

File

AGENDA

Finance and Economic Development Committee Meeting
Tuesday, March 26, 2013
5:30 p.m. – 7:00 p.m.
City Hall South Conference Room

1. Call to Order

*note draft minutes
had wrong date
will fix*

2. Approval of the February 26, 2013, meeting minutes and February 28, 2013 meeting minutes

3. Economic Development Update – 15 minutes

- a. DMCBP
- b. Pacific Ridge Projects
- c. Artemis
- d. Marina Floor
- e. Others

4. Discussion of Pacific Ridge Zoning Code – 60 minutes

5. Committee member comment – 10 minutes

6. Future meetings

MINUTES – FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

February 26 January 3, 2013
South Conference Room
21630 11th Avenue South, Des Moines, WA

Council Members

Chair Matt Pina
Carman Scott
Jeanette Burrage (Joined at 5:50 p.m.)

Guests

Tony Hettler, John L. Scott
Cliff Running, Windermere
Ronald Dupard (Joined at 5:55 p.m.)

City Staff

Tony Piasecki – City Manager
Lorri Ericson – Assistant City Manager
Robert Ruth – Planning Manager
Denise Lathrop – Acting Community Dev. Director
Marion Yoshino – Economic Development Mgr
Grant Fredricks – Consultant

1. Call to Order

Meeting was called to order at 5:35 by Chair Matt Pina

2. Approval of the January 3, 2013, meeting minute and January 29, 2013 meeting minutes

Both sets of minutes were approved as submitted.

3. Economic Development Update

ED Manager Yoshino provided an update on current the DMCBP RFP and CM Piasecki provided the remainder of the economic update. Artemis application came in at a couple weeks ago and staff will be reviewing the plans later in this week. CM Piasecki also provided an update on the marina floor, detailing a meeting staff had with a citizen last week who had some ideas about a vendor mall that might be a suggestion for the marina floor.

4. University of Washington School of Architecture Downtown Des Moines Façade Improvement Project

Acting Community Development Director Lathrop shared the work the UW students did in their class. They built on the storefront studio project from the previous class and developed a true façade enhancement project. Committee consensus was that this would be a good project, but only if grant funds were available as there were other, more pressing needs.

5. Discussion of Pacific Ridge Zoning Code

Below are the comments on the proposed zoning code by the guests:

Cliff Running:

- You have to have customers before you can have retail.
- The city needs to expedite the plats in order to get the residential built.
- Agrees with expanding the zoning to I5.

Ronald Dupard:

- There needs to be a critical mass to get things going because no developer wants to be the first.
- Viewpoint Apartments in SeaTac across from Safeway is the comparable for new buildings and was sold and rented at a low price.
- The proximity of the trailer parks and the higher crime rate in the Pacific Ridge area presents a challenge for developers

- He advised he will not be making another call on the property he represents until the City establishes concrete zoning.
- In the past, the city has tried to box developers in and the economics didn't pencil out when the developers were trying to meet the city's vision.
- He feels the parking requirements as they exist are a bit steep and suggested we check with Bothell about parking requirements as they have changed their requirements and are seeing a lot of development.
- He also suggested the height restriction be completely eliminated.

Tony Hettler:

- He stated he envisioned mid priced hotels beginning at Kent Des Moines Road and going north. These hotels would be what supported the retail and restaurants.
- He noted that residential rental rates are fairly strong in Des Moines.
- He believes there will be a housing shortage by 2016.
- Light rail is a gateway into Seattle and we are along that route.

After each of the guests had an opportunity to speak, CM Piasecki led us through a discussion of the proposed changes to the Pacific Ridge Zoning Code one by one. Although we did not get through the entire document, the following specific suggestions were made from committee members:

- Councilmember Burrage suggested we allow the commercial portion of a mixed use building to be on any floor, not necessarily on the bottom floor fronting on Pacific Hwy.

There was considerable discussion around many of the other elements discussed; however, we ran out of time to complete the review and our guests were advised to forward comments via e-mail to ED Manager Yoshino and council members were encouraged to forward questions to staff to be answered at the next meeting.

6. Committee Member Comments

There was not time for comments

7. Next Meeting

Next meeting is February 28, 6:00 – 6:50 p.m. in the South Conference room.

Adjourned at 7:10 p.m.

Respectfully submitted by:

Lorri Ericson, Assistant City Manager

MINUTES – FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING

February 28, 2013

South Conference Room

21630 11th Avenue South, Des Moines, WA

Council Members

Chair Matt Pina

Carman Scott

Jeanette Burrage (Joined at 5:50 p.m.)

Guests

Ronald Dupard

Imad Bahbah, IHB Architects.

City Staff

Tony Piasecki – City Manager

Lorri Ericson – Assistant City Manager

Robert Ruth – Planning Manager

Denise Lathrop – Acting Community Dev. Director

Marion Yoshino – Economic Development Mgr

Grant Fredricks – Consultant

1. Call to Order

Meeting was called to order at 6:04 by Chair Matt Pina

2. Discussion of Pacific Ridge Zoning Code

Grant Fredericks passed out an updated version of the changes and the committee resumed the discussion of staff's proposed changes.

Discussion ensued around allowing storage facilities (not currently allowed). The committee recommended storage facilities now be allowed; however, they not be allowed to front on Pacific Highway.

The committee also agreed to remove the exception to nursing and residential care facilities that requires them to be above the main floor and change the minimum number of rooms in a hotel from 125 to 75.

Councilmember Scott asked that staff review the requirements for the side and back yards and be prepared to speak to this when it comes before the council.

Discussion ensued around the height limits for commercial buildings and staff was asked to work on this and bring more suggestions forward.

Meeting adjourned 6:58 p.m.

3. Committee Member Comments

There was not time for comments

4. Next Meeting

Next meeting is March 26, 2013 5:30-7:00 p.m. in the South Conference room.

Adjourned at 7:10 p.m.

