIGIN: Planning, Building & Public Works

ATTACHMENTS:

1. 2015 Vehicle Purchasing Schedule
2. PO for 6 Police Patrol Vehicles.
PBPW 1/28/2015 #008
3. PO for 1 Police Detective Vehicle.
PBPW 1/27/2015 #007
4. 2015 Budget Worksheet

DATE SUBMITTED: February 2, 2015

CLEARANCES:

[X] Legal JB

[X] Finance DM

[] Marina N/A

[X] Parks, Recreation & Senior Services JS

[X] Planning, Building & Public Works DJB

[X] Police COW

[] Courts N/A

APPROVED BY CITY MANAGER

FOR SUBMITTAL: COW AEM

Purpose and Recommendation:

The purpose of this agenda item is to seek Council authorization to purchase 7 Police Vehicles, 1 Public Works vehicle, 1 Computer Operations vehicle and 2 Parks Mowers, consistent with the adopted 2015 Budget. The Planning, Building & Public Works Department recommends the purchase of the vehicles identified in Attachment 1. The following motion will appear on the consent calendar:

Suggested Motion

Motion: "I move to authorize the City Manager or his designee to purchase the vehicles and equipment as identified in Attachment 1."

Background:

The adopted 2015 Budget includes the replacement and purchase of several vehicles, as follows: Seven (7) new Police Department fleet vehicles; one (1) Public Works fleet vehicle; one (1) Computer Operations vehicle; two (2) Parks Department mowers, and one (1) Marina boat. A request for authorization to purchase the Marina boat will come to the Council at a later date.

Discussion:**Police Department**

Of the seven new police vehicles being purchased (five replacements and two new), six will be setup for patrol and one set up as a detective vehicle. The new vehicles are 2015 Ford Police AWD Interceptors Midsize Utility Model (Ford Explorer). Refer to Attachment 2 for the purchase order. The six patrol vehicles will be black with white doors. The detective vehicle will be the same Ford Interceptor model as the patrol vehicles, but it will be solid black in color. Refer to Attachment 3 for the purchase order. The price difference between the detective and patrol vehicles varies as the patrol vehicles require more lights, video, computer and radio equipment. Following Council authorization, these vehicles will be ordered in February 2015 and should be ready for fleet service in May 2015.

Public Works and Parks Maintenance Division

There are two mowers included in the 2015 budget. The first new mower is a John Deere 997 Commercial LC Diesel Z-Trak with a 72 inch mower deck and collection system. The second mower is a Toro Z Master Zero-Turn with 52 inch mower deck and collection system. Following Council authorization, these mowers will be ordered in February 2015 and should be in service by April 2015. The base price of the John Deere is \$19,064.17, minus \$12,000.00 trade-in for a total cost of \$7,064.17 which includes sales tax. The price of the Toro including tax is \$11,555.24. The total purchase price for both mowers is \$18,619.41 which is \$5,871 under the 2015 budgeted amount of \$24,490.09.

Public Works Maintenance Division

The new Public Works vehicle will be a 2015 Ford ¾ ton extended Cab 4WD Pickup. Following Council authorization, this vehicle will be ordered in May 2015 and should be in service in August 2015. The cost of this vehicle including tax is \$27,956.90 which is about \$638 less than the 2015 budgeted amount of \$28,594.74.

Computer Operations Division

The new Computer Operations vehicle will be a 2015 Ford Focus Electric 5-door Hatchback. Following Council authorization, this vehicle will be ordered in June 2015 and should be in service September 2015. The cost of this vehicle including tax will be \$28,754.73 which is about \$1,131 less than the 2015 budgeted amount of \$29,915.86.

Alternatives:

Council could decide to revisit the fleet replacements identified in the 2015 Budget.

Financial Impact:

The adopted 2015 Budget includes sufficient funds for the replacement and purchase of the identified vehicles and set them up for fleet service (refer to Attachment 4).

Recommendation/Conclusion:

Staff recommends purchase of the identified vehicles and asks Council to approve the suggested motion.

Concurrence:

The Police, Finance, Legal, and Planning, Building and Public Works Departments concur.

2015 Vehicle Purchasing Schedule

Purchase Date	Description	Cost
February 2015	6- 2015 Ford Interceptor AWD Patrol vehicles, PO # PBPW 1/28/2015 #008, (\$35,009.05 per vehicle)	\$210,054.35
Upon Delivery	Setup Interceptor for Patrol use, Includes Patrol Light package, Radio, Video camera, Computer (\$22,000.00 per vehicle)	\$132,000.00
February 2015	1-2015 Ford Interceptor AWD Detective Vehicle, PO# PBPW 1/27/2015 #007	\$29,469.59
Upon Delivery	1- Setup Interceptor for Detective use includes Detective light package and radio	\$4,000.00
February 2015	1-2015 John Deere 997 Commercial LC Diesel Z-Trak 72 inch mower with collection system.\$12,000.00 trade-in	\$7,064.17
February 2015	1-2015 Toro Z Master Zero Turn 52 inch mower with collection system	\$11,555.24
May 2015	1-2015 Ford ¾ ton Extra Cab 4x4 pickup	\$27,956.90
June 2015	1-2015 Ford Focus Electric 5 Door Hatchback	\$28,754.73

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CITY OF DES MOINES

Finance Division
 21630 11TH Avenue South
 Des Moines WA 98198-6317
 Phone 206.870.6511 Fax 206.870.6540

**PURCHASE ORDER**

THE FOLLOWING NUMBER MUST APPEAR ON ALL RELATED CORRESPONDENCE, SHIPPING PAPERS, AND INVOICES:

P.O. NUMBER: BPBW 1/28/2015 #008

TO: COLUMBIA FORD NISSAN (W403)
 700 7th Avenue
 Longview WA 98632

SHIP TO:
 Don Leadbetter, Equipment Shop
 City of Des Moines WA
 21650 11th Avenue South
 Des Moines WA 98198-6317
 206.870.6525 FAX 206.870.6596

Contract #03713

P.O. DATE		REQUISITIONER	SHIPPED VIA	F.O.B. POINT	TERMS
1.27.2015		Don Leadbetter			Net 30 - \$200 discount per vehicle if pd within 20 days of delivery
QTY	UNIT	DESCRIPTION		UNIT PRICE	TOTAL
6	Each	2015 Ford Police AWD Interceptor Midsize Utility Model 4-door Utility (K8A/500A) (Code #2314-502-001) Color: Ebony Black		\$26,587.00	\$159,522.00
6	Each	Alternative Engine, 3.5L V6 EcoBoost w/ 6-speed Automatic Transmission (131 mph top speed) (99T/44C) (Code #2314-502-004)		3,274.00	19,644.00
6	Each	Front Headlamp/Housing Only (includes pre-drilled hole for side marker police use and pre-molded side warning LED holes with standard twist lock sealed capability) (does not include LED installed lights) (N/A w/ Ready for the Road Packages #67H) (86P) (Code # 2314-502-007)		113.00	678.00
6	Each	Ballistic Door Panel – Driver only (90D) (Code #2314-502-026))		1,411.00	8,466.00
6	Each	Dark Car Feature (courtesy lamp disable when any door is opened) (43D) (Code #2314-502-024)		16.00	96.00
6	Each	Delayed Warranty Start, customer submits request at www.fordwsd.com (Code #2314-502-025)		00.00	00.00
6	Each	Dome Lamp – Red/White in Cargo Area (Code #2314-502-026)		46.00	276.00

6	Each	Doors/Locks: Hidden Door Lock Plunger w/ rear door handles inoperable (Included w/Ready for the Road Pkg #67H) (52P) (Code #2314-502-030)	143.00	858.00
6	Each	Fleet Keyed Alike (call dealer for available key codes) (N/A with Remote Keyless Entry #595) (Key) (Code #2314-502-031)	44.00	264.00
6	Each	Pre-wiring for grille lamp, siren and speaker (60A) (Code #2314-502-034)	47.00	282.00
6	Each	Power Windows, Driver Control (deletes rear window power controls (Code #2314-502-035	20.00	120.00
6	Each	Rear Console Plate (wiring conduit from front console plate to rear seat) (N/A w/ Interior Upgrade Pkg #65U or front console plate delete #85D) (85R) (Code #2314-502-037)	32.00	192.00
6	Each	Spot Lamp, LED Bulb, Driver Only (Unity) (51R) (Code #2314-502-045)	355.00	2,130.00
6	Each	Side Marker LED, Sideview Mirrors (63B) (Code #2314-502-049)	202.00	1,212.00
6	Each	2 nd Row Vinyl Seats in lieu of cloth (Code #2314-502-067)	(54.00)	(324.00)
6	Each	Noise Suppression Bonds (Ground Straps) (60R) (Code #1214-502-071)	90.00	540.00
Authority:			SUBTOTAL	\$193,956.00
			8.3% SALES TAX	16,098.35
			TOTAL	\$210,054.35

1. Please send two copies of your invoice.
2. Enter this order in accordance with the prices, terms, delivery method, and specifications listed above.
3. Please notify us immediately if you are unable to ship as specified.
4. Send all correspondence to: Address above

INTERNAL INSTRUCTIONS:

CHARGE TO DM CITY CODE: 501.100.040.594.21.64.00

Ordered by:

Date

Authorized by:

Date

CITY OF DES MOINES

Finance Division
 21630 11TH Avenue South
 Des Moines WA 98198-6317
 Phone 206.870.6511 Fax 206.870.6540

**PURCHASE ORDER**

THE FOLLOWING NUMBER MUST APPEAR ON ALL RELATED CORRESPONDENCE, SHIPPING PAPERS, AND INVOICES:

P.O. NUMBER: PBPW 1/27/2015 #007

TO: COLUMBIA FORD NISSAN (W403)
 700 7th Avenue
 Longview WA 98632

SHIP TO:
 Don Leadbetter, Equipment Shop
 City of Des Moines WA
 21650 11th Avenue South
 Des Moines WA 98198-6317
 206.870.6525 FAX 206.870.6596

Contract #03713

P.O. DATE	REQUISITIONER	SHIPPED VIA	F.O.B. POINT	TERMS
1.27.2015	Don Leadbetter			Net 30 - \$200 discount per vehicle if pd within 20 days of delivery
QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
1	Each	2015 Ford Police AWD Interceptor Midsize Utility Model 4-door Utility (K8A/500A) (Code #2314-502-001) Color: Ebony Black	\$26,587.00	\$26,587.00
1	Each	Interior Upgrade (includes full carpeting, carpeted floor mats, center floor console w/ cup holders) (retains column shifter) (deletes standard console mounting plate between front seats) (Not available w/ Ready for the Road or Cargo wiring Packages) (Code # 2314-502-014)	348.00	348.00
1	Each	Dome Lamp - Red/White in Cargo Area (17T) (Code #2314-502-026))	46.00	46.00
1	Each	Power Windows, Driver Control (Deletes rear window power controls) (18W) (Code #2314-502-035)	20.00	20.00
1	Each	Remote Keyless Entry w/Two Transmitters (N/A with Fleet Keyed Alike) (595) (Code #2314-502-036)	235.00	235.00
Authority:			SUBTOTAL	\$27,236.00
			8.3% SALES TAX	2,260.59
			TOTAL	\$29,469.59

1. Please send two copies of your invoice.
2. Enter this order in accordance with the prices, terms, delivery method, and specifications listed above.
3. Please notify us immediately if you are unable to ship as specified.
4. Send all correspondence to: Address above

INTERNAL INSTRUCTIONS:

CHARGE TO DM CITY CODE: 501.100.040,594.21.64.00

Ordered by:

Date

Authorized by:

Date

CITY OF DES MOINES

2015 BUDGET REQUEST

PLANNING, BUILDING, AND PUBLIC WORKS
EQUIPMENT RENTAL-REPLACEMENT

501.100.040	EQUIP RENTAL-REPLCMNT	2013 AMEND	2013 ACTUAL	2014 ADOPTED	2014 AMEND	2014 ACTUAL Jan-June	2014 EST YR TOTAL	2015 DEPT REQUEST	2015 EXEC AMEND	2015 ADOPTED
594.21.31.00	OFFICE & OPERATING SUPPLIES	-	-	-	-	-	-	-	-	-
594.12.64.00	VEHICLE REPLACEMENT-COURT	-	-	-	-	-	-	-	-	-
594.18.64.00	VEHICLE REPLACEMENT-COMPUTER OPS	-	-	-	-	-	-	30,000	30,000	30,000
594.21.64.00	VEHICLE REPLACEMENT-POLICE	56,000	890	275,000	275,000	42,956	136,844	540,000	480,000	480,000
594.44.64.00	VEHICLE REPLACEMENT-ENGR	-	-	-	-	-	-	-	-	-
594.42.64.00	VEHICLE REPLACEMENT-STREETS	25,000	-	36,900	36,900	29,445	29,445	30,000	30,000	30,000
594.76.64.00	VEHICLE REPLACEMENT-PARKS OPS	17,276	17,317	59,400	59,400	52,055	52,055	60,000	33,700	33,700
594.42.64.02	TRAFFIC CONTROLLER EQP	-	-	-	-	-	-	-	-	-
594.48.64.00	VEHICLE REPLACEMENT-EQUIP RENTAL	-	-	-	-	-	-	-	-	-
594.75.64.00	VEHICLE REPLACEMENT-MARINA	-	-	-	-	-	-	100,000	100,000	100,000
594.76.64.00	VEHICLE REPLACEMENT-PARKS & REC	-	-	-	-	-	7,000	-	-	-
594.31.64.01	EMG RESPONSE EQUIPMENT	-	-	-	-	-	-	-	-	-
594.31.64.00	VEHICLE REPLACEMENT-SWM	-	-	-	-	-	-	-	-	-
594.XX.64	SUB TOTAL	98,276	18,208	371,300	371,300	124,456	225,344	760,000	673,700	673,700
	RECLASSIFICATION & COST ALLOCATIONS:									
591.48.75.06	PRINCIPAL - LOCAL PRG	-	-	21,405	21,405	-	-	-	-	-
592.48.83.06	INTEREST - LOCAL PRG	-	-	1,507	1,507	-	-	-	-	-
597.48.00.00	TRANSFER OUT/FUND 500	-	-	-	-	-	-	-	-	-
	SUB TOTAL	-	-	22,912	22,912	-	-	-	-	-
	EQUIPMENT RENTAL - REPLACEMENT TOTAL	98,276	18,208	394,212	394,212	124,456	225,344	760,000	673,700	673,700
508.80.00	ENDING FUND BALANCE - UNRESERVED	1,347,451	1,430,229	1,688,397	1,688,397		1,609,602	1,342,171	1,342,171	1,342,171
		1,445,727	1,448,436	2,082,609	2,082,609	124,456	1,834,946	2,102,171	2,015,871	2,015,871

	2015 Purchases	Deferred Purchases
Police Patrol Ford Explorer	\$ 60,000	Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ 60,000	Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ 60,000	Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ 60,000	Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ 60,000	Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ 60,000	Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ -	60,000 Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ 60,000	Replace 2008 Ford Expedition
Police Detective Ford Explorer	\$ 44,000	Replace 2004 Ford Expedition
Police Detective Ford Explorer	\$ 16,000	Remove Funding at 2015 Budget amendment
Parks John Deere 1600 WAM	\$ 12,800	Replace Old Deere 1600 Turbo WAM
Parks Z500 HP Toro	\$ 20,900	Replace 2006 Z500 HP Toro Diesel
Streets Ford Explorer	\$ 30,000	Replace 2002 Chev Tahoe
Marina Monson	\$ 100,000	Replace Orca Boat
Computer Ops Nissan Leaf	\$ 30,000	Replace 1995 Ford Escort
	<u>\$ 673,700</u>	<u>\$ 60,000</u>

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CITY OF DES MOINES

2015 BUDGET REQUEST

PLANNING, BUILDING, AND PUBLIC WORKS
EQUIPMENT RENTAL-REPLACEMENT

501.100.040 EQUIP RENTAL-REPLCMNT	2013 AMEND	2013 ACTUAL	2014 ADOPTED	2014 AMEND	2014 ACTUAL Jan-June	2014 EST YR TOTAL	2015 DEPT REQUEST	2015 EXEC AMEND	2015 ADOPTED
594.21.31.00 OFFICE & OPERATING SUPPLIES	-	-	-	-	-	-	-	-	-
594.12.64.00 VEHICLE REPLACEMENT-COURT	-	-	-	-	-	-	-	-	-
594.18.64.00 VEHICLE REPLACEMENT-COMPUTER OPS	-	-	-	-	-	-	30,000	30,000	30,000
594.21.64.00 VEHICLE REPLACEMENT-POLICE	56,000	890	275,000	275,000	42,956	136,844	540,000	480,000	480,000
594.44.64.00 VEHICLE REPLACEMENT-ENGR	-	-	-	-	-	-	-	-	-
594.42.64.00 VEHICLE REPLACEMENT-STREETS	25,000	-	36,900	36,900	29,445	29,445	30,000	30,000	30,000
594.76.64.00 VEHICLE REPLACEMENT-PARKS OPS	17,276	17,317	59,400	59,400	52,055	52,055	60,000	33,700	33,700
594.42.64.02 TRAFFIC CONTROLLER EQP	-	-	-	-	-	-	-	-	-
594.48.64.00 VEHICLE REPLACEMENT-EQUIP RENTAL	-	-	-	-	-	-	-	-	-
594.75.64.00 VEHICLE REPLACEMENT-MARINA	-	-	-	-	-	-	100,000	100,000	100,000
594.76.64.00 VEHICLE REPLACEMENT-PARKS & REC	-	-	-	-	-	7,000	-	-	-
594.31.64.01 EMG RESPONSE EQUIPMENT	-	-	-	-	-	-	-	-	-
594.31.64.00 VEHICLE REPLACEMENT-SWM	-	-	-	-	-	-	-	-	-
594.XX.64 SUB TOTAL	98,276	18,208	371,300	371,300	124,456	225,344	760,000	673,700	673,700
RECLASSIFICATION & COST ALLOCATIONS:									
591.48.75.06 PRINCIPAL - LOCAL PRG	-	-	21,405	21,405	-	-	-	-	-
592.48.83.06 INTEREST - LOCAL PRG	-	-	1,507	1,507	-	-	-	-	-
597.48.00.00 TRANSFER OUT/FUND 500	-	-	-	-	-	-	-	-	-
SUB TOTAL	-	-	22,912	22,912	-	-	-	-	-
EQUIPMENT RENTAL - REPLACEMENT TOTAL	98,276	18,208	394,212	394,212	124,456	225,344	760,000	673,700	673,700
508.80.00 ENDING FUND BALANCE - UNRESERVED	1,347,451	1,430,229	1,688,397	1,688,397		1,609,602	1,342,171	1,342,171	1,342,171
	1,445,727	1,448,436	2,082,609	2,082,609	124,456	1,834,946	2,102,171	2,015,871	2,015,871

	2015 Purchases	Deferred Purchases	
Police Patrol Ford Explorer	\$ 60,000		Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ 60,000		Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ 60,000		Replace 2008 Crown Victoria
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Police Patrol Ford Explorer	\$ 60,000		Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ 60,000		Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ -	60,000	Replace 2008 Crown Victoria
Police Patrol Ford Explorer	\$ 60,000		Replace 2008 Ford Expedition
Police Detective Ford Explorer	\$ 44,000		Replace 2004 Ford Expedition
Police Detective Ford Explorer	\$ 16,000		Remove Funding at 2015 Budget admendment
Parks John Deere 1600 WAM	\$ 12,800		Replace Old Deere 1600 Turbo WAM
Parks Z500 HP Toro	\$ 20,900		Replace 2006 Z500 HP Toro Diesel
Streets Ford Explorer	\$ 30,000		Replace 2002 Chev Tahoe
Marina Monson	\$ 100,000		Replace Orca Boat
Computer Ops Nissan Leaf	\$ 30,000		Replace 1995 Ford Escort
	<u>\$ 673,700</u>	<u>\$ 60,000</u>	

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A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Surplus Property – Vehicles and Equipment

ATTACHMENTS:

1. Draft Resolution No. 15-013
2. Status of 2014 Vehicle Surplus

AGENDA OF: February 12, 2015

DEPT. OF ORIGIN: Planning, Building & Public Works

DATE SUBMITTED: February 2, 2015

CLEARANCES:

☒ Legal JB

☒ Finance DM

☐ Marina N/A

☐ Parks, Recreation & Senior Services

☒ Planning, Building & Public Works DJB

☒ Police OW

☐ Courts N/A

APPROVED BY CITY MANAGER

FOR SUBMITTAL: OWD ACM

Purpose and Recommendation:

The purpose of this agenda item is to seek Council authorization to surplus certain City vehicles and equipment. Consistent with the adopted 2015 budget, the Planning, Building and Public Works Department recommends that the vehicles and equipment identified in Attachment 1 be declared surplus and disposed of. The following motion will appear on the consent calendar:

Suggested Motion

Motion: “I move to adopt Draft Resolution No. 15-013 declaring certain vehicles and equipment identified in Attachment 1 as surplus and authorize disposal of said surplus vehicles and equipment by auction or trade-in.”

Background:

In 2014, the Council passed resolution 1247 and Resolution 1260 authorizing the surplus of certain vehicles. As shown in Attachment 2, most of those vehicles have already been surplus. Note that two of the vehicles are scheduled for auction on February 6, 2015 (P224 and P234). The remaining vehicles, police vehicles 515 and 521, and the 1996 Gator, have yet to be surplus. These vehicles will be scheduled for auction when their replacements are complete.

The adopted 2015 Budget includes the replacement and purchase of several vehicles including seven Police Department fleet vehicles, one Public Works fleet vehicle, two Parks Department mowers and the Marina's Orca Boat. As part of the budget approval process, it was anticipated that vehicles being replaced would be surplus.

Discussion:

Police Department

As the new police vehicles are put into service, the existing police vehicles 521, 546, 547, 548, 510, 545 and 549 will become available for surplus. Vehicle 521 was authorized for surplus in 2014, but replacement of that vehicle in 2014 was postponed, and is now scheduled for replacement in 2015. Staff anticipates the surplus of these seven police vehicles will be around June 2015.

Public Works Maintenance Division

The new Public Works vehicle will be ordered in May 2015. After delivery and setup, staff anticipates the existing vehicle P-221 (Chevy Tahoe) will be available for surplus around September 2015.

Computer Operations Division

The new Computer Operations vehicle will be ordered in June 2015. After delivery and setup, staff anticipates the existing vehicle E-16 (Ford Escort) will be available for surplus around November 2015.

Public Works and Parks Maintenance Division

Both Parks mowers will be ordered in February 2015. The John Deere 1600 Turbo Wide-Area mower will be a trade-in and the Toro Zero-Turn (P-204) will be surplus along with the Police vehicles around June 2015.

Alternatives:

Council could decide to revisit the fleet replacements identified in the 2015 Budget.

Financial Impact:

The adopted 2015 Budget includes sufficient funds to purchase the new vehicles and set them up for fleet service, provided that these vehicles are surplus.

Recommendation/Conclusion:

Staff recommends surplus the identified vehicles and asks Council to approve the suggested motion.

Concurrence:

The Police, Finance, Legal, and Planning, Building and Public Works Departments concur.

2014 VEHICLE SURPLUS TRACKING (Council Resolutions 1247 & 1260)				
NUMBER	DESCRIPTION	APPROXIMATE VALUE	SURPLUS DATE	SURPLUS VALUE
521	Blue 2008 Ford Crown Victoria, License 47418D, VIN#2FAHP71V98X146000	\$3,500		
515	Green 2003 Ford Crown Victoria, License 35733D, VIN#2FAFP71W73X126143	\$3,500		
E-11	Charcoal 2002 Ford Taurus, License 34228D, VIN#1FAFP52282G187201	\$1,500	4/29/2014	\$2,750
E-13	Light Blue 1997 Ford Taurus, License 23459D, VIN#1FALP52U8VA209239	\$1,000	5/31/2014	\$1,400
P221	White 1996 Ford F-150 Pickup Truck, License 20664D, VIN#1FTEF15N8TLB41044	\$2,500	4/29/2014	\$3,100
P241	White 1995 Chevrolet 1-ton Flatbed Truck, License 17171D, VIN#1GBHC34K1SE249750	\$2,500	4/29/2014	\$7,000
SC1	White 1992 Chevrolet Passenger Van, License 18221D, VIN#2GBGG39K2N4136211	\$1,500	4/29/2014	\$2,500
P224	White 2001 Dodge Ram 2500 Pickup Truck, License 32502D, VIN#3B7KC26Z91M545761	\$2,000	2/6/2015	
P234	White 2002 Ford F-350 Pickup Truck, License 34235D, VIN#1FTSW30L22EC20166	\$3,500	2/6/2015	
P202	Green 1996 John Deere 1800 Gator Tractor, VIN#M018006040081	\$800		
P245	GMC 1993 Elgin Sweeper License 45138D VIN#G2102D	\$2,500	5/31/2014	\$5,500
		TOTAL SURPLUS RECEIVED:		\$22,250

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CITY ATTORNEY'S FIRST DRAFT 2/2/15

DRAFT RESOLUTION NO. 15-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, declaring certain City vehicles and equipment surplus, and authorizing disposal of surplus vehicles and equipment by auction or trade-in.

WHEREAS, during regular business the City accumulates vehicles and equipment, and

WHEREAS, the City intends to dispose of unneeded vehicles and equipment as allowed by law as surplus, and

WHEREAS, the City of Des Moines typically sells surplus vehicles and equipment at public auction to the highest bidder or trades-in surplus vehicles and equipment at reputable dealerships, and

WHEREAS, the City desires to surplus the vehicles and equipment identified in Exhibit "A" attached to this Resolution; now therefore,

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

Sec. 1. The vehicles and equipment identified by Exhibit "A" are hereby declared by this Resolution to be surplus vehicles and equipment.

Sec. 2. The City Manager is authorized to dispose of the items identified by Exhibit "A" by auction, or trade-in.

Sec. 3. The City Manager is authorized to establish a minimum bid/sale amount for the property identified in Exhibit "A" as deemed to protect the City's interests.

Sec. 4. The City Manager is authorized to contract for professional auction services where the cost of such services does not exceed twenty-five percent (25%) of the amount bid, plus reasonable advertising fees.

Resolution No. ____
 Page 2 of 2

Sec. 5. All net proceeds from the disposal of the surplus property identified in Exhibit "A" shall be deposited into the Equipment Rental Fund.

ADOPTED BY the City Council of the City of Des Moines, Washington this ____ day of ____, 2015 and signed in authentication thereof this ____ day of ____, 2015.

 M A Y O R

APPROVED AS TO FORM:

 City Attorney

ATTEST:

 City Clerk

EXHIBIT "A"
Resolution No. 15-013

Number	Description	Approximate Value
546	Blue 2008 Ford Crown Victoria, License 48237D, VIN # 2FAHP71VX8X170693	\$3,000
547	Blue 2008 Ford Crown Victoria, License 48238D, VIN # 2FAHP71V88X170692	\$3,000
548	Blue 2008 Ford Crown Victoria, License 48240D, VIN # 2fahp71v48x170690	\$3,000
510	Grey 2004 Ford Expedition, License 37609D, VIN # 1FMFU16L84LA2912	\$2,500
545	Blue 2008 Crown Victoria, License 48093D, VIN # 2FAHP71V68X170691	\$3,000
549	Blue 2008 Ford Expedition, License 48251D, VIN # 1FMFU165X8LA86821	\$4,000
P221	Blue 2002 Chevrolet Tahoe, License 20664D, VIN # 1GNEK13Z22J227193	\$1,500
E16	White 1995 Ford Escort, License 12882D, VIN # 3FASP15J8SR148319	\$1,000
P202	Green 1996 John Deere 1800 Gator Tractor, VIN # M018006040081	\$800
P204	Red 2006 Z-500 Toro Mower, Model # 74264 Serial # 2600004554	\$1,500
N/A	Green 2003 John Deere 1600 Turbo wide area mower, Serial #3791.002.0000-TCA 13208	\$12,000.00

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N/A	Public Works Service Center Fuel system including two fuel pumps, 2 Key pads, Fuel tracking computer and all associated Hardware	\$500.00

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Request for Authorization to dispose of Surplus Property – 1971 36 ft Fairliner.

ATTACHMENTS:

1. Draft Resolution 15-014

FOR AGENDA OF: February 12, 2015

DEPT. OF ORIGIN: Marina

DATE SUBMITTED: February 2, 2015

CLEARANCES:

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

APPROVED BY CITY MANAGER

FOR SUBMITTAL: OW AGM

Purpose and Recommendation

The purpose of this Agenda Item is to request that the Council authorize the staff to dispose of a 1971 Fairliner 36 ft cabin cruiser, hull number WAZ1626A1971.

Suggested Motion: “I move that the City Council declare the 1971 Fairliner Cabin Cruiser (hull number WAZ1626A1971) surplus to the City’s needs and direct staff to dispose of it in the most cost effective manner.”

Background

This vessel, a 1971 36 foot Fairliner, sank in its slip on L Dock during the evening of October 31, 2014. At the time the vessel sank, it was being prepared to move to a marina on the Columbia River. The person working on the boat, Ronald Lee Miles, had just purchased the vessel from William Larer, a long-time tenant. Mr. Larer notified the Marina staff on the day of the sale that the transfer of ownership had taken place. At the time the boat sank, emergency crews responded from the Des Moines Police Department and South King Fire and Rescue. The Marina crew was also called and responded.

When the Harbormaster arrived on L Dock, he determined that Mr. Miles did not have the capability to stabilize the boat and prevent an oil and gas spill. The Harbormaster called in Anchor Diving and

Salvage to patch the leaks in the hull and the Marina crew raised the boat. The boat was placed on stands in the parking lot.

