



**AGENDA**

**Finance and Economic Development Committee Meeting  
Tuesday, September 28, 2010  
5:00 p.m. – 6:30 p.m.  
City Hall South Conference Room**

1. Call to Order
2. Approval of minutes of the July 29, 2010 meeting.
3. Final Review of Permitted Uses Ordinance in the Marina District/Downtown (Robert) – 10 minutes
4. Proposed changes to Business and Solicitor licenses – 10 minutes
5. Update on Marina District Stakeholder Committee process (Denise) – 10 minutes
6. Review of preliminary Marina District modeling on S. 223<sup>rd</sup> (Denise) – 20 minutes
7. Discussion of Des Moines Economic Development Strategy development (Marion) – 10 minutes
8. Discussion of DMMC changes needed to accelerate economic development to build into 2011 staff and Committee work program (Grant) – 20 minutes.
9. Committee member comments – 10 minutes
10. Future meetings.

# **MINUTES – FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE MEETING**

July 29, 2010

South Conference Room

21630 11<sup>th</sup> Avenue South, Des Moines, WA

## **Council Members**

Melissa Musser

Matt Pina

Bob Sheckler (joined meeting at 7:00 p.m.)

## **City Staff**

Tony Piasecki – City Manager

Lorri Ericson – Assistant City Manager

Grant Fredricks – PBPW Director

Joe Dusenbury – Harbor Master

John O’Leary – Interim Chief of Police

Denise Lathrop – Senior Planner

Marion Yoshino – Economic Dev Manager

Susan Mahoney – Assistant City Attorney

Pat Bosmans – City Attorney

## **1. Call to Order**

Acting Chair Pina called the meeting to order at 6:07 p.m.

## **2. Approval of the Minutes**

The minutes for 6/30/2010 were approved as submitted.

## **3. Update on Marina District/Downtown Zone planning effort.**

Denise demonstrated the building modeling program. She highlighted the progress she was making with the diagrams, designs and building heights. One of the problems highlighted by this process is the requirement that the 3<sup>rd</sup> floor have a larger set back than the floors below. This creates a repetitive design with the top floor on a 20 foot setback and limits design possibilities or options for different architecture, creating a “cookie cutter” look.

Staff asked the committee if these models should be presented to council as part of the presentation next week or if we should wait for a later date and a more complete model. The consensus of the group was that we should wait until the models are more complete before taking them before the full council.

Staff will select 4 vantage points in the city to use as a focus for modeling.

## **4. Discussion of architectural precedents and treatment of roof-top accoutrements.**

The committee decided that they did not need to discuss this subject at this time.

## **5. Discussion of a proposed Junk Vehicle Ordinance.**

Susan reviewed the current sign and nuisance codes. She stated in the late 90’s the ordinances were changed to allow either a civil penalty or a criminal penalty without any guidelines about how to determine which way to cite an offender. Due to legal concerns, all violations have been cited as civil infractions. Legal would like to change the ordinances so that offenses are clearly defined as civil or criminal or have the code clearly state that after a specific number of civil infractions, it becomes a criminal offense.

The document also includes a section on the responsibilities of the management team. It states that the management team is responsible for ensuring that all transactions are recorded accurately and in a timely manner. It also outlines the process for resolving any discrepancies or errors in the records. The document concludes with a statement of intent to implement these policies and procedures effectively.

The document further details the process for the annual financial review. It specifies that the review will be conducted by an independent auditor. The management team is required to provide all necessary documentation and information to the auditor. The document also outlines the timeline for the review process and the expected outcomes. The final section of the document provides a list of references and a glossary of terms.

The document is signed by the Chairman of the Board and the Chief Executive Officer. It is dated and includes a reference to the relevant board resolution. The document is distributed to all members of the Board and the management team. It is also made available to the public upon request.

The document is a confidential document and should be handled accordingly. It is not to be distributed outside the organization without the prior written consent of the Chairman of the Board. The document is subject to review and revision at any time. The document is a key component of the organization's internal control system and is essential for the effective management of the organization's financial affairs.

Next, Susan spoke specifically about the junk vehicle ordinance and the difficulty with defining exactly what constitutes a "junk" vehicle. Discussion ensued. Staff will work through the ideas suggested by the group, do some research and bring suggestions back to the committee.

#### **6. Discussion of constitutional changes required in Sign Code Ordinance**

Our current sign code is unenforceable and portions of it actually belong in the zoning code rather than in the sign code. It also needs to be rewritten to address signs for all different types of businesses equally. One issue that staff requested guidance on was temporary, portable, A-frame signs.

Mayor Sheckler asked about campaign signs. Susan clarified that these are different than the regular sign code. Political speech is more protected. Susan described our policies in this area and the committee members seemed comfortable.

Discussion ensued around the quality of the signs, particularly the portable "A" frame signs. Staff gathered the comments and will research this issue and bring suggestions back to the committee.