Respectfully submitted by:

Lorri Ericson, Assistant City Manager

- Matt's not getting mail
from city sent to his
city mail

1. 5:30 pm
2. Minutes OK'd - paid 1/3/13 → 2/26/13
3. DMBP - Grant & Navin going to interviews
~~Wednesday~~ only April (4/4)
 - Antennas - working of Adam Smith Re E-B 5
 - Pacific Bridge project
 - Health Grant + Mr. Mac - good
 - Young art - still working on
 - Marina for RFA & MFC 3/28
 - "Mauzy Island Incident" short movie
to be filmed in PM
4. - Home occupation expansion - new topic
for the future
5. - Fisher property - ~~when~~ when ~~parking~~ parking
lot ready?
 - School impact fees being collected
for HSD? @ MD!
 - Des Moines Elementary - likely to be
on next bond - what next for
the property

Summary of Pacific Ridge Code Changes

Purpose: For the 3/26/13 Finance & Economic Development Committee meeting to agree on proposed changes to the DMMC to accelerate redevelopment of Pacific Ridge that will be brought forward to the City Council for a full Council policy discussion on April 4th. The goal is to receive sufficient direction from the April 4th policy discussion that the staff can finalize a set of ordinances for Council public hearing this spring.

Major Pacific Ridge Code Changes

1. Consolidates PR-C1 and PR-C2 and expanding the Commercial zone to I-5 between 216th and 221st.
2. Expands the permitted uses in both the PR-C and PR-R and allows commercial uses in the PR-R zone while protecting single family residences.
3. Increases unrestricted and restricted building heights
4. Reduces or removes dimensional, use percentages, parking restrictions, building placement requirements and grandfather dates with the belief that the market place is better able to determine these.
5. Eliminates unnecessary language covered elsewhere in the DMMC
6. Makes purpose of the zone more positive and adds Economic Development as an explicit purpose in the chapter.

Questions for the F&ED Committee for the 3/26 Meeting:

1. Are there any areas of Committee disagreement over staff 3/18/13 proposal on changes to Chapter 18.31, Pacific Ridge Zone? Page numbers below refer to Track Changes document (Attachment 1). A "clean read" copy of the Track Changes is included with changes incorporated (Attachment 2) for ease of reviewing.
 - a. Purpose statement (18.31.010 beginning on p. 1)?
 - b. Consolidating and expanding PR-C (18.31.020 on p. 2)? (Attachment 3)
 - i. Should PR-C be expanded more than proposed?
 - c. Added permitted uses in PR-R (18.31.030 beginning on p.3)?
 - ~~i. Signs allowed for home occupation, city-wide?~~
 - d. Added permitted uses in PR-C (18.31.040 beginning on p. 6)?
 - i. Car dealers OK? Only new car stores? *used cars & new cars*
 - ii. Airport parking?
 - iii. Mini-storage?
 - iv. Drive through fast food facilities?
 - v. Single purpose multi-family? *- S. of 216th & north on 99*
 - e. Changes to Environmental performance standards and general limitations (18.31.080 beginning on p. 12)?
 - f. Changes to Dimensional standards (18.31.090 beginning on p. 16)?
 - i. Front, side & rear yard setbacks?
 - ii. Minimum building height?
 - iii. Maximum building height?
 - iv. Height bonus?
 - v. Placement of buildings?
 - g. Changes to General site design requirements (18.31.100 on p. 21)?
 - h. Changes to General building design requirements (18.31.110 beginning on p. 21)?
 - i. Maximum gross floor area?
2. Does the Committee want staff to begin developing possible changes to Parking Code (Ch. 18.44)?
 - a. Allowing Administrative modifications or waivers rather than having hearing examiner approve?
 - b. Allow less off-street parking for multi-family (now 1.5/multi-family unit, 1/retirement apartment and 2/2 BR mixed use 1.5/1 BR dwelling unit in PR-R) and commercial parking when supported by parking study?
 - c. Require motel/hotel parking more like SeaTac with 0.9/bedroom with no shuttle and 0.75 with shuttle?
 - d. Incorporate "Right Size Parking Model" in DMMC as standard or optional method?
3. Does the Committee want staff to begin developing possible changes to the Sign Code, (Ch. 18.42)?
 - ~~a. Allowing one 2 square foot building-mounted sign for Home Occupations?~~
 - b. Allowing pole signs and monument signs over 10 feet?
 - c. Should sign size be increased?
 - d. Should variable message sign use be expanded?
 - e. Should neon signs be allowed?

Staff's Working Comments/Changes (3/18/13)

Chapter 18.31 PACIFIC RIDGE (PR) ZONE

Sections

18.31.010 Purpose.

18.31.020 Subareas within Pacific Ridge zone.

18.31.030 PR-R – Permitted uses.

18.31.040 PR-C1 – Permitted uses.

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

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

18.31.060 PR-C2 – Permitted uses.

18.31.070 PR-C2 – Uses allowed in conjunction with a permitted use.

18.31.080 Environmental performance standards and general limitations.

18.31.090 Dimensional standards.

18.31.100 General site design requirements.

18.31.110 General building design requirements.

18.31.010 Purpose.

Comment [gf2]: Rewritten to emphasize economic development and be more positive.

The principal objective and purpose of this zone and its application is to implement the City of Des Moines Comprehensive Plan, Pacific Ridge Neighborhood Improvement Plan, the City's Economic Development Plan and other adopted policies for the commercial and residential areas of Pacific Ridge.

Furthermore, it is the objective and purpose of this zone to provide development regulations that will promote redevelopment of Pacific Ridge properties in order to create attractive, safe, and desirable areas to work and reside, and to improve the City's economy. Redevelopment of Pacific Ridge is appropriate because this area has excellent access to road, transit and air transportation facilities, potential views- of Mount Rainier, Puget Sound and the Olympic Mountainsopportunities, and higher-density development on under-developed and older properties which can help Des Moines meet or exceed population and employment growth targets specified by the countywide planning policies for King County and capitalize on economic development potential. Also, redevelopment of Pacific Ridge properties is appropriate

Staff's Working Comments/Changes (3/18/13)

because many of the existing structures and land uses have resulted in social problems such as: high crime rates (especially major felony crimes); declining property values; unsafe and undesirable housing conditions; insufficient building and property maintenance; absentee property ownership/management; violation of zoning, construction, and health codes; transient residency; and marginal businesses.