Discussion

Mr. Miles has since denied responsibility for the boat and there is a dispute as to whether the sale was final or if it was voided by the purchaser. With neither party currently accepting responsibility for the boat, it was declared abandoned and posted with the notification required by City Code. As of January 31, the notification period was over and the vessel became the property of the City.

Pursuant to DMMC 15.04.540(3), if a vessel moored or stored at a moorage facility is abandoned, the harbormaster may, by resolution of the city council, authorize the public sale of the vessel to the highest and best bidder for cash.

Unfortunately, staff has determined that the vessel has very little salvage value. The staff has contacted a local business that will pull the fuel tanks and any metal off the boat for scrap value. The Marina crew will cut up the scrapped out hull and dispose of it at the appropriate dump site.

Financial Impact

After selling off anything of value, it will likely cost the marina an additional \$500 to dispose of the hull. The City Attorney's office is in the process of determining whether legal action would be prudent to recover the approximately \$3,000 expended by the marina to remove the boat from the water.

Recommendation

The staff recommends that the Council authorize the staff to dispose of this vessel in the most cost effective possible.

CITY ATTORNEY'S FIRST DRAFT 11/8/2012**DRAFT RESOLUTION NO. 15-014**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, declaring certain property surplus and authorizing disposal of surplus property by auction, sale, recycling or disposal.

WHEREAS, during regular business the City accumulates equipment and property, and

WHEREAS, the City intends to dispose of unneeded equipment and property as allowed by law as surplus, and

WHEREAS, the City of Des Moines typically sells surplus property and equipment at public auction to the highest bidder or disposes of such property and equipment through the State Surplus Program, and

WHEREAS, the property described in Exhibit "A" was abandoned at the Des Moines Marina after proper notification was given to the prior owner and has no value above scrap value,

WHEREAS, the City desires to surplus the item identified in Exhibit "A" attached to this Resolution; now therefore,

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

Sec. 1. The property identified by Exhibit "A" is hereby declared by this Resolution to be abandoned and surplus property.

Sec. 2. The City Manager is authorized to dispose of the items identified by Exhibit "A" by auction, sale, or by disposal, whatever is deemed the most cost effective.

Sec. 3. The City Manager is authorized to establish a minimum bid/sale amount for the property identified in Exhibit "A" as deemed to protect the City's interests. Furthermore, the

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City Manager is authorized to dispose of the item of virtually no value by reasonable means including disposal as recycling.

Sec. 4. All net proceeds from the disposal, recycling or sale of the surplus property identified in Exhibit "A" shall be deposited into the Miscellaneous Revenues Fund.

ADOPTED BY the City Council of the City of Des Moines, Washington this _____ day of _____, 2015 and signed in authentication thereof this _____ day of _____, 2015.

 M A Y O R

APPROVED AS TO FORM:

 Assistant City Attorney

ATTEST:

 City Clerk

EXHIBIT "A"
Resolution No. 1212

Number	Description	Approximate Value
1	1971 31 ft. Fairliner Sedan Cabin Cruiser, HIN #WAZ1026A1971	SCRAP

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A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Public Hearing to consider Zoning Code and Development regulations for the Community Commercial (C-C) zoned properties in the area along Pacific Highway South between South 252nd Street and South 272nd Street

ATTACHMENTS:

1. Draft Ordinance No. 14-240 Amending the Community Commercial Zone” and Making Other Amendments to Title 18, *Zoning Code*
2. Chapter 18.52.010B and 18.110 if Draft Ordinance 14-240 is Adopted
3. Map of C-C Zoned Properties
4. Envision Midway – Scenario 3.0
5. City of Kent, Midway Subarea Zoning Map

FOR AGENDA OF: February 12, 2015

DEPT. OF ORIGIN: Planning, Building and Public Works

DATE SUBMITTED: January 22, 2015

CLEARANCES:

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

APPROVED BY CITY MANAGER
FOR SUBMITTAL: AA

Purpose and Recommendation

The purpose of this Agenda Item is for City Council to consider Draft Ordinance No. 14-240 (Attachment 1), relating to the City’s Zoning Code and development regulations for the Community Commercial (C-C) zoned properties in the area along Pacific Highway South between South 252nd Street and South 272nd Street (refer to Attachment 2) and amending DMMC 18.52.010B, 18.110.050, 18.110.060, 18.110.080, 18.195.290, 18.210.090, and 14.05.130, and repealing DMMC 18.110.070 and section 271 of Ordinance No. 1591.

Suggested Motions

Motion 1: “I move to suspend Rule 26(a) in order to enact Draft Ordinance No 14-240 on first reading.”

Motion 2: “I move to enact Draft Ordinance No. 14-240 amending the Community Commercial Zone and making other related amendments to Title 18, Zoning Code and amending DMMC 18.52.010B, 18.110.050, 18.110.060, 18.110.080, 18.195.290, 18.210.090, and 14.05.130, and repealing DMMC 18.110.070 and section 271 of Ordinance No. 1591.”

Background

The Pacific Highway South Corridor is a key commercial area where significant private and public investment have been, are being, and will be made in the near future that support the City of Des Moines goals of fostering economic development, creating jobs, and increasing revenues. This commercial corridor extends from Kent-Des Moines Road to South 272nd Street along the eastern edge of the South Des Moines and Woodmont Neighborhoods in Des Moines, commonly referred to as “Midway.”

Midway is influenced by planning and development efforts underway by Sound Transit, King County Metro, Highline College, the Cities of Des Moines, Kent and Federal Way, the Washington State Department of Transportation, Healthpoint, Sea Mar, and Growing Transit Communities. As such, Des Moines has an opportunity to influence decisions that will be made in the near future by having the planning, policy and regulatory framework in place that best represents the City’s vision as to how it wants this area to develop to support the City economically and support the following significant transportation improvements in these areas:

- Sound Transit’s Federal Way Link Extension
- Metro’s RapidRide
- WSDOT’s SR509/I-5 Freight Mobility Project
- Metro’s Transit Center at Highline College

The proposed development regulations and changes build upon the 18 months of work already completed with the community during the ‘*Envision Midway*’ planning project with the City of Kent that was funded through a state grant. ‘*Envision Midway*’ was formed by the Cities of Kent and Des Moines to work collectively to address inconsistent land use patterns along our shared “zig-zag border” and consider land use changes in anticipation of significant transportation improvements along SR-99 through Des Moines’ Pacific Ridge, South Des Moines, and Woodmont neighborhoods and the Midway area in Kent. With the input from residents, property and business owners and other stakeholders, draft subarea plans, design guidelines, and coordinated development regulations for Kent and Des Moines were developed to undergo further refinement by our respective cities. The City of Kent completed their planning with the adoption of the Midway Subarea Plan, Design Guidelines and development regulations (Ordinance No. 4009, adopted December 13, 2011 and codified in Kent Municipal Code 15.04 and 15.05 with the formation of new Midway Transit Community 1 and 2, and Midway Commercial/Residential Districts). Des Moines’ part of this planning and development regulations update, jointly initiated in 2008, is still incomplete south of South 252nd Street.

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

Land Use Element:

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

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

Other City policies and strategies affecting the Midway Area are included in the Pacific Ridge, Transportation, and Parks, Recreation and Open Space Elements of the Comprehensive Plan, the 2013

Council-adopted Intergovernmental Policy paper and the Federal Way Link Extension (FWLE) City Council-approved Draft EIS Scoping letter dated July 3, 2013.

On January 9, 2014, the City Council directed staff to evaluate existing land use and zoning along the Pacific Highway South corridor and identify opportunities to create more appropriate development regulations under the direction of the Finance & Economic Development Committee.

During the past year, the City has completed subarea planning for the Pacific Highway South/South 240th Street Node that includes rezoning properties from the Highway Commercial (H-C) Zone to the new Transit Commercial (T-C) Zone and creation of new land use designations that are docketed for the 2015 Comprehensive Plan update.

On November 18, 2014, the Council Finance and Economic Development Committee met to discuss options for addressing land use and zoning along the remainder of the Pacific Highway South corridor (South 252nd Street to South 272nd Street) which is currently zoned C-C. This included discussion on whether to rezone some properties closest to South 272nd Street to the T-C Zone in anticipation of a light rail station in the vicinity. The Committee directed staff to bring forward a draft ordinance for consideration by the City Council. The Committee met again on January 8, 2015 to review the working draft ordinance, and will meet again on February 12, 2015 to review the Draft Ordinance in this packet prior to the public hearing.

Discussion

The Draft Ordinance amends the C-C Zone development regulations building upon and completing the *Envision Midway* project working closely with staff from Sound Transit, the City of Kent, Highline College, property and business owners, and residents adjacent to the corridor. It reflects what was heard from stakeholders during *Envision Midway* and complements the new Transit Community Zone to finalize the subarea plan for the Midway area that includes: improving development regulations; creating overlay zones around future and potential light rail station areas; developing informative but not overly restrictive design guidelines; capital improvement plans; and funding strategies.

Specifically, the Draft Ordinance proposes to modify some of the permitted uses and use limitations, building heights and setbacks, and remove redundant language that is covered elsewhere in the Municipal Code.

As a general rule, more, not fewer, uses are permitted, and many current restrictions are proposed to be eliminated. Gasoline service stations would continue to be allowed in C-C. The only retail trade use proposed to be restricted is bulk fuel dealers for residential delivery such as heating oil, propane, liquefied petroleum and wood. Industrial truck rental and leasing would now be allowed.

Changes include increasing the permitted building height from 35 feet to 55 feet to allow for higher quality design and higher ceiling heights, but continue to allow commercial building to be built to any height. This corresponds to the range of heights discussed during *Envision Midway* and illustrated by Land Use Scenario 3.0 (see Attachment 4) and adjacent zoning adopted by the City of Kent -- Commercial Manufacturing 2 (CM-2) and Midway Transit Community 1 (MTC-1) (see Attachment 4). Kent's CM-2 Zone allows building heights to two stories/35 feet with an additional story possible under certain conditions and the MTC-1 Zone allows building heights to 5 stories/55 feet.

The Finance & Economic Development Committee is continuing to review public automobile parking which is not now currently allowed, the required minimum space devoted to retail for commercial bakeries, the suitability of shielded outside boat storage, and the desirability of reducing the amount of required parking for personal services and retail as currently proposed, and may have amendments on these subject to offer at the conclusion of the public hearing.

The following policy questions were discussed with the City Council on January 8, 2015 and the Council provided the following direction:

1. Should Mixed Use be added as an allowed use in the C-C Zone? *Not as an outright permitted use. Continue with the current zoning restrictions which allow for Mixed Use with an Unconditional Use Permit.*
2. Should retirement housing and nursing and residential care facilities continue to be allowed in C-C inasmuch as much of our City already allows this use? *No, limit those uses to Pacific Ridge, Institutional Campus, Transit Community and Downtown Commercial where these uses are currently permitted.*
3. Should the side yard setbacks match the 20 foot rear yard setback to residential properties? *Yes*

Alternatives

The City Council may:

1. Enact the proposed Draft Ordinance on 1st Reading.
2. Pass the proposed Draft Ordinance to a 2nd Reading at a future date. This alternative is recommended if only minor changes are required.
3. Decline to enact the Draft Ordinance and remand Draft Ordinance 14-240 back to the Finance & Economic Development Committee for further work. It is unlikely that staff would be able to do substantial work on this ordinance with the Committee until the second half of 2015 because of other priorities.

Financial Impact

Planning for the Pacific Highway South corridor builds upon recent efforts for Pacific Ridge and the Pacific Highway South/South 240th Street Node and will help foster a strong economic environment for the City by creating new jobs, a stronger tax base, and tax revenues for the City of Des Moines. Some potential projects will benefit from the proposed modifications. It will also help the Cities of Des Moines and Kent, Highline College, Sound Transit and King County METRO strategically plan for capital improvements and investments in conjunction with growth and development, and will position the City competitively for grant funding.

Recommendation or Conclusion

Staff recommends that City Council adopt Draft Ordinance No. 14-240.

CITY ATTORNEY'S FIRST DRAFT 1/29/2015

DRAFT ORDINANCE NO. 14-240

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to the City's Zoning Code and development regulations for the area along Pacific Highway South between South 252nd Street and South 272nd Street, and amending DMMC 18.52.010B, 18.110.050, 18.110.060, 18.110.080, 18.195.290, 18.210.090, and 14.05.130, and repealing DMMC 18.110.070 and section 271 of Ordinance No. 1591.

WHEREAS, in 2008 the cities of Des Moines and Kent initiated *Envision Midway*, a joint planning effort for the Midway-Woodmont area from Kent-Des Moines Road to South 272nd Street, and

WHEREAS, in 2009, Des Moines adopted Comprehensive Plan Strategy 2-04-12 that directs the City to prepare a subarea plan/s, prepare zoning amendments and prepare design guidelines for the light rail station areas to be located within the South Des Moines and Woodmont Neighborhoods, considering the joint planning with the City of Kent on the Midway area, and

WHEREAS, Transportation Element Public Transit Strategies 3-05-04 (7) supports the Sound Transit light rail (LRT) station(s) in the Pacific Ridge, Midway and Woodmont areas on Pacific Highway South, (10) directs the City to work with Sound Transit on station area planning for the Midway and South 272nd Street stations, and (11) directs the City to coordinate with the City of Kent for the Midway subarea, and

WHEREAS, Parks, Recreation and Open Space Strategy 6-02-04 identifies the Pacific Highway Business Districts in Midway, East Woodmont and Redondo as opportunities for interconnections between economic and recreational expansion and for the establishment of other recreational facilities for Des Moines citizens, and

WHEREAS, the City of Kent completed their planning work and updated their development regulations for this area in 2011, and

Community Commercial Zone_012915

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WHEREAS, on January 9, 2014, the City Council directed City staff to evaluate existing land use and zoning along the Pacific Highway South corridor and identify opportunities to create more appropriate development regulations under the direction of the Finance and Economic Development Committee, and

WHEREAS, on June 26, 2014, the City Council enacted Ordinance 1601 thereby establishing new Transit Community Zone development regulations for that portion of the corridor between Kent-Des Moines Road and South 252nd Street, and

WHEREAS, the City Council supports higher density redevelopment along Pacific Highway South in the area south of South 252nd Street, and possibly stations at South 260th Street and South 272nd Street to complement the new Transit Community Zone created by Ordinance 1601, and

WHEREAS, the current Community Commercial Zone was designed to capitalize on the 33,000 cars per day which use Pacific Highway South, but fails to anticipate the recent expansion of high capacity transit and possible extension of Link Light Rail to this area in the near future, and

WHEREAS, many Community Commercial zoned properties south of South 252nd Street cannot be optimally re-developed because of the City's current development regulations, and

WHEREAS, the City Council desires to maintain continuity and consistency to the extent possible in the City's development regulations along Pacific Highway South, and

WHEREAS, the City Council directed City staff to prepare an ordinance for its consideration which creates more appropriate development regulations for this commercial area along Pacific Highway South, 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

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WHEREAS, pursuant to DMMC 18.20.080A, amendment of the Zoning Code (Title 18 DMMC) is a legislative (Type VI) land use decision, and

WHEREAS, pursuant to DMMC 18.20.210 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 18.30.100(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

WHEREAS, the City Council set the date for the public hearing by Resolution No. 14-240, fixing the public hearing for February 12, 2015, 2015 as required, 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 January 15, 2015 in accordance with the DMMC, and

WHEREAS, a public hearing was held on February 12, 2015 where 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:

Sec. 1. DMMC 18.52.010B, and Section 133 of Ordinance No. 1591, as amended by Section 12 of Ordinance 1601, are each amended to read as follows:

18.52.010B. Commercial use chart.

Ordinance No. _____
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TABLE 18.52-010B
COMMERCIAL ZONE PRIMARY USES

Use is:	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C
P: Permitted								
P/L: Permitted, but with special limitations								
CUP: Conditional use review required								
UUP: Unclassified use review required								
Accessory buildings and uses (as described in the applicable zone)	P	P	P	P	P	P	P	P
Admin, support services	P/L[3]		P	P/L[14]	P/L[2226]		P	P
Adult family homes				P	P		P	P
Adult entertainment facilities							P/L[4450] [6271]	
Adult theaters						P/L[3639]	P/L[4450] [6271]	
Amusement and recreational services				P/L[16]	P/L[2226]			
Amusement parks	CUP	CUP	CUP	CUP		CUP	CUP	CUP
Animal or veterinary services			P	P	P	P	P	P
Antenna system (one)	P/L[6]							
Animal grooming	P/L[3]		P	P	P		P	P
Antenna systems (not accessory)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Apparel and accessories stores	P/L[1]		P	P	P	P	P	P
Arrangement of passenger transportation	P/L[3]			P	P		P	P
Art galleries	P			P	P		P	P
Art, glassware manufacturing			P	P	P			
Art, ornamental ware				P	P			
Arts, entertainment, and recreation facilities				P/L[16]	P/L[2226]		P	P
Auction houses or stores				P	P	P/L[4445]	P	
Automobile, body, paint, interior and/or glass repair				P/L[18]	P/L[2629]		P/L[4452]	
Automobile, detail shop				P/L[18]	P/L[2629]		P/L[4452]	
Automobile, maintenance and repair				P/L[18]	P/L[2629]	P	P/L[4452]	
Automobile, parking	P/L[5]		P	P/L[16] [20]	P/L[2226]	P	P	P/L[6458]
Automobile, sales						P	P/L[4447]	
Automobile, service stations				P/L[18]	P/L[2629]	P/L[4440]	P/L[4452]	
Automobile, trailer sales						P	P	
Automotive equipment, rental and leasing				P	P	P	P	P/L[6457]
Bakeries, manufacturing and retail sales	P/L[1]		P	P/L[6621]		P		P/L[6659]
Ballparks	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Banks				P	P		P	P
Barber, beauty and hairstyling shops	P/L[3]			P	P		P	P
Bed and breakfast facilities				P	P		P	P
Boats, building and repairing (less than 48 feet)						P	P	
Boats, repair/ sale						P	P	
Boat moorage	P/L[3]					P/L[4446]		
Botanical and zoological gardens				P	P		P	
Bookbinding			P	P		P		P
Booster stations	UUP	UUP	UUP	UUP		UUP	UUP	UUP
Boxing and wrestling arenas	CUP	CUP	CUP	CUP		CUP	CUP	CUP
Building materials and garden equipment supply	P/L[1]		P	P	P	P/L[2632]	P	
Business offices	P/L[3]		P	P/L[16]	P/L[2226]		P	P

Comment [DB1]: This line is proposed to be consolidated with "Offices, Business and Professional" below because it is redundant.

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TABLE 18.52-010B
COMMERCIAL ZONE PRIMARY USES

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C
Car washes				P/L[18]	P/L[2629]	P		
Carpentry and cabinet shops	P/L[1][2]		P	P	P	P	P	
Casino hotels and motels				P	P		P	P
Cemeteries	CUP	CUP	CUP	CUP		CUP	CUP	
Ceramics, manufacture						P/L[2933]		
Columbariums, crematories, mausoleums with permitted cemeteries	CUP	CUP	CUP	CUP		CUP	CUP	
Commercial and industrial machinery and equipment, rental and leasing			P			P	P	
Community care facilities				P	P		P	P
Community gardens				P	P			
Community housing services				P/L[6974]	P/L[6974]			
Confectionery, manufacture			P	P/L[5621]		P		P/L[5660]
Contractors, general	P/L[3]		P/L[14]	P		P	P	P
Convention facilities			P	P	P	P		P
Correctional institutions			P					
Couriers and messengers	P/L[3]		P	P			P	P
Data processing, business and record storage	P/L[3]		P	P	P	P	P	P
Day care centers and mini day care providers	CUP	CUP	CUP	CUP	CUP		CUP	CUP
Death care services	P/L[3]		P	P	P	P/L[4243]	P	
Distribution Centers, home deliveries			P			P		
Drive-in or drive-through facilities	P			P/L[18]	P/L[2629]		P	
Dry cleaning and laundering services	P/L[3]		P	P	P	P	P	P
Educational services		P	P/L[7]	P	P/L[2731]	P/L[4741]	P	P
Electric power generation, biomass			P/L[12]					
Electrical appliances and supplies, retail sales, wholesale trade and repairs						P		
Equipment rental and leasing			P	P/L[16]	P/L[2226]	P	P	
Fairgrounds and rodeos	CUP	CUP	CUP	CUP		CUP	CUP	
Family day care providers				P/L[73]	P/L[6973]		P/L[6973]	P/L[6973]
Financial and insurance services			P	P	P		P	P
Fish hatcheries and preserves					P			
Fix-it shops			P	P	P	P	P	
Food, frozen or cold storage lockers			P	P	P	P		
Food stores	P/L[1]		P	P	P		P	P
Footwear and leather goods repair	P		P	P	P	P	P	P
Foreign trade			P/L[13]					
Fraternal organizations/societies		P	P/L[7]	P	P		P	P
Fuel dealers, other							P	
Furniture, home furnishings and equipment, sales	P/L[1][2]		P	P	P	P	P	P
Furniture, repair	P/L[2][3]		P	P	P	P	P	P
Gambling, amusement, and recreation industries			P/L[7]	P/L[16]	P/L[2226]		P	P
Garages, public						P/L[3034]		
General merchandise stores	P/L[1]		P/L[9]	P/L[36]	P/L[2425]		P	P
Glass, edging, beveling, silvering			P			P/L[3435]		

Ordinance No. _____
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TABLE 18.52-010B COMMERCIAL ZONE PRIMARY USES								
Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C
Glass, stained glass studios	P					P		
Golf courses, with accessory driving ranges, club houses and pitch & putt				P	P	CUP	P	
Golf driving ranges	CUP	CUP	CUP	CUP		CUP	CUP	
Hardware Store	P/L[1]		P	P		P	P	P
Health care and social services			P/L[2074]	P/L[2074]	P		P/L[2074]	P/L[2074]
Heating oil dealers							P	
Horticultural and landscaping, services			P	P	P			
Horticultural nurseries	UUP	UUP	UUP	UUP		P	UUP	
Hospitals [except mental and alcoholic]				P	P	P	P	P
Hospitals [mental and alcoholic]	CUP	CUP	CUP	CUP		CUP	CUP	CUP
Hotels				P	P	P/L[4044]	P/L[4751]	P
Information establishments				P		P	P	P
Internet, service providers			P	P			P	P
Job printing, newspapers, lithography, and publishing						P		P
Kennels, commercial			P	P	P		P	P/L[6761]
Labor camps (transient)	CUP	CUP	CUP	CUP		CUP	CUP	
Laboratories			P	P	P	CUP	P	P
Laboratories (incl. medical, dental, or photographic)			P/L	P	P	P	P	P
Laundry, industrial			P				P	
Legal services	P/L[3]		P	P	P	P	P	P
Libraries (public)	P			P	P		P	P
Light Manufacturing, Fabrication, and Assembly			P/L[8]					
Limousine/Taxi service							P	
Machin e shop			P			P/L[2236]		
Management of companies and enterprises	P/L[3]		P	P	P		P	P
Manufactured home sales							P	
Marijuana Producer/Processor, Recreational			P/L[6772]	P/L[6872]		P/L[6872]		P/L[6872]
Marijuana Retailer, Recreational				P/L[6872]		P/L[6872]		P/L[6872]
Marina s					P/L[2428]			
Mixed use	UUP	UUP	UUP	UUP	P/L[2430]	UUP	P/L[4054]	P/L[6862]
Motels				P	P	P/L[4044]	P/L[4751]	
Motion picture services	P/L[3]			P	P		P	P
Museums	P		P/L[7]	P	P		P	P
Nursing homes (PR-R-Nursing care facility; IC-Nursing and Residential Care Facility)				P	P		P	
Office s , business and professional	P/L[3]		P	P	P/L[26]	P	P	P
Open air theaters	CUP	CUP	CUP	CUP		CUP	CUP	
Parcel service delivery	P/L[3]		P			P	P/L[4155]	
Parole or probation offices			P	P	P		P	
Pawnshop			P	P	P	P	P	
Personal and business services	P/L[3]		P/L[7]	P/L[16]	P/L[2226]		P	P
Pet boarding			P	P	P		P	P/L[6963]
Pet shop	P/L[1]			P	P	P/L[2437]	P	P

Comment [gf2]: Removed as permitted use at direction of City Council on 1/8/15.

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TABLE 18.52-010B
COMMERCIAL ZONE PRIMARY USES

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C
Photocopying and duplicating services	P/L[1][3]		P	P	P		P	P
Photo finishing	P/L[1]		P	P	P	P	P	P
Planned unit development	P							
Postal service	P		P	P	P		P	
Professional, scientific, technical services	P/L[3]		P	P	P		P	P
Professional offices, medical, dental	P/L[3]		P	P	P		P	P
Public administration facilities	P		P	P/L[17]	P/L[2227]		P/L[4953]	P/L[6064]
Public facilities	P		P/L[10]	P	P		P	P
Public utility facilities	P/L[4]		P/L[10]		P	P/L[3438]	P/L[6256]	P/L[6165]
Publishing, telecommunications, internet service providers, data processing services	P/L[3]		P	P	P	P	P	P
Race tracks, drag strips, motorcycles hills and Go-Kart tracks	CUP	CUP	CUP	CUP		CUP	CUP	
Real estate renting and leasing	P/L[3]		P	P	P	P	P	P
Recreational facilities - commercial	CUP	CUP	CUP	CUP	CUP	P	CUP	
Recreational vehicles, sales and storage						P	P	
Religious grant writing, civic and professional organizations	P/L[3]	P	P/L[7]	P	P	P	P	P
Repair services	P/L[2][3]		P/L[7]	P/L[16][18]	P/L[2226][2629]		P	
Repossession services	P/L[3]		P	P	P			
Restaurants	P		P/L[9]	P	P	P	P	P
Retail services and trade	P/L[1]		P/L[7]	P/L[15][18]	P/L[2225]	P	P/L[4347]	P
Retirement housing		P		P	P		P	P
Reupholster	P		P	P/L[19]	P	P	P	P
Saws and filing shops			P			P		
Sewage treatment plants	UUP	UUP	UUP	UUP		UUP	UUP	
Signs, manufacturing						P		
Self-storage/ mini-warehouse leasing			P				P/L[4448]	P/L[6066]
Services to buildings and dwellings	P/L[3]		P	P	P		P	
Services, miscellaneous	P/L[3]		P/L[7]	P/L[16][18]	P/L[2226]		P/L[4549][4852]	P/L[6367]
Spectator sports	CUP		CUP	P	P		P	
Stadiums	CUP	CUP	CUP	CUP		CUP	CUP	
Supermarkets	P/L[1]		P	P	P		P	P
Taverns and cocktail lounges	P/L[1]		P	P/L[22]	P	P/L[3442]	P	P/L[6468]
Telecommunication facilities	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Telephone exchanges						P		
Tire sales and service	P/L[3]						P	
Theaters				P/L[23]	P	P/L[3539]	P	P/L[6569]
Towing operations						UUP		
Transportation and wholesale trade			P/L[11]					
Water transportation					CUP			
Welding repair	P/L[2][3][7075]		P	P/L[16][7075]	P/L[7475]	P	P	
Wholesale business			P	P/L[24]		P		P/L[6670]

Comment [gf3]: Removed as permitted use at direction of City Council on 1/8/15.

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TABLE 18.52-010B COMMERCIAL ZONE PRIMARY USES								
Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C
Wholesale trade and distribution of groceries				CUP				
Notes: - Limitations that correspond to the bracketed numbers [] are set forth below. - Uses and developments are also subject to the specific standards for each zone. - Conditional and Unclassified Use Permit requirements may be found in DMMC chapter 18.140.								

Neighborhood Commercial Zone

Every use locating in the N-C Zone is subject to the standards of chapter 18.90 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

1. On-Premises Retail Enterprise Dispensing Food or Commodities. This regulation applies to all parts of Table 18.52.010B that have a [1]. Not including automobiles, boats, trailers, and heavy-duty equipment and which may involve only incidental and limited fabrication or assembly of commodities.

2. Repair, Incidental. This regulation applies to all parts of Table 18.52.010B that have a [2]. Any repairing done on the premises shall be incidental only and limited to custom repairing of the types of merchandise sold on the premises at retail; the floor area devoted to such repairing shall not exceed 20 percent of the total floor area occupied by the particular enterprise of which it is a part, except that the limitations of this paragraph shall not apply to shoe, radio, television, or other small household appliance repair service.

3. Business Offices, Professional Services or Personal Services to the Individual. This regulation applies to all parts of Table 18.52.010B that have a [3].

Business offices and any type of use rendering professional services or personal services to the individual shall be permitted; provided:

(a) The service does not involve keeping the person receiving the service overnight on the premises;

(b) The service does not include selling alcoholic beverages for on-premises consumption unless accessory to restaurant;

(c) The service does not involve in whole or in part the providing of recreation, recreational facilities, or entertainment other than moorage for private pleasure craft; and

(d) The professional service does not include kennels or small animal hospitals or clinics.

4. Public Utility Installation. This regulation applies to all parts of Table 18.52.010B that have a [4]. Public utility installation shall be permitted in the N-C Zone when relating directly to local distribution of services including switching and transmission stations, but not including warehouses, service yards, or the like unless otherwise permitted by this Title.

5. Public Off-Street Parking Facilities (Publicly or Privately Owned and Operated). This regulation applies to all parts of Table 18.52.010B that have a [5].

Any area so used shall not be used for a vehicle, trailer, or boat sales area or for the accessory storage of such vehicles.

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6. One Antenna System (Which Exceeds the Maximum Building Height Specified for the Commercial Zone). This regulation applies to all parts of Table 18.52.010B that have a [6].