Susan asked if the committee would prefer to see the draft ordinance before it goes to the full council. The agreement was that a draft would be e-mailed to the committee to review, but there are no plans to bring it to the full committee first.

#### **7. Committee Member Comments**

None

#### **8. Future meetings**

August 5, 2009 4:00 pm

Adjourned at 7:25 p.m.

Respectfully submitted by:  
Lorri Ericson, Assistant City Manager



DRAFT ORDINANCE NO. 10-129

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON, relating to zoning, amending accessory, permitted, conditional and unclassified uses in the Downtown Commercial (DC) zone, and amending sections in chapters 18.27 and 18.32 DMMC.

WHEREAS, outright permitted uses and accessory uses and the regulations for such uses located in the DC, Downtown Commercial, zone are listed in DMMC 18.27.020 and 18.27.030, and

WHEREAS, unclassified uses applicable to all zones that exist in the City, including the DC, Downtown Commercial, zone are listed in DMMC 18.32.020, and

WHEREAS, conditional uses applicable to all zones that exist in the City, including the DC, Downtown Commercial, zone are listed in DMMC 18.32.030, and

WHEREAS, approximately 53 acres of land area exists in the City's downtown adjacent to Marine View Drive, 7<sup>th</sup> Avenue South, and within the City's Marina that is zoned DC, Downtown Commercial, and

WHEREAS, the Council Finance and Economic Development Committee has determined that land in the downtown is highly underutilized and that growth and vitality in the City's downtown is linked to providing for, accommodating, and encouraging property owners to develop to the highest and best use for the downtown neighborhood, and

WHEREAS, personal service oriented commercial use and high residential density within mixed use development are both considered highest and best uses that are desired by the City, and

WHEREAS, a staff evaluation of the DMMC and the uses allowed in the DC zone concluded that certain uses currently allowed in the DC zone are not adequately limited or restricted and may actually deter, curtail, or prevent desired uses and development in the DC zone, and

**WHEREAS**, some uses currently allowed by the DMMC in the DC zone allow for uses which generate inordinate activity or heavy truck trips; consume vast amounts of land with little economic appreciation, benefit, or service to the broader community; or are visually obtrusive, create noise and odors not conducive to mixed use development, and

**WHEREAS**, the Finance and Economic Development Committee recognize that modifying use regulations for the DC zone is just one component of an overall strategy to make the downtown neighborhood more attractive for property owner's desiring to make improvements and invest in the City's downtown, and

**WHEREAS**, the Finance and Economic Development Committee directed staff to brief the full City Council on the proposed changes to the permitted uses in the DC zone, and

**WHEREAS**, staff reviewed the proposed changes to the DC zone with the City Council at its regular meeting on May 6, 2010 and received direction to prepare a draft ordinance that more specifically identifies how the changes would occur, and

**WHEREAS**, notice of the public hearing was given to the public in accordance with law and a public hearing was held on the August 5, 2010, and all persons wishing to be heard were heard, and

**WHEREAS**, pursuant to DMMC 18.56.080 amendment of the zoning code (Title 18 DMMC) is a legislative (Type VI) land use decision, and

**WHEREAS**, the textual code amendments proposed by this ordinance have been processed in accordance with the requirements of SEPA, a determination of nonsignificance (DNS) was issued on July 20, 2010 by the responsible official, and the applicable SEPA comment period has concluded, and

**WHEREAS**, the textual code amendments proposed in this ordinance were provided to the Department of Commerce as required by RCW 36.70A.106, and



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

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

Sec. 1. DMMC 18.27.020 and section 2 of Ordinance No. 1104 as amended by section 3 of Ordinance No. 1237 are each amended to read as follows:

**Permitted uses.** Only those uses listed below, and uses similar in nature as determined by the community development planning, building, public works director, may be permitted in the D-C zone. Each use is more fully described in the "Standard Industrial Classification Manual." Listed uses may be otherwise conditioned in this code. The numbers in parentheses following each of the following listed uses refer to the Standard Industrial Classification (SIC) code numbers:

- (1) Horticultural specialties limited to community gardens and pea patches with memberships offered only to community residents (018);
- (12) Veterinary services for animal specialties (0742) and dog grooming (0752);
- (23) Landscape and horticultural services (078);
- (34) Fish hatcheries and preserves (092), limited to those properties that abut or are within the intertidal area of Puget Sound;
- (4) Art glassware made in glassmaking plants (3229);
- (5) Photocopying and Duplicating Services (7334);
- (6) Art and ornamental ware, pottery (3269);
- ~~(5) Light manufacturing, fabrication, assembly, and sale of the following and closely related products with ancillary retail sales:~~