A related consideration is to make it possible to efficiently and economically plan for, design, finance, and provide public services, light rail and other capital facilities, and utilities for the populations and activities within this zone while significantly raising property values. For all of the above reasons, the purpose of this chapter is to promote public health, safety, and welfare and commercial development through redevelopment of Pacific Ridge properties. [Ord. 1267 § 2(part), 2000.]

18.31.020 Subareas within Pacific Ridge zone.

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

(a) PR-R, Pacific Ridge Residential.

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

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

(b) PR-C, Pacific Ridge Commercial

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

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

Comment [gf3]: PR-C1 and PR-C2 proposed to be combined into single PR-C expanded zone. That part of the old PR-C1 zone from 216th to 221st is proposed to be expanded to the east to the I-5 right of way.

Comment [gf4]: Not needed.

Staff's Working Comments/Changes (3/18/13)

18.31.030 PR-R – Permitted uses.

Only those uses listed below, and uses similar in nature as determined by the ~~planning, building and public works~~ city manager or designee-director, are permitted in the PR-R zone. Uses are more fully described in the "North American Industrial Classification System." Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

(1) Uses permitted in PR-C zone when part of a contiguous PR-C development under single ownership.

(2) Multifamily dwellings (no NAICS code);

(23) Religious organizations (813110);

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

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

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

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

Comment [gf5]: Allows the market place to decide what these ratios should be. If we don't like what's happening, we can change it in the future.

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

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

(Ai) Food and beverage stores (445);

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

Staff's Working Comments/Changes (3/18/13)

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

(~~Ai~~) Lessors of residential buildings and dwellings (531110);

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

(~~Biii~~) Real estate property managers (531311);

(~~Civ~~) Offices of real estate appraisers (531320);

(~~Dv~~) Other activities related to real estate (531390); and

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

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

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

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

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

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

(~~v~~^f) Arts, entertainment and recreation (71);

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

(~~Ai~~) Full service restaurants (722511); and

(~~Bii~~) Limited-service eating places restaurants (7222722513);

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

(~~iv~~) Snack and nonalcoholic beverage bars (722515);

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

(~~Ai~~) Footwear and leather goods repair (811430);

(~~Bii~~) Personal care services (8121);

(~~Ciii~~) Dry-cleaning and laundry services (812320); and

Staff's Working Comments/Changes (3/18/13)

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

(Ev) Religious organizations (813110);

(Fvi) Civic and social organizations (813410);

(Gvii) Business associations (813910);

(Hviii) Professional organizations (813920);

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

(Jx) Other similar organizations (813990);

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

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

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

(~~89~~) The following buildings, structures and uses are allowed when accessory to a use otherwise permitted by this chapter:

(a) Ancillary and incidental indoor storage and maintenance facilities related to on-site buildings and uses;

(b) Telecommunication facilities as allowed by Title 20 DMMC;

(c) Recreation facilities for use by residents of the property;

(d) Child and adult day care as regulated and licensed by the Washington State Department of Social and Health Services, or its successor agency;

(e) Home occupation, subject to the following limitations:

(i) The occupation shall be conducted entirely within the dwelling;

(ii) The occupation shall not require structural features that are not customary or incidental in a dwelling;

(iii) ~~No signs~~ Only one small sign not exceeding two square feet and mounted on the building shall be allowed identifying or advertising the home occupation, ~~or other exterior evidence of the home occupation is allowed;~~

Comment [gf6]: One small sign proposed to be allowed. The sign Codee, 18.42, is proposed to be changed to apply City-wide.

Staff's Working Comments/Changes (3/18/13)

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

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

(vi) In the event the city manager determines that the home occupation has resulted in adverse land use impacts, the city manager is authorized to impose additional conditions of approval as necessary; and

(viii) In the event the nature or extent of the home occupation changes so that the adverse land use impacts cannot be satisfactorily mitigated, the city manager may revoke all approvals and licenses related to the home occupation. [Ord. 1406 § 1, 2007; Ord. 1267 § 2(part), 2000.]

18.31.040 PR-C1 – Permitted uses.

Only those uses listed below, and uses similar in nature as determined by the ~~community development director, city manager or designee~~ are permitted in the PR-C1 zone. Uses are more fully described in the "North American Industrial Classification System." Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

(1) Retail trade (44-45) ~~except the following:~~

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

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

Comment [gf7]: Any type of retail trade under NAICS 44 or 45 is allowed if this change is made including car dealers.

Staff's Working Comments/Changes (3/18/13)

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

(43) Postal service (491110);

(64) Couriers and messengers (492110);

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

Comment [gf8]: Telecommunications no longer covered under NAICS 51

(76) Finance and insurance (52);

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

Comment [gf9]: Changed per 2/28 F&ED

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

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

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

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

Comment [gf10]: Exception not needed since 18.42 governs.

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

(110) Administrative and support services (561XX), ~~except the following:~~

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

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

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

(111) Educational services (61);

(112) Health care and social assistance (62), ~~subject to the following limitations:~~

Comment [gf11]: Changed per 2/28 F&ED

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

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

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

Staff's Working Comments/Changes (3/18/13)

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

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

(1413) Arts, entertainment, and recreation (71) except that adult entertainment facilities and adult motion picture theaters (no NAICS code) are prohibited within 500 feet of the property lines of churches, common schools, day care centers, public facilities, or other adult entertainment facilities or adult motion picture theaters; subject to the following limitations:

Comment [gf12]: Changed as result of F&ED discussion on 2/26/13

(a) The following uses are prohibited:

(i) Spectator sports (7112);

(ii) Amusement, gambling, and recreation industries;

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

(14514) Accommodation and food services (72), limited to the following:

(a) Hotels (72111), that contain a minimum of 75 guest rooms; subject to the following:

Comment [gf13]: Changed per 2/28 F&ED

(i) Casino hotels and motels are prohibited; and

(ii); and Hotels and resort hotels are further allowed as follows:

Comment [gf14]: Changed as result of 2/26/13 F&ED. Minimum size is the only limitation with this change. The market place will control the rest.