(a) Does not exceed 15 feet in height above the building height limitation for the applicable zone;

(b) Is set back at least the vertical height of the antenna system measured from the center point of the base of the mast horizontally to the nearest property line;

(c) Has a maximum horizontal cross-sectional area for that part of the mast which is above building height limitation for the zone such that an imaginary four-inch diameter circle would encompass all points of the horizontal cross-section;

(d) Has a maximum allowable three-dimensional space intrusion of 1,200 cubic feet for single ground plane antennas with a single driven element, and 200 cubic feet for beams, quads, and other multi-element antennas; provided, that these limitations on three-dimensional space intrusion shall not be applicable to single long-wire antennas, single whip antennas, and single coaxial antennas. In this paragraph, "three-dimensional space intrusion" means the space within an imaginary rectangular prism which contains all extremities of an antenna;

(e) Does not encroach into any required setback for the zone; a guy wire and anchor point for an antenna system is prohibited in any required setback or within three feet of the side or rear property lines; provided, if any alley abuts a rear property line, a guy wire and anchor point may extend to the rear property line;

(f) Provided, that a variation from the above limitations not to exceed 10 percent may be granted by City administrative officials; such variation shall be granted when it will not significantly increase the hazard factor, the aesthetic impact, or the economic consequences of such antenna system; and

(g) Further provided, that all antenna systems exceeding the above limitations and legally in place on November 5, 1978, the effective date of the ordinance codified in this subsection (6), shall have one year within which to satisfy the requirements for and receive a conditional use permit which authorizes the continued placement of such antenna system.

Institutional Campus Zone

Every use locating in the I-C Zone is subject to the standards of chapter 18.95 DMMC.

Business Park Zone

Every use locating in the B-P Zone is subject to the standards of chapter 18.105 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

7. Services. This regulation applies to all parts of Table 18.52.010B that have a [7].

Services in the B-P Zone are limited to the following:

(a) Administrative support services (561);

(b) Professional, scientific, and technical services (54);

(c) Management of companies and enterprises (55);

(d) Health care services (621); provided, that this use is prohibited north of South 200th Street;

(e) Repair services (8112, 8113 and 8114);

(f) Personal services (812);

(g) Recreation services (711310, 712110, 712120, 712190, 713940, and 713990); provided, that these uses are prohibited north of South 200th Street;

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(h) Real estate institutions and rental services (53);

(i) Publishing, telecommunications, Internet service providers, and data processing services (51);

(j) Educational services (6114, 6115, 6116 and 6117); and

(k) Religious, business and professional associations (813); provided, that these uses are prohibited north of South 216th Street.

8. Light Manufacturing, Fabrication, and Assembly. This regulation applies to all parts of Table 18.52.010B that have an [8].

Light manufacturing, fabrication, and assembly of the following and closely related products is limited to the following:

(a) Food products (3114, 3117, 3118, 3119, and 3121);

(b) Apparel manufacturing (315);

(c) Wood products manufacturing (3219);

(d) Furniture and related products manufacturing (337);

(e) Pharmaceutical and medicine manufacturing (3254);

(f) Computer and electronic product manufacturing (334);

(g) Electrical equipment and components manufacturing (335);

(h) Fabricated metal products manufacturing (3321, 3322, 3323, 3325, 3326, and 3327);

(i) Medical equipment and supplies manufacturing (3391);

(j) Printing and related support activities (323);

(k) Stone, clay, glass, ceramics, pottery, china manufacturing (3271 and 3272); and

(l) Toys, jewelry, and other miscellaneous manufacturing (3399).

9. Retail Trade. This regulation applies to all parts of Table 18.52.010B that have a [9].

Retail trade in the B-P Zone is limited to the following:

(a) Restaurants (722);

(b) Building material and garden equipment and supplies dealers (444);

(c) General merchandise stores (452 and 445); provided, that these uses are prohibited north of South 200th Street;

(d) Furniture and home furnishing stores (442); and

(e) Electronic and appliance stores (443).

10. Public Facilities. This regulation applies to all parts of Table 18.52.010B that have a [10]. Public Facilities in the B-P Zone are limited to the following:

(a) Public parks (no NAICS code);

(b) Public administration (92); and

(c) Public utilities (221121, 221122, and 221210).

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11. Transportation and Wholesale Trade. This regulation applies to all parts of Table 18.52.010B that have an [11].

Transportation and wholesale trade is limited to the following:

- (a) Wholesale trade (42); provided, that 4235 is prohibited;
- (b) Motor freight transportation (484);
- (c) Support activities for freight transportation (4884, 4885, and 4889); and
- (d) Courier and postal services (492 and 493).

12. Electric Power Generation, Biomass. This regulation applies to all parts of Table 18.52.010B that have a [12].

Electric Power Generation, Biomass (221119), is prohibited south of South 216th Street and north of South 208th Street.

13. Foreign Trade. This regulation applies to all parts of Table 18.52.010B that have a [13]. Operation of foreign trade zones is limited to the permitted uses allowed in the B-P Zone.

14. Contractors. This regulation applies to all parts of Table 18.52.010B that have a [14].

Contractors in the B-P Zone shall be limited to building and special trade.

Community Commercial Zone

Every use locating in the C-C Zone is subject to the standards of chapter 18.110 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

15. Retail Trade (with ancillary wholesale trade). This regulation applies to all parts of Table 18.52.010B that have a [15].

Retail trade, with ancillary wholesale trade in the C-C Zone is allowed for all retail trade uses except fuel dealers (598) ~~limited to the following:~~

- ~~(a) Building materials, hardware, and garden supply, except mobile home dealers (52);~~
- ~~(b) General merchandise stores (53);~~
- ~~(c) Food stores (54);~~
- ~~(d) Gasoline service stations, and other alternative motor vehicle fuels (541);~~
- ~~(e) Apparel and accessory stores (56);~~
- ~~(f) Home furniture, furnishings, and equipment stores (57);~~
- ~~(g) Eating and drinking places (58); and~~
- ~~(h) Miscellaneous retail (59), except fuel dealers (598).~~

16. Services. This regulation applies to all parts of Table 18.52.010B that have a [16]. Services in the C-C Zone are limited to the following:

- (a) Hotels and motels (701);
- (b) Personal and business services, with ancillary wholesale trade (72-73), except the following:
 - (i) Industrial launderers (7218);
 - (ii) Billboard advertising (7312);

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(iii) Heavy construction equipment rental and leasing (7353);

~~(iv) Industrial truck rental and leasing (7359); and~~

(vii) Oil extraction equipment rental and leasing (7359).

~~(e) Automobile parking (7521) limited to properties that are municipally owned or operated or controlled by a City-sanctioned business neighborhood association; and provided, that facilities for parking are constructed and maintained to meet minimum required parking improvements specified in chapter 18.210 DMCC within three years of the commencement of such use;~~

(c) General automotive repair shops (7538);

(d) Car washes (7542);

(e) Miscellaneous repair services (76), except the following:

(i) Tank and boiler cleaning service (7699); and

(ii) Tank truck cleaning service (7699).

(f) Motion picture services (78);

(g) Amusement and recreation services (79), except the following:

(i) Adult entertainment facilities and adult motion picture theaters (no SIC); and

(ii) Racing, including track operation (7948).

(h) Health services (80);

(i) Legal services (81);

(j) Educational services (82);

(k) Social services (83);

(l) Museums, art galleries, and botanical and zoological gardens (84);

(m) Membership organizations (86);

(n) Engineering, accounting, research, management, and related services (87); and

(o) Services, not elsewhere classified (89).

17. Public Administration Facilities. This regulation applies to all parts of Table 18.52.010B that have a [17].

Public administration facilities (91-97) are permitted in the C-C Zone with the exception of correctional institutions (9223).

18. Automobile Repair, Carwashes, Automobile Service Stations, and Uses with Drive-Through Facilities. This regulation applies to all parts of Table 18.52.010B that have a [18].

Automobile repair, carwashes, automobile service stations, uses with drive-through facilities, and similar uses shall conform to the following limitations and standards in the C-C Zone:

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

(b) Unless specifically authorized by the Planning, Building and Public Works Director, vehicular access shall be limited to one driveway per street frontage;

Comment [gf4]: Adequately covered by Note 20 and therefore deleted as redundant.

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

(d) A six-foot-high, 100 percent sight-obscuring fence shall be provided along property lines that abut residentially zoned properties, unless waived by the residential property owner prior to building permit issuance; and

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

19. On-Site Retail. This regulation applies to all parts of Table 18.52.010B that have a [19].

All products which are manufactured, processed, or treated on the premises must also be sold at retail to the general public on-site.

20. Public Automobile Parking. This regulation applies to all parts of Table 18.52.010B that have a [20].

Public automobile parking (7521) shall not be permitted in the C-C Zone.

21. Bakeries (manufacturing and retail sales) and Confectionery (manufacture). This regulation applies to all parts of Table 18.52.010B that have a [21]. Bakeries shall be permitted in C-C Zone provided:

(a) At least 25% of the gross floor area is dedicated to retail sales; and

(b) All storage, display, and manufacturing occur within enclosed buildings.

22. Taverns and Cocktail Lounges. This regulation applies to all parts of Table 18.52.010B that have a [22]. Cocktail lounges shall be permitted in the C-C Zone when located within a restaurant.

23. Theaters. This regulation applies to all parts of Table 18.52.010B that have a [23]. Adult motion picture theaters are prohibited within the C-C Zone.

24. Wholesale business. This regulation applies to all parts of Table 18.52.010B that have a [24]. Wholesale business shall be permitted in the C-C Zone when accessory to a permitted retail use.

Downtown Commercial Zone

Every use locating in the D-C Zone is subject to the standards of chapter 18.115 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B

2425. Retail Trade (with ancillary wholesale trade). This regulation applies to all parts of Table 18.52.010B that have a [2425].

Retail trade, with ancillary wholesale trade in the D-C Zone is limited to the following:

(a) Building materials, hardware, and garden supply, except mobile home dealers (52);

(b) General merchandise stores (53);

(c) Food stores (54);

(d) Gasoline service stations, and other alternative motor vehicle fuels (5541);

(e) Apparel and accessory stores (56);

(f) Home furniture, furnishings, and equipment stores (57);

(g) Eating and drinking places (58); and

(h) Miscellaneous retail (59), except fuel dealers (598).

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2226. Services. This regulation applies to all parts of Table 18.52.010B that have a [2226].

Services in the D-C Zone are limited to the following:

- (a) Hotels and motels (701);
- (b) Personal and business services, with ancillary wholesale trade (72-73), except the following:
 - (i) Industrial launderers (7218);
 - (ii) Billboard advertising (7312);
 - (iii) Heavy construction equipment rental and leasing (7353);
 - (iv) Industrial truck rental and leasing (7359); and
 - (v) Oil extraction equipment rental and leasing (7359).
- (c) Automobile parking (7521) limited to properties that are municipally owned or operated or controlled by a City-sanctioned business neighborhood association; and provided, that facilities for parking are constructed and maintained to meet minimum required parking improvements specified in chapter 18.210 DMMC within three years of the commencement of such use.
- (d) General automotive repair shops (7538);
- (e) Car washes (7542);
- (f) Miscellaneous repair services (76), except the following:
 - (i) Tank and boiler cleaning service (7699); and
 - (ii) Tank truck cleaning service (7699).
- (g) Motion picture services (78);
- (h) Amusement and recreation services (79), except the following:
 - (i) Adult entertainment facilities and adult motion picture theaters (no SIC); and
 - (ii) Racing, including track operation (7948).
- (i) Health services (80);
- (j) Legal services (81);
- (k) Educational services (82);
- (l) Social services (83);
- (m) Museums, art galleries, and botanical and zoological gardens (84);
- (n) Membership organizations (86);
- (o) Engineering, accounting, research, management, and related services (87); and
- (p) Services, not elsewhere classified (89).

2327. Public Administration Facilities. This regulation applies to all parts of Table 18.52.010B that have a [2327]. Public administration facilities (91-97) are permitted in the D-C Zone with the exception of correctional institutions (9223).

2428. Boat Storage. This regulation applies to all parts of Table 18.52.010B that have a [2428].

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Boat storage and repair shall be permitted only as an accessory use on property principally permitted for marina use and shall conform to the following additional limitations and standards:

- (a) The size and location of all boat storage facilities shall be consistent with the Council-adopted marina master plan;
- (b) All out-of-water boat repair shall be within a fully secured and fenced area not accessible by the general public;
- (c) All boat repair work shall have containment areas and employ disposal methods for pollutants and toxic substances consistent with Puget Sound Clean Air Agency and NPDES standards;
- (d) Only those boats and similar vessels that will be immediately and actively under repair shall be moved to or placed within a designated boat repair facility.

2529. Automobile Repair, Carwashes, Automobile Service Stations, and Uses with Drive-Through Facilities. This regulation applies to all parts of Table 18.52.010B that have a [2529].

Automobile repair, carwashes, automobile service stations, uses with drive-through facilities, and similar uses shall conform to the following limitations and standards in the D-C Zone:

- (a) Automobile repair and the installation of automobile parts and accessories shall be wholly performed within an enclosed structure approved by the building official for such occupancy;
- (b) Each automotive and service repair facility shall be limited to a maximum of one service bay for each 7,500 square feet of land area per business site;
- (c) Service bays shall be fully utilized to store and park vehicles contracted for repair or service;
- (d) The number of vehicles stored or parked outside for repair or service shall not be greater than the minimum number of required parking stalls serving the auto repair facility pursuant to chapter 18.210 DMMC;
- (e) No outside parking or storage of employee vehicles, customer vehicles, or vehicles contracted for service shall occur in any area that is not designated and approved by the City as an on-site parking stall;
- (f) Motor vehicle fuel pump islands shall be set back a minimum of 15 feet from property lines; and
- (g) A six-foot-high, 100 percent sight-obscuring fence shall be provided along property lines that abut residentially zoned properties, unless waived by the residential property owner prior to building permit issuance.

2630. Mixed Use. This regulation applies to all parts of Table 18.52.010B that have a [2630]. Mixed use development in the D-C Zone shall conform to the following limitations and standards:

- (a) Mixed use structures shall contain area for retail trade or personal and business services, at street level as follows:
 - (i) Pedestrian access from the public sidewalk to the retail trade or personal and business services shall be provided;
 - (ii) A minimum of 60 percent of the street level floor area shall be occupied by retail trade or personal and business services;
 - (iii) A minimum of 75 percent of the street level building frontage adjacent to public right(s)-of-way shall contain floor area for retail trade or personal and business services uses; and

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(iv) Building space allocated for retail trade or personal and business service uses at the street level shall have a minimum gross interior depth dimension of 55 feet measured perpendicular to the property line abutting the public street(s) serving the site.

(b) The City Manager or designee is authorized to consider and approve up to a 20 percent reduction of the bulk requirements specified in subsection (26)(a) of this section when a development proposal incorporates on-site parking substantially at street floor level for retail trade or personal and business service uses and the City Manager or designee determines that the proposed reduction(s) does not compromise, interrupt, or interfere with the desired functionality of the building or the continuity of City pedestrian-oriented design goals in the general area and pedestrian access to the site from the public sidewalk or right-of-way.

(c) Mixed use developments shall comply with all the requirements of chapter 18.155 DMMC, except for private recreational requirements established by DMMC 18.155.050(2).

(d) A detached structure that contains residential uses and does not meet the requirements for mixed use structures is prohibited.

~~2731~~. Educational Services, Colleges and Professional Schools. This regulation applies to all parts of Table 18.52.010B that have a ~~[2731]~~.

Educational services (82) are permitted in the D-C Zone; however, colleges, universities, junior colleges, and professional schools (822) require an Unclassified Use Permit (UUP). See chapter 18.140 DMMC.

Highway Commercial Zone

Every use locating in the H-C Zone is subject to the standards of chapter 18.125 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

~~2832~~. Building Materials Stores and Yards, Retail Only. This regulation applies to all parts of Table 18.52.010B that have a ~~[2832]~~.

Building materials stores and yards (retail only) are permitted in the H-C Zone; provided, that any required wall on a property line common with residential property shall be not less than eight feet in height.

~~2933~~. Ceramic Products. This regulation applies to all parts of Table 18.52.010B that have a ~~[2933]~~.

The manufacture of ceramic products, including figurines (but not including bricks, drain, building, or conduit tile), shall be permitted in the H-C Zone using only previously pulverized clay and batch kilns as distinguished from shuttle, tunnel, or beehive kilns, and such batch kilns shall not exceed a total capacity of 130 cubic feet.

~~3034~~. Garages, Public. This regulation applies to all parts of Table 18.52.010B that have a ~~[3034]~~.

Public garages, including repair, when entirely in an enclosed building.

~~3135~~. Glass Edging, Beveling, and Silvering. This regulation applies to all parts of Table 18.52.010B that have a ~~[3135]~~.

Glass edging, beveling, and silvering shall be permitted in the H-C Zone in connection with the sales of mirrors and glass-decorated furniture.

~~3236~~. Machine Shop. This regulation applies to all parts of Table 18.52.010B that have a ~~[3236]~~. No automatic screw machines or punch press over five tons.

~~3337~~. Pet Shops. This regulation applies to all parts of Table 18.52.010B that have a ~~[3337]~~.

Pet shops shall be permitted in the H-C Zone if entirely within a building.

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3438. Public Utility Installations. This regulation applies to all parts of Table 18.52.010B that have a [3438]. Public utility installations shall be permitted in the H-C Zone if relating directly to the distribution of services.

3439. Adult Motion Picture Theaters. This regulation applies to all parts of Table 18.52.010B that have a [3439]. Adult motion picture theaters are prohibited within 500 feet of the property lines of churches, schools, preschool through high school, public facilities, adult entertainment facilities, or other adult motion picture theaters.

3440. Automobile Service Stations. This regulation applies to all parts of Table 18.52.010B that have a [3440]. Buildings, structures, and the leading edge of pump islands shall not be closer than 20 feet to any street property line, except that service station canopies and marquees may project 10 feet into the required setback.

3441. Educational Services. This regulation applies to all parts of Table 18.52.010B that have a [3441]. Education services in the H-C Zone are limited to business or commercial schools.

3442. Cocktail Lounges. This regulation applies to all parts of Table 18.52.010B that have a [3442]. Cocktail lounges shall be permitted in the H-C Zone when located within a restaurant.

3443. Death Care Services. This regulation applies to all parts of Table 18.52.010B that have a [3443]. Death care services in the H-C Zone shall be limited to mortuaries.

4044. Hotels/Motels. This regulation applies to all parts of Table 18.52.010B that have a [4044]. Hotels and motels in the H-C Zone shall not include apartment hotels.

4445. Auction House. This regulation applies to all parts of Table 18.52.010B that have a [4445]. Auction houses or stores in the H-C Zone shall not include vehicles or livestock.

4246. Boat Moorage. This regulation applies to all parts of Table 18.52.010B that have a [4246]. Boat Moorage in the H-C Zone shall be permitted for private pleasure craft.

Pacific Ridge Commercial Zone

Every use locating in the PR-C Zone is subject to the standards of chapter 18.135 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

4347. Retail Trade, Used Car Dealers. This regulation applies to all parts of Table 18.52.010B that have a [4347]. Retail trade (44-45) is permitted in the PR-C Zone, but no more than two exclusive used car dealers (441120) shall be allowed.

4448. Real Estate Rental and Leasing. This regulation applies to all parts of Table 18.52.010B that have a [4448].

Mini-warehouses and self storage units (53113) may not front on Pacific Highway South.

4549. Administrative and Support Services. This regulation applies to all parts of Table 18.52.010B that have a [4549]. Limited to NAICS codes 561110 (administrative) and 561210 (support services).

4650. Arts, Entertainment, and Recreation. This regulation applies to all parts of Table 18.52.010B that have a [4650]. Adult entertainment facilities and adult motion picture theaters 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.

4751. Accommodation and Food Services. This regulation applies to all parts of Table 18.52.010B that have a [4751].

Accommodation and food services (72) in the PR-C Zone is limited to the following:

(a) Hotels (except casino hotels) and motels (72111), except that these must contain a minimum of 75 guest rooms;

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(b) Casino hotels (721120); and

(c) Food services (722310 - 7223515); however, mobile food services (722330) are also regulated by chapter 5.57 DMMC.

4852. Automobile Repair, Automobile Service Stations, and Similar Uses. This regulation applies to all parts of Table 18.52.010B that have a [4852]. General automotive repair (811111), automotive exhaust system repair (811112), automotive transmission repair (811113), automotive body, paint, and interior repair and maintenance (811121), automotive glass replacement shops (811122), automotive oil change and lubrication shops (811191), and similar uses shall be allowed in the PR-C Zone; provided, that all of the following requirements shall be met:

(a) Repair and the installation of automobile parts and accessories shall be primarily contained within an enclosed structure;

(b) 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 pretreatment devices to avoid discharge of pollutants to the air or public drainage systems;

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

(d) Vehicular access shall be consistent with the City's street development and construction standards;

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

(f) 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

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

4953. Public Administration. This regulation applies to all parts of Table 18.52.010B that have a [4953]. Public administration (92) uses shall be permitted in the PR-C Zone, except correctional institutions (92214).

5054. Mixed Use. This regulation applies to all parts of Table 18.52.010B that have a [5054]. Mixed use shall be permitted in the PR-C Zone, except:

(a) In that part of PR-C fronting on Pacific Highway South 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 Pacific Highway South or South 216th Street;

(b) When a project fronting Pacific Highway South or South 216th Street contains more than one building, those buildings not fronting on Pacific Highway South or South 216th Street may be single purpose multifamily residential buildings; and

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

5455. Parcel Service Delivery. This regulation applies to all parts of Table 18.52.010B that have a [5455]. Parcel service delivery in the PR-C Zone shall be limited to the postal service (491110).

5256. Public Utility Facilities. This regulation applies to all parts of Table 18.52.010B that have a [5256]. Public utility facilities and appurtenances shall be permitted in the PR-C Zone when necessary for the distribution of utility services to final customers within the immediate area.

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Transit Commercial Zone

Every use locating in the T-C Zone is subject to the standards of Sections 1-10 of this ordinance. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

57. **Automobile equipment, rental and leasing.** This regulation applies to all parts of Table 18.52.010B that have a [5557]. Truck sales, repairs and rentals is permitted in the T-C Zone, but no more than one exclusive truck sales, repair and rental use shall be allowed.

58. **Automobile, Parking.** This regulation applies to all parts of Table 18.52.010B that have a [5458]. Paid and stand alone surface parking shall not be permitted in the T-C Zone after June 30, 2024 except that existing on June 30, 2014.

59. **Bakeries, manufacturing and retail sales.** This regulation applies to all parts of Table 18.52.010B that have a [5559]. Bakeries shall be permitted in the T-C ~~zone~~ provided:

- (a) At least 25% of the gross floor area is dedicated to retail sales; and
- (b) All storage, display, and manufacturing occur within enclosed buildings.

60. **Confectionery, manufacture.** This regulation applies to all parts of Table 18.52.010B that have a [5650]. Confectionaries shall be permitted in the T-C ~~zone~~ provided:

- (a) At least 25% of the gross floor area is dedicated to retail sales; and
- (b) All storage, display, and manufacturing occur within enclosed buildings.

61. **Kennels, commercial.** This regulation applies to all parts of Table 18.52.010B that have a [5761]. Kennels shall be allowed in the T-C Zone when accessory to a permitted use.

62. **Mixed use.** This regulation applies to all parts of Table 18.52.010B that have a [5862]. Mixed use development shall conform to the following limitations and standards in the T-C Zone:

(a) Mixed use structures shall contain area for retail trade or personal and business services, at street level as follows:

(i) Pedestrian access from the public sidewalk to the retail trade or personal and business services shall be provided;

(ii) A minimum of 60 percent of the street level floor area shall be occupied by retail trade or personal and business services;

(iii) A minimum of 75 percent of the street level building frontage adjacent to public right(s)-of-way shall contain floor area for retail trade or personal and business services uses; and

(iv) Building space allocated for retail trade or personal and business service uses at the street level shall have a minimum gross interior depth dimension of 55 feet measured perpendicular to the property line abutting the public street(s) serving the site.

(b) The City Manager or the City Manager's designee is authorized to consider and approve up to a 20 percent reduction of the bulk requirements specified in subsection (58)(a) of this section when a development proposal incorporates on-site parking substantially at street floor level for retail trade or personal and business service uses and the city manager or designee determines that the proposed reduction(s) does not compromise, interrupt, or interfere with the desired functionality of the building or the continuity of city pedestrian-oriented design goals in the general area and pedestrian access to the site from the public sidewalk or right-of-way.

(c) Mixed use developments shall comply with all the requirements of chapter 18.155 DMMC, except for private recreational requirements established by DMMC 18.155.020(2).

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(d) A detached structure that contains residential uses and does not meet the requirements for mixed use structures is prohibited.

63. **Pet boarding.** This regulation applies to all parts of Table 18.52.010B that have a [4963]. Pet Boarding shall be allowed in the T-C Zone when accessory to a permitted use.

64. **Public Administration Facilities.** This regulation applies to all parts of Table 18.52.010B that have a [4964]. Public administration (92) uses shall be permitted in the T-C Zone, except correctional institutions (92214).

65. **Public Utility Installations.** This regulation applies to all parts of Table 18.52.010B that have a [4965]. Public utility installations shall be permitted in the T-C Zone if relating directly to the distribution of services.

66. **Self-storage/ mini-warehouse leasing.** This regulation applies to all parts of Table 18.52.010B that have a [4966]. Only public storage existing on June 30, 2014 shall be permitted.

67. **Services, Miscellaneous.** This regulation applies to all parts of Table 18.52.010B that have a [4967]. Limited to NAICS codes 561110 (administrative) and 561210 (support services).

68. **Taverns and Cocktail Lounges.** This regulation applies to all parts of Table 18.52.010B that have a [4968]. Cocktail lounges shall be permitted in the T-C Zone when located within a restaurant.

69. **Theaters.** This regulation applies to all parts of Table 18.52.010B that have a [4969]. Adult motion picture theaters are prohibited within the T-C Zone.

70. **Wholesale business.** This regulation applies to all parts of Table 18.52.010B that have a [4970]. Wholesale business shall be permitted in the T-C Zone when accessory to a permitted retail use.

All Zones

71. **Adult Entertainment Facilities.** This regulation applies to all parts of Table 18.52.010B that have a [4971]. Adult entertainment facilities are subject to the additional standards of chapter 18.16 DMMC and chapter 5.48 DMMC.

72. **Recreational Marijuana.** This regulation applies to all parts of Table 18.52.010B that have a [4972]. State licensed marijuana producers, processors, and retailers may locate in the City of Des Moines pursuant to chapter 18.250 DMMC.

73. **Family Day Care Providers.** This regulation applies to all parts of Table 18.52.010B that have a [4973]. A family day care provider home facility is a permitted use in all zones, subject to the conditions in chapter 18.180 DMMC.

74. **Social Service Facilities.** This regulation applies to all parts of Table 18.52.010B that have a [4974]. Social service facilities shall conform to the following limitations and standards:

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

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

75. **Welding Repair.** This regulation applies to all parts of Table 18.52.010B that have a [4975]. Welding repair shall only be permitted in an enclosed structure.

Sec. 2. DMMC 18.110.050 and Section 269 of Ordinance 1591, are amended to read as follows:

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18.110.050 Environmental performance standards and general limitations.

(1) Every use permitted within the C-C Zone pursuant to this chapter shall conform to the following general limitations and standards:

(a) 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, vibrations, dust, dirt, smoke, or other pollutants, noxious, toxic, or corrosive fumes or gases, 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;

(b) Accessory uses are permitted that are customarily appurtenant or incidental to the principally permitted uses;

(c) Landscaping and fencing are required in accordance with chapter 18.195 DMMC;

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

- (i) Outdoor seating and dining;
- (ii) Signs;
- (iii) Off-street parking, drive-through facilities, and loading areas;
- (iv) Motor vehicle fuel pumps;
- (v) Display of merchandise sold on-site;
- ~~(vi) Boat storage;~~
- (vi) Play/recreation areas; and
- ~~(vii) Miscellaneous storage when limited to 25 percent of the site area and when perimeter landscaping and fencing is provided;~~

Comment [DB5]: To correspond to Permitted Use Table and which does not allow this use.

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(e) In reviewing a proposed permitted use, the Planning, Building and Public Works Director may waive or include minimal conditions as may be reasonably needed to ensure that the use is consistent with the purpose of the C-C Zone, and to minimize the likelihood of adverse impacts.

~~(2) Adult entertainment facilities and adult motion picture theaters are not permitted in the C-C Zone.~~

Comment [DB6]: This is not necessary as it is redundant with Permitted Use Table and is therefore deleted.

~~(3) Automobile repair, car washes, automobile service stations, uses with drive-through facilities, and similar uses shall conform to the following limitations and standards:~~

Comment [DB7]: This is not necessary as it is redundant with Permitted Use Table Note 18 and is therefore deleted.

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

~~(b) Unless specifically authorized by the Planning, Building and Public Works Director, vehicular access shall be limited to one driveway per street frontage;~~

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

~~(d) A six-foot-high, 100 percent sight-obscuring fence shall be provided along property lines that abut residentially zoned properties, unless waived by the residential property owner prior to building permit issuance; and~~

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

~~(4) Welding repair (7692) is only permitted in an enclosed structure.~~

Comment [DB8]: This is not necessary as it is redundant with Permitted Use Table Note 75 and therefore deleted.

~~(5) All products which are manufactured, processed, or treated on the premises must also be sold at retail to the general public on-site.~~

Comment [DB9]: This is not necessary as it is redundant with Permitted Use Table Note 19 and therefore deleted.

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~~(6) Social service facilities shall conform to the following limitations and standards:~~

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

~~(b) Unless specifically authorized by the Planning, Building and Public Works Director, passenger loading and unloading areas shall be provided on-site.~~

Comment [DB10]: This is not necessary as it is redundant with Permitted Use Table Note 74 and therefore deleted.