- ~~(a) Food and kindred products (20), excluding meat packing plants (2011) and poultry slaughtering and processing (2015);~~
- ~~(b) Textile mill products (22) and apparel and other finished products made from fabrics and similar materials (23);~~
- ~~(c) Furniture and fixtures (25);~~
- ~~(d) Printing, publishing, and allied industries (27);~~
- ~~(e) Leather and leather products (314-319);~~
- ~~(f) Glass and glassware, pressed or blown (322);~~
- ~~(g) Ceramic wall and floor tile (3253);~~
- ~~(h) Pottery and related products (326);~~
- ~~(i) Cutlery, handtools, and general hardware (342);~~
- ~~(j) Computer and office equipment (357);~~
- ~~(k) Industrial and commercial machinery and equipment, not elsewhere classified (3599);~~
- ~~(l) Electronic and other electrical equipment and components, except computer equipment (36);~~
- ~~(m) Boat building and repairing (3732);~~
- ~~(n) Measuring, analyzing, and controlling instruments; photographic, medical, and optical goods; watches and clocks (38); and~~
- ~~(o) Miscellaneous manufacturing industries (3911-3933);~~
- ~~(76) United States Postal Service facilities (4311);~~
- ~~(87) Marinas (4493); and Water transportation uses, limited to the following:~~
  - ~~(a) Boat cleaning;~~
  - ~~(b) Marinas (4493); and~~
  - ~~(c) Marine surveyors, except cargo (4499);~~
- ~~(98) Arrangement of passenger transportation (472);~~
- ~~(9) Wholesale trade of durable goods, limited to the following:~~
  - ~~(a) Motor vehicle supplies and new parts (5013), tires and tubes (5014), and motor vehicle parts, used (5015);~~
  - ~~(b) Home furnishings (5023);~~
  - ~~(c) Professional and commercial equipment and supplies (504);~~



- ~~(d) — Electrical goods (506);~~
- ~~(e) — Hardware (5072);~~
- ~~(f) — Warm air heating and air conditioning equipment and supplies (5075);~~
- ~~(g) — Industrial supplies (5085);~~
- ~~(h) — Service establishment equipment and supplies (5087);~~
- ~~(i) — Transportation equipment and supplies, except motor vehicles (5088);~~
- ~~(j) — Sporting and recreational goods and supplies (5091);~~
- ~~(k) — Jewelry, watches, precious stones, and precious metals (5094); and~~
- ~~(l) — Durable goods, not elsewhere classified (5099);~~
- ~~(10) — Wholesale trade of nondurable goods, limited to the following:~~
  - ~~(a) — Paper and paper products (511);~~
  - ~~(b) — Drugs, drug proprietaries, and druggists' sundries (512);~~
  - ~~(c) — Apparel, piece goods, and notions (513);~~
  - ~~(d) — Groceries, general line (5141);~~
  - ~~(e) — Confectionery (5145);~~
  - ~~(f) — Fish and seafoods (5146);~~
  - ~~(g) — Meats and meat products (5147);~~
  - ~~(h) — Groceries and related products, not elsewhere classified (5149);~~
  - ~~(i) — Plastics materials and basic forms and shapes (5162);~~
  - ~~(j) — Beer, wine, and distilled alcoholic beverages (518);~~
  - ~~(k) — Books, periodicals, and newspapers (5192);~~
  - ~~(l) — Flowers, nursery stock, and florists' supplies (5193);~~
  - ~~(m) — Paints, varnishes, and supplies (5198); and~~
  - ~~(n) — Nondurable goods, not elsewhere classified (5199);~~

(1011) Retail trade, with ancillary wholesale trade, 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) ~~Automotive dealers and~~ Gasoline service stations, and other alternative motor vehicle fuels (55);
- (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);
- (~~1112~~) Finance, insurance, and real estate institutions and services (60-67);
- (~~1213~~) Services, 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);
  - (e) ~~Automotive repair, services, and parking (75) limited to the following:~~
    - (~~ci~~) 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 18.44 DMMC ;
    - (~~dii~~) General automotive repair shops (7538); and
    - (~~eiii~~) Car washes (7542);

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

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

(ii) Tank truck cleaning service (7699);

(ge) Motion picture services (78);

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

(ii) Adult entertainment facilities and adult motion picture theaters (No SIC); and

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

(jg) Health services (80);

(kh) Legal services (81);

(li) Educational services (82);

(mj) Social services (83);

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

(ol) Membership organizations (86);

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

(qn) Services, not elsewhere classified (89);

(1314) Public administration facilities (91-97), except correctional institutions (9223);

(1415) Mixed use (no SIC code);

~~(16) Home occupations (no SIC code), when the conditions set forth in DMMC 18.08.020(18) are satisfied; and~~

(1517) Public parks (No SIC).

Sec. 2. DMMC 18.27.030 and section 3 of Ordinance No. No. 1104 as amended by section 3 of Ordinance No. 1237 are each amended to read as follows:

18.27.030 Environmental performance standards, use restrictions, and general limitations.



(1) Every use permitted within the D-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 18.41 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

~~(viii) 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 community development planning, building, 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 D-C zone, and to minimize the likelihood of adverse impacts.