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

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

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

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

Staff's Working Comments/Changes (3/18/13)

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

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

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

(iii) Drive-through facilities are prohibited;

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

Comment [gf15]: Minimum building heights are eliminated in 18.31.090 (7)

(1615) Other services (81), subject to the following limitations:

(a) The following uses are prohibited:

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

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

(iii) Death care services (8122);

(iv) Industrial launderers (812332); and

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

(ba) Automobile body, paint, interior, and/or glass repair (81112), general automotive repair (811111), automotive exhaust system repair (811112), automotive transmission repair (811113), and automotive oil change and lubrication shops (811191) shall be allowed in the PR-C4 zone; provided, that all of the following requirements shall be met:

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

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

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

Staff's Working Comments/Changes (3/18/13)

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

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

~~(4716) Public administration (92), except correctional institutions (92214) the following:~~

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

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

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

Comment [gf16]: Single purpose multi-family allowed except for old PR-C2 zone and properties on arterials.

~~(18) Mixed use (no NAICS code), except when dwellings are located above the second story of the building in that part of PR-C north of South 216th Street, and properties fronting on SR99 and South 216th Street; dwellings must be located above the second story of the building~~

Comment [gf17]: Clarified in response to questions raised during 2/28 F&ED

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

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

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

~~The uses listed below, and uses similar in nature as determined by the community development director, are only allowed in the PR-C1 zone when located within the same building as a permitted use. Uses are more fully described in the "North American Industrial Classification System." Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:~~

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

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

~~18.31.060 PR-C2—Permitted uses.~~

Comment [gf18]: This section eliminated in its entirety since there is no longer a need for "uses allowed in conjunction with a permitted use" because of the expanded permitted uses.

Staff's Working Comments/Changes (3/18/13)

Only those uses listed below, and uses similar in nature as determined by the community development director, are permitted in the PR-C2 zone. Uses identified in this section are more fully described in the "North American Industrial Classification System." Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

(1) Except for the uses listed below, uses permitted in the PR-C1 zone are permitted in the PR-C2 zone:

(a) Hospitals (622);

(b) Nursing and residential care facilities (623);

(c) Community housing services (62422);

(d) Hotels and motels (72111);

(e) Mixed use (no NAICS code);

(f) Adult entertainment facilities and adult motion picture theaters (no NAICS code);

(2) Tire dealers (44132);

(3) Gasoline stations (447);

(4) Automotive repair and maintenance (8111). [Ord. 1267 § 2(part), 2000.]

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

The uses listed below, and uses similar in nature as determined by the community development director, are only allowed in the PR-C2 zone when located within the same building as a permitted use. Uses are more fully described in the "North American Industrial Classification System." Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

(1) Fast food restaurants (722211);

(2) Pet boarding (812910);

(3) Light manufacturing, processing, and assembly of goods sold onsite at retail (no NAICS code). [Ord. 1267 § 2(part), 2000.]

Staff's Working Comments/Changes (3/18/13)

18.31.080 Environmental performance standards and general limitations.

Every use permitted within the PR zone shall conform to the following general limitations and standards:

(1) Provisions applicable to all PR zones:

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

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

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

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

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

(ii) Within the PR-C4 zone, structures containing only residential uses are allowed on corner and through lots when a commercial or mixed-use structure is located along the Pacific Highway South frontage in the PR zone; except for properties north of South 216th Street, fronting on SR 99, and properties fronting on South 216th Street; and

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

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

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

Comment [gf19]: Clarified as a result of 2/26/13 F&ED discussion. Further clarified following 2/28 meeting.

Comment [gf20]: Already reduced to from 200sf to 50sf for common and from 60sf to 40sf for private as required by 18.45 DMMC. Note that 18.45 allows developer to buy out of the common recreation space requirement.

Staff's Working Comments/Changes (3/18/13)

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

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

~~(f) Nuisances:~~

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

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

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

~~(g) Hazardous Substances:~~

Comment [gf21]: This entire subsection can be removed since it is covered elsewhere in the DMMC

Comment [gf22]: Legally required already.

Staff's Working Comments/Changes (3/18/13)

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

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

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

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

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

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

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

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

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

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

(b) Multifamily recreation area is required in accordance with chapter ~~18.45~~ DMMC, except that the minimum area of common recreation space per dwelling unit shall be 50 square feet and the private recreation space per dwelling unit shall be 40 square feet for buildings over 35 feet.

Comment [gf23]: Redundant

Staff's Working Comments/Changes (3/18/13)

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

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

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

Comment [gf24]: Note that 35% off street parking maximum is proposed to be eliminated.

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

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

(i) Outdoor seating and dining;

(ii) Signs;

(iii) Loading areas;

(iv) Motor vehicle fuel pumps;

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

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

(vii) Play/recreation areas; and

(viii) Miscellaneous storage when limited to 10 percent of the site area and when perimeter landscaping and fencing is provided as approved through the design review process.

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

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

(ii) Unless specifically authorized by the community development directorcity manager or designee, views into automobile service bays from Pacific Highway South shall be diminished by building orientation, screening, or other means;

(iii) Unless specifically authorized by the public works directorcity manager or designee, vehicular access shall be limited to one driveway per street frontage;

Staff's Working Comments/Changes (3/18/13)

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

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

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

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

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

(ii) Unless specifically authorized by the ~~community development director~~city manager or designee, passenger loading and unloading areas shall be provided on site. [Ord. 1410 § 1, 2007; Ord. 1267 § 2(part), 2000.]

18.31.090 Dimensional standards.

(1) Lot Area. Every lot shall have a minimum area of 7,500 square feet.

(2) Lot Width. Every lot shall have a minimum width of 75 feet.

(3) Front Yard.

(a) In the PR-R zone, not less than 15 feet except that no front yard is required provided that the project is at least 55 feet every lot shall have a front yard of not less than 15 feet.

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

(4) Side Yard.

(a) In the PR-R zone, every lot shall have a side yard on each side of the lot when abutting a single family residence, except no side yard is required if the project is a least 55 feet and not abutting a single family residence. The side yards shall have a width of not less than 10 feet.

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

(5) Rear Yard. Every lot shall have a rear yard of not less than 15 feet.

Comment [gf25]: Changed per 2/28 F&ED discussion. The 55 feet requirement is to prevent additions to existing underdeveloped residential properties in transitional areas.

Staff's Working Comments/Changes (3/18/13)

(6) Measurement of Building Height.

(a) PR-R zone: Building height shall be measured from average finish grade.