Sec. 3. DMMC 18.110.060 and Section 270 of Ordinance 1591, are amended to read as follows:

18.110.060 Dimensional standards.

(1) Height. Maximum building height is ~~35~~55 feet.

Comment [DB11]: 55' is the standard metric used in most cities and provides for higher ceiling heights. 55 feet will allow 5 story building whereas 50 feet generally limits building to only 4 stories.

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

(a) No minimum building height for commercial projects.

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

(3) Building Height Limitation Adjacent to Single-Family. When an abutting property is zoned Single-Family Residential, building height shall be limited as follows:

Comment [DB12]: This section added to make building height provisions adjacent to SF-R homes consistent with T-C Zone and to avoid confusion.

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(a) Every lot shall have a rear yard setback of not less than 20 feet when abutting single-family zoned properties, except as otherwise permitted in subsection (7) of this section.

(b) Within 40 feet of the abutting Single-Family Residential ~~zone~~Zone, maximum building height shall be 45 feet.

(c) During the design review and environmental review, the City Manager or the City Manager's designee may impose other conditions of approval in order to mitigate potential height, bulk, and scale impacts upon adjacent single-family residents not sufficiently mitigated by existing regulations.

(4) Front Yard. No front yard setback is required.

(5) Side Yard. ~~A 10-foot minimum setback is required from single-family zoned property~~ Every lot shall have a side yard of not less than 20 feet when abutting single-family zoned properties, except as otherwise permitted in subsection (7) of this section.

(6) Rear Yard. Every lot shall have a rear yard of not less than 20 feet when abutting single-family zoned properties, except as otherwise permitted in subsection (7) of this section.

(7) Adjustment of Required Yards. The required rear yard area shall be reduced to a minimum of five 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) Buildings 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

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project area from another development site or project area; and

(c) A physical separation of not less than 30 feet is provided between buildings which shall include the space or distance located within any such shared, joint-use access or street together with the yard areas adjoining and abutting buildings and said shared streets.

Comment [DB13]: These sections are added in lieu of the deleted (2) below to provide consistent setback requirements as in T-C Zone to the north.

~~(2) Setbacks. Placement of buildings and structures including additions to existing buildings or structures, excluding signs, shall maintain minimum setbacks established by the Planning, Building and Public Works Department based on the following criteria:~~

~~(a) When the front or side lot line abuts the public right-of-way, the building or structure shall abut the public right-of-way unless:~~

~~(i) This subsection (2) requires that the building or structure be set back; or~~

~~(ii) Through the permitting process, the Planning, Building and Public Works Director finds it is in the public interest to allow the proposed building or structure to be set back from the right-of-way. In considering a request for a setback, the Director shall consider matters such as adopted land use policies, vehicular and pedestrian circulation, landscaping, existing site improvements, adjacent site improvements, and public benefit features such as plazas and public artwork. Decisions of the Director regarding setbacks are appealable to the Hearing Examiner pursuant to chapter 18.240 DMMC.~~

~~(b) Where any lot line lies adjacent to a public right-of-way or private street and residentially zoned property lies adjacent to such public right-of-way or private street, or when the lot line abuts a residentially zoned property, a minimum building or structure setback of 10 feet shall be maintained.~~

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~~(3) Parking in the C-C Zone shall be provided pursuant to chapter 18.210 DMMC.~~

(48) Underground structures are permitted in all required setback areas.

Sec. 4. DMMC 18.110.070 and Section 271 of Ordinance 1591, are repealed.

~~18.110.070 General site design requirements.~~

~~Development within the C-C Zone shall conform to the following site design requirements:~~

~~(1) Walkways. Paved pedestrian walkways shall be provided on-site on newly developed properties or materially remodeled, enlarged, or repaired to the extent of 50 percent of the market value as specified below:~~

~~(a) Pedestrian walkways shall be provided at or around building(s) of sufficient extent to provide safe pedestrian passage. A minimum six-foot walkway shall be provided adjacent to the principal building entrance(s);~~

~~(b) A minimum six-foot pedestrian walkway shall be provided that connects walkways at the building to the street sidewalks. Where no street sidewalk exists, the connecting walkway shall extend to the public right-of-way;~~

~~(c) Walkways and sidewalks shall be differentiated from vehicular circulation or vehicular parking areas as approved by the Planning, Building and Public Works Director;~~

~~(d) Walkways shall conform with all applicable provisions of chapter 51-10 WAC, Barrier-Free Facilities, as presently constituted or as may be subsequently amended; and~~

Comment [DB14]: General Site Design Requirements were eliminated in the T-C Zone because it was felt that these requirements could be satisfied during the City's design review of projects and/or were redundant with other DMMC requirements.

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~~(c) Lighting shall be provided where stairs, curbs, ramps, or abrupt changes in walkway direction occur.~~

~~(2) Parking and Loading Areas. All uses shall conform to the off-street parking provisions and loading area provisions set forth by chapter 18.210 DMMC.~~

~~(3) Vehicular Access and Other Right-of-Way Improvements. Vehicular access and other right-of-way improvements shall conform to the provisions of Title 12 DMMC.~~

~~(4) Uses within the Right-of-Way. Sidewalk cafes, vendors, and similar temporary commercial uses within the public right-of-way shall conform to the provisions of Title 12 DMMC and the following provisions:~~

~~(a) A minimum of six feet of unobstructed sidewalk shall be maintained;~~

~~(b) The applicant shall demonstrate proof of public liability insurance and consent to a public place indemnity agreement;~~

~~(c) The duration of right-of-way use permits for commercial purposes shall be limited to one year. Applicants may reapply for right-of-way use permits;~~

~~(d) Sale or consumption of alcoholic beverages is prohibited;~~

~~(e) Applications for right-of-way use permits for commercial purposes shall include the following information:~~

~~(i) Proposed items to be placed within the right-of-way, such as seating, tables, fencing, vending carts, etc.;~~

~~(ii) Proposed activities to occur within the right-of-way, such as dining, amplification of music, preparation and sale of food or beverage items, etc.;~~

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~~(iii) Proposed periods of operation, including months of the year, days of the week, hours, etc., and
(iv) Proposed source(s) of utilities such as electrical power;~~

~~(f) Applicants must immediately clear the public right-of-way when ordered to do so by City authorities for reasons of public health or safety; and~~

~~(g) In reviewing a proposed use within the public right-of-way, the Planning, Building and Public Works Director may include conditions as may reasonably be needed to ensure that the use is consistent with the purpose of the C-C Zone, and to minimize the likelihood of adverse impacts. The Planning, Building and Public Works Director shall deny the request if it is determined that adverse impacts cannot be mitigated satisfactorily.~~

~~(5) Landscaping. All uses shall conform to the landscaping and screening provisions set forth by chapter 18.195 DMMC.~~

~~(6) Outdoor Uses. Outdoor activities such as sales, display, storage, dining, etc., shall not obstruct vehicular or pedestrian visibility or movement.~~

Sec. 5. DMMC 18.110.080 and Section 272 of Ordinance 1591, are amended to read as follows:

18.110.080 General building design requirements.

Development within the C-C Zone shall conform to the following building design requirements:

(1) General Design Guidelines.

(a) Building design shall be compatible with the site and with adjoining buildings. Building modulation and other design techniques to add architectural interest

Comment [DB15]: Added to be consistent with T-C General Design Guidelines.

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and minimize building mass shall be used. Variety in detail, form, and siting shall be used to provide visual interest.

(b) Building components such as windows, doors, eaves, and parapets shall be in proportion to each other.

(c) Colors shall be harmonious, with intense colors used only for accent.

(d) Mechanical equipment shall be integrated into building design or screened from on-site and off-site views.

(e) Exterior lighting fixtures and standards shall be part of the architectural concept and harmonious with building design.

(2) Development within the C-C Zone shall conform to the Design Review requirements established in Chapter 18.235.100 DMMC.

~~(1) 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 (IBC), 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;~~

Comment [DB16]: Redundant with Titles 12 and 14 and therefore eliminated.

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~~(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) The applicant shall demonstrate proof of public liability insurance and consent to a public place indemnity agreement;~~

~~(i) 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~~

~~(j) In reviewing a proposed structural encroachment into the public right-of-way, the Planning, Building and Public Works Director may include conditions as may be reasonably needed to ensure that the structure is consistent with the purpose of the C-C Zone, and to minimize the likelihood of adverse impacts. The Planning, Building and Public Works Director shall deny the request if it is determined that adverse impacts cannot be mitigated satisfactorily.~~

~~(2) Pedestrian entrances to commercial uses at street level shall conform to all applicable provisions of chapter 51-10 WAC, Barrier-Free Facilities, as presently constituted or as may be subsequently amended.~~

Comment [DB17]: Redundant with Title 14 and IBC and therefore eliminated.

~~(3) The width of all floors above the second level floor shall not exceed 80 percent of the width of the street level floor.~~

Comment [DB18]: Deleted in favor of the FAR approach used in PR-C and T-C Zones in (3) below.

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(3) Maximum Gross Floor Area.

(a) The maximum gross floor area for buildings within the Community Commercial Zone shall be determined by multiplying the lot area of the site by the floor area ratio (FAR) number established in the following table:

<u>Building Height</u>	<u>C-C FAR</u>
<u>35 Feet or Less</u>	<u>2.8</u>
<u>35 - 50</u>	<u>3.5</u>
<u>50 - 55</u>	<u>4</u>

(b) Gross floor area shall include the total square footage of the enclosed building as further defined in DMMC 18.01.050.

Sec 6. DMMC 18.195.290 and Section 440 of Ordinance No. 1591 is amended to read as follows:

18.195.290 Community Commercial, C-C Zone.

(1) The perimeter of properties adjacent to a Residential Zone or public or institutional use shall provide a Type I landscaping strip with a minimum depth of 10 feet, maintaining existing mature ornamental buffering vegetation to the extent possible.

(2) A Type III landscaping strip, an average of five feet but not less than three feet in depth, shall be provided along all property lines abutting public rights-of-way excluding alleys. When the building setback from a public right-of-way is 10 feet or when such setback is utilized as a public open space plaza not accommodating parking, no perimeter landscaping strip shall be permitted, but street trees as set forth in DMMC 18.195.400 shall be provided within tree planters. Such tree planters shall have a minimum interior dimension of three and one-half feet and be protected by a cast iron grate.

Comment [DB19]: If necessary, adjust C-C FAR Table to match the selected maximum building height for the zone - currently proposed at 55 feet.

Comment [DB20]: Like the recent D-C Zone discussions, we intend to apply the definition of floor area in 18.01.050 which exempts all parking and loading areas. "Floor area" means a total floor area within the walls of all buildings on a lot or building site, except for the spaces therein devoted to vents, shafts and light courts and except for the area devoted exclusively to loading and unloading facilities and to parking of motor vehicles."

Comment [DB21]: This is added to reinforce the F&ED Committee's desire to retain mature ornamental buffer vegetation.

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(3) Parking facilities landscaping as prescribed in DMMC
18.195.360.

Sec. 7. DMMC 18.210.090(12) and (17), and subsections
513(12) and (17) of Ordinance No. 1591, as amended by Section 16
of Ordinance 1601 are each amended to read as follows:

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

Comment [DB22]: C-C Zone changed to
be consistent with parking
requirements in T-C Zone.

(12) Personal Services.

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

(~~a~~) D-C, PR, C-C and T-C Zones: one
parking space per 350 square feet of gross floor
area.

(~~b~~) H-C Zone: one parking space per
200 square feet of gross floor area.

(17) Retail, Other.

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

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

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

(~~c~~) C-C and T-C Zones: one parking
space per 400 square feet of gross floor area,
except there shall be a minimum of six spaces.

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Sec. 8. DMMC 14.05.130 and section 23 of Ordinance No. 1581, as amended by Section 19 of Ordinance 1601 are each amended to read as follows:

14.05.130 Five-story wood frame buildings. The following sections, DMMC 14.05.140 through 14.05.220, shall be applicable to the following zoning classifications:

Pacific Ridge Commercial, Pacific Ridge Residential, Business Park, Community Commercial, and Transit Community Zones.

Sec. 9. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

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

Sec. 10. 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 XX day of XXXX, 2015 and signed in authentication thereof this ____ day of _____, 2015.

 M A Y O R

APPROVED AS TO FORM:

Ordinance No. ____
Page 34 of 34

City Attorney

ATTEST:

City Clerk

Published: _____

**Chapter 18.52.010B and 18.110 If Draft Ordinance 14-240 is
Adopted**

**Chapter 18.52
PERMITTED USES**

18.52.010B. Commercial use chart.

TABLE 18.52-010B COMMERCIAL ZONE PRIMARY USES								
Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C
Accessory buildings and uses (as described in the applicable zone)	P	P	P	P	P	P	P	P
Admin, support services	P/L[3]		P	P	P/L[26]		P	P
Adult family homes				P	P		P	P
Adult entertainment facilities							P/L[50][71]	
Adult theaters						P/L[39]	P/L[50][71]	
Amusement and recreational services				P/L[16]	P/L[26]			
Amusement parks	CUP	CUP	CUP	CUP		CUP	CUP	CUP
Animal or veterinary services			P	P	P	P	P	P
Antenna system (one)	P/L[6]							
Animal grooming	P/L[3]		P	P	P		P	P
Antenna systems (not accessory)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Apparel and accessories stores	P/L[1]		P	P	P	P	P	P
Arrangement of passenger transportation	P/L[3]			P	P		P	P
Art galleries	P			P	P		P	P
Art, glassware manufacturing			P	P	P			
Art, ornamental ware				P	P			
Arts, entertainment, and recreation facilities				P	P/L[26]		P	P
Auction houses or stores				P	P	P/L[45]	P	
Automobile, body, paint, interior and/or glass repair				P/L[18]	P/L[29]		P/L[52]	
Automobile, detail shop				P/L[18]	P/L[29]		P/L[52]	
Automobile, maintenance and repair				P/L[18]	P/L[29]	P	P/L[52]	
Automobile, parking	P/L[5]		P	P/L[20]	P/L[26]	P	P	P/L[58]
Automobile, sales						P	P/L[47]	
Automobile, service stations				P/L[18]	P/L[29]	P/L[40]	P/L[52]	
Automobile, trailer sales						P	P	
Automotive equipment, rental and leasing				P	P	P	P	P/L[57]
Bakeries, manufacturing and retail sales	P/L[1]		P	P/L[21]		P		P/L[59]
Ballparks	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Banks				P	P		P	P
Barber, beauty and hairstyling shops	P/L[3]			P	P		P	P
Bed and breakfast facilities				P	P		P	P
Boats, building and repairing (less than 48 feet)						P	P	
Boats, repair/ sale						P	P	
Boat moorage	P/L[3]					P/L[46]		
Botanical and zoological gardens				P	P		P	
Bookbinding			P	P		P		P
Booster stations	UUP	UUP	UUP	UUP		UUP	UUP	UUP

**TABLE 18.52-010B
COMMERCIAL ZONE PRIMARY USES**

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C
Boxing and wrestling arenas	CUP	CUP	CUP	CUP		CUP	CUP	CUP
Building materials and garden equipment supply	P/L[1]		P	P	P	P/L[32]	P	
Car washes				P/L[18]	P/L[29]	P		
Carpentry and cabinet shops	P/L[1][2]		P	P	P	P	P	
Casino hotels and motels				P	P		P	P
Cemeteries	CUP	CUP	CUP	CUP		CUP	CUP	
Ceramics, manufacture						P/L[33]		
Columbariums, crematories, mausoleums with permitted cemeteries	CUP	CUP	CUP	CUP		CUP	CUP	
Commercial and industrial machinery and equipment, rental and leasing			P			P	P	
Community care facilities				P	P		P	P
Community gardens				P	P			
Community housing services				P/L[74]	P/L[74]			
Confectionery, manufacture			P	P/L[21]		P		P/L[60]
Contractors, general	P/L[3]		P/L[14]	P		P	P	P
Convention facilities			P	P	P	P		P
Correctional institutions			P					
Couriers and messengers	P/L[3]		P	P			P	P
Data processing, business and record storage	P/L[3]		P	P	P	P	P	P
Day care centers and mini day care providers	CUP	CUP	CUP	CUP	CUP		CUP	CUP
Death care services	P/L[3]		P	P	P	P/L[43]	P	
Distribution Centers, home deliveries			P			P		
Drive-in or drive-through facilities	P			P/L[18]	P/L[29]		P	
Dry cleaning and laundering services	P/L[3]		P	P	P	P	P	P
Educational services		P	P/L[7]	P	P/L[31]	P/L[41]	P	P
Electric power generation, biomass			P/L[12]					
Electrical appliances and supplies, retail sales, wholesale trade and repairs						P		
Equipment rental and leasing			P	P/L[16]	P/L[26]	P	P	
Fairgrounds and rodeos	CUP	CUP	CUP	CUP		CUP	CUP	
Family day care providers				P/L[73]	P/L[73]		P/L[73]	P/L[73]
Financial and insurance services			P	P	P		P	P
Fish hatcheries and preserves					P			
Fix-it shops			P	P	P	P	P	
Food, frozen or cold storage lockers			P	P	P	P		
Food stores	P/L[1]		P	P	P		P	P
Footwear and leather goods repair	P		P	P	P	P	P	P
Foreign trade			P/L[13]					
Fraternal organizations/societies		P	P/L[7]	P	P		P	P
Fuel dealers, other							P	
Furniture, home furnishings and equipment, sales	P/L[1] [2]		P	P	P	P	P	P
Furniture, repair	P/L[2] [3]		P	P	P	P	P	P
Gambling, amusement, and recreation industries			P/L[7]	P	P/L[26]		P	P
Garages, public						P/L[34]		
General merchandise stores	P/L[1]		P/L[9]	P	P/L[25]		P	P
Glass, edging, beveling, silvering			P			P/L[35]		
Glass, stained glass studios	P					P		
Golf courses, with accessory driving ranges, club houses and pitch & putt				P	P	CUP	P	
Golf driving ranges	CUP	CUP	CUP	CUP		CUP	CUP	
Hardware Store	P/L[1]		P	P		P	P	P

**TABLE 18.52-010B
COMMERCIAL ZONE PRIMARY USES**

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C
Health care and social services			P/L[74]	P/L[74]	P		P/L[74]	P/L[74]
Heating oil dealers							P	
Horticultural and landscaping, services			P	P	P			
Horticultural nurseries	UUP	UUP	UUP	UUP		P	UUP	
Hospitals [except mental and alcoholic]				P	P	P	P	P
Hospitals [mental and alcoholic]	CUP	CUP	CUP	CUP		CUP	CUP	CUP
Hotels				P	P	P/L[44]	P/L[51]	P
Information establishments				P		P	P	P
Internet, service providers			P	P			P	P
Job printing, newspapers, lithography, and publishing						P		P
Kennels, commercial			P	P	P		P	P/L[61]
Labor camps (transient)	CUP	CUP	CUP	CUP		CUP	CUP	
Laboratories			P	P	P	CUP	P	P
Laboratories (incl. medical, dental, or photographic)			P/L	P	P	P	P	P
Laundry, industrial			P				P	
Legal services	P/L[3]		P	P	P	P	P	P
Libraries (public)	P			P	P		P	P
Light Manufacturing, Fabrication, and Assembly			P/L[8]					
Limousine/Taxi service							P	
Machine shop			P			P/L[36]		
Management of companies and enterprises	P/L[3]		P	P	P		P	P
Manufactured home sales							P	
Marijuana Producer/Processor, Recreational			P/L[72]	P/L[72]		P/L[72]		P/L[72]
Marijuana Retailer, Recreational				P/L[72]		P/L[72]		P/L[72]
Marinas					P/L[28]			
Mixed use	UUP	UUP	UUP	UUP	P/L[30]	UUP	P/L[54]	P/L[62]
Motels				P	P	P/L[44]	P/L[51]	
Motion picture services	P/L[3]			P	P		P	P
Museums	P		P/L[7]	P	P		P	P
Nursing homes (PR-R-Nursing care facility; IC-Nursing and Residential Care Facility)					P		P	
Offices, business and professional	P/L[3]		P	P	P/L[26]	P	P	P
Open air theaters	CUP	CUP	CUP	CUP		CUP	CUP	
Parcel service delivery	P/L[3]		P			P	P/L[55]	
Parole or probation offices			P	P	P		P	
Pawnshop			P	P	P	P	P	
Personal and business services	P/L[3]		P/L[7]	P/L[16]	P/L[26]		P	P
Pet boarding			P	P	P		P	P/L[63]
Pet shop	P/L[1]			P	P	P/L[37]	P	P
Photocopying and duplicating services	P/L[1][3]		P	P	P		P	P
Photo finishing	P/L[1]		P	P	P	P	P	P
Planned unit development	P							
Postal service	P		P	P	P		P	
Professional, scientific, technical services	P/L[3]		P	P	P		P	P
Professional offices, medical, dental	P/L[3]		P	P	P		P	P
Public administration facilities	P		P	P/L[17]	P/L[27]		P/L[53]	P/L[64]
Public facilities	P		P/L[10]	P	P		P	P
Public utility facilities	P/L[4]		P/L[10]		P	P/L[38]	P/L[56]	P/L[65]
Publishing, telecommunications, internet service	P/L[3]		P	P	P	P	P	P

**TABLE 18.52-010B
COMMERCIAL ZONE PRIMARY USES**

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C
providers, data processing services								
Race tracks, drag strips, motorcycles hills and Go-Kart tracks	CUP	CUP	CUP	CUP		CUP	CUP	
Real estate renting and leasing	P/L[3]		P	P	P	P	P	P
Recreational facilities - commercial	CUP	CUP	CUP	CUP	CUP	P	CUP	
Recreational vehicles, sales and storage						P	P	
Religious grant writing, civic and professional organizations	P/L[3]	P	P/L[7]	P	P	P	P	P
Repair services	P/L[2][3]		P/L[7]	P/L[16][18]	P/L[26][29]		P	
Repossession services	P/L[3]		P	P	P			
Restaurants	P		P/L[9]	P	P	P	P	P
Retail services and trade	P/L[1]		P/L[7]	P/L[15]	P/L[25]	P	P/L[47]	P
Retirement housing		P			P		P	P
Reupholster	P		P	P/L[19]	P	P	P	P
Saws and filing shops			P			P		
Sewage treatment plants	UUP	UUP	UUP	UUP		UUP	UUP	
Signs, manufacturing						P		
Self-storage/ mini-warehouse leasing			P				P/L[48]	P/L[66]
Services to buildings and dwellings	P/L[3]		P	P	P		P	
Services, miscellaneous	P/L[3]		P/L[7]	P/L[16][18]	P/L[26]		P/L[49][52]	P/L[67]
Spectator sports	CUP		CUP	P	P		P	
Stadiums	CUP	CUP	CUP	CUP		CUP	CUP	
Supermarkets	P/L[1]		P	P	P		P	P
Taverns and cocktail lounges	P/L[1]		P	P/L[22]	P	P/L[42]	P	P/L[68]
Telecommunication facilities	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Telephone exchanges						P		
Tire sales and service	P/L[3]						P	
Theaters				P/L[23]	P	P/L[39]	P	P/L[69]
Towing operations						UUP		
Transportation and wholesale trade			P/L[11]					
Water transportation					CUP			
Welding repair	P/L[2][3][75]		P	P/L[16][75]	P/L[75]	P	P	
Wholesale business			P	P/L[24]		P		P/L[70]
Wholesale trade and distribution of groceries				CUP				
Notes: - Limitations that correspond to the bracketed numbers [] are set forth below. - Uses and developments are also subject to the specific standards for each zone. - Conditional and Unclassified Use Permit requirements may be found in DMMC chapter 18.140.								

Neighborhood Commercial Zone

Every use locating in the N-C Zone is subject to the standards of chapter 18.90 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

1. On-Premises Retail Enterprise Dispensing Food or Commodities. This regulation applies to all parts of Table 18.52.010B that have a[1]. Not including automobiles, boats, trailers, and heavy-duty equipment and which may involve only incidental and limited fabrication or assembly of commodities.

2. Repair, Incidental. This regulation applies to all parts of Table 18.52.010B that have a [2].

Any repairing done on the premises shall be incidental only and limited to custom repairing of the types of merchandise sold on the premises at retail; the floor area devoted to such repairing shall not exceed 20 percent of the total floor area occupied by the particular enterprise of which it is a part, except that the limitations of this paragraph shall not apply to shoe, radio, television, or other small household appliance repair service.

3. Business Offices, Professional Services or Personal Services to the Individual. This regulation applies to all parts of Table 18.52.010B that have a [3].

Business offices and any type of use rendering professional services or personal services to the individual shall be permitted; provided:

(a) The service does not involve keeping the person receiving the service overnight on the premises;

(b) The service does not include selling alcoholic beverages for on-premises consumption unless accessory to restaurant;

(c) The service does not involve in whole or in part the providing of recreation, recreational facilities, or entertainment other than moorage for private pleasure craft; and

(d) The professional service does not include kennels or small animal hospitals or clinics.

4. Public Utility Installation. This regulation applies to all parts of Table 18.52.010B that have a [4].

Public utility installation shall be permitted in the N-C Zone when relating directly to local distribution of services including switching and transmission stations, but not including warehouses, service yards, or the like unless otherwise permitted by this Title.

5. Public Off-Street Parking Facilities (Publicly or Privately Owned and Operated). This regulation applies to all parts of Table 18.52.010B that have a [5].

Any area so used shall not be used for a vehicle, trailer, or boat sales area or for the accessory storage of such vehicles.

6. One Antenna System (Which Exceeds the Maximum Building Height Specified for the Commercial Zone). This regulation applies to all parts of Table 18.52.010B that have a [6].

(a) Does not exceed 15 feet in height above the building height limitation for the applicable zone;

(b) Is set back at least the vertical height of the antenna system measured from the center point of the base of the mast horizontally to the nearest property line;

(c) Has a maximum horizontal cross-sectional area for that part of the mast which is above building height limitation for the zone such that an imaginary four-inch diameter circle would encompass all points of the horizontal cross-section;

(d) Has a maximum allowable three-dimensional space intrusion of 1,200 cubic feet for single ground plane antennas with a single driven element, and 200 cubic feet for beams, quads, and other multi-element antennas; provided, that these limitations on three-dimensional space intrusion shall not be applicable to single long-wire antennas, single whip antennas, and single coaxial antennas. In this paragraph, "three-dimensional space intrusion" means the space within an imaginary rectangular prism which contains all extremities of an antenna;

(e) Does not encroach into any required setback for the zone; a guy wire and anchor point for an antenna system is prohibited in any required setback or within three feet of the side or rear property lines; provided, if any alley abuts a rear property line, a guy wire and anchor point may extend to the rear property line;

(f) Provided, that a variation from the above limitations not to exceed 10 percent may be granted by City administrative officials; such variation shall be granted when it will not significantly increase the hazard factor, the aesthetic impact, or the economic consequences of such antenna system; and

(g) Further provided, that all antenna systems exceeding the above limitations and legally in place on November 5, 1978, the effective date of the ordinance codified in this subsection (6), shall have one year within which to satisfy the requirements for and receive a conditional use permit which authorizes the continued placement of such antenna system.

Institutional Campus Zone

Every use locating in the I-C Zone is subject to the standards of chapter 18.95 DMMC.

Business Park Zone

Every use locating in the B-P Zone is subject to the standards of chapter 18.105 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

7. Services. This regulation applies to all parts of Table 18.52.010B that have a [7]. Services in the B-P Zone are limited to the following:

- (a) Administrative support services (561);
- (b) Professional, scientific, and technical services (54);
- (c) Management of companies and enterprises (55);
- (d) Health care services (621); provided, that this use is prohibited north of South 200th Street;
- (e) Repair services (8112, 8113 and 8114);
- (f) Personal services (812);
- (g) Recreation services (711310, 712110, 712120, 712190, 713940, and 713990); provided, that these uses are prohibited north of South 200th Street;
- (h) Real estate institutions and rental services (53);
- (i) Publishing, telecommunications, Internet service providers, and data processing services (51);
- (j) Educational services (6114, 6115, 6116 and 6117); and
- (k) Religious, business and professional associations (813); provided, that these uses are prohibited north of South 216th Street.

8. Light Manufacturing, Fabrication, and Assembly. This regulation applies to all parts of Table 18.52.010B that have an [8].

Light manufacturing, fabrication, and assembly of the following and closely related products is limited to the following:

- (a) Food products (3114, 3117, 3118, 3119, and 3121);
- (b) Apparel manufacturing (315);
- (c) Wood products manufacturing (3219);
- (d) Furniture and related products manufacturing (337);
- (e) Pharmaceutical and medicine manufacturing (3254);
- (f) Computer and electronic product manufacturing (334);
- (g) Electrical equipment and components manufacturing (335);
- (h) Fabricated metal products manufacturing (3321, 3322, 3323, 3325, 3326, and 3327);
- (i) Medical equipment and supplies manufacturing (3391);
- (j) Printing and related support activities (323);
- (k) Stone, clay, glass, ceramics, pottery, china manufacturing (3271 and 3272); and
- (l) Toys, jewelry, and other miscellaneous manufacturing (3399).

9. Retail Trade. This regulation applies to all parts of Table 18.52.010B that have a [9]. Retail trade in the B-P Zone is limited to the following:

- (a) Restaurants (722);
- (b) Building material and garden equipment and supplies dealers (444);
- (c) General merchandise stores (452 and 445); provided, that these uses are prohibited north of South 200th Street;
- (d) Furniture and home furnishing stores (442); and
- (e) Electronic and appliance stores (443).

10. Public Facilities. This regulation applies to all parts of Table 18.52.010B that have a [10]. Public Facilities in the B-P Zone are limited to the following:

- (a) Public parks (no NAICS code);
- (b) Public administration (92); and
- (c) Public utilities (221121, 221122, and 221210).