(2) Home Occupations shall be permitted only as an accessory use, provided that all of the following conditions and limitations are satisfied:

(a) The principally permitted use to which the home occupation is accessory shall be a legally permitted, constructed, and conforming residential component of a mixed use development;

(b) All conditions set forth in DMMC 18.08.020(18) are satisfied.

(3) 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) All dry boat storage shall be located within a fully enclosed structure;

(ab) The size and location of all boat storage facilities shall be consistent with the Council adopted Marina Master Plan;

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

(cd) All boat repair work shall occur within a fully enclosed structure and have containment areas and employ disposal methods for pollutants and toxic substances consistent with Puget Sound Clean Air Agency and NPDES standards;

(de) 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.

(42) Adult entertainment facilities and adult motion picture theaters are not permitted in the D-C zone.

(5) Nonconforming uses located in the D-C zone shall be allowed to continue to exist, but only to the extent, size, or scale that these uses were legally authorized or licensed to operate by the City. A property containing a single business entity that is a nonconforming use shall not be allowed to add any other use components or otherwise increase the intensity or facet of the



use unless all nonconforming use elements of the property are first completely removed from the site. A property containing multiple businesses and that has one or more nonconforming uses upon it shall not be allowed to add any other use components or otherwise increase the intensity or facet of that portion of the property or building containing uses that are nonconforming unless the addition of a new use results in the complete removal of that portion of the property or building containing a nonconforming use.

(63) Automobile repair, ~~boat—repair,~~ carwashes, automobile service stations, uses with drive-through facilities, and similar uses shall conform to the following limitations and standards:

(a) Automobile repair and the installation of automobile parts and accessories shall be primarily wholly performed contained 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 18.44 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,

(b) Unless specifically authorized by the community development director, vehicular access shall be limited to one driveway per street frontage;



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

(gd) 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.~~

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

(85) 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 community development planning, building, public works director, passenger loading and unloading areas shall be provided on site.

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

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

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

(ii) A minimum of 60 percent of the street level floor area shall be occupied by nonresidential uses 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;

(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.

(v) The planning, building, and public works director is authorized to consider and approve up to a 20% reduction of the bulk requirements specified in sections 18.27.030 (6)(a)(ii,) (iii), and (iv) when a development proposal incorporates on-site parking substantially at street floor level behind retail trade or personal and business service uses and the director 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.

(b) On-site multifamily recreation area is provided 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 25 square feet; and

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

**Sec. 3.** DMMC 18.32.020 and section 1 of Ordinance No. 175 as amended by section 1 of Ordinance No. 527 as amended by section 1 of Ordinance No. 575 as amended by section 1 of Ordinance No. 588 as amended by section 2 of Ordinance No. 617 as amended by section 1 of Ordinance No. 645 as amended by section 1 of Ordinance No. 674 as amended by sections 3 and 4 of Ordinance No. 693 as amended by section 16 of Ordinance No. 1104 as amended by section 6 of Ordinance No. 1140 as amended by section 5 of Ordinance No. 1170 as amended by section 3 of



Ordinance No. 1199 as amended by sections 2 and 3 of Ordinance No. 1237 as amended by section 3 of Ordinance No. 1267 as amended by section 1 of Ordinance No. 1306 as amended by section 3 of Ordinance No. 1374 are each amended to read as follows:

**Uses requiring unclassified use permit.**

The following uses may locate subject to the issuance of an unclassified use permit processed as provided in chapter 18.60 DMMC:

(1) Booster stations or conversion plants with the necessary buildings, apparatus, or appurtenances incident thereto of public utilities or utilities operated by mutual agencies, except these uses are specifically excluded from the DC RS, SR and S-E zones. Distribution mains are permitted in any zone without review;

(2) Sewage treatment plants, except such use is not permitted in the downtown commercial (D-C) zone;

(3) Sanitary Fills. Reclamation for public purpose by public agency, including drainage or other facilities for off-site discharge of storm water runoff or other liquids or substances, except such use is not permitted in the downtown commercial (D-C) zone and provided further except that closed drainage systems or "tight lines" constructed and maintained to sanitary sewer standards (Washington State/APWA) are excluded from this requirement, and drainage systems that are substantially closed are excluded from this requirement, when:

(a) There has been a finding by the City's responsible SEPA official that predicted environmental impacts are significantly less than projected in a totally closed system proposal; and

(b) The system is approved by the City Council in the form of an interlocal agreement;

(4) Towing operations, including storage of impounded vehicles, but no wrecking yards, except that such use is permitted only in the highway commercial (H-C) zone;



(5) Horticultural nurseries, including on-premises sales uses, except such use is not as permitted in the downtown commercial (D-C) zone;

(6) Mixed uses, except as otherwise regulated and permitted in the downtown commercial (D-C) and Pacific Ridge (PR) zones;

(7) Group home facilities, in residential zones, personal to the applicant and nontransferable without prior consent of the City Council, and subject to the provisions governing home occupations found in DMMC 18.08.020(18) except such use is not permitted in the downtown commercial (D-C) zone;