~~(b) PR-C1 zone: Building height shall be measured from mean sidewalk grade of Pacific Highway South.~~

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

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

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

(iii) Building height for properties north of South 216th Street that do not abut Pacific Highway South or 24th Avenue South is measured from South 216th Street.

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

Comment [gf26]: This will allow potentially taller buildings in the old PR-C2 zone than previously allowed.

(7) Minimum Building Height.

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

(i) PR-R zone: 35 feet.

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

(iii) PR-C2 zone: No minimum building height.

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

Staff's Working Comments/Changes (3/18/13)

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

(a) PR-R zone: ~~35-75~~ feet. Buildings may be built to a height of ~~120-200~~ feet with ~~approval of a condominium height bonus or with~~ approval of a floor area clustering height bonus as provided by this chapter.

Comment [gf27]: Original language restored to make it clear that 35 foot is the unrestricted maximum height unless there is an approved FAR clustering plan per 18.31.110 (3) (a).

(b) PR-C1 zone:

Comment [gf28]: Changed to be consistent with (11) below.

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

(ii) In that portion of the PR-C1 zone east of ~~Pacific Highway~~ SR99: 85 feet.

Comment [gf29]: F&ED has asked for this to be reviewed so that there be lower building heights west of SR99 so that views are not obstructed

~~(iii) In that portion of PR-C zone north of South 216th:~~ 85 feet

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

(9) Building Height Limitation Adjacent to Single-Family. When an abutting property is designated single-family residential by the Des Moines comprehensive plan and being used as such, building height shall be limited as follows:

(a) Within 20 feet of the abutting single-family residential property, maximum building height shall be 35 feet.

(b) Within 40 feet of the abutting single-family residential property, maximum building height shall be 45 feet.

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

~~(10) Condominium Building Height Bonus. In the PR-R zone, the city manager or designee may authorize buildings 36 to 120 feet in height when a condominium declaration which satisfies chapter 64.34 RCW is recorded for all dwellings within the building.~~

Comment [gf30]: Eliminated to reflect current and anticipated market conditions in which condo ownership in this area is unlikely for the foreseeable future and rental property is in high demand.

Staff's Working Comments/Changes (3/18/13)

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

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

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

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

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

(1211) Height Allowance for Enhanced Design of Distinctive Rooflines. In the PR-C~~1~~, ~~PR-C2~~ and PR-R zones, a portion of a building may exceed the maximum building height; provided, that the following provisions are met:

(a) The purpose of the additional height for the building is to provide a roofline that is of distinctive form through the use of design elements such as pitched roofs, sloped roofs, vertical offsets or other similar roof features that achieve the goals of Pacific Ridge Design Guideline 2.B.2.

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

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

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

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

Staff's Working Comments/Changes (3/18/13)

(1312) Placement of Buildings.

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

Comment [gf31]: This eliminates all set back requirements for commercial projects fronting on SR99

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

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

(cb) On the rear third of an interior lot, accessory buildings not containing dwellings may be built to the side lot lines and the rear lot line, ~~provided, not less than 10 feet of the rear lot line shall be free and clear of buildings.~~

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

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

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

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

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

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

(iii) No building shall be erected closer than five feet to the rear lot line. [Ord. 1559 § 1, 2012; Ord. 1513 § 1, 2011; Ord. 1405 § 1, 2007; Ord. 1267 § 2(part), 2000.]

Staff's Working Comments/Changes (3/18/13)

18.31.100 General site design requirements.

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

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

18.31.110 General building design requirements.

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

Staff's Working Comments/Changes (3/18/13)

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

Staff's Working Comments/Changes (3/18/13)

(3) Maximum Gross Floor Area.

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

Comment [gf32]: Allow larger floor area ratios and allow buildings to be less skinny (and more economical)

Building Height	PR- C1 and PR-C2 and PR-R FAR	PR-R FAR
35 Feet or Less	2.8	2.8
35 – 50	3.5	3.5
50 – 60	4	4.0
60 -70	4.5	4.5
70 – 80	5	5
80 – 90	5.5	5.5
90 – 100	Not Applicable <u>6.5</u>	6.5
100 – 110	Not Applicable <u>7.5</u>	7.5
110 – 120	Not Applicable <u>9</u>	9
> 120	<u>Increases by 0.5 per floor above 120 feet</u> Not Applicable	9

(b) Gross floor area shall include the total square footage of the enclosed building; provided, that:

(i) For properties located adjacent to Pacific Highway South, the area of parking garages constructed below the adjacent sidewalk grade on Pacific Highway South shall not be included in the calculation of gross floor area.

Staff's Working Comments/Changes (3/18/13)

(ii) For all other properties in the Pacific Ridge neighborhood, the area of parking garages constructed below the lowest sidewalk grade adjacent to the property line shall not be included in the calculation of gross floor area.

(4) Within the PR-C1 and PR-C2 zones, structural encroachments into the right-of-way, such as cornices, signs, eaves, sills, awnings, bay windows, balconies, facade treatment, marquees, etc., shall conform to the provisions set forth by Title 12 DMMC, the Uniform International Building Code, and the following provisions:

(a) Structural encroachments into the right-of-way shall be capable of being removed without impact upon the structural integrity of the primary building;

(b) Structural encroachments into the right-of-way shall not result in additional building floor area than would otherwise be allowed;

(c) Except for awnings, signs, and marquees, the maximum horizontal encroachment into the right-of-way shall be two feet;

(d) The maximum horizontal encroachment in the right-of-way by signs shall be four feet;

(e) The maximum horizontal encroachment in the right-of-way by awnings and marquees shall be six feet;

(f) The minimum horizontal distance between the structural encroachment and the curbline shall be two feet;

(g) Except for awnings over the public sidewalk which may be continuous, the maximum length of each balcony, bay window, or similar feature that encroaches the right-of-way shall be 12 feet;

(h) Structural encroachments into the right-of-way shall maintain adequate distance away from utility, transportation, or other facilities as determined by the community development director, city manager or designee in consultation with the public works director;

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

(j) Owners of structural encroachments into the right-of-way must clear the public right-of-way when ordered to do so by city authorities for reasons of public health or safety; and

Staff's Working Comments/Changes (3/18/13)

(k) In reviewing a proposed structural encroachment into the public right-of-way, the ~~community development director~~city manager or designee may include conditions as may be reasonably needed to ensure that the structure is consistent with the purpose of the PR zone, and to minimize the likelihood of adverse impacts. The ~~community development director~~city manager or designee shall deny the request if it is determined that adverse impacts cannot be mitigated satisfactorily. [Ord. 1513 § 2, 2011; Ord. 1267 § 2(part), 2000.]