11. Transportation and Wholesale Trade. This regulation applies to all parts of Table 18.52.010B that have an [11].

Transportation and wholesale trade is limited to the following:

- (a) Wholesale trade (42); provided, that 4235 is prohibited;
- (b) Motor freight transportation (484);
- (c) Support activities for freight transportation (4884, 4885, and 4889); and
- (d) Courier and postal services (492 and 493).

12. Electric Power Generation, Biomass. This regulation applies to all parts of Table 18.52.010B that have a [12].

Electric Power Generation, Biomass (221119), is prohibited south of South 216th Street and north of South 208th Street.

13. Foreign Trade. This regulation applies to all parts of Table 18.52.010B that have a [13]. Operation of foreign trade zones is limited to the permitted uses allowed in the B-P Zone.

14. Contractors. This regulation applies to all parts of Table 18.52.010B that have a [14]. Contractors in the B-P Zone shall be limited to building and special trade.

Community Commercial Zone

Every use locating in the C-C Zone is subject to the standards of chapter 18.110 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

15. Retail Trade (with ancillary wholesale trade). This regulation applies to all parts of Table 18.52.010B that have a [15].

Retail trade, with ancillary wholesale trade in the C-C Zone is allowed for all retail trade uses except fuel dealers (598)

16. Services. This regulation applies to all parts of Table 18.52.010B that have a [16].

Services in the C-C Zone are limited to the following:

- (a) Hotels and motels (701);
- (b) Personal and business services, with ancillary wholesale trade (72-73), except the following:
 - (i) Industrial launderers (7218);

- (ii) Billboard advertising (7312);
- (iii) Heavy construction equipment rental and leasing (7353);
- (iv) Oil extraction equipment rental and leasing (7359).
- (c) General automotive repair shops (7538);
- (d) Car washes (7542);
- (e) Miscellaneous repair services (76), except the following:
 - (i) Tank and boiler cleaning service (7699); and
 - (ii) Tank truck cleaning service (7699).
- (f) Motion picture services (78);
- (g) Amusement and recreation services (79), except the following:
 - (i) Adult entertainment facilities and adult motion picture theaters (no SIC); and
 - (ii) Racing, including track operation (7948).
- (h) Health services (80);
- (i) Legal services (81);
- (j) Educational services (82);
- (k) Social services (83);
- (l) Museums, art galleries, and botanical and zoological gardens (84);
- (m) Membership organizations (86);
- (n) Engineering, accounting, research, management, and related services (87); and
- (o) Services, not elsewhere classified (89).

17. Public Administration Facilities. This regulation applies to all parts of Table 18.52.010B that have a [17].

Public administration facilities (91-97) are permitted in the C-C Zone with the exception of correctional institutions (9223).

18. Automobile Repair, Carwashes, Automobile Service Stations, and Uses with Drive-Through Facilities. This regulation applies to all parts of Table 18.52.010B that have a [18].

Automobile repair, carwashes, automobile service stations, uses with drive-through facilities, and similar uses shall conform to the following limitations and standards in the C-C Zone:

- (a) Automobile repair and the installation of automobile parts and accessories shall be primarily contained within an enclosed structure;
- (b) Unless specifically authorized by the Planning, Building and Public Works Director, vehicular access shall be limited to one driveway per street frontage;
- (c) Motor vehicle fuel pump islands shall be set back a minimum of 15 feet from property lines;
- (d) A six-foot-high, 100 percent sight-obscuring fence shall be provided along property lines that abut residentially zoned properties, unless waived by the residential property owner prior to building permit issuance; and
- (e) Vehicle storage shall be limited to those vehicles contracted for repair or service.

19. On-Site Retail. This regulation applies to all parts of Table 18.52.010B that have a [19].

All products which are manufactured, processed, or treated on the premises must also be sold at retail to the general public on-site.

20. Public Automobile Parking. This regulation applies to all parts of Table 18.52.010B that have a [20].

Public automobile parking (7521) shall not be permitted in the C-C Zone.

21. Bakeries (manufacturing and retail sales) and Confectionery (manufacture). This regulation applies to all parts of Table 18.52.010B that have a [21]. Bakeries shall be permitted in C-C zone provided:

- (a) At least 25% of the gross floor area is dedicated to retail sales; and
- (b) All storage, display, and manufacturing occur within enclosed buildings.

22. Taverns and Cocktail Lounges. This regulation applies to all parts of Table 18.52.010B that have a [22].

Cocktail lounges shall be permitted in the C-C Zone when located within a restaurant.

23. Theaters. This regulation applies to all parts of Table 18.52.010B that have a [23].

Adult motion picture theaters are prohibited within the C-C Zone.

24. Wholesale business. This regulation applies to all parts of Table 18.52.010B that have a [24].

Wholesale business shall be permitted in the C-C Zone when accessory to a permitted retail use.

Downtown Commercial Zone

Every use locating in the D-C Zone is subject to the standards of chapter 18.115 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B

25. Retail Trade (with ancillary wholesale trade). This regulation applies to all parts of Table 18.52.010B that have a [25].

Retail trade, with ancillary wholesale trade in the D-C Zone is limited to the following:

- (a) Building materials, hardware, and garden supply, except mobile home dealers (52);
- (b) General merchandise stores (53);
- (c) Food stores (54);
- (d) Gasoline service stations, and other alternative motor vehicle fuels (554i);
- (e) Apparel and accessory stores (56);
- (f) Home furniture, furnishings, and equipment stores (57);
- (g) Eating and drinking places (58); and
- (h) Miscellaneous retail (59), except fuel dealers (598).

26. Services. This regulation applies to all parts of Table 18.52.010B that have a [26]. Services in the D-C Zone are limited to the following:

- (a) Hotels and motels (701);
- (b) Personal and business services, with ancillary wholesale trade (72-73), except the following:
 - (i) Industrial launderers (7218);
 - (ii) Billboard advertising (7312);
 - (iii) Heavy construction equipment rental and leasing (7353);
 - (iv) Industrial truck rental and leasing (7359); and

(v) Oil extraction equipment rental and leasing (7359).

(c) Automobile parking (7521) limited to properties that are municipally owned or operated or controlled by a City-sanctioned business neighborhood association; and provided, that facilities for parking are constructed and maintained to meet minimum required parking improvements specified in chapter 18.210 DMMC within three years of the commencement of such use.

(d) General automotive repair shops (7538);

(e) Car washes (7542);

(f) Miscellaneous repair services (76), except the following:

(i) Tank and boiler cleaning service (7699); and

(ii) Tank truck cleaning service (7699).

(g) Motion picture services (78);

(h) Amusement and recreation services (79), except the following:

(i) Adult entertainment facilities and adult motion picture theaters (no SIC); and

(ii) Racing, including track operation (7948).

(i) Health services (80);

(j) Legal services (81);

(k) Educational services (82);

(l) Social services (83);

(m) Museums, art galleries, and botanical and zoological gardens (84);

(n) Membership organizations (86);

(o) Engineering, accounting, research, management, and related services (87); and

(p) Services, not elsewhere classified (89).

27. Public Administration Facilities. This regulation applies to all parts of Table 18.52.010B that have a [27].

Public administration facilities (91-97) are permitted in the D-C Zone with the exception of correctional institutions (9223).

28. Boat Storage. This regulation applies to all parts of Table 18.52.010B that have a [28].

Boat storage and repair shall be permitted only as an accessory use on property principally permitted for marina use and shall conform to the following additional limitations and standards:

(a) The size and location of all boat storage facilities shall be consistent with the Council-adopted marina master plan;

(b) All out-of-water boat repair shall be within a fully secured and fenced area not accessible by the general public;

(c) All boat repair work shall have containment areas and employ disposal methods for pollutants and toxic substances consistent with Puget Sound Clean Air Agency and NPDES standards;

(d) Only those boats and similar vessels that will be immediately and actively under repair shall be moved to or placed within a designated boat repair facility.

29. Automobile Repair, Carwashes, Automobile Service Stations, and Uses with Drive-Through Facilities. This regulation applies to all parts of Table 18.52.010B that have a [29].

Automobile repair, carwashes, automobile service stations, uses with drive-through facilities, and similar uses shall conform to the following limitations and standards in the D-C Zone:

(a) Automobile repair and the installation of automobile parts and accessories shall be wholly performed within an enclosed structure approved by the building official for such occupancy;

(b) Each automotive and service repair facility shall be limited to a maximum of one service bay for each 7,500 square feet of land area per business site;

(c) Service bays shall be fully utilized to store and park vehicles contracted for repair or service;

(d) The number of vehicles stored or parked outside for repair or service shall not be greater than the minimum number of required parking stalls serving the auto repair facility pursuant to chapter 18.210 DMMC;

(e) No outside parking or storage of employee vehicles, customer vehicles, or vehicles contracted for service shall occur in any area that is not designated and approved by the City as an on-site parking stall;

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

(g) A six-foot-high, 100 percent sight-obscuring fence shall be provided along property lines that abut residentially zoned properties, unless waived by the residential property owner prior to building permit issuance.

30. Mixed Use. This regulation applies to all parts of Table 18.52.010B that have a [30].

Mixed use development in the D-C Zone shall conform to the following limitations and standards:

(a) Mixed use structures shall contain area for retail trade or personal and business services, at street level as follows:

(i) Pedestrian access from the public sidewalk to the retail trade or personal and business services shall be provided;

(ii) A minimum of 60 percent of the street level floor area shall be occupied by retail trade or personal and business services;

(iii) A minimum of 75 percent of the street level building frontage adjacent to public right(s)-of-way shall contain floor area for retail trade or personal and business services uses; and

(iv) Building space allocated for retail trade or personal and business service uses at the street level shall have a minimum gross interior depth dimension of 55 feet measured perpendicular to the property line abutting the public street(s) serving the site.

(b) The City Manager or designee is authorized to consider and approve up to a 20 percent reduction of the bulk requirements specified in subsection (26)(a) of this section when a development proposal incorporates on-site parking substantially at street floor level for retail trade or personal and business service uses and the City Manager or designee determines that the proposed reduction(s) does not compromise, interrupt, or interfere with the desired functionality of the building or the continuity of City pedestrian-oriented design goals in the general area and pedestrian access to the site from the public sidewalk or right-of-way.

(c) Mixed use developments shall comply with all the requirements of chapter 18.155 DMMC, except for private recreational requirements established by DMMC 18.155.050(2).

(d) A detached structure that contains residential uses and does not meet the requirements for mixed use structures is prohibited.

31. Educational Services, Colleges and Professional Schools. This regulation applies to all parts of Table 18.52.010B that have a [31].

Educational services (82) are permitted in the D-C Zone; however, colleges, universities, junior colleges, and professional schools (822) require an Unclassified Use Permit (UUP). See chapter 18.140 DMMC.

Highway Commercial Zone

Every use locating in the H-C Zone is subject to the standards of chapter 18.125 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

32. Building Materials Stores and Yards, Retail Only. This regulation applies to all parts of Table 18.52.010B that have a [32].

Building materials stores and yards (retail only) are permitted in the H-C Zone; provided, that any required wall on a property line common with residential property shall be not less than eight feet in height.

33. Ceramic Products. This regulation applies to all parts of Table 18.52.010B that have a [33].

The manufacture of ceramic products, including figurines (but not including bricks, drain, building, or conduit tile), shall be permitted in the H-C Zone using only previously pulverized clay and batch kilns as distinguished from shuttle, tunnel, or beehive kilns, and such batch kilns shall not exceed a total capacity of 130 cubic feet.

34. Garages, Public. This regulation applies to all parts of Table 18.52.010B that have a [34].

Public garages, including repair, when entirely in an enclosed building.

35. Glass Edging, Beveling, and Silvering. This regulation applies to all parts of Table 18.52.010B that have a [35].

Glass edging, beveling, and silvering shall be permitted in the H-C Zone in connection with the sales of mirrors and glass-decorated furniture.

36. Machine Shop. This regulation applies to all parts of Table 18.52.010B that have a [36].

No automatic screw machines or punch press over five tons.

37. Pet Shops. This regulation applies to all parts of Table 18.52.010B that have a [37].

Pet shops shall be permitted in the H-C Zone if entirely within a building.

38. Public Utility Installations. This regulation applies to all parts of Table 18.52.010B that have a [38].

Public utility installations shall be permitted in the H-C Zone if relating directly to the distribution of services.

39. Adult Motion Picture Theaters. This regulation applies to all parts of Table 18.52.010B that have a [39].

Adult motion picture theaters are prohibited within 500 feet of the property lines of churches, schools, preschool through high school, public facilities, adult entertainment facilities, or other adult motion picture theaters.

40. Automobile Service Stations. This regulation applies to all parts of Table 18.52.010B that have a [40].

Buildings, structures, and the leading edge of pump islands shall not be closer than 20 feet to any street property line, except that service station canopies and marquees may project 10 feet into the required setback.

41. Educational Services. This regulation applies to all parts of Table 18.52.010B that have a [41].

Education services in the H-C Zone are limited to business or commercial schools.

42. Cocktail Lounges. This regulation applies to all parts of Table 18.52.010B that have a [42].

Cocktail lounges shall be permitted in the H-C Zone when located within a restaurant.

43. Death Care Services. This regulation applies to all parts of Table 18.52.010B that have a [43].

Death care services in the H-C Zone shall be limited to mortuaries.

44. Hotels/Motels. This regulation applies to all parts of Table 18.52.010B that have a [44].

Hotels and motels in the H-C Zone shall not include apartment hotels.

45. Auction House. This regulation applies to all parts of Table 18.52.010B that have a [45].

Auction houses or stores in the H-C Zone shall not include vehicles or livestock.

46. Boat Moorage. This regulation applies to all parts of Table 18.52.010B that have a [46].

Boat Moorage in the H-C Zone shall be permitted for private pleasure craft.

Pacific Ridge Commercial Zone

Every use locating in the PR-C Zone is subject to the standards of chapter 18.135 DMMC. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

47. Retail Trade, Used Car Dealers. This regulation applies to all parts of Table 18.52.010B that have a [47].

Retail trade (44-45) is permitted in the PR-C Zone, but no more than two exclusive used car dealers (441120) shall be allowed.

48. Real Estate Rental and Leasing. This regulation applies to all parts of Table 18.52.010B that have a [48].

Mini-warehouses and self storage units (53113) may not front on Pacific Highway South.

49. Administrative and Support Services. This regulation applies to all parts of Table 18.52.010B that have a [49].

Limited to NAICS codes 561110 (administrative) and 561210 (support services).

50. Arts, Entertainment, and Recreation. This regulation applies to all parts of Table 18.52.010B that have a [50].

Adult entertainment facilities and adult motion picture theaters 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.

51. Accommodation and Food Services. This regulation applies to all parts of Table 18.52.010B that have a [51].

Accommodation and food services (72) in the PR-C Zone is 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); and

(c) Food services (722310 - 7223515); however, mobile food services (722330) are also regulated by chapter 5.57 DMMC.

52. Automobile Repair, Automobile Service Stations, and Similar Uses. This regulation applies to all parts of Table 18.52.010B that have a [52].

General automotive repair (81111), automotive exhaust system repair (81112), automotive transmission repair (81113), automotive body, paint, and interior repair and maintenance (81121), automotive glass replacement shops (81122), automotive oil change and lubrication shops (81191), and similar uses shall be allowed in the PR-C Zone; provided, that all of the following requirements shall be met:

(a) Repair and the installation of automobile parts and accessories shall be primarily contained within an enclosed structure;

(b) 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 pretreatment devices to avoid discharge of pollutants to the air or public drainage systems;

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

(d) Vehicular access shall be consistent with the City's street development and construction standards;

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

(f) 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

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

53. Public Administration. This regulation applies to all parts of Table 18.52.010B that have a [53].

Public administration (92) uses shall be permitted in the PR-C Zone, except correctional institutions (92214).

54. Mixed Use. This regulation applies to all parts of Table 18.52.010B that have a [54].

Mixed use shall be permitted in the PR-C Zone, except:

(a) In that part of PR-C fronting on Pacific Highway South 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 Pacific Highway South or South 216th Street;

(b) When a project fronting Pacific Highway South or South 216th Street contains more than one building, those buildings not fronting on Pacific Highway South or South 216th Street may be single purpose multifamily residential buildings; and

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

55. Parcel Service Delivery. This regulation applies to all parts of Table 18.52.010B that have a [55].

Parcel service delivery in the PR-C Zone shall be limited to the postal service (491110).

56. Public Utility Facilities. This regulation applies to all parts of Table 18.52.010B that have a [56].

Public utility facilities and appurtenances shall be permitted in the PR-C Zone when necessary for the distribution of utility services to final customers within the immediate area.

Transit Commercial Zone

Every use locating in the T-C Zone is subject to the standards of Sections 1-10 of this ordinance. The paragraphs listed below contain specific limitations and correspond with the bracketed [] footnote numbers from Table 18.52.010B.

57. **Automobile equipment, rental and leasing.** This regulation applies to all parts of Table 18.52.010B that have a [57].

Truck sales, repairs and rentals is permitted in the T-C Zone, but no more than one exclusive truck sales, repair and rental use shall be allowed.

58. **Automobile, Parking.** This regulation applies to all parts of Table 18.52.010B that have a [58].

Paid and stand alone surface parking shall not be permitted in the T-C Zone after June 30, 2024 except that existing on June 30, 2014.

59. **Bakeries, manufacturing and retail sales.** This regulation applies to all parts of Table 18.52.010B that have a [59].

Bakeries shall be permitted in the T-C zone provided:

- (a) At least 25% of the gross floor area is dedicated to retail sales; and
- (b) All storage, display, and manufacturing occur within enclosed buildings.

60. **Confectionery, manufacture.** This regulation applies to all parts of Table 18.52.010B that have a [60].

Confectionaries shall be permitted in the T-C zone provided:

- (a) At least 25% of the gross floor area is dedicated to retail sales; and
- (b) All storage, display, and manufacturing occur within enclosed buildings.

61. **Kennels, commercial.** This regulation applies to all parts of Table 18.52.010B that have a [61].

Kennels shall be allowed in the T-C Zone when accessory to a permitted use.

62. **Mixed use.** This regulation applies to all parts of Table 18.52.010B that have a [62].

Mixed use development shall conform to the following limitations and standards in the T-C Zone:

(a) Mixed use structures shall contain area for retail trade or personal and business services, at street level as follows:

(i) Pedestrian access from the public sidewalk to the retail trade or personal and business services shall be provided;

(ii) A minimum of 60 percent of the street level floor area shall be occupied by retail trade or personal and business services;

(iii) A minimum of 75 percent of the street level building frontage adjacent to public right(s)-of-way shall contain floor area for retail trade or personal and business services uses; and

(iv) Building space allocated for retail trade or personal and business service uses at the street level shall have a minimum gross interior depth dimension of 55 feet measured perpendicular to the property line abutting the public street(s) serving the site.

(b) The City Manager or the City Manager's designee is authorized to consider and approve up to a 20 percent reduction of the bulk requirements specified in subsection (58)(a) of this section when a development proposal incorporates on-site parking substantially at street floor level for retail trade or personal and business service uses and the city manager or designee determines that the proposed reduction(s) does not compromise, interrupt, or interfere with the desired functionality of the building or the continuity of city pedestrian-oriented design goals in the general area and pedestrian access to the site from the public sidewalk or right-of-way.

(c) Mixed use developments shall comply with all the requirements of chapter 18.155 DMMC, except for private recreational requirements established by DMMC 18.155.020(2).

(d) A detached structure that contains residential uses and does not meet the requirements for mixed use structures is prohibited.

63. **Pet boarding.** This regulation applies to all parts of Table 18.52.010B that have a [63].

Pet Boarding shall be allowed in the T-C Zone when accessory to a permitted use.

64. **Public Administration Facilities.** This regulation applies to all parts of Table 18.52.010B that have a [64].

Public administration (92) uses shall be permitted in the T-C Zone, except correctional institutions (92214).

65. **Public Utility Installations.** This regulation applies to all parts of Table 18.52.010B that have a [65].

Public utility installations shall be permitted in the T-C Zone if relating directly to the distribution of services.

66. **Self-storage/ mini-warehouse leasing.** This regulation applies to all parts of Table 18.52.010B that have a [66].

Only public storage existing on June 30, 2014 shall be permitted.

67. **Services, Miscellaneous.** This regulation applies to all parts of Table 18.52.010B that have a [67].

Limited to NAICS codes 561110 (administrative) and 561210 (support services).

68. **Taverns and Cocktail Lounges.** This regulation applies to all parts of Table 18.52.010B that have a [68].

Cocktail lounges shall be permitted in the T-C Zone when located within a restaurant.

69. **Theaters.** This regulation applies to all parts of Table 18.52.010B that have a [69].

Adult motion picture theaters are prohibited within the T-C Zone.

70. **Wholesale business.** This regulation applies to all parts of Table 18.52.010B that have a [70].

Wholesale business shall be permitted in the T-C Zone when accessory to a permitted retail use.

All Zones

71. **Adult Entertainment Facilities.** This regulation applies to all parts of Table 18.52.010B that have a [71].

Adult entertainment facilities are subject to the additional standards of chapter 18.16 DMMC and chapter 5.48 DMMC.

72. **Recreational Marijuana.** This regulation applies to all parts of Table 18.52.010B that have a [72].

State licensed marijuana producers, processors, and retailers may locate in the City of Des Moines pursuant to chapter 18.250 DMMC.

73. **Family Day Care Providers.** This regulation applies to all parts of Table 18.52.010B that have a [73].

A family day care provider home facility is a permitted use in all zones, subject to the conditions in chapter 18.180 DMMC.

74. **Social Service Facilities.** This regulation applies to all parts of Table 18.52.010B that have a [74].

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

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

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

75. **Welding Repair.** This regulation applies to all parts of Table 18.52.010B that have a [75].

Welding repair shall only be permitted in an enclosed structure.

Chapter 18.110
C-C COMMUNITY COMMERCIAL ZONE

18.110.010 Title.

This chapter shall be entitled "C-C Community Commercial Zone."

18.110.020 Application.

This chapter shall apply to all areas zoned C-C Community Commercial.

18.110.030 Purpose.

(1) The primary purpose of the Community Commercial Zone is to enhance, promote and maintain community oriented business areas.

(2) It is the further purpose of this zone to:

(a) Ensure land use compatibility among businesses in terms of permitted uses, building height, bulk, scale;

(b) Provide a commercial area that reflects its community-oriented function;

(c) Serve the general public; and

(d) Ensure that development occurs consistent with the goals, policies, and implementation strategies of the City of Des Moines Comprehensive Plan. [Ord. 1591 § 267, 2014.]

18.110.040 Authority.

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

18.110.050 Environmental performance standards and general limitations.

(1) Every use permitted within the C-C Zone pursuant to this chapter shall conform to the following general limitations and standards:

(a) 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, vibrations, dust, dirt, smoke, or other pollutants, noxious, toxic, or corrosive fumes or gases, 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;

(b) Accessory uses are permitted that are customarily appurtenant or incidental to the principally permitted uses;

(c) Landscaping and fencing are required in accordance with chapter 18.195 DMMC;

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

- (i) Outdoor seating and dining;
- (ii) Signs;
- (iii) Off-street parking, drive-through facilities, and loading areas;
- (iv) Motor vehicle fuel pumps;
- (v) Display of merchandise sold on-site;
- (vi) Play/recreation areas; and
- (vii) Miscellaneous storage when limited to 25 percent of the site area and when perimeter landscaping and fencing is provided;

(e) In reviewing a proposed permitted use, the Planning, Building and Public Works Director may waive or include minimal conditions as may be reasonably needed to ensure that the use is consistent with the purpose of the C-C Zone, and to minimize the likelihood of adverse impacts.

18.110.060 Dimensional standards.

(1) Height. Maximum building height is 55 feet.

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

(a) No minimum building height for commercial projects.

(b) For the purposes of this subsection, minimum building height shall not include decorative towers or appurtenances, roof slopes out of character with the building's architecture, or other contrivances provided solely for achievement of the required minimum building

height. In calculating minimum building height, the City Manager or the City Manager's designee shall include regular architectural features enclosing functional, occupiable building areas.

(3) Building Height Limitation Adjacent to Single-Family. When an abutting property is zoned Single-Family Residential, building height shall be limited as follows:

(a) Every lot shall have a rear yard setback of not less than 20 feet when abutting single-family zoned properties, except as otherwise permitted in subsection (7) of this section.

(b) Within 40 feet of the abutting Single-Family Residential zone, maximum building height shall be 45 feet.

(c) During the design review and environmental review, the City Manager or the City Manager's designee may impose other conditions of approval in order to mitigate potential height, bulk, and scale impacts upon adjacent single-family residents not sufficiently mitigated by existing regulations.

(4) Front Yard. No front yard setback is required.

(5) Side Yard. Every lot shall have a side yard of not less than 20 feet when abutting single-family zoned properties, except as otherwise permitted in subsection (7) of this section.

(6) Rear Yard. Every lot shall have a rear yard of not less than 20 feet when abutting single-family zoned properties, except as otherwise permitted in subsection (7) of this section.

(7) Adjustment of Required Yards. The required rear yard area shall be reduced to a minimum of five 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) Buildings on a site or potential project area are served by a private, joint-use access or street which separates the rear yard area of one development site or project area from another development site or project area; and

(c) A physical separation of not less than 30 feet is provided between buildings which shall include the space or distance located within any such shared, joint-use access or street together with the yard areas adjoining and abutting buildings and said shared streets.

(8) Underground structures are permitted in all required setback areas.

18.110.080 General building design requirements.

Development within the C-C Zone shall conform to the following building design requirements:

(1) General Design Guidelines.

(a) Building design shall be compatible with the site and with adjoining buildings. Building modulation and other design techniques to add architectural interest and minimize building mass shall be used. Variety in detail, form, and siting shall be used to provide visual interest.

(b) Building components such as windows, doors, eaves, and parapets shall be in proportion to each other.

(c) Colors shall be harmonious, with intense colors used only for accent.

(d) Mechanical equipment shall be integrated into building design or screened from on-site and off-site views.

(e) Exterior lighting fixtures and standards shall be part of the architectural concept and harmonious with building design.

(2) Development within the C-C Zone shall conform to the Design Review requirements established in Chapter 18.235.100 DMMC.

(3) Maximum Gross Floor Area.

(a) The maximum gross floor area for buildings within the Community Commercial Zone 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	C-C FAR
35 Feet or Less	2.8

35 - 50	3.5
50 - 55	4

(b) Gross floor area shall include the total square footage of the enclosed building as further defined in DMMC 18.01.050.