(8) Bed and breakfast facilities, in residential zones, personal to the applicant and nontransferable without prior consent of the City Council, and subject to the provisions governing home occupations found in DMMC 18.08.020(18);

(9) Unclassified Uses Limited to the D-C Zone. The uses listed in this subsection, and uses similar in nature as determined by the community development director planning, building and public works director, may be permitted in the D-C zone, and only in the D-C zone, subject to issuance of an unclassified use permit as provided in this chapter. Each use is more fully described in the "Standard Industrial Classification Manual." The numbers in parentheses following each of the following listed uses refer to the Standard Industrial Classification (SIC) code numbers:

(a) Water transportation of passengers (448) +, and

(b) Communications facilities (48) +, and;

(c) Electric (4911), natural gas (4924), domestic water (4941), and sanitary sewerage services (4952) +, and

(d) Colleges, universities, junior colleges, professional schools (822), and

(ed) Unclassifiable establishments (99) and uses requiring an unclassified use permit as itemized in DMMC 18.32.020 and as otherwise provided in this chapter;

(10) Unclassified Uses Limited to the B-P Zone. Permitted uses listed in DMMC 18.25.020 utilizing hazardous materials exceeding the quantities in Uniform Building Code Table 3-D, "Exempt Amounts of Hazardous Materials Presenting a Physical Hazard - Maximum Quantities Per Control Area," and Table 3-E, "Exempt Amounts of Hazardous Materials Presenting a Health Hazard - Maximum Quantities Per Control Area," as presently constituted or subsequently amended, may only be permitted subject to issuance of an unclassified use permit as provided in this chapter;

(11) Unclassified Uses Limited to the PR Zone. The uses listed in this subsection, and uses similar in nature as determined by the community development planning, building, and public works director, may be permitted in the PR zone, and only in the PR zone, subject to issuance of an unclassified use permit as provided in this chapter. Each use is more fully described in the "North American Industry Classification System" (NAICS). The numbers in parentheses following each of the following listed uses refer to NAICS code numbers:

(a) Electric power transmission facilities (22112), such as transformer stations; and

(b) Commuter rail systems (485112);

(12) Unclassified Uses Limited to the PR-C2 Zone.

(a) The uses listed in this subsection may be permitted in the PR-C2 zone, and only in the PR-C2 zone, subject to issuance of an unclassified use permit as provided in this chapter;

(b) Secure community transition facilities as defined by RCW 71.09.020, as presently constituted or as may be subsequently amended, may be permitted in the PR-C2 zone when all of the following conditions are satisfied:

(i) All requirements of chapter 71.09 RCW as presently constituted or as may be subsequently amended;

(ii) The City Council finds that the application conforms to the equitable distribution goals, objectives, and requirements of chapter 71.09 RCW. If the City Council finds that the application raises public safety concerns that outweigh equitable distribution objectives, the City Council may assign greater weight to public safety concerns than to equitable distribution;

(iii) All requirements of "Policy Guidelines: The Siting and Operation of Secure Community Transition Facilities" published by the Washington State Department of Social and Health Services as presently constituted or as may be subsequently amended;

(iv) All goals, policies, and strategies of the Greater Des Moines Comprehensive Plan;

(v) All requirements of the Des Moines Municipal Code;

(vi) All requirements of the contract and mitigation agreements authorized by chapter 71.09 RCW between the City and the Washington State Department of Social and Health Services;

(vii) All conditions of approval deemed necessary by the City Council and allowed by law to mitigate potential adverse impacts and to preserve public health, safety and welfare. If the City Council finds that potential adverse impacts cannot be mitigated, the City Council may deny the permit;

(13) Unless authorized by other provisions of this title, essential public facilities as defined by RCW 36.70A.200, as presently constituted or as may subsequently be amended except such uses are not permitted in the downtown commercial (D-C) zone.

**Sec. 4.** DMMC 18.32.030 and sections 1 (24.44.030) and 28 of Ordinance No. 175 as amended by section 8 of Ordinance No. 248 as amended by section 1 of Ordinance No. 391 as amended by section 5 of Ordinance No. 445 as amended by section 4 of



Ordinance No. 793 as amended by section 7 of Ordinance No. 1106 as amended by section 27 of Ordinance No. 1197 as amended by section 123 of Ordinance 1200 as amended by section 4 of Ordinance No. 1237 are each amended to read as follows:

**Uses requiring conditional use permit.** The following uses may locate subject to the issuance of a conditional use permit processed as provided in the hearing examiner code:

(1) Cemeteries; except such use is not permitted in the downtown commercial (D-C) zone and further provided:

(a) No building shall be located closer than 100 feet from a boundary line;

(b) A protective fence and a landscaped strip of evergreen trees and shrubs at least 10 feet in width shall be installed on all common boundary lines with residential zoned property;

(2) Columbariums, crematories, and mausoleums; provided, these uses are specifically excluded from the DC and all residential zones unless inside a cemetery;