**Staff's Working Comments/Changes (3/18/13)
with proposed changes incorporated**

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

Sections

[18.31.010](#) Purpose.

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

[18.31.030](#) PR-R – Permitted uses.

[18.31.040](#) PR-C– Permitted uses.

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

[18.31.090](#) Dimensional standards.

[18.31.100](#) General site design requirements.

[18.31.110](#) General building design requirements.

18.31.010 Purpose.

Comment [gf1]: Rewritten to emphasize economic development and be more positive.

The principal objective and purpose of this zone and its application is to implement the City of Des Moines Comprehensive Plan, Pacific Ridge Neighborhood Improvement Plan, the City's Economic Development Plan and other adopted policies for the commercial and residential areas of Pacific Ridge.

Furthermore, it is the objective and purpose of this zone to provide development regulations that will promote redevelopment of Pacific Ridge properties in order to create attractive, safe, and desirable areas to work and reside, and to improve the City's economy. Redevelopment of Pacific Ridge is appropriate because this area has excellent access to road, transit and air transportation facilities, potential views of Mount Rainier, Puget Sound and the Olympic Mountains, and higher-density development on under-developed and older properties which can help Des Moines meet or exceed population and employment growth targets specified by the countywide planning policies for King County and capitalize on economic development potential.

A related consideration is to make it possible to efficiently and economically plan for, design, finance, and provide public services, light rail and other capital facilities, and utilities for the populations and activities within this zone while significantly raising property values and providing housing choices. For all of the above reasons, the

Staff's Working Comments/Changes (3/18/13) with proposed changes incorporated

purpose of this chapter is to promote public health, safety, welfare and commercial development through redevelopment of Pacific Ridge properties. [Ord. 1267 § 2(part), 2000.]

18.31.020 Subareas within Pacific Ridge zone.

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

(a) PR-R, Pacific Ridge Residential.

(b) PR-C, Pacific Ridge Commercial

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

Comment [gf2]: PR-C1 and PR-C2 proposed to be combined into single PR-C expanded zone. That part of the old PR-C1 zone from 216th to 221st is proposed to be expanded to the east to the I-5 right of way.

18.31.030 PR-R – Permitted uses.

Only those uses listed below, and uses similar in nature as determined by the city manager or designee, are permitted in the PR-R zone. Uses are more fully described in the "North American Industrial Classification System." Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

- (1) Uses permitted in PR-C zone when part of a contiguous PR-C development under single ownership.
- (2) Multifamily dwellings (no NAICS code);
- (2) Religious organizations (813110);
- (3) Nursing care facilities (623110) and community care facilities for the elderly (6233);
- (4) Public utility facilities and appurtenances necessary for the distribution of utility services to final customers within the immediate area;

**Staff's Working Comments/Changes (3/18/13)
with proposed changes incorporated**

(5) A mix of residential and nonresidential uses compatible with residential, subject to the limitations below and the limitations provided in DMMC [18.31.090](#), Environmental performance standards and general limitations:

- (a) Retail trade (44-45), limited to the following:
 - (i) Food and beverage stores (445);
 - (ii) Health and personal care stores (446);
- (b) Real estate and rental and leasing (53), limited to the following:
 - (i) Lessors of residential buildings and dwellings (531110);
 - (ii) Offices of real estate agents and brokers (531210);
 - (iii) Real estate property managers (531311);
 - (iv) Offices of real estate appraisers (531320)
 - (v) Other activities related to real estate (531390); and
- (c) Professional, scientific, and technical services (54);
- (d) Management of companies and enterprises (55);
- (e) Health care and social assistance (62), except for temporary shelters (624221);
- (f) Arts, entertainment and recreation (71);
- (g) Food services and drinking places (722), further limited to the following:
 - (i) Full service restaurants (722511);
 - (ii) Limited-service restaurants (722513);
 - (iii) Cafeterias, grill buffets and buffets (722514); and
 - (iv) Snack and nonalcoholic beverage bars (722515).
- (h) Other services (81), further limited to the following:
 - (i) Footwear and leather goods repair (811430);

Staff's Working Comments/Changes (3/18/13) with proposed changes incorporated

- (ii) Personal care services (8121);
- (iii) Dry-cleaning and laundry services (812320);
- (iv) Photofinishing (81292);
- (v) Religious organizations (813110);
- (vi) Civic and social organizations (813410);
- (vii) Business associations (813910);
- (viii) Professional organizations (813920);
- (ix) Labor unions and similar labor organizations (813930);
- (x) Other similar organizations (813990).

(i) Public administration (92);

(j) Public parks (no NAICS code);

(7) The following buildings, structures and uses are allowed when accessory to a use otherwise permitted by this chapter:

(a) Ancillary and incidental indoor storage and maintenance facilities related to on-site buildings and uses;

(b) Telecommunication facilities as allowed by Title 20 DMMC;

(c) Recreation facilities for use by residents of the property;

(d) Child and adult day care as regulated and licensed by the Washington State Department of Social and Health Services, or its successor agency;

(e) Home occupation, subject to the following limitations:

(i) The occupation shall be conducted entirely within the dwelling;

(ii) The occupation shall not require structural features that are not customary or incidental in a dwelling;

(iii) Only one small sign not exceeding two square feet and mounted on the building shall be allowed identifying or advertising the home occupation;

Comment [gf3]: 1 small sign proposed to be allowed. The Sign Code, 18.42, proposed to be changed to apply City-wide.

Staff's Working Comments/Changes (3/18/13) with proposed changes incorporated

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

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

(vi) In the event the city manager determines that the home occupation has resulted in adverse land use impacts, the city manager is authorized to impose additional conditions of approval as necessary; and

(viii) In the event the nature or extent of the home occupation changes so that the adverse land use impacts cannot be satisfactorily mitigated, the city manager may revoke all approvals and licenses related to the home occupation. [Ord. 1406 § 1, 2007; Ord. 1267 § 2(part), 2000.]