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Scenario 3.0

 Transit Oriented Village

- High intensity transit supportive mixed-use with residential bias
- Strongly pedestrian oriented with small walkable blocks
- 35' to 200' height limit
- Lowered parking requirement
- Uses:
 - Market rate and affordable housing
 - Office
 - Retail
 - Hotel
 - Neighborhood services
 - Civic uses
- No single use, big box, industrial, or auto-dependent uses

 Mixed Use - Pacific Ridge

- Auto-accommodating community and citywide retail and services
- Pedestrian oriented
- Mixed use with office or residential
- 35' to 85' Commercial height limit
- 35' to 200' Residential height limit
- Uses:
 - Residential
 - Community, citywide and regional retail
 - Office
 - Hotel

 Mixed Use - Kent Highlands

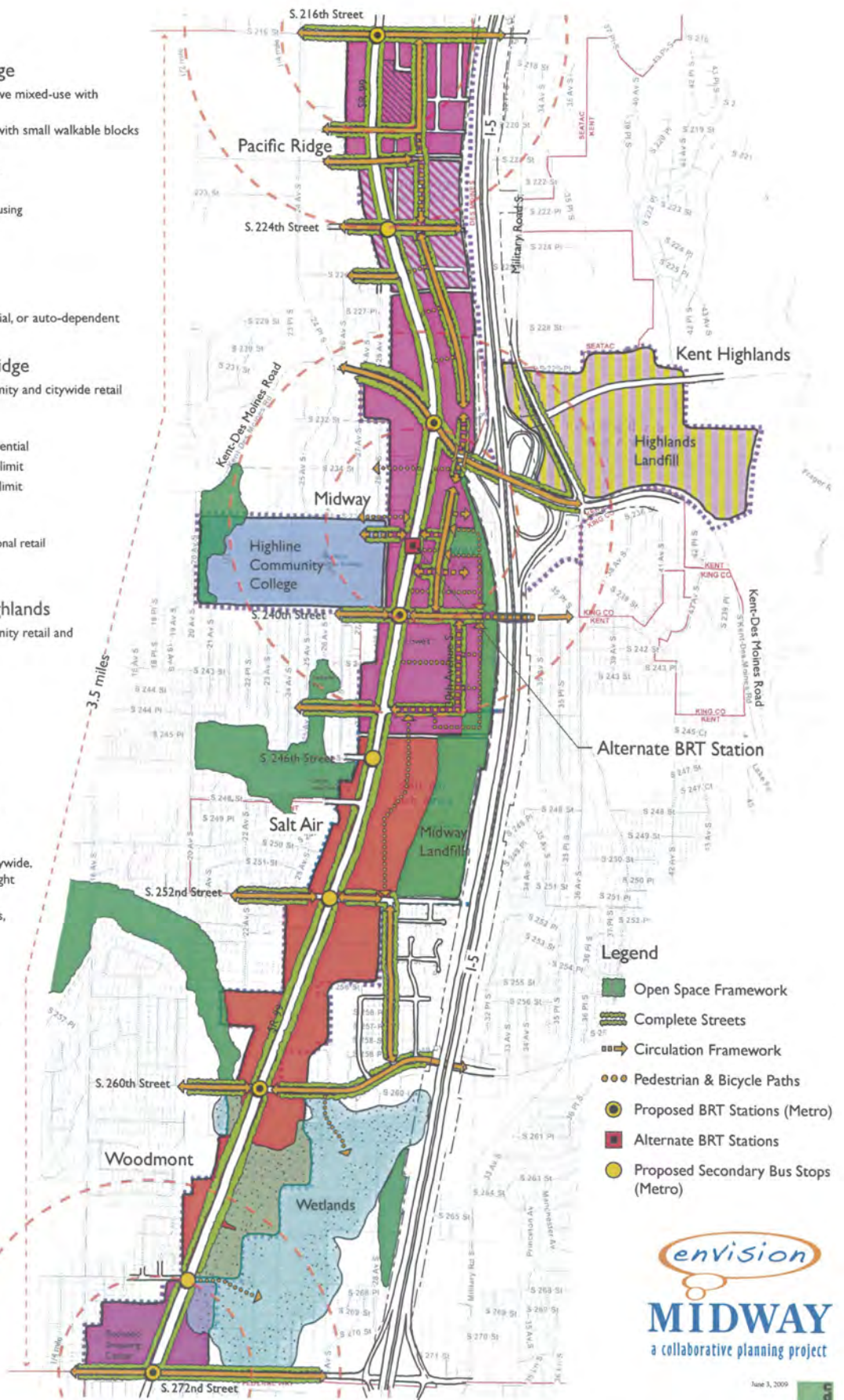
- Auto-accommodating community retail and services
- Pedestrian oriented
- Mixed use with residential
- 200' height limit
- Uses:
 - Residential
 - Community Retail
 - Hotel

 Highway Commercial Corridor

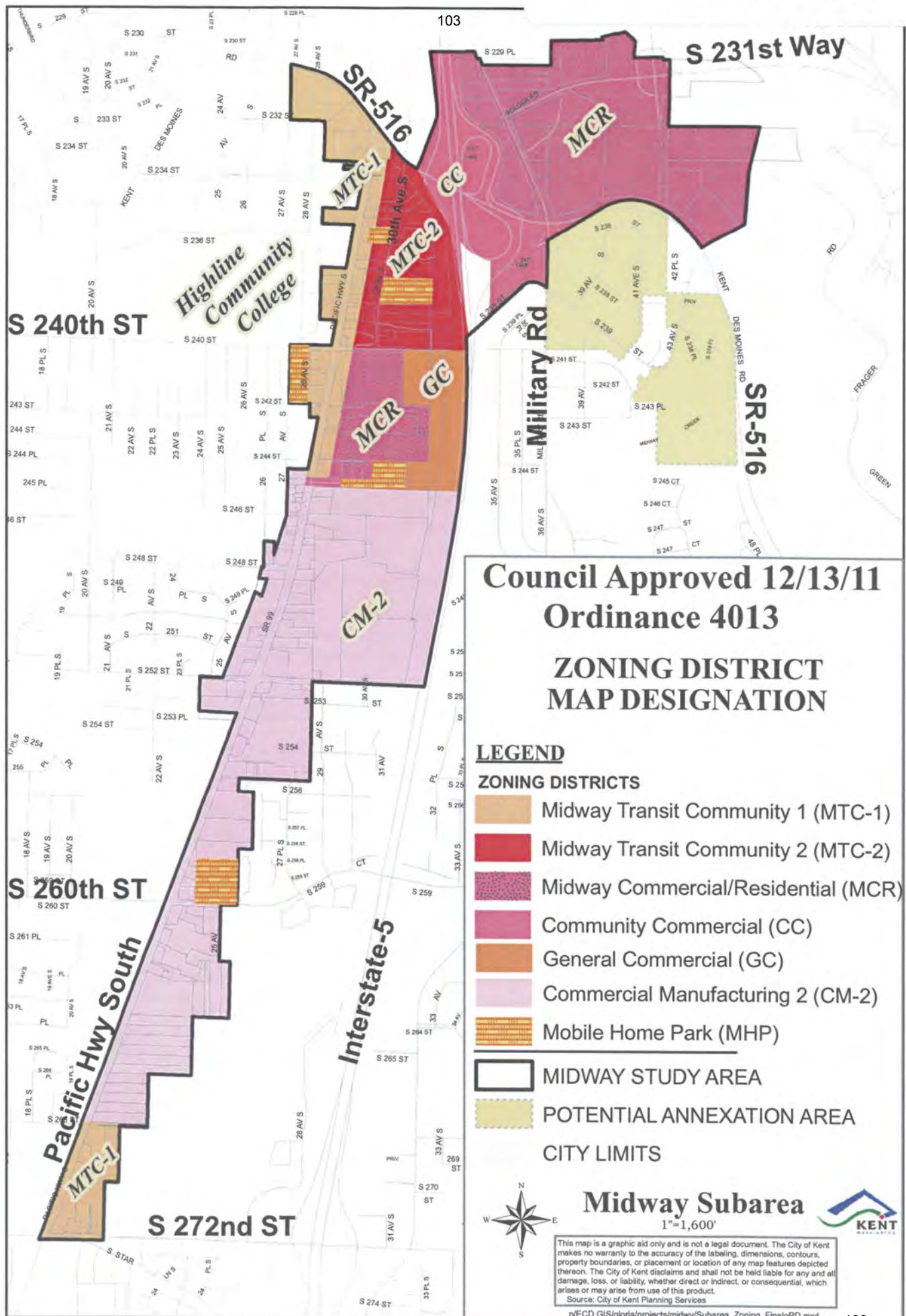
- Wide range of community, citywide, or regional commercial and light industrial uses
- Primarily auto-dependent uses, with pedestrian supportive facilities
- 35' to 50' height limit
- Uses:
 - Regional and citywide retail
 - Automobile sales and service
 - Light Industrial and manufacturing
 - Trucking
 - Outdoor storage
 - Office
 - Flex-tech
 - Mixed use (on west side)
 - Live-work

 Institutional

- Institutional mixed use residential or office
- Uses:
 - College academic
 - College oriented retail
 - College oriented office
 - Student and faculty rental housing



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A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Draft Stormwater Comprehensive
Plan Briefing

ATTACHMENTS:

1. Powerpoint Presentation
2. Plan Executive Summary

FOR AGENDA OF: February 12, 2015

DEPT. OF ORIGIN: Planning, Building &
Public Works

DATE SUBMITTED: February 5, 2015

CLEARANCES:

- ☐ Legal N/A
- ☐ 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 Chris ACM

Purpose and Recommendation

The purpose of this agenda item is to present to Council the findings and recommendations of the Draft Stormwater Comprehensive Plan. Austin Fisher from Parametrix, the consultant preparing the Plan, will be providing the Council presentation (Attachment 1). For reference, also attached is the Executive Summary from the draft Plan (Attachment 2). The final draft Plan is scheduled to be reviewed by the Environment Committee on February 19 with adoption of the Plan scheduled for the March 12 Council meeting.

Suggested Motion

No motion suggested, however general consensus direction is requested from the Council.

Background

A contract with Parametrix was approved in early 2014 for updating the Surface Water Comprehensive Plan, which was last prepared in 1991 when the SWM Utility was formed. Since then, several areas have been incorporated into the City, several basin studies have been completed and numerous projects that have been identified by those studies have been completed while other projects that have been

identified since the 1990's still need to be completed. New regulatory requirements, such as the NPDES permit have also been placed on the SWM Utility. Maintenance needs have also dramatically grown as new, larger and more complex public facilities are constructed and placed under the care of the City. Most concerning, is the overall age and composition of the drainage system. Over the last several years, there have been a number of pipe failures whereby aging corrugated metal pipe has corroded and collapsed as the pipe's useful life has been reached or exceeded. Advances in technology also need to be considered that could help manage the storm water assets, optimize the use of maintenance staff and equipment and track costs of the various elements of the program (all costs associated with the NPDES permit are required to be tracked separately).

Staff is recommending that a regular update to the Comprehensive Plan be conducted every 10 years with a less comprehensive update be made every 5 years, to reflect changes that occur within the utility. This is a similar frequency to that of other utilities and would allow any changes or conditions from the NPDES permit, which is reissued every 5 years, to be included in the following update.

Discussion

Key information regarding the Plan findings and Recommendations and Service Level Scenarios can be found on Slides 3 and 8 of the presentation (Attachment 1).

In preparing the plan, Parametrix evaluated the City's current surface water program through the review of existing operational, water quality, flood control, habitat reports, data and city records, and other records. In addition, existing surface water issues, potential capital projects, staffing needs, maintenance effectiveness, pollution sources and public concerns were identified and prioritized based on City staff questionnaires, five public meetings and three presentations to the Environment Committee. The surface water program was also evaluated based on current City and State regulatory requirements.

In general, the current Surface Water Management Program complies with most regulatory requirements and provides an adequate level of service to the surface water rate customers. However, several gaps were identified that need to be addressed:

- **NPDES Operations and Maintenance:** City crews are presently able to inspect and maintain all public stormwater management facilities (detention vaults, ponds, treatment facilities, etc.). However, at least one major facility is constructed and placed under City care every year. These facilities, due to the present stormwater standards, are generally more complex and larger than what was constructed in previous years. Subsequently, the allotment of city crew time and utility resources needed to tend to the facilities and maintain compliance is increasing dramatically while the maintenance staff has been mostly unchanged.
- **NPDES Tracking and Reporting:** Much of the tracking and reporting is still done with paper activity reports particularly that made during maintenance and inspection of drainage infrastructure. Staff is presently converting this effort into the City's new Cityworks system whereby maintenance activity, inspections and associated costs can be tracked and reported more effectively. This is a major undertaking that requires additional maintenance staffing.
- **Capital Project Implementation:** The City currently does not have an adequate emergency fund within the capital projects budget or systematic program for replacing failing infrastructure. More than 40 capital projects have been identified with 19 of those projects being rated as high-priority type projects. The estimated cost of the high priority projects is \$10,158,000.

Potential options to fill these gaps are as follows:

- Establish a Drainage Permit Fee that would generate approximately \$25,000 per year. Presently fees are collected on development activity when that project adds more than 500 square feet of impervious area. Many projects that involve structure remodeling and require a building permit may not require drainage review because the 500 square foot threshold is not met and is not inspected. Other projects such as paving an existing gravel parking lot also may not require drainage review but may involve the installation of drainage pipes or facilities. The drainage permit fee would help capture staff review and inspection expenses that are not collected through other permit fees.
- Charge the Street Fund for a portion of street sweeping waste disposal (not street sweeping). Each year, following snow events, a substantial amount of sand is placed on the city roads that are then swept up and disposed. For 2015, \$22,500 is budgeted for street sweeping disposal. One option is that SWM be reimbursed \$10,000 to recoup disposal costs associated with road sanding activity.
- Increase use of staff for CIP management by \$30,000 per year. This would double the current budgeted amount of staff CIP management from \$30,000 to \$60,000. Most of this increase would likely be derived from City project inspection by SWM engineering staff.
- Discontinue the Pipe Program for a savings of approximately \$110,000 annually. This is a very popular program whereby ditches are filled with the City providing the equipment and labor and the requesting citizen paying for the materials involved. However, on a linear foot basis the program costs are very high and time consuming for city engineering and maintenance staff. Several site visits are made and preliminary plans and estimates are prepared by engineering staff with the requesting citizen often rejecting the proposed work because of costs. Also, in order to meet current standards, modification to the existing system is often required resulting in unplanned utility conflicts and resolution translating to additional City costs. The recommendation is to discontinue this program and reallocate these funds to a pipe replacement capital project.

Alternatives

Parametrix has recommended three Level-of-Service Scenarios:

- Scenario 1: This is the minimum level of service needed to meet the regulatory requirements and program needs. This scenario does not impact the current utility rates, but allows for the addition of 1.0 FTE maintenance staff for providing NPDES inspections, pipe condition inspections, and tracking maintenance activities. The additional FTE is offset by savings from the changes in operations listed above. Under this scenario, approximately 83% of the High Priority projects under capital funding would be completed within the Plan's 10-year window. Five of the 19 High Priority projects would be left unfunded.
- Scenario 2: This is a moderate level of service scenario that includes the 1.0 FTE maintenance staff but also allows for the eventual addition of 1.0 FTE engineering staff as growth of the program permits. Presently, growth of the program is estimated at 0.5% or about \$12,000 annually. It should be noted however, that a \$35,000 increase in rate revenue is estimated from the first phase of the Des Moines Business Park development beginning 2016. Under this scenario, all 19 High Priority capital projects would be funded by 2025 with projects scheduled as appropriate staff support becomes available.

- Scenario 3: This is the highest level of service scenario that includes the 1.0 FTE maintenance staff but also the immediate addition of a 1.0 FTE engineering staff used primarily for supporting CIP implementation. The capital program would be fairly aggressive in that all of the High and Medium Priority capital projects would be funded by 2025.

Financial Impact

Under Scenario 1, a rate adjustment would not be necessary and rates would increase only for inflation as allowed under the current code. The financial analysis of the Plan assumes 2.30% for inflation for years 2016-2024. Under Scenario 1, the General Facility Charge (Development Fee) would increase from the current \$1,165 to \$1,456 per equivalent billing unit (2,400 square feet of impervious area added for a development).

Should Council decide to proceed with Scenario 2 or 3 a SWM rate ordinance will need to be prepared to adjust the rates to be made effective January 1, 2016.

Under Scenario 2, rates would increase by 2.7% above inflation for years 2016-2018 and 1.7% above inflation for years 2019-2021. The General Facility Charge would increase from the current \$1,165 to \$1,552 per equivalent billing unit.

Under Scenario 3, rates would increase by 7.7% above inflation for years 2016-2018, 5.7% above inflation for years 2019-2020 and 2.7% above inflation for 2021. The General Facility Charge would increase from the current \$1,165 to \$1,744 per equivalent billing unit.

A Scenario Summary for the rates is shown on Slide 15 of the presentation and rate impacts for the service levels for both Operations and Capital Funding are shown on Slide 16. A comparison of rates for surrounding jurisdictions is also shown on Slide 17. It should be noted that while Scenario 2 moves Des Moines upward on the chart, this also assumes that the other jurisdictions do not adjust their rates during this 10-year period other than for inflation – which is unlikely.

Recommendation or Conclusion

Staff is recommending Scenario 2, which would continue the SWM program at a moderate level of service allowing for the high priority projects listed to be completed within the 10-year timeframe, provide for a 1.0 FTE maintenance worker to inspect, maintain and track maintenance activities in accordance with the NPDES permit and to add 1.0 FTE staff for engineering for managing CIP projects as growth in the program allows.

Concurrence

Staff concurs with the Plan's recommendations for changes in operations such as establishing a drainage permit fee, increasing the use of SWM staff for CIP management, and discontinuing the Pipe Program to allow the cost savings to be used toward the Pipe Replacement Program.

Des Moines Surface Water Comprehensive Plan

Findings & Recommendations



January 15, 2015

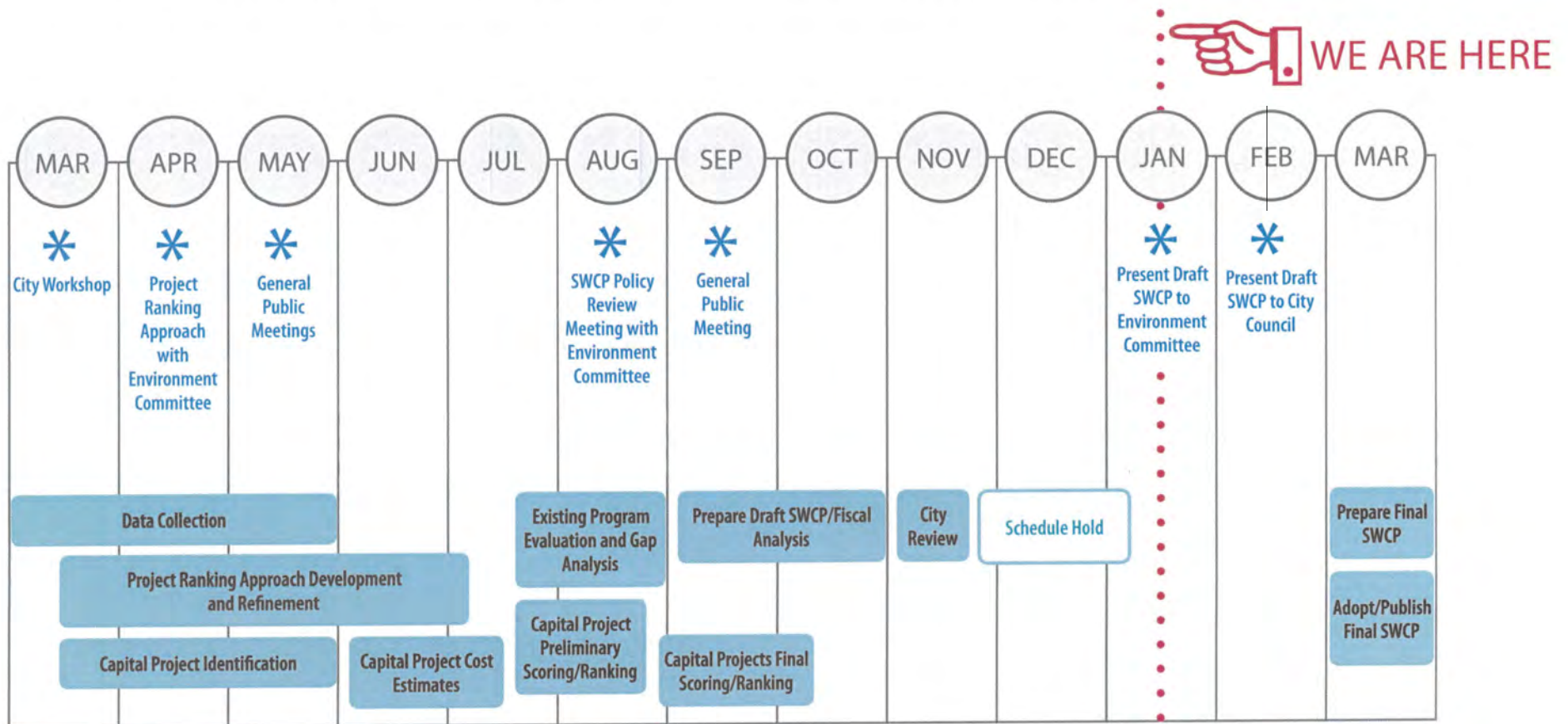


Parametrix | 1
ENGINEERING · PLANNING · ENVIRONMENTAL SCIENCES

PLAN DEVELOPMENT RECAP

GOALS:

- **10-Year Plan** - Cohesive stormwater management program
- **Method Shift** - Proactive approach to maintenance, regulatory, capital needs

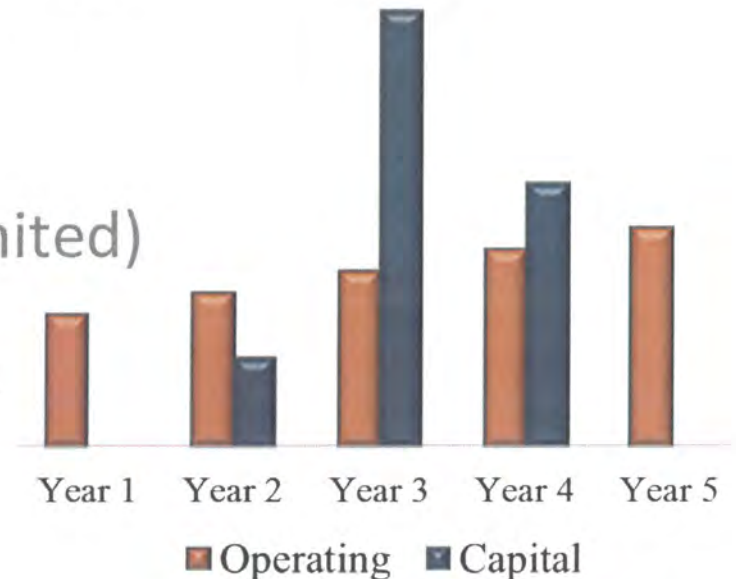


FINDINGS AND RECOMMENDATIONS

Findings	PROGRAM ELEMENT										
	Planning & Engineering	Maintenance	NPDES							Admin	CIP
			Public Ed	Public Involvement	Illicit Dischg	Control Runoff	O&M	Monitoring	Tracking & Reporting		
Gaps in Existing Program and Compliance Needs	None	- Crews inspecting approximately 60% of all catch basins annually. - Add 0.33 FTE, maintenance (back-up to maintain 2 full 2-person crews)	None	None	None	None	2-3 public facilities added each year, requiring additional staff to meet permit requirements - Add 0.33 FTE, increase inspection coverage	None	- Inspection and maintenance database not current with most recent activities. - Add 0.33 FTE, input records backlog	None	- Maintenance of all storm water facilities required by DMMC 11.20.080 (2)(a). - No current systematic repair and/or replacement of aging capital stormwater assets - Add emergency repair and replacement service fund.
Recommendations	- Prog. SEPA for Surface Water CIP - PM Manual/ PM training to support CIP - Add/ reallocate 1.0 FTE to manage CIP - Charge drainage permit fee, help fund development support	- CCTV 15% of SD system annually until complete (City plans to purchase equipment: \$15k) - Discontinue Pipe Program. Reallocate to Pipe Replacement capital project.	None	None	None	None	None	None	- Update tracking database to electronic software. - Organize water quality retrofit data.	- Increase budget proportionately to support upgrades of other program elements - Track SWM revenue growth, use proceeds to cover new costs	None

INTRODUCTION TO UTILITY RATE MAKING

- Evaluates the sufficiency of current rates on a self supporting basis
- Utility rates are set to recover the cost of providing service
 - Operating costs (regular/ongoing)
 - Employee salaries and benefits
 - Interfund transfers
 - Taxes & Services
 - Capital costs (inconsistent/limited)
 - Infrastructure replacement
 - Facility expansions and upgrades
 - Fiscal Policies



KEY ASSUMPTIONS

- Planning period
 - **10 years** (2015-2024)
 - **3.65%** rate increase (inflationary) approved for 2015
- Customer growth
 - **0.50%** per year (~72 equivalent billing units (EBUs))
 - Addition of Des Moines Business Park in 2016
 - \$35,000 / year in rate revenue
 - \$345,000 in General Facilities Charges (GFCs)
- Operating Cost Forecast
 - Based on **2014** Budget
 - Reflects operational changes
- Cost Inflation (2016-2024)
 - Operating Costs: **2.00%** (CPI)
 - Capital Costs: **3.00%** (ENR-CCI)

FISCAL POLICIES

Fund	Purpose(s)	Target Balance
Operating	Provide adequate working capital to accommodate fluctuations in the timing of revenues and expenses	- Based on a number of days of operation and maintenance (O&M) expenses 4 months (33%) + 7% contingency (~\$865,000)
Capital	- Segregate capital resources - Manage capital cost overruns	1% of plant-in-service assets (~140,000)
Capital Reserve	- Provide funds for emergency asset replacement - Fund to become active in 2015	Estimated Use: \$150K every (3) years

- Rate Funded Capital
 - Goal: Generate cash funding for infrastructure replacement through rates
 - Funding: annual transfers from the Operating Fund
 - Transfer to **Capital Fund: 20-30%** of rate revenue
magnitude of expense is dependent on timing of capital projects
 - Transfer to **Capital Reserve Fund: \$50K** per year, fund to be established in 2015

CHANGES IN OPERATIONS

• Establish Drainage Permit Fee	—————→	+ \$25,000 / year
• Charge Street Fund for waste disposal	—————→	+ \$10,000 / year
• Increase use of staff for CIP management	—————→	+ \$30,000 / year
• Discontinue Pipe Program	—————→	<u>+ \$110,000 / year</u>
		+ \$175,000 / year
• FTE Additions (starting in 2015)		
- 0.33 FTE: Non-NPDES Inspections	—————→	- \$30,430 / year
- 0.33 FTE: NPDES Inspections	—————→	- \$30,430 / year
- 0.33 FTE: Backlog Input	—————→	<u>- \$30,430 / year</u>
		- \$91,290 / year
• CCTV 15% of Surface Water System	—————→	- \$15,000 in 2015
• Service Level Dependent Expenses		
- 1.0 FTE: Engineer to manage CIP	—————→	- \$113,923 / year

SERVICE LEVEL SCENARIOS

Service Level	Operations	Capital Funding
Scenario 1	▪ Immediate personnel additions for NPDES inspections, non-NPDES inspections, input backlog of maintenance records - 1.0 FTE (maintenance) in 2015	▪ Fund as many High Priority projects as possible, given inflationary rate increases of 2.3% / year
Scenario 2	▪ Immediate personnel additions for NPDES inspections, non-NPDES inspections, input backlog of maintenance records - 1.0 FTE (maintenance) in 2015 ▪ Eventual personnel addition to support CIP implementation. - 1.0 FTE (engineer) as growth permits	▪ Fund all High Priority projects by 2025
Scenario 3	▪ Immediate personnel additions for NPDES inspections, non-NPDES inspections, input backlog of maintenance records - 1.0 FTE (maintenance) in 2015 ▪ Immediate personnel addition to support CIP implementation. - 1.0 FTE (engineer) in 2015	▪ Fund all High Priority & Medium Priority projects by 2025

SCENARIO 1: REVENUE REQUIREMENT

Assumptions

- 1.0 FTE in 2015 (maintenance)
- Inflationary rate increases: 2.30% (beginning in 2016)
- Adjust Rate Funded Capital to fund as many High Priority capital projects as possible



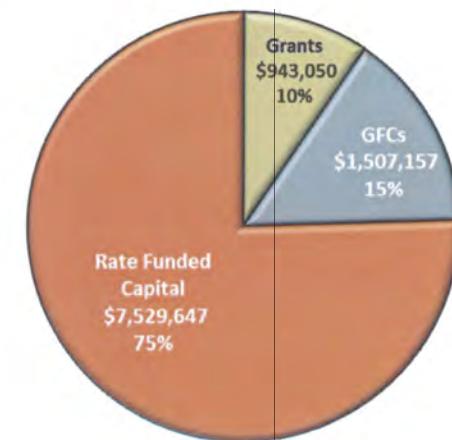
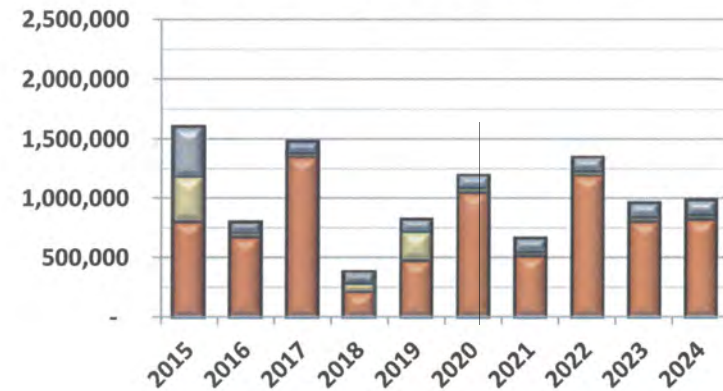
Operations Summary	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Rate Revenue	\$ 2,511,145	\$ 2,619,044	\$ 2,692,678	\$ 2,768,383	\$ 2,846,216	\$ 2,926,237	\$ 3,008,508	\$ 3,093,093	\$ 3,180,055	\$ 3,269,462
Rate Funded Capital	\$ 482,133	\$ 753,344	\$ 861,904	\$ 480,829	\$ 686,728	\$ 733,092	\$ 781,559	\$ 862,297	\$ 854,204	\$ 876,814
Rate Increases	3.65%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%
Monthly Rate / EBU	\$ 14.76	\$ 15.10	\$ 15.45	\$ 15.80	\$ 16.17	\$ 16.54	\$ 16.92	\$ 17.31	\$ 17.70	\$ 18.11

SCENARIO 1: CAPITAL

Capital Funding Summary

- Able to fund 83% of High Priority capital project costs
 - \$8.8M of \$10.6M (current \$)
 - \$10.0M of \$12.1M (escalated \$)
- 5 of 19 High Priority projects left unfunded
 - To be completed in years 2025-2026
- Updated GFC: \$1,456 / EBU

Capital Projects by Year



SCENARIO 2: REVENUE REQUIREMENT

Assumptions

- 1.0 FTE in 2015 (maintenance)
- 1.0 FTE as growth permits (2021)
- Adjust Rate Funded Capital to fund all High Priority capital projects by 2025



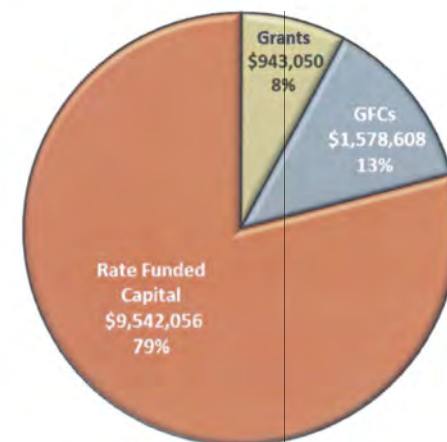
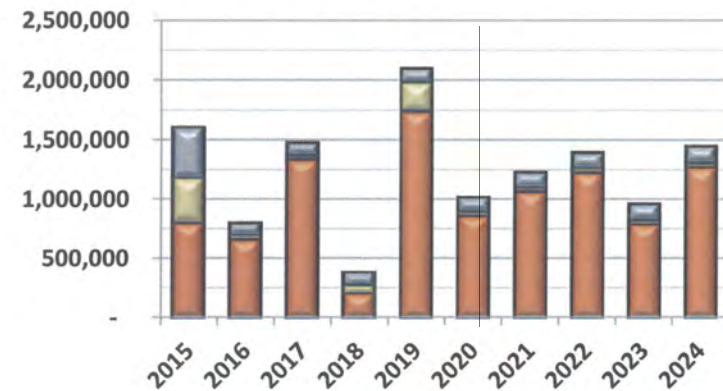
Operations Summary	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Rate Revenue	\$ 2,511,145	\$ 2,688,168	\$ 2,836,689	\$ 2,993,416	\$ 3,128,719	\$ 3,270,137	\$ 3,417,947	\$ 3,514,043	\$ 3,612,840	\$ 3,714,415
Rate Funded Capital	\$ 482,133	\$ 753,344	\$ 856,450	\$ 901,007	\$ 1,007,893	\$ 988,616	\$ 1,031,041	\$ 1,116,400	\$ 1,121,783	\$ 1,151,916
Rate Increases	3.65%	5.00%	5.00%	5.00%	4.00%	4.00%	4.00%	2.30%	2.30%	2.30%
Monthly Rate / EBU	\$ 14.76	\$ 15.50	\$ 16.27	\$ 17.09	\$ 17.77	\$ 18.48	\$ 19.22	\$ 19.66	\$ 20.11	\$ 20.58