(3) Commercial establishments or enterprises involving large assemblages of people or automobiles as follows; provided, these uses are specifically excluded from the DC and all residential zones:

- (a) Amusement parks;
- (b) Boxing and wrestling arenas;
- (c) Ballparks;
- (d) Fairgrounds and rodeos;
- (e) Golf driving ranges;
- (f) Labor camps (transient);
- (g) Open-air theaters;
- (h) Race tracks, drag strips, motorcycle hills, and Go-Kart tracks;
- (i) Stadiums;

(4) Fire stations and public works maintenance and storage facility buildings when located in any residential zone; provided, the following conditions shall be conformed to:

(a) All buildings and structures shall maintain a distance of not less than 20 feet from any property line that is a common property line with residential zoned property; and

(b) A building from which firefighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.

(5) Hospitals, mental and alcoholic; provided, they are specifically excluded from all single-family residential, RA, RM-2,400 and RM-1,800 and DC zones;

(6) Institutions for training of religious orders except such use is not permitted in the downtown commercial (D-C) zone;

(7) Antenna systems which:

(a) Are not within the limitation of DMMC 18.08.020(2)(h) or DMMC 18.20.020(8); or

(b) Consist of parabolic antennas such as microwave dishes; or

(c) Consist of broadcasting or communication stations which transmit electromagnetic radiation;

(8) Recreational areas, commercial, including yacht clubs, beach clubs, tennis clubs, parks, ~~ski areas~~, marinas, and similar activities;

~~(9) Universities and colleges, including dormitories and fraternity and sorority houses when on campus;~~

~~(910) Fraternal societies as approved by the planning agency when located in an single-family residential zone;~~

~~(1011)~~ Day ~~day~~ care centers, but excluding family day care providers subject to the following minimum conditions:

(a) A play yard or equipment yard shall not be located in any required side or front yard;

(b) All buildings and structures on the lot shall maintain a distance of not less than 20 feet from any property line that is common property line with single-family residential property. If a greater setback is specified in a particular zone then the setback

requirements of the particular zone shall prevail over the minimum setback set forth in this subsection;

(c) No day care center shall be located within 150 feet of a highway commercial zone;

(d) State licensing standards for such facilities, chapter 388-73 WAC, shall be met;

(e) Such uses shall comply with the parking code requirements of chapter 18.44 DMMC.

~~(1112)~~ Telecommunication facilities as described in the provisions of Title 20 DMMC.

**NEW SECTION.** Sec. 5. Severability - Construction.

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

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

**NEW SECTION.** Sec. 6. Effective date. This ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this \_\_\_\_ day of \_\_\_\_\_, 2010 and signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
M A Y O R

APPROVED AS TO FORM:



\_\_\_\_\_  
City Attorney

ATTEST:

\_\_\_\_\_  
City Clerk

Published: \_\_\_\_\_

Rob/Code Maintenance/DC Zoning Analysis/ DC ZONING --PERMITTED USES ORDINANCE NO. 10-129 draft for 10-14-2010 Council meeting  
updated 9-15-2010

(1) The purpose of this Ordinance is to amend the District of Columbia Zoning Regulations to provide for the use of certain properties for the purpose of providing for the needs of the community.

(2) The purpose of this Ordinance is to amend the District of Columbia Zoning Regulations to provide for the use of certain properties for the purpose of providing for the needs of the community.

(3) The purpose of this Ordinance is to amend the District of Columbia Zoning Regulations to provide for the use of certain properties for the purpose of providing for the needs of the community.

(4) The purpose of this Ordinance is to amend the District of Columbia Zoning Regulations to provide for the use of certain properties for the purpose of providing for the needs of the community.

NOV 10

NOV 10 2010

Business Solicitors' Licenses

|                    | Number of Licenses | Current Charge   | All Equal @ \$75 | All Equal @ \$100 | Comm Fee Only Chg | Outside Only Chg | Comm Fee & Solicitor | Outside & Solicitor |
|--------------------|--------------------|------------------|------------------|-------------------|-------------------|------------------|----------------------|---------------------|
| In City Commercial | 341                | \$150            | \$75             | \$100             | \$75              | \$150            | \$75                 | \$150               |
| Out-of-City        | 1341               | \$25             | \$75             | \$100             | \$75              | \$75             | \$75                 | \$75                |
| Home Occ           | 277                | \$30             | \$75             | \$100             | \$30              | \$30             | \$30                 | \$30                |
| SFR                | 374                | \$30             | \$75             | \$100             | \$30              | \$30             | \$30                 | \$30                |
| MFR                | 190                | \$150            | \$75             | \$100             | \$150             | \$150            | \$150                | \$150               |
| Solicitors         | 40                 | \$0              | \$75             | \$100             | \$0               | \$0              | \$75                 | \$75                |
| <b>Revenue</b>     |                    | <b>\$132,705</b> | <b>\$192,225</b> | <b>\$256,300</b>  | <b>\$174,180</b>  | <b>\$199,755</b> | <b>\$177,180</b>     | <b>\$202,755</b>    |





# Marina District Planning

## Summary of Stakeholders Meeting 1 – September 1, 2010

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### OVERVIEW

The purpose of the first Stakeholder Group meeting was to consider key elements of successful town centers and to begin brainstorming development and redevelopment opportunities for the Marina District.