18.31.040 PR-C – Permitted uses.

Only those uses listed below, and uses similar in nature as determined by the city manager or designee are permitted in the PR-C zone. Uses are more fully described in the "North American Industrial Classification System." Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to North American Industrial Classification System (NAICS) code numbers:

- (1) Retail trade (44-45). [
- (2) Taxi (485310) and limousine service (485320);
- (3) Postal service (491110);
- (4) Couriers and messengers (492110);
- (5) Information establishments (51);
- (6) Finance and insurance (52);
- (7) Real estate and rental and leasing (53), except mini-warehouses and self storage units (53113) may not front on SR99;
- (8) Professional, scientific, and technical services (54);
- (9) Management of companies and enterprises (55);

Comment [gf4]: Any type of retail trade under NAICS 44 or 45 is allowed if this change is made including car dealers.

Comment [gf5]: Changed per 2/28 F&ED

Staff's Working Comments/Changes (3/18/13) with proposed changes incorporated

(10) Administrative and support services (561XX),

(11) Educational services (61);

(12) Health care and social assistance (62);

Comment [gf6]: Changed per 2/28 F&ED

(13) Arts, entertainment, and recreation (71) except that adult entertainment facilities and adult motion picture theaters (no NAICS code) are prohibited within 500 feet of the property lines of churches, common schools, day care centers, public facilities, or other adult entertainment facilities or adult motion picture theaters;

Comment [gf7]: Changed as result of F&ED discussion on 2/26/13

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

(a) Hotels (72111) that contain a minimum of 75 guest rooms;

Comment [gf8]: Changed as result of 2/26/13 F&ED. Minimum size is the only limitation with this change. The market place will control the rest. Further changed per 2/28 meeting

(b) Food services and drinking places (722), however, mobile food services (72233) are also regulated by chapter [5.57](#) DMMC;

(15) Other services (81)

Comment [gf9]: Minimum building heights are eliminated in 18.31.090 (7)

(a) Automobile body, paint, interior, and/or glass repair (81112), general automotive repair (811111), automotive exhaust system repair (811112), automotive transmission repair (811113), and automotive oil change and lubrication shops (811191) shall be allowed in the PR-C zone; provided, that all of the following requirements shall be met:

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

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

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

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

Staff's Working Comments/Changes (3/18/13) with proposed changes incorporated

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

(i) In that part of PR-C north of South 216th Street, and properties fronting on SR99 and South 216th Street, dwellings must be located above the second story of the building and the ground floor must be designed to accommodate commercial uses; and

Comment [gf10]: Clarified in response to questions raised during 2/28 F&ED

(ii) When a project fronting SR 99 or South 216th Street contains more than one building, one of those buildings may be a single purpose multi-family building.

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

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

18.31.080 Environmental performance standards and general limitations.

Every use permitted within the PR zone shall conform to the following general limitations and standards:

(1) Provisions applicable to all PR zones:

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

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

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

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

Comment [gf11]: Clarified as a result of 2/26/13 F&ED discussion. Further clarified following 2/28 meeting.

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

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

Comment [gf12]: Already reduced from to 50sf from 200sf for common and from 60sf to 40sf for private as required by 18.45 DMMC. Note that 18.45 allows developer to buy out of the common recreation space requirement.

Staff's Working Comments/Changes (3/18/13) with proposed changes incorporated

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

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

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

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

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

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

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

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

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

**Staff's Working Comments/Changes (3/18/13)
with proposed changes incorporated**

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

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

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

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

- (i) Automobile repair and the installation of automobile parts and accessories shall be primarily contained within an enclosed structure;
- (ii) Unless specifically authorized by the city manager or designee, views into automobile service bays from Pacific Highway South shall be diminished by building orientation, screening, or other means;
- (iii) Unless specifically authorized by the city manager or designee, vehicular access shall be limited to one driveway per street frontage;
- (iv) Motor vehicle fuel pump islands shall be set back a minimum of 15 feet from property lines;
- (v) A six-foot-high, 100 percent sight-obscuring fence shall be provided along property lines that abut residential properties as designated by the Des Moines Comprehensive Plan; and

Staff's Working Comments/Changes (3/18/13) with proposed changes incorporated

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

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

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

(ii) Unless specifically authorized by the city manager or designee, passenger loading and unloading areas shall be provided on site. [Ord. 1410 § 1, 2007; Ord. 1267 § 2(part), 2000.]

18.31.090 Dimensional standards for new development.

(1) Lot Area. Every lot shall have a minimum area of 7,500 square feet.

(2) Lot Width. Every lot shall have a minimum width of 75 feet.

(3) Front Yard.

(a) In the PR-R zone, not less than 15 feet except that no front yard is required provided that the project is at least 55 feet.

(b) In the PR-C zone, no front yard is required.

(4) Side Yard.

(a) In the PR-R zone, not less than 10 feet when abutting a single family residence, except that no side yard is required if the project is at least 55 feet and not abutting a single family residence.

(b) In the PR-C zone, no side yard is required.

(5) Rear Yard. Every lot shall have a rear yard of not less than 15 feet.

(6) Measurement of Building Height.

(a) PR-R zone: Building height shall be measured from average finish grade.

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

(i) Building height for properties abutting SR99 is measured from SR99.

Comment [gf13]: Changed per 2/28 F&ED discussion. The 5 story requirement is to prevent additions to existing underdeveloped residential properties in transitional areas.

Staff's Working Comments/Changes (3/18/13) with proposed changes incorporated

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

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

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

(7) Minimum Building Height.

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

(i) PR-R zone: 35 feet.

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

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

Comment [gf14]: Policy Question: Should minimum heights be raised in PR-R to encourage 5/2 construction and more density?

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

(a) PR-R zone: 75 feet. Buildings may be built to a height of 200 feet with approval of a floor area clustering height bonus when the minimum building site area is 43,560 square feet and useable pedestrian plazas and open space are provided.

(b) PR-C zone:

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

(ii) In that portion of the PR-C zone east of SR99: 85 feet.

(iii) In that portion of PR-C zone north of S. 216th: 85 feet.