SCENARIO 2: CAPITAL

Capital Funding Summary

- Able to fund 100% of High Priority capital project costs
 - Total: \$10.6M (current \$)
 - Total: \$12.1M (escalated \$)
- Updated GFC: \$1,552 / EBU

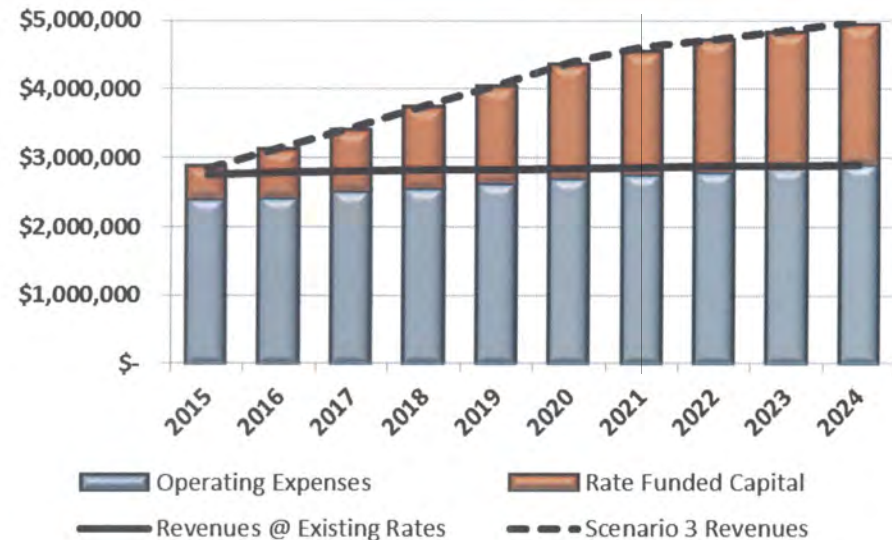
Capital Projects by Year



SCENARIO 3: REVENUE REQUIREMENT

Assumptions

- 2.0 FTE in 2015
- Adjust Rate Funded Capital to fund all High Priority & all Medium Priority capital projects by 2025



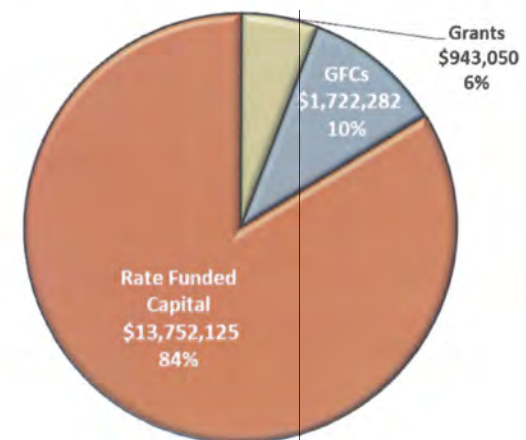
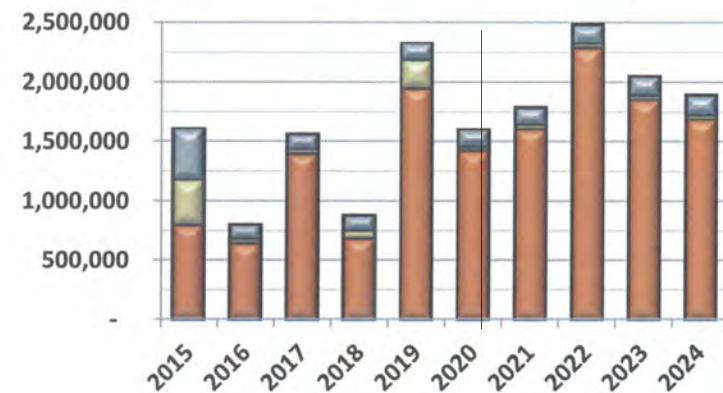
Operations Summary	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Rate Revenue	\$ 2,511,145	\$ 2,816,176	\$ 3,113,283	\$ 3,441,734	\$ 3,735,658	\$ 4,054,683	\$ 4,278,705	\$ 4,399,000	\$ 4,522,678	\$ 4,649,833
Rate Funded Capital	\$ 482,133	\$ 703,121	\$ 951,176	\$ 1,139,649	\$ 1,461,111	\$ 1,581,620	\$ 1,834,061	\$ 1,915,515	\$ 1,963,565	\$ 2,017,365
Rate Increases	3.65%	10.00%	10.00%	10.00%	8.00%	8.00%	5.00%	2.30%	2.30%	2.30%
Monthly Rate / EBU	\$ 14.76	\$ 16.24	\$ 17.86	\$ 19.65	\$ 21.22	\$ 22.91	\$ 24.06	\$ 24.61	\$ 25.18	\$ 25.76

SCENARIO 3: CAPITAL

Capital Funding Summary

- Able to fund 100% of High Priority and Medium Priority capital project costs
 - High Priority:
\$10.6M/\$11.9M (current \$ / escalated \$) completed prior to 2023
 - Medium Priority:
\$3.6M/\$4.5M (current \$ / escalated \$)
- Updated GFC: \$1,744/ EBU

Capital Projects by Year



SCENARIO SUMMARY

<u>Rate Increases [a]</u>	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Scenario 1	3.65%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%
Scenario 2	3.65%	5.00%	5.00%	5.00%	4.00%	4.00%	4.00%	2.30%	2.30%	2.30%
Scenario 3	3.65%	10.00%	10.00%	10.00%	8.00%	8.00%	5.00%	2.30%	2.30%	2.30%

<u>Monthly Rate / EBU</u>	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Scenario 1	\$ 14.76	\$ 15.10	\$ 15.45	\$ 15.80	\$ 16.17	\$ 16.54	\$ 16.92	\$ 17.31	\$ 17.70	\$ 18.11
Scenario 2	\$ 14.76	\$ 15.50	\$ 16.27	\$ 17.09	\$ 17.77	\$ 18.48	\$ 19.22	\$ 19.66	\$ 20.11	\$ 20.58
Scenario 3	\$ 14.76	\$ 16.24	\$ 17.86	\$ 19.65	\$ 21.22	\$ 22.91	\$ 24.06	\$ 24.61	\$ 25.18	\$ 25.76

General Facility Charges / EBU

Scenario 1	\$ 1,456
Scenario 2	\$ 1,552
Scenario 3	\$ 1,744

[a] Rate increases shown assume a minimum 2.30% inflationary increase and per Ordinance 1437, rates are adjusted annually for inflation and may be higher or lower depending on the actual cost indices.

SERVICE LEVEL SCENARIOS

Service Level		Operations		Capital Funding	
Scenario 1		Immediate personnel additions for NPDES inspections, non-NPDES inspections, input backlog of maintenance records - 1.0 FTE (maintenance) in 2015		Fund as many High Priority projects as possible, given inflationary rate increases of 2.3% / year	
2016: \$15.10	2024: \$18.11	2016: \$11.37	2024: \$13.58	2016: \$3.73	2024: \$4.53
Scenario 2		Immediate personnel additions for NPDES inspections, non-NPDES inspections, input backlog of maintenance records - 1.0 FTE (maintenance) in 2015 Eventual personnel addition to support CIP implementation. - 1.0 FTE (engineer) as growth permits		Fund all High Priority projects by 2025	
2016: \$15.50	2024: \$20.58	2016: \$11.67	2024: \$14.51	2016: \$3.82	2024: \$6.07
Scenario 3		Immediate personnel additions for NPDES inspections, non-NPDES inspections, input backlog of maintenance records - 1.0 FTE (maintenance) in 2015 Immediate personnel addition to support CIP implementation. - 1.0 FTE (engineer) in 2015		Fund all High Priority & Medium Priority projects by 2025	
2016: \$16.24	2024: \$25.76	2016: \$12.58	2024: \$14.90	2016: \$3.66	2024: \$10.86

RATE SURVEY COMPARISON

2014 Residential Rates	
Tacoma	\$ 19.97
Auburn	\$ 18.78
Redmond	\$ 16.56
Kirkland	\$ 15.60
Mercer Island	\$ 15.32
Seattle	\$ 15.08
Des Moines (Existing)	\$ 14.24
Issaquah	\$ 14.08
Renton	\$ 12.69
King County	\$ 12.58
North Bend	\$ 12.36
Bothell	\$ 12.08
Bellevue	\$ 11.82
Kent	\$ 11.64
Tukwila	\$ 9.83
Seatac	\$ 8.30
Federal Way	\$ 7.38
Woodinville	\$ 7.26

2016 Residential Rates [a]	
Tacoma	\$ 20.90
Auburn	\$ 19.73
Redmond	\$ 17.33
Kirkland	\$ 16.33
Des Moines (Scenario 3)	\$ 16.24
Mercer Island	\$ 16.03
Seattle	\$ 15.78
Des Moines (Scenario 2)	\$ 15.42
Des Moines (Scenario 1)	\$ 15.10
Issaquah	\$ 14.74
King County	\$ 14.62
Renton	\$ 13.28
North Bend	\$ 12.94
Bothell	\$ 12.65
Bellevue	\$ 12.37
Kent	\$ 12.18
Seatac	\$ 10.53
Tukwila	\$ 10.29
Federal Way	\$ 8.13
Woodinville	\$ 7.60

2024 Residential Rates [a]	
Des Moines (Scenario 3)	\$ 25.29
Tacoma	\$ 25.07
Auburn	\$ 23.71
Redmond	\$ 20.79
Des Moines (Scenario 2)	\$ 20.28
Kirkland	\$ 19.58
Mercer Island	\$ 19.23
Seattle	\$ 18.93
Des Moines (Scenario 1)	\$ 18.11
Issaquah	\$ 17.67
King County	\$ 17.54
Renton	\$ 15.93
North Bend	\$ 15.52
Bothell	\$ 15.17
Bellevue	\$ 14.84
Kent	\$ 14.61
Seatac	\$ 12.95
Tukwila	\$ 12.34
Federal Way	\$ 9.75
Woodinville	\$ 9.12

[a] The rates shown above for comparable utilities have been increased only by an assumed 2.3% inflation rate and does not include any rate adjustment that may occur over a 10 year period (2014-2024).

QUESTIONS?

John Ghilarducci
Principal

Contact FCS GROUP:

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Austin Fisher, PE
Project Manager

Contact Parametrix:

253.604.6600
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Surface Water Comprehensive Plan (Final Draft)

Prepared for
City of Des Moines
21630 11th Ave South
Des Moines, WA 98198

February 2015

Prepared by
Parametrix
719 2nd Avenue, Suite 200
Seattle, WA 98104
206.394.3700
www.parametrix.com

216-1792-009 (01/05)



Citation

Parametrix. 2015. Surface Water
Comprehensive Plan (Final Draft).
Prepared by Parametrix,
Seattle, Washington. February 2015.

Executive Summary

Plan Goals and Development

Purpose

The City of Des Moines Surface Water Management Division is responsible for implementing practices and technologies to address stormwater-related issues throughout the city. The Surface Water Management Division's mission is to:

- Control and minimize flooding, erosion, sedimentation, and water quality degradation;
- Protect the stream ways and wetlands within the city limits;
- Accommodate future urban growth and correct existing surface water problems; and
- Safeguard public safety, prevent property damage, and improve water quality.

(DMMC 11.08.010)

The purpose of this surface water comprehensive plan (SWCP) is to outline the City's surface water management program that will be implemented over the next 10 years, including the current Washington State Department of Ecology (Ecology) Municipal Stormwater Permit term (2013–2018), and discuss the steps taken to identify the crucial program elements. Two major components of the SWCP are the Surface Water Capital Improvement Plan and the Surface Water Rate and General Facilities Charge Update Analysis, which are discussed in the Program Recommendations section of this summary.

Methodology

The City's current surface water program was evaluated and summarized through review of existing operational, water quality, flood control, and habitat reports and

data within the City records and other publically available resources. In addition, existing surface water issues, potential capital projects, staffing needs, maintenance effectiveness, pollution sources, and public awareness were identified and prioritized based on City staff questionnaires, a City staff workshop, five public meetings enlisting citizen involvement, and three presentations to the City Council Environment Committee.

The current surface water management program was evaluated based on City and State regulatory requirements, feedback from the City, and public participation. The Program was evaluated to determine where the current level of service did not fully meet with existing program expectations. In addition, recommendations for higher levels of service were developed based on future City goals and additional programs or technologies that would increase the efficiency of the current program and potentially reduce long-term costs. To objectively compare and prioritize potential capital projects, a ranking system was developed based on City input, citizen involvement, and feedback from the City Council Environment Committee. Finally, the surface water rate analysis was conducted by developing and evaluating three different scenarios that would each address a baseline level of service compliant with all regulatory requirements combined with different levels of operational efficiencies and completion of capital projects.

Future Updates

This SWCP provides a snapshot of the stormwater management program as it can be assessed from a 2014 perspective; however, changes and influence from external (e.g., regulations) and internal (e.g., change in staff or elected officials, flood events) events will occur. The program status should be briefly reviewed bi-annually, reconfirmed for adjustments due to the NPDES Permit renewal in 2018, and a status report and possible adjustments prepared at the 5-year mark (2020) to determine progress toward achieving goals in its 10-year time frame.

Study Area

The City of Des Moines is located within eight stream basins that are part of the larger Duwamish/Green Watershed (Figure ES1). Waterbodies within these basins include Des Moines Creek, Massey Creek, Barnes Creek, McSorley Creek, Normandy Creek, Woodmont Creek, Redondo Creek, and Cold Creek, all of which drain directly to Puget Sound. Issues identified in each stream basin within the city and summarized below are based on findings of individual basin plans; however, substantial efforts have been made to address these issues since publication of the original basin plans and additional monitoring may be needed to determine the success of these efforts.



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Des Moines Creek, Massey Creek, and McSorley Creek have characteristics in common. Each of these streams experiences varying levels of localized flooding due to uncontrolled runoff from developed areas and inadequate detention storage. In addition, each stream contains a combination of varying habitat quality, though much of the streams still provides good fish habitat and some reaches may be suitable for restoration. Also, Des Moines Creek, Massey Creek, and McSorley Creek have been identified on Ecology's 303(d) list for exceeding state water quality standards for dissolved oxygen, fecal coliform, and copper. Des Moines Creek and Massey Creek have also been identified on Ecology's 303(d) list for exceedances of the zinc water quality standard.

The remaining streams within the city are each considered to have lower habitat value. Both Normandy Creek and Woodmont Creek have good canopy cover; however, Normandy Creek contains fish barriers and Woodmont Creek is heavily incised with high flows. Redondo Creek and Cold Creek basins are each heavily developed with less remaining canopy cover and offer very low habitat value overall. Normandy, Woodmont, Redondo, and Cold Creeks have not been listed by the State for water quality exceedances.

Current Surface Water Management Program

Overview

An overview of the current Surface Water Management Program is provided in Table ES-1.

Budgeting

The current Surface Water Management Program is funded through a surface water utility fee, grants, and Interlocal agreements. The Surface Water Management Division periodically evaluates the surface water fee to determine if the base amount is adequate to meet program needs and if the portions of the rates allocated between commercial and residential customers is appropriate. In addition, the Surface Water Management Division generates an annual budget outlining how the surface water rate revenue will be allocated to its costs and needs for the coming year.

Table ES-1. Overview of Current Surface Water Management Program

Program Element										
Planning and Engineering	Inspections and Maintenance	NPDES							Administration	Capital Projects
Staff salaries, supplies, and specific labor required for stormwater engineering and planning (Stormwater Comprehensive Plan, NPDES SWMP Plan, etc.).	Routine system inspections and maintenance (includes NPDES-required work): field crew staff salaries, equipment, interfund transfers for repairs, etc.	Implementation of NPDES Permit program - SWMP document updates included under Planning & Engineering - NPDES inspections and maintenance included under Inspections & Maintenance general program component							Overhead costs of operating the program: support staff salaries, state taxes, utility taxes, and non-element-specific expenses.	Large-scale construction, expansion, renovation, or replacement projects; purchases of major, long-term use equipment; or major long-term maintenance, repair, or rehabilitation projects.
		Public Education	Public Involvement	Illicit Discharges	Control Runoff	Operation and Maintenance	Monitoring	Tracking and Reporting		
		Reduce or eliminate public stormwater impacts and encourage participation in stewardship.	Ongoing opportunities for involvement, such as advisory councils, public hearings, watershed committees, and rate-structure input.	Prevent, detect, characterize, trace, and eliminate illicit connections and discharges into the storm drain system.	Reduce pollutants in stormwater runoff from new development, redevelopment, and construction site activities through permitting, plan review, and inspections.	Perform operations and maintenance on the storm drain system and provide staff training.	Conduct local water quality monitoring or pay into a fund to support regional monitoring.	Gather information, track program success, set action priorities, retain records, and submit reports to Ecology.		

Identified Compliance Gaps in Current Program

In general, the current Surface Water Management Program complies with most regulatory requirements and provides an adequate level of service to the surface water rate customers. However, the following gaps were identified in the existing program:

- **NPDES Operations and Maintenance:** Stormwater management facilities must be inspected at least once per year. The City crews are able to inspect each existing facility annually and bring them up to maintenance standards as needed. However, since 2012, at least 4 major facilities have been constructed or soon will be. The Surface Water Management Division is in the process of modifying the Operations and Maintenance Plan to include these facilities and have maintenance crews provide these inspection duties. With the existing maintenance staff, a gap exists in the time needed to meet the permit inspection and maintenance requirements as additional facilities are constructed.
- **NPDES Tracking, Recordkeeping, and Reporting:** The existing inspection and maintenance records contain a large backlog of paper activity reports that have not been entered into the electronic database.
- **Capital Project Implementation:** The City currently does not have an emergency fund within the capital projects budget or a systematic program for replacement of failing infrastructure.

Program Recommendations

Key Drivers

The Surface Water Management Division's mission statement focuses on issues such as flooding, erosion, sedimentation, water quality degradation, stream and wetland protection, future growth, public safety, and property protection. All of these elements are part of three main focus areas around which the Surface Water Management Program is centered:

- Drainage
- Water Quality
- Habitat

Future program upgrades centered on these focus areas will provide continuity of efforts while aligning with local and State requirements, regional initiatives, City goals and priorities, and public needs.

The City's existing storm drain system and flow control facilities are generally adequate to address drainage needs to the level of service in place when the

systems were constructed. However, the infrastructure within the storm drain system includes extended lengths of pipe that are near the end of their useful life and SWM does not currently have a dedicated plan or funding mechanism to pay for the repair and replacement of these aged components. It is recommended that the City establish a repair and replacement fund to handle these anticipated, but unpredictable repairs of pipe failure.

Based on recent regulatory developments, it is anticipated that future versions of the Municipal NPDES Permit will require the City to implement a stormwater retrofit plan. It is recommended that the City begin preparing for the future potential need by compiling and organizing information related to stormwater quality and flow retrofitting, including mapping, water quality problem identification and tracking, flow monitoring, establishing funding for add-on opportunities, preparing a prioritized retrofit plan.

Similar to water quality data, the City does not have a central clearinghouse of information for City habitat areas and improvement opportunities. Therefore, it is recommended that the City begin compiling and organizing habitat-specific information as part of the data gathering effort discussed in the previous section.

Components

Recommended approaches for addressing gaps in the current Surface Water Management Program, including additions of full-time employees (FTEs) and recommendations to increase program efficiencies and reduce costs are presented in Table ES-2.

Implementation

Implementation of the recommended operational procedures and construction of capital projects are presented in three different funding scenarios, as summarized in Table ES-3. Each of these scenarios would address a baseline level of service compliant with all regulatory requirements combined with different levels of operational efficiencies and completion of capital projects. Identified capital projects are summarized in Figures ES-1 and ES-2.

Tables ES-4 through 6 show the long-term revenue requirement forecast and the associated utility fee increase for each of the scenarios. The rate of fee increases on Scenario 1 are based on inflation only, while Scenarios 2 and 3 include increases beyond inflation to achieve higher levels of operational and capital service.

Table ES-2. Surface Water Program - Findings and Recommendations

	Program Element										
Findings	Planning and Engineering	Maintenance	NPDES						Administration	Capital Improvement Program	
Gaps in Existing Program and Compliance Needs	• None	• Crews inspecting approximately 60% of all catch basins annually. • <u>Add 0.33 FTE</u> maintenance (back-up to maintain 2 full 2-person crews)	Public Education	Public Involvement	Illicit Discharge	Control Runoff	Operation and Maintenance	Monitoring	Tracking and Reporting	• None	• Maintenance of all stormwater facilities required by DMMC 11.20.080 (2)(a). • No current systematic repair or replacement of aging capital assets • <u>Add emergency repair and replacement service fund.</u>
			• None	• None	• None	• None	• 2-3 public facilities added each year, requiring additional staff to meet permit requirements • <u>Add 0.33 FTE</u> , increase inspection coverage	• None	• Inspection and maintenance database not current with most recent activities. • <u>Add 0.33 FTE</u> , input records backlog		
Recommendations	• <u>Programmatic SEPA</u> for Capital Program • Project Management <u>Manual/ training</u> to support Capital Program • Add/ reallocate <u>1.0 FTE</u> to manage CIP • Charge <u>drainage permit fee</u> , help fund development support	• Closed-circuit television <u>inspection of</u> 15% of the drainage system annually until complete (City to purchase equipment: \$15k) • <u>Discontinue</u> Pipe Program. • Reallocate to Pipe Replacement capital project.	• None	• None	• None	• None	• None	• None	• Update tracking database to <u>electronic software</u> . • Organize <u>water quality retrofit</u> data.	• <u>Increase budget proportionately</u> to support upgrades of other program elements • <u>Track division revenue growth</u> , use proceeds to cover new costs	• None

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Table ES-3. Program Implementation Funding Scenarios

Funding Scenario	Operations	Capital Projects
Scenario 1	Immediate personnel additions for NPDES inspections, non-NPDES inspections, input backlog of maintenance records - 1.0 FTE (maintenance) in 2015	Fund 14 out of 19 High Priority projects
Scenario 2	Immediate personnel additions for NPDES inspections, non-NPDES inspections, input backlog of maintenance records - 1.0 FTE (maintenance) in 2015 Eventual personnel addition to support CIP implementation. - 1.0 FTE (engineer) as growth permits	Fund all High Priority projects by 2025
Scenario 3	Immediate personnel additions for NPDES inspections, non-NPDES inspections, input backlog of maintenance records - 1.0 FTE (maintenance) in 2015 Immediate personnel addition to support CIP implementation. - 1.0 FTE (engineer) in 2015	Fund all High Priority & Medium Priority projects by 2025

Capital Project	Public Meeting Focus Area	Project Title	Estimated Cost	Score
High-Ranked Projects				
16	A	5th Avenue South/212th Street Pipe Upgrade	\$724,220	68
3	B	Lower Massey Creek Channel Modifications	\$1,248,565	64
30	C	North Fork McSorley Creek Diversion Project	\$372,960	60
4	B	Barnes Creek/Kent Des Moines Road Culvert Replacement	\$1,470,081	58
39	C	6th Avenue/239th St. Pipe Replacement	\$164,220	56
36	D	14th Avenue (268th to 272nd) Pipe Upgrade	\$411,740	56
17	A	216th Place/Marine View Drive Pipe Upgrade	\$258,300	54
25A	B	KDM/16th Avenue Pipe Replacement Project	\$227,080	52
18	A	Des Moines Memorial Drive - S. 208th to S. 212th Pipe Project	\$504,980	48
40	D	8th Avenue (264th to 265th) Pipe Project	\$219,800	48
5	B	24th Avenue Pipeline Replacement	\$260,100	46
25B	B	KDM/16th Avenue (228th to KDM Rd) Pipe Project	\$714,420	46
7	A	1st Avenue Pond Expansion	\$334,672	34
9	ALL	Pipe Replacement Program (unidentified projects)	\$1,474,667	34
Sub-Total Estimated Cost of High-Ranked Projects			\$8,385,805	
26	C	232nd Street (10th to 14th) Pipe Project	\$496,580	44
23	B	24th Avenue (223rd to 224th) Pipe Upgrade	\$226,100	42
34	C	258th Street (13th Pl to 16th Ave) Pipe Project	\$341,600	42
37	D	6th Place/287th Street Pipe Replacement Project	\$496,300	40
14	A	1st Place South (209th to 210th) Pipe Project	\$211,260	36
Sub-Total Estimated Cost of High-Ranked Projects			\$1,771,840	
Grand Total Estimated Cost of High-Ranked Projects			\$10,157,645	
Medium-Ranked Projects				
38	A	9th Avenue (202nd to 206th) Pipe Project	\$185,920	32
15	A	3rd Avenue South (213th to 216th) Pipe Project	\$322,140	30
31	C	20th Avenue/243rd Street Pipe Upgrade	\$371,840	30
35	C	22nd Avenue Outfall Project	\$191,380	28
6	A	199th North Hill Trunkline Upgrade	\$231,395	26
8	A	North Hill NE and 197th Street Trunkline Upgrade	\$482,857	26
32	C	242nd Street (26th Ave to 26th Pl) Pipe Project	\$100,100	26
11	C	Saltwater Highlands Tract A pond replacement (and/or stabilize adjacent rav	\$360,962	24
27	C	240th Street (MVD to 11th Place) Pipe Project	\$343,840	24
22	A	220th Street (15th Ave to SJU Park) Pipe Replacement Project	\$335,860	22
33	C	252nd Street/9th Avenue Pipe Project	\$191,240	22
41	D	12th/13th Avenue (270th to 272nd Street)	\$496,020	22
Total Estimated Cost of Medium-Ranked Projects			\$3,613,554	
Low-Ranked Projects				
12	A	1st Place South (201st to 204th) Pipe Upgrade	\$415,100	20
20	A	222nd/223rd 8th Avenue to 11th Avenue Pipe Project	\$472,220	18
21	B	223rd Street (13th Avenue to 19th Avenue) Pipe Project	\$292,880	16
28	B	240th Street (13th to 16th Ave) Pipe Project	\$248,080	16
29	B	25th Avenue (n/o 232nd Street) Pipe Replacement Project	\$99,680	16
10	A	1st Place South (197th to 192nd)	\$237,860	14
19	A	14th Avenue/15th Avenue N/O 215th Place Pipe Project	\$110,600	14
24	B	16th Avenue (224th to 228th) Pipe Project	\$331,240	14
13	A	3rd Avenue (206th to 207th) Pipe Project	\$165,060	10
Total Estimated Cost of Low-Ranked Projects			\$2,372,720	

Figure ES-2
Capital Project Cost, Priority, and Scoring Summary

Table ES-4. Scenario 1 Revenue Requirement Forecast

Summary	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Rate Revenue	\$ 2,511,145	\$ 2,619,044	\$ 2,692,678	\$ 2,768,383	\$ 2,846,216	\$ 2,926,237	\$ 3,008,508	\$ 3,093,093	\$ 3,180,055	\$ 3,269,462
Rate Funded Capital	\$ 482,133	\$ 753,344	\$ 861,904	\$ 480,829	\$ 686,728	\$ 733,092	\$ 781,559	\$ 862,297	\$ 854,204	\$ 876,814
Rate Increases	3.65%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%	2.30%
Monthly Rate / EBU	\$ 14.76	\$ 15.10	\$ 15.45	\$ 15.80	\$ 16.17	\$ 16.54	\$ 16.92	\$ 17.31	\$ 17.70	\$ 18.11

Table ES-5. Scenario 2 Revenue Requirement Forecast

Summary	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Rate Revenue	\$ 2,511,145	\$ 2,688,168	\$ 2,836,689	\$ 2,993,416	\$ 3,128,719	\$ 3,270,137	\$ 3,417,947	\$ 3,514,043	\$ 3,612,840	\$ 3,714,415
Rate Funded Capital	\$ 482,133	\$ 753,344	\$ 856,450	\$ 901,007	\$ 1,007,893	\$ 988,616	\$ 1,031,041	\$ 1,116,400	\$ 1,121,783	\$ 1,151,916
Rate Increases	3.65%	5.00%	5.00%	5.00%	4.00%	4.00%	4.00%	2.30%	2.30%	2.30%
Monthly Rate / EBU	\$ 14.76	\$ 15.50	\$ 16.27	\$ 17.09	\$ 17.77	\$ 18.48	\$ 19.22	\$ 19.66	\$ 20.11	\$ 20.58

Table ES-6. Scenario 3 Revenue Requirement Forecast

Summary	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Rate Revenue	\$ 2,511,145	\$ 2,816,176	\$ 3,113,283	\$ 3,441,734	\$ 3,735,658	\$ 4,054,683	\$ 4,278,705	\$ 4,399,000	\$ 4,522,678	\$ 4,649,833
Rate Funded Capital	\$ 482,133	\$ 703,121	\$ 951,176	\$ 1,139,649	\$ 1,461,111	\$ 1,581,620	\$ 1,834,061	\$ 1,915,515	\$ 1,963,565	\$ 2,017,365
Rate Increases	3.65%	10.00%	10.00%	10.00%	8.00%	8.00%	5.00%	2.30%	2.30%	2.30%
Monthly Rate / EBU	\$ 14.76	\$ 16.24	\$ 17.86	\$ 19.65	\$ 21.22	\$ 22.91	\$ 24.06	\$ 24.61	\$ 25.18	\$ 25.76

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A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL City of Des Moines, WA

SUBJECT: Des Moines Beach Park Dining Hall
Rehabilitation Project – Additional Funding

FOR AGENDA OF: February 12, 2015

DEPT. OF ORIGIN: Planning, Building & Public
Works

DATE SUBMITTED: February 5, 2015

ATTACHMENTS:

1. 2014-2019 CIP Summary Worksheet
2. 2015-2020 CIP Summary Worksheet
3. Minutes from 9/25/2014 Meeting

CLEARANCES:

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

APPROVED BY CITY MANAGER

FOR SUBMITTAL: Geo ACM

Purpose and Recommendation

The purpose of this agenda item is to provide the Council an update on the Dining Hall Rehabilitation Project, and to seek City Council approval of additional funding for the project.