Staff presented information on the City's planning and economic development goals; strengths, issues and opportunities affecting development and redevelopment in the Marina District; and ideas on what redevelopment could look like.

The remainder of the meeting was dedicated to small group discussions, which explored ideas and envisioned land use options for three opportunity nodes centered on S 223<sup>rd</sup>/7<sup>th</sup> Avenue S, S 216<sup>th</sup>/Marine View Drive, and S 227<sup>th</sup>/Marine View Drive. Each group was asked to designate a spokesperson to report out to the at large group at the end of the brainstorming session.

### SUMMARY

Stakeholders Group members broke out into three working groups. Each group was asked to vision future development within three smaller opportunity nodes within the Marina District. Groups were asked to focus on the S 223<sup>rd</sup>/7<sup>th</sup> Avenue S node first, with discussion of other areas as time allowed.

Participants brainstormed locations where taller buildings might be possible and discussed the desired character of the built form and streetscape for each node, keeping in mind the following questions:

*What's needed to support a vibrant and sustainable community?*

*What opportunities or limitations exist that affect your option?*

*How does each node function relative to the other nodes?*

General observations for the Study Area ranged from defining needs to suggesting solutions. Establishing gateways and incorporating artwork into the Marina District were seen as "quick wins" that were easy to implement and demonstrated that the City of Des Moines cares about its image and has a vision for its future. Traffic roundabouts were a common theme to announce "you have arrived" as well as calm traffic speeds along Marine View Drive and 7<sup>th</sup> Avenue S. The view potential was identified as an asset and it was suggested zoning standards need to allow taller buildings where views are not compromised. All three groups saw the QFC site providing an opportunity to increase building heights (60+ feet). Green space, trees and landscaping were also deemed important elements that contributed to the sustainability of the area.

Improved transit service connecting the Marina District to Bus Rapid Transit (BRT) on Pacific Highway S was seen as essential element to bringing people into the area. The area around S 223<sup>rd</sup>/Marine View Drive was identified as a logical location for a bus transit station. Shuttle services from the Marina and bicycle rentals were also identified as ways to improve access to and through the Marina District. Connectivity for pedestrians was a recurring topic among all three groups, pointing to the need for improved sidewalks and streetscape amenities. Other ideas included installing an elevator and stairs at the west end of S 223<sup>rd</sup> Street and enhancing the central stairway off of 6<sup>th</sup> Avenue S to improve access to/from the business district and the Marina.

Common themes and ideas generated for each of the opportunity nodes are summarized below:

#### **S223rd Street/7<sup>th</sup> Avenue S Node**

Discussions around the S 223<sup>rd</sup>/7<sup>th</sup> Avenue S Node focused on identifying new uses to attract people the area and strengthening the S 223<sup>rd</sup> Street connection to the Marina and Beach Park. Specific uses identified for this area included museums, art studios, boutique shops, a winery, antique shop, nice restaurants and cultural activities. Enhancement of the streetscape along Marine View Drive, S 223<sup>rd</sup> Street and 7<sup>th</sup> Avenue S were seen as important for creating a walkable area and providing strong connections through the neighborhood. Mixed use and affordable housing options were discussed. Gateway treatments, artwork, street trees, open space and overall attractiveness of the area were seen as important elements for creating a positive image for the Marina District. Generally, a more human scale was envisioned for the built environment with building heights around 45 feet +/-.

#### **S216th Street/Marine View Drive Node**

Ideas and observations for redevelopment of the S 216<sup>th</sup> Street/Marine View Drive Node included redevelopment of the QFC site with taller buildings (60+ feet) that include mixed income housing, a good grocery store, some retail and ample open space, pedestrian network and parking within. The bridge over Des Moines Creek and the intersections at Des Moines Memorial Drive and S 216<sup>th</sup> Street were viewed as opportunities for incorporating gateway signage, artwork and traffic calming measures and to establish a positive image for the Marina District.

#### **S 227th Street/Marine View Drive Node**

The groups did not have as much time to focus on the S 227<sup>th</sup> Street Node. This area was seen as providing opportunities for redevelopment, higher building heights and strengthening the gateways and connections to the Marina.

## SMALL GROUP DISCUSSIONS

A summary of the ideas and comments generated by each of the working groups is provided below. The summary is based on the notes taken at each table, graphics that were developed, and the group report-outs.