Comment [gf15]: F&ED has asked for this to be reviewed so that there be lower building heights west of SR99 so that views are not obstructed.

Staff's Working Comments/Changes (3/18/13) with proposed changes incorporated

(9) Building Height Limitation Adjacent to Single-Family. When an abutting property is designated single-family residential by the Des Moines comprehensive plan and being used as such, building height shall be limited as follows:

(a) Within 20 feet of the abutting single-family residential property, maximum building height shall be 35 feet.

(b) Within 40 feet of the abutting single-family residential property, maximum building height shall be 45 feet.

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

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

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

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

(11) Height Allowance for Enhanced Design of Distinctive Rooflines. In the PR-C, and PR-R zones, a portion of a building may exceed the maximum building height; provided, that the following provisions are met:

(a) The purpose of the additional height for the building is to provide a roofline that is of distinctive form through the use of design elements such as pitched roofs, sloped roofs, vertical offsets or other similar roof features that achieve the goals of Pacific Ridge Design Guideline 2.B.2.

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

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

**Staff's Working Comments/Changes (3/18/13)
with proposed changes incorporated**

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

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

(12) Placement of Buildings.

Comment [gf16]: This eliminates all setback requirements for commercial projects fronting on SR99

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

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

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

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

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

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

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

(iii) No building shall be erected closer than five feet to the rear lot line. [Ord. 1559 § 1, 2012: Ord. 1513 § 1, 2011: Ord. 1405 § 1, 2007: Ord. 1267 § 2(part), 2000.]

Staff's Working Comments/Changes (3/18/13) with proposed changes incorporated

18.31.100 General site design requirements.

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

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

18.31.110 General building design requirements.

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

- (a) Building height, bulk, and scale;
- (b) Building modulation and fenestration;

Staff's Working Comments/Changes (3/18/13) with proposed changes incorporated

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

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

Comment [gf17]: Is this needed?

**Staff's Working Comments/Changes (3/18/13)
with proposed changes incorporated**

(3) Maximum Gross Floor Area.

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

Building Height	PR-C and PR-R FAR
35 Feet or Less	2.8
35 – 50	3.5
50 – 60	4
60 -70	4.5
70 – 80	5
80 – 90	5.5
90 – 100	6.5
100 – 110	7.5
110 – 120	9
> 120	Increases by 0.5 per floor above 120 feet

Comment [gf18]: Allow larger floor area ratios and allow buildings to be less skinny (and more economical). Consolidated into single column.

(b) Gross floor area shall include the total square footage of the enclosed building; provided, that:

(i) For properties located adjacent to Pacific Highway South, the area of parking garages constructed below the adjacent sidewalk grade on Pacific Highway South shall not be included in the calculation of gross floor area.

**Staff's Working Comments/Changes (3/18/13)
with proposed changes incorporated**

(ii) For all other properties in the Pacific Ridge neighborhood, the area of parking garages constructed below the lowest sidewalk grade adjacent to the property line shall not be included in the calculation of gross floor area.

(4) Within the PR-C zone, structural encroachments into the right-of-way, such as cornices, signs, eaves, sills, awnings, bay windows, balconies, facade treatment, marquees, etc., shall conform to the provisions set forth by Title 12 DMMC, the International Building Code, and the following provisions:

(a) Structural encroachments into the right-of-way shall be capable of being removed without impact upon the structural integrity of the primary building;

(b) Structural encroachments into the right-of-way shall not result in additional building floor area than would otherwise be allowed;

(c) Except for awnings, signs, and marquees, the maximum horizontal encroachment into the right-of-way shall be two feet;

(d) The maximum horizontal encroachment in the right-of-way by signs shall be four feet;

(e) The maximum horizontal encroachment in the right-of-way by awnings and marquees shall be six feet;

(f) The minimum horizontal distance between the structural encroachment and the curbline shall be two feet;

(g) Except for awnings over the public sidewalk which may be continuous, the maximum length of each balcony, bay window, or similar feature that encroaches the right-of-way shall be 12 feet;

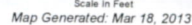
(h) Structural encroachments into the right-of-way shall maintain adequate distance away from utility, transportation, or other facilities as determined by the city manager or designee in consultation with the public works director;

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

(j) Owners of structural encroachments into the right-of-way must clear the public right-of-way when ordered to do so by city authorities for reasons of public health or safety; and

**Staff's Working Comments/Changes (3/18/13)
with proposed changes incorporated**

(k) In reviewing a proposed structural encroachment into the public right-of-way, the city manager or designee may include conditions as may be reasonably needed to ensure that the structure is consistent with the purpose of the PR zone, and to minimize the likelihood of adverse impacts. The city manager or designee shall deny the request if it is determined that adverse impacts cannot be mitigated satisfactorily. [Ord. 1513 § 2, 2011; Ord. 1267 § 2(part), 2000.]



File: PacRidgeRezone
©2013 City of Des Moines GIS

F&ED Work Plan (effective 10/30/12)



2012 Q4 and 2013 Work Plan

- Pacific Highway South Corridor
 - Interim Uses 2012 Q4 (*Direct to Council*)
 - Pacific Ridge Comp Plan Element Q3/4 2013
 - Pacific Highway Land Use & Environmental Review Q1-Q3 2013
 - Midway Q1-Q2 2013
 - Urban Center designation Q3 2013
- Comprehensive Plan Update – in advance of 2014 major update Q1-Q4 2013
 - North Central Neighborhood Element
 - Economic Development Element (new)
- IC Zoning (HCC, Wesley, Judson, Landmark) (*direct to Council*) 2012 Q4
- Park Impact Fee Q3/4 2013
- PUD Code Q2/3 2013
- Code Enforcement code updates (weeds, canopy/canvas, front yard parking, shipping containers, garage sales, rodent control, view blocking vegetation)
- Misc Zoning Code
 - Reader Board definition Q1/2 2013
 - Accessory structure height limits, Q3/Q4 2013
- Subdivision Code (Title 17) – Q3/Q4 2013
- Must do: short plat frontage improvements Q2/3 2013
- Marina/Beach Park Development Plan 2012Q4
- Message Signs, wayfinding, directional & promotional signage, kiosks – executive staff lead needed 2012 Q4/Q12013
- Façade Improvement (UW student project) 2012 Q4