Suggested Motions

Motion 1: “I move to approve an additional \$61,000.00 for the Des Moines Beach Park Dining Hall Restoration Project.”

Motion 2: “I move to direct Administration to submit a CIP budget amendment for the Des Moines Beach Park Dining Hall Rehabilitation Project for this additional funding.”

Background

On September 25, 2014, the City Council awarded the construction contract for the Dining Hall Rehabilitation Project to Par-Tech Construction Inc. in the amount of \$946,152.50, and authorized a project contingency of \$120,000.00 (Attachment 3). Construction began on October 23, 2014. The contract has 180 calendar days, and should be completed by April 20, 2015, depending on weather conditions. Additional working days may be added for change orders, which would extend the

completion date. At this time the contractor is progressing satisfactorily, is on schedule, and the project is within budget.

To date, \$68,604.84 of the \$120,000.00 project contingency has been used. The Table below summarizes the use of project contingency to date:

Approved Change Orders --	\$28,380.68
Asbestos Abatement --	\$8,423.38
Water Connection Charges --	\$11,375.00
Permitting (HPA) --	\$2,325.78
PSE Power Connection Charges --	\$8,000.00
Midway Sewer Connection Charges --	\$100.00
Potential Civil Work Change Orders --	\$10,000.00

Total: \$68,604.84

Remaining Contingency: \$51,395.16

Discussion

During the design phase of the project, careful attention was given to the project scope so that the proposed improvements would be completed within available budget, while providing adequate contingency to address unforeseen conditions during the construction of the project. As part of this review effort, a number of desired elements were removed from the project in the design phase, with the intent that we would reevaluate those elements as construction of the project progressed. Given that the project is nearing completion, staff now has a better understanding on the use of overall project contingency to date, as well as the remaining construction needs and risks.

Following is a summary of a number of options for the use of the remaining project contingency for the Council's consideration:

Paint Bubbling:

Staff is currently in the process of preparing a change order to address an issue with paint bubbling that has materialized on the north side of the building (the side that faces the Picnic Shelter building). The issue appears to be related to the old lead paint coming loose and pulling the wood siding with it as the sun warms the surface of the building. The paint representative experts are telling us that this is a symptom of very old lead paint, and that it is not untypical if all of the old paint is not entirely removed.



During the design scoping discussions, an estimate of \$44,000.00 was obtained to entirely strip the building down to bare wood, prime, and repaint. The decision was made to only replace the bad siding

as necessary, and try to encapsulate the remaining lead paint with new primer and paint, and put our construction budget into some interior improvements. As you can see in the painted mockup section in the photo above, encapsulating the existing paint is not going to work. We now need to resolve the paint bubbling.

The following options are available to us:

1. Strip the north side down to bare wood, prime and repaint. This is the side of the building that gets the most sun. If we experience paint bubbles on the remaining three sides of the building, we would have to make spot improvements over time. Estimated cost for this option is \$13,500.00.
2. Paint the building as planned, and then have the contractor conduct an initial fix of the paint bubbles on all four sides of the building. Estimated cost for this option is \$4,000.00. However, this option would likely result in ongoing maintenance required by City staff.
3. Strip all four sides of the building down to bear wood, prime and repaint – estimated cost of \$32,000.00.

Of the options listed above, the Architect and Staff recommend Option 3 (\$32,000.00). This would give us the most attractive exterior finish, it would be totally lead-free, and we would have minimal maintenance issues in the future. Choosing any of the other options leaves us with the possibility of having to chase future paint bubbles and abating the remaining old lead paint. Currently, we have sufficient contingency funds remaining to perform this work.

Assuming that resolving the paint issues discussed above will cost \$32,000.00, we have \$19,395.16 in remaining project contingency funds that could be applied to other potential change orders.

Kitchen Hood, Makeup Air, and Exhaust Fan:

Staff discussed adding this equipment with the Municipal Facilities Committee on January 22, 2015. The costs presented to the committee were too low. The Architect has since received an actual cost estimate from the contractor for this work, and it is going to cost \$49,780.62. This is \$15,347.39 higher than previously discussed with the committee, but not out of line with current pricing. Staff has not finalized the change order for this work yet. If the decision is made to hold off on this equipment at this time and pursue this work in the future, it is estimated to cost about \$8,500.00 more because some of the work currently under contract will have to be redone.

Given that there is just over \$19,000.00 of remaining available project contingency, an additional \$31,000.00 in project funding would be required to complete this work.

Mini HVAC Furnace System:

The Architect has also recommended that we consider replacing the existing ceiling mounted gas heaters with a new mini HVAC furnace system that will be quieter and more efficient. The building is heated primarily by two existing ceiling mounted Reznor gas heaters (see photos below – Kaffe Stugga at left, Main Room at right).



Since the project began, many of the gaps and holes in the walls and ceiling have been sealed up, thus making the building more soundproof and able to retain heat better. That being said, these heaters still make quite a bit of noise, are not really energy efficient; and are difficult to talk over. The Architect has suggested that we consider removing them and install a new mini HVAC furnace system with colored ductwork (painted to match the interior wall colors). The new heating system would be energy efficient, and user friendly when it comes to conversation. Current cost estimates for the new HVAC system are \$30,000.00. There are currently no funds to cover this work, and would need an additional \$30,000.00 in project funds to complete this work.

Kitchen Equipment:

The low bid received on September 16, 2014 was quite favorable, and allowed us to get more work completed with existing project funds than was previously expected. However, even with such a good bid, we are not able to complete the commercial kitchen without additional funds.

In order to complete the commercial kitchen, we need to purchase and install several appliances and furniture items. Staff plans to purchase the kitchen equipment directly from the vendor to avoid the 15% contractor overhead and markup fee. Current cost estimates for the kitchen equipment are about \$30,000.00, which includes \$3,000.00 for installation. There are currently no funds to cover this work and we will need an additional \$30,000.00 in project funds to complete this work.

Early on in the project (September 2013), Councilmember Nutting offered to donate several salvaged pieces of kitchen equipment. The Architect and staff took a look at the potential donations and made project determinations based upon what we saw. A more detailed explanation on this potential kitchen equipment is as follows:

- Deep fat fryer – These are no longer in Councilmember Nutting's possession. Besides, this equipment is not in the current kitchen design concept, is too dangerous for typical renter groups to use, and is quite messy.



- Kitchen hood – The hood did not have a UL listing sticker on it, and did not have any fire protection system. The costs associated of getting the hood UL listed (building code requirement) and retrofitting a fire protection system into it were too cost prohibitive for use.



- Range and Oven – The range and oven need new grates and a thorough deep cleaning, but could be used if desired. This item is still in Councilmember Nutting's possession.



- Two compartment sink – There are no two compartment sinks in the current kitchen design concept, only three compartment sinks as required by the Health Department.



- Under cabinet refrigerator drawers – This piece of equipment is not in the current kitchen design concept. The plan is to use freestanding refrigerators, so there is no location to place it. Also, we need much more cold storage than this unit can provide.



- Freestanding oven – This piece of equipment is not in the current kitchen design concept. We plan to use one range and oven and one freestanding tall warming rack.



Alternatives

1. Council could elect to not authorize additional project funds at this time. The Project would be completed within budget, and the paint issue will be resolved by striping all four sides of the building down to bare wood, priming and repainting at an estimated cost of \$32,000.00. There would be no kitchen hood, no functioning kitchen, and we use the existing ceiling mounted gas heaters.
2. Council could choose to partially resolve the paint bubbling issue now, and deal with future bubbling as it arises. While this might free up some project contingency, this is not recommended by staff.
3. Council could choose to provide additional funding for the kitchen hood, makeup air and exhaust fan by approving an additional \$31,000.00 in project funds. At a minimum, staff recommends that this work be added to the project at this time so that we have the option of installing kitchen equipment in the future.
4. Council could choose to provide additional funding for the kitchen hood, makeup air and exhaust fan (Option 3 at \$31,000.00), and install the new mini HVAC furnace system (\$30,000.00) by approving an additional \$61,000.00 in project funds.

5. Council could choose to provide additional funding for the kitchen hood, makeup air and exhaust fan (Option 3 at \$31,000.00), and purchase new kitchen equipment (\$30,000.00) by approving an additional \$61,000.00 in project funds.
6. Council could choose to provide additional funding for the kitchen hood, makeup air and exhaust fan, install a new mini HVAC furnace system (Option 4 at \$61,000.00), and purchase new kitchen equipment (\$30,000.00) by approving an additional \$91,000.00 in project funds.

Staff will provide a discussion of these alternatives at the Council meeting, and will be seeking Council direction.

Financial Impact

The CIP Project summary worksheets (Attachments 1 and 2) show that there are sufficient funds in the adopted project budget to complete the cost of the improvements that were scoped in the project bid, plus some miscellaneous change order work.

Additional project funds for installing the kitchen hood, makeup air and exhaust fan; installing a new mini HVAC furnace system; and purchasing new kitchen equipment are available, and would come from undesignated REET funds in the MCI Budget. At this time the Finance Director is comfortable recommending up to \$61,000.00 in additional project funding from REET.

Recommendation or Conclusion

Staff recommends Council approve the suggested motions.

Concurrence

Finance, Parks, Recreation and Senior Services, and Planning, Building, and Public Works concur.

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2014 - 2019 CAPITAL IMPROVEMENT PLAN Municipal Capital Improvement

CAPITAL IMPROVEMENT PLAN REQUEST FORM

CATEGORY General Government
PROJECT Des Moines Beach Park (DMBP) Dining Hall Rehabilitation

PROJECT NO. 310.050-01
PROJECT STATUS
Preliminary Estimate X
Plans in Preparation
P.S.E. Complete

LOCATION 22030 Cliff Avenue South

DESCRIPTION: Rehabilitation of the Dining Hall includes lifting the building, constructing a new foundation spanning the creek (completed in 2008), ADA access and decking (completed in 2011). This project has funding support from Washington State and shares a portion of the cost to make creek modifications to reduce park flooding and improve environmental conditions. 2013: Provides funds for code related improvements to reopen the building such as: repairs to structure and roof, building interior and exterior rehabilitation work, new utilities (electrical and gas, phone, cable, water, sewer, surface water), fire suppression and grease trap. 2014: Provides funds for window replacement and door repairs.

EXPENDITURE SCHEDULE

COST ELEMENTS	TOTAL*	Prior Years	FY 09 Act	FY 10 Act	FY 11 Act	FY 12 Act	FY 13 Est	FY 13 Amd	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19
ADMINISTRATION	\$ 43,217	\$ 10,212	\$ 376	\$ -	\$ 4,650	\$ 479	\$ 2,500	\$ 9,130	\$ 25,000					
CIP PROJ MGT 5%	65,117	15,780	909				6,055	25,000	43,373					
DESIGN/ENGINEERING	221,441	104,716	12,647			11,189	30,000	80,000	62,887					
SURVEY (Archaeology)	9,987	7,273	2,714											
Creek Hydrology Design/Permit	122,722	93,619	21,226		2,727		5,150							
FEMA Reports	-													
BUILDINGS	2,063,677	942,896			285,644			585,000	835,137					
Construction Obs/Engineer	67,515				33,622	11,905			21,788					
CONTINGENCY	126,000						6,000	63,820	126,000					
SALES TAX	117,830				27,092			55,575	90,738					
LEAD & ASBESTOS ABATEMENT	10,000						10,000	6,500						
TESTING	44,524	31,822			5,202				7,500					
Interior Furniture	67,952	992		66,601		496		50,000	20,000					
BUILDING PERMITS	22,661		671			790			21,200					
TOTAL	\$ 3,002,682	\$ 1,207,011	\$ 38,543	\$ 66,601	\$ 356,137	\$ 24,662	\$ 58,705	\$ 875,025	\$ 1,247,623					

FUNDING SOURCES	TOTAL*	Prior Years	FY 09 Act	FY 10 Act	FY 11 Act	FY 12 Act	FY 13 Est	FY 13 Amd	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19
REET	\$ 835,262	\$ 762,955	\$ -	\$ (124,996)	\$ 133,667	\$ -	\$ 7,604	\$ -	\$ 55,832					
REET (2013 Tsf from Auditorium Roof Proj.)	(5,946)			(95,321)			51,101	93,375	42,274					
REET (2013-14 Tsf from BP Interim Repairs.)	125,454							31,650	125,454					
4Culture Arts Capital Grant (confirmed)	12,000								12,000					
Park In-lieu	-													
MCI	61,760				175,692	(93,932)	(128,063)	(128,063)	128,063					
SWM Utility	-													
Additional King County Funds	60,000								60,000					
4Culture	12,850	12,850												
WA State Heritage Funds (confirm)	980,001	431,176	10,650	291,118		118,794	128,063	128,063	-					
WA State Her Funds (confirm.)	824,000							750,000	824,000					
Miscellaneous (Ins Recoveries)	77,301	30	27,693		49,578									
TSF-IN FROM GENERAL FUND	-													
TOTAL	\$ 3,002,682	\$ 1,207,011	\$ 38,543	\$ 66,601	\$ 356,137	\$ 24,662	\$ 58,705	\$ 875,025	\$ 1,247,623					

*Excludes FY 13 Amd

JUSTIFICATION:

Des Moines Beach Park is listed on the State and National Historic Register. Expert analysis was completed in 2004 regarding prioritized and phased rehabilitation of the park's assets. Rehabilitation of the following buildings is proposed: Auditorium (1957), Dining Hall (1934), Picnic Shelter (1924), Sun Home Lodge (1934), Caretaker's Cabin (1935), Workshop/Bath House (1945), and Founder's Lodge (1970). The Sun Home Lodge is in desperate need of life and safety repairs for its continued use as a recreation facility. Funds are not available at this time to provide for the rehabilitation work necessary for public use.

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2015 - 2020 CAPITAL IMPROVEMENT PLAN

Municipal Capital Improvement

CAPITAL IMPROVEMENT PLAN REQUEST FORM

CATEGORY	General Government	PROJECT NO.	310.050-01
PROJECT	Des Moines Beach Park (DMBP) Dining Hall Rehabilitation	PROJECT STATUS:	
LOCATION	22030 Cliff Avenue South	Preliminary Estimate	X
DESCRIPTION:	Rehabilitation of the Dining Hall includes lifting the building, constructing a new foundation spanning the creek (completed in 2008), ADA access and decking (completed in 2011). This project has funding support from Washington State and shares a portion of the cost to make creek modifications to reduce park flooding and improve environmental conditions. 2013: Provides funds for code related improvements to reopen the building such as: repairs to structure and roof, building interior and exterior rehabilitation work, new utilities (electrical and gas, phone, cable, water, sewer, surface water), fire suppression and grease trap. 2014: Provides funds for window replacement and door repairs.		
		Plans in Preparation	
		P.S.E. Complete	

EXPENDITURE SCHEDULE

COST ELEMENTS	TOTAL*	Prior Years	FY 12 Act	FY 13 Act	FY 14 Est	FY 14 Amd	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20
ADMINISTRATION	\$ 54,277	\$ 15,238	\$ 479	\$ 267	\$ 18,293	\$ 5,000	\$ 20,000					
CIP PROJ MGT 5%	55,658	16,689		4,096		8,500	34,873					
DESIGN/ENGINEERING/PERMITS	232,740	117,365	11,189	20,641	83,545	103,438						
SURVEY (Archeology)	9,987	9,987										
Creek Hydrology Design/Permit	122,710	117,572		600	4,538							
FEMA Reports	-											
BUILDINGS	1,661,318	1,228,540			745	411,441	432,033					
UTILITIES IMPROV/CREEK	-											
Construction Obs/Engineer	67,515	33,822	11,905				21,788					
CONTINGENCY/PERMITS	151,362				31,362		120,000					
SALES TAX	68,136	27,092				41,043	41,044					
LEAD & ASBESTOS ABATEMENT	18,423				16,423							
TESTING	40,024	37,024				9,263	3,000					
EQUIPMENT	87,992	67,493	498				20,000					
PERMITS	2,188	671	790		727	21,200						
TOTAL	\$ 2,572,329	\$ 1,671,492	\$ 24,862	\$ 25,604	\$ 157,633	\$ 599,885	\$ 692,738	\$ -	\$ -	\$ -	\$ -	\$ -

FUNDING SOURCES	TOTAL*	Prior Years	FY 12 Act	FY 13 Act	FY 14 Est	FY 14 Amd	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20
REET	\$ 779,430	\$ 771,826	\$ -	\$ -	\$ 7,604	\$ 180,225						
REET (2013 Tsf from Auditorium Roof Proj.)	(48,220)	(99,321)		8,122	42,979	42,274						
REET (2013-14 Tsf from BP Interim Repairs.)	-					125,454						
4Culture Arts Capital Grant (confirmed)	-					12,000						
Park In-lieu	-											
MCI	-	175,692	(93,932)	(81,760)		48,670						
King County Landmarks	-					60,000						
4Culture	12,850	12,850										
WA State Heritage Funds (confirm)	980,000	733,144	118,794	99,242	28,820	-						
WA State Heritage Funds (confirm.)	770,968				78,230	131,262	692,738					
Miscellaneous (Ins Recoveries)	77,301	77,301										
TSF-IN FROM GENERAL FUND	-											
TOTAL	\$ 2,572,329	\$ 1,671,492	\$ 24,862	\$ 25,604	\$ 157,633	\$ 599,885	\$ 692,738	\$ -	\$ -	\$ -	\$ -	\$ -

*Excludes FY 14 Amd

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MINUTES

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

September 25, 2014 – 7:00 p.m.

CALL TO ORDER

Mayor Kaplan called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Mayor Pro Tem Pina.

ROLL CALL

Council present: Mayor Kaplan; Mayor Pro Tem Pina; Councilmembers Jeremy Nutting, Melissa Musser, Jeanette Burrage, Bob Sheckler and Vic Pennington.

Staff present: City Manager Tony Piasecki; Assistant City Manager Michael Matthias; City Attorney Pat Bosmans; Planning, Building and Public Works Director Dan Brewer; Management Consultant Grant Fredricks; Transportation Manager Brandon Carver; Associate Transportation Engineer Andrew Merges; Project Manager Scott Romano; SWM Utility Manager Loren Reinhold; Chief of Police George Delgado; Harbormaster Joe Dusenbury; Marina Maintenance Manager Scott Wilkins; Parks, Recreation and Senior Services Manager Patrice Thorell; Finance Director Paula Henderson; Budget Manager Cecilia Pollock; City Clerk Bonnie Wilkins.

CORRESPONDENCE

There were no correspondences.

COMMENTS FROM THE PUBLIC

- Matt McDonald, 1911 S 243rd Street; Current ASB President at Mt. Rainier High School; Attended the meeting to build a better relationship between Mt. Rainier High School and City Council. Informed Council of upcoming events.
- Bob Pond, 23116 30th Avenue S; Opponent of the proposed Highline School District Bond Proposition.
- Nancy Knutson, 1807 S 266th Place; Addressed Council regarding the Fireworks Ordinance.

BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Pennington:

- Attended via Marina Grand Opening.

Councilmember Sheckler:

- SCORE Tour.

Councilmember Burrage:

- Attended via Marina Ribbon Cutting Ceremony.

Mayor Pro Tem Pina:

- Attended via Marina Ribbon Cutting.
- Attended Community Meeting/Barbeque in Redondo.
- Met with Pacific Ridge Community members.

Councilmember Musser:

- Attended Plymouth Housing Group's Annual Luncheon:
 - Non-profit started in 1980.
 - 1,000 residents and over 13 buildings.
 - Raised over \$500,000 from one luncheon.
- Municipal Facilities Committee:
 - On-going budget gap at the Marina:
 - Income levels down.
 - Capital improvements up.
 - Boardwalk at Redondo.
 - Generator scheduled to come online early 2015.
 - MCI and Marina Fund 506 budgets:
 - Policy on non-profit rental rates.

Councilmember Nutting:

- Senior Services Advisory Committee Meeting:
 - Senior mental health.
 - Looking to make private partnerships.
 - Taking applications for committee member:
 - Contact Sue Padden @ 206-878-1642.
 - January 22, 2015 next meeting date.
- Spaghetti Night, October 3rd at Des Moines Activity Center.
- Farmers Market:
 - North Hill Watch DOGS having a bake sale.

PRESIDING OFFICER'S REPORT

- Encourage Council to review King County's First Bi-Annual Budget Submittal:
 - Human Services.
 - Senior Services.
 - Transit.
- Play Equipment at Cecil Powell Park:
 - On CIP for 2016 for replacement.
- Regional Transit Meeting in King County:
- South County Area Transportation Board:
 - Impact of coal and oil trains on traffic.
 - Kent Valley.
 - Impact on ports.
 - Transit Integration Report:
- Environment Committee Meeting:
 - North Hill projects.
 - 2015-2021 SWM Capital Improvement Plan.
 - Final review of draft Tree Ordinance.
- Attended the Master Builders Association of King and Snohomish Counties Breakfast:
 - Buildable land availability.
- South Sound Chamber of Commerce Breakfast:
 - Education.
 - Transportation.
 - Minimum wage.
 - Legislative Agenda for 2015 session.
- Clean up Day:

- September 27th 9:30-11:30.
 - Highline College Women's Soccer Team will be helping.
 - Contact Public Works or meet at the Public Works Facility 2255 S 223rd Street.
- State Auditor has given clean opinion of financial statements:

ADMINISTRATION REPORT

- Redondo Parking Study:
 - Public Open House scheduled for October 15, 2014, 6:00-8:00 p.m. at Woodmont Elementary.
 - Postcards are in the mail.

CONSENT AGENDA

- Item 1: APPROVAL OF MINUTES
Motion is to approve the amended minutes from the August 8, 2013 Regular City Council meeting.
- Item 2: CONSTRUCTION CONTRACT AWARD AND CONSULTANT AGREEMENT FOR CONSTRUCTION ENGINEERING FOR THE SALTWATER STATE PARK BRIDGE SEISMIC RETROFIT PROJECT
Motion 1 is to approve the Public Works Contract with Road Construction Northwest, Inc., Bidder #2, for the Saltwater State Park Bridge Seismic Retrofit project, in the amount of \$2,734,787.50, authorize a project contingency in the amount of \$270,000.00 and further authorize the City Manager to sign said Contract substantially in the form as submitted.
- Motion 2 is to approve Task Order Assignment 01 with Exeltech Consulting, Inc. for the Construction Management and Inspection Services of the Saltwater State Park Bridge Seismic Retrofit project in the amount of \$459,969.76, and further authorize the City Manager to sign said Task Order substantially in the form as submitted.
- Item 3: AWARD DINING HALL REHABILITATION CONSTRUCTION CONTRACT
Motion 1 is to award the Public Works Contract with Par-Tech Construction, Inc. for the Des Moines Beach Park Dining Hall Restoration Project, in the amount of \$946,152.50 (for the Base Bid plus Alternates 1 through 4 inclusive), authorize a project contingency in the amount of \$120,000.00, and authorize the City Manager to sign said contract substantially in the form as submitted.
- Motion 2 is to direct Administration to submit a \$45,000.00 CIP budget amendment for the Des Moines Beach Park Dining Hall Restoration Project.
- Item 4: CITY EMPLOYEE WELLNESS PROGRAM
Motion is to adopt Draft Resolution No. 14-194 establishing the City Employee Wellness Program.
- Item 5: APPROVAL OF PROPERTY ACQUISITION FOR S. 251ST SLIDE REPAIR PROJECT
Motion is to purchase land identified as King County Parcel Number 256080-3285 owned by Ben G. Stark in the amount of \$23,000.00, plus closing costs, and further to authorize the City Manager to sign the Statutory Warranty Deed, Real Property Voucher Agreement, Real Estate Excise Tax Affidavit and Administrative Offer Summary substantially in the form as submitted and accept the real property on behalf of the City of Des Moines.

Direction/Action

Motion made by Mayor Pro Tem Pina to approve the consent agenda; seconded by Councilmember Musser.

Councilmember Sheckler removed Item #1 for further discussion.

Mayor Kaplan recued himself from Item #5.

The remainder of the Consent Agenda passed 7-0.

Motion made by Councilmember Musser to approve Consent Agenda Item #1; seconded by Mayor Pro Tem Pina.

The motion passed 5-0.

Councilmembers Sheckler and Pennington abstained from the vote.

EXECUTIVE SESSION

At 7:38 p.m. Council went into an Executive Session to discuss potential litigation under RCW 42.30.110. In attendance were Mayor Kaplan; Mayor Pro Tem Pina; Councilmembers Nutting, Musser, Burrage and Pennington. At 7:42 p.m. Council ended the Executive Session. No formal action was taken.

Mayor Kaplan asked for Council's Indulgence to take Old Business before Public Hearing/ Continued Public Hearing; Council agreed.

OLD BUSINESS

Item 1: DRAFT ORDINANCE NO. 14-137: STREET VACATION OF PUBLIC RIGHT-OF-WAY WITHIN CITY OF DES MOINES KNOWN AS 5TH PLACE SOUTH, SOUTH OF SOUTH 287TH STREET, SECOND READING

Staff Presentation: Transportation Manager Brandon Carver

Transportation Manager Brandon Carver gave a brief power point presentation on the street vacation.

Direction/Action

Motion made by Councilmember Nutting to enact Draft Ordinance No. 14-137 approving the vacation of certain portions of public rights-of-way/streets specifically identified and legally described in Draft Ordinance Number 14-137 on second reading; seconded by Councilmember Sheckler.

The motion passed 7-0.

Mayor Kaplan read Draft Ordinance No. 14-137 into the record.

NEW BUSINESS

Item 3: DRAFT ORDINANCE NO. 14-188, PUBLIC OWNERSHIP OF ENVIRONMENTALLY CRITICAL AREA TRACTS

Staff Presentation: Management Consultant Grant Fredricks

Management Consultant Fredricks gave a power point presentation to Council on Environmentally Critical Area Tracts.

Direction/Action

Motion 1 made by Councilmember Sheckler to suspend Council Rule 26(a) in order to enact Draft Ordinance No. 14-188 on first reading; seconded by Councilmember Burrage.

The motion passed 7-0.

Motion 2 made by Councilmember Sheckler to enact Draft Ordinance No. 14-188 amending DMMC 17.35.190(2) to allow for ownership of environmentally critical area tracts by City-designated political subdivisions; seconded by Councilmember Burrage.

The motion passed 7-0.

Mayor Kaplan read Draft Ordinance No. 14-188 into the record.

PUBLIC HEARING/CONTINUED PUBLIC HEARING

Item 1: DRAFT RESOLUTION NO. 14-186, FIRST ADDENDUM TO THE AMENDED AND RESTATED SECOND DEVELOPMENT AGREEMENT FOR THE DES MOINES CREEK BUSINESS PARK

Staff Presentation: Management Consultant Grant Fredricks

Mayor Kaplan opened the Public Hearing at 7:56 p.m.

Management Consultant Fredricks gave a power point presentation to Council on the Des Moines Creek Business Park.

Mayor Kaplan asked 3 times if anyone wished to speak. Seeing none, Mayor Kaplan asked Council if they had any questions.

At 8:01 p.m. Mayor Kaplan closed the Public Hearing

Direction/Action

Motion made by Councilmember Sheckler to approve Draft Resolution No. 14-186 approving the first Addendum to the Amended and Restated Second Development Agreement with the Port of Seattle regarding the Des Moines Creek Business Park, and authorize the City Manager to sign the Addendum substantially in the form as provided; seconded by Councilmember Musser.

The motion passed 7-0.

At 8:02 p.m. Councilmember Sheckler left the meeting.

NEW BUSINESS

Item 1: GENERAL AND STREET FUNDS 2014 YEAREND/2015 PROPOSED REVENUE ESTIMATES

Staff Presentation: Finance Director Paula Henderson

Finance Director Henderson gave a power point presentation to Council on the general and street funds 2014 yearend/2015 proposed revenue estimates.

No formal action was taken.

Item 2: 2015 PRELIMINARY OVERVIEW OF GENERAL & STREET FUNDS
Staff Presentation: Finance Director Paula Henderson

Finance Director Henderson gave a power point presentation to Council on the 2015 preliminary overview of General and Street Funds.

No formal action was taken.

NEXT MEETING DATE

October 2, 2014 Regular City Council Meeting

ADJOURNMENT

Motion made by Councilmember Nutting to adjourn; seconded by Councilmember Pennington.
The motion passed 6-0.

The meeting was adjourned at 8:47 p.m.

Respectfully Submitted,
Bonnie Wilkins
City Clerk