**Table 1:**

### S223rd/7<sup>th</sup> Avenue S Node

- Affordable housing options, mixed use
- Green space and play areas for pets, children, young families (pet potty stations)
- Staggered building heights up to 45 feet
- Lower speed limits on Marine View Drive and 7<sup>th</sup> Avenue S (25 mph) or slow traffic down in other ways with street shape (i.e., curb bulbs)
- Activities and uses at Marina and Beach Park – variety and built-in infrastructure
- Bike station rentals (i.e., similar to zip cars)
- Art shops, winery, antique shop, nice or eclectic restaurants, cultural activities
- What draws us here?
- Museums, art studios, boutique shops
- Flexibility in design standards and setbacks to accommodate more green space (for all nodes)

### S216th/Marine View Drive Node

- Whole Foods complex with outdoor seating and parking in center of complex
- 60-foot height allowance
- Green space – concrete is dirty
- Site design should include courtyards, kidney and organic shapes
- Looks Inviting – where car wash was, and auto repair spot good candidates
- Roundabout with public art that also provides access into the development at the QFC site
- Three choices of housing – smaller to larger multifamily
- Green space options, creative choices
- Outdoor seating
- No “Theme” that is required, flexibility

### S 227<sup>th</sup> Street/Marine View Drive Node

- Wayfinding signs to bring people down to Marina and guide them to parking, etc.
- View corridors
- Trees in median (keep medians weeded)
- Variety and flexibility in architecture
- Roundabouts for intersections (i.e., S 227<sup>th</sup>/Marine View Drive)
- Artistic shops, plants, public space on interior
- Pedestrian friendly
- Strobe warning lights for crosswalks



- Establish “Adopt a Street” and “Adopt a Green Space” programs to help with beautification and maintenance
- Provide lots of open space and green space

**Table 2:**

**General Comments**

- Establishing basic 20-year plan (downtown vision) is important
- What is the 20-year cost of paving/maintenance along Marine View Drive S? It may be beneficial to declassify/remove the state highway status (i.e., balance the City cost vs. the ability to create a vibrant Main Street with angle parking along Marine View Drive)
- Roundabouts on Marine View Drive to improve circulation and calm traffic
- Wayfinding/signage to help people navigate to and through the Marina District
- Gateways – decorative light standards to create sense of place (example: bridge at S 216<sup>th</sup>/MVDS)
- Water feature at gateway/s
- More shops, retail, more parks and recreation activities, good grocery store (i.e., PCC – Puget Consumer Co-op)
- Shuttle between Marina and Downtown
- Transit loop from Marina District to Pacific Highway S
- More defined walking path around downtown
- Fewer bars
- Banners (seasonal)
- Street trees, flower planters and/or hanging baskets (drip irrigation) throughout; incorporate infrastructure such as access to water when water system upgrade occurs
- Developers will not want to pay for all infrastructure improvements
- Marine View Drive - traditional main street with angle parking
- Invest in alleys
- Maximize height where feasible/not overbearing
- Mixed use development
- Gathering place on waterfront in Marina area

**S223rd/7<sup>th</sup> Avenue S Node**

- Need businesses to walk to in center of S 223<sup>rd</sup>
- Smaller scale, quaint, walkable, historic
- Focus on getting down to Marina via S 223<sup>rd</sup>
- Stairs at end of S 223<sup>rd</sup> above marina hill climb (i.e., stairs with elevator similar to Pike Place Market and/or Harbor Steps)
- More restaurants at Marina/Beach Park
- Declassify Marine View Drive from State Highway status
- Focus on Marine View Drive as “Main Street” to support existing businesses

- Development along S 223<sup>rd</sup> should only extend partially onto 7<sup>th</sup> Avenue S (mid-block from S 223<sup>rd</sup>) then grow out over time
- Keep buildings on Marine View Drive lower scale (35-40 feet)
- 7<sup>th</sup> Avenue S - maximize heights without compromising views
- Add street trees and flower baskets along MVD, S 223<sup>rd</sup> and 7<sup>th</sup> Avenue S
- Marina serves as main gathering place
- Add bus terminal at S 223<sup>rd</sup>/Marine View Drive
- Stairs/elevator at hill climb to/from Marina

#### **S216th/Marine View Drive Node**

- Increase height (60+ feet) at QFC site to encourage redevelopment and increase the number of people living in Marina District
- Possibly increase heights to 45 feet directly to the south
- Roundabout at S 216<sup>th</sup> Street/Marine View Drive to provide gateway and slow traffic
- Create a gateway at bridge from Des Moines Memorial Drive/MVDS – incorporate gateway signage, decorative fencing, artwork and pedestrian scale lights – shows Des Moines cares about its image and enticement that there's more to come
- Fountain/water feature at Big Catch Plaza
- Future use at Des Moines Elementary potential asset for sports activities

#### **S 227<sup>th</sup> Street/Marine View Drive Node**

- Potential for higher building heights
- Strengthen connections to the Marina

### **Table 3:**

#### **S223rd/7<sup>th</sup> Avenue S Node**

- Green and trees on Marine View Drive makes it more pedestrian friendly
- Marine View Drive: 19,000-20,000 vehicles per day (vpd) and 7<sup>th</sup> Avenue S: 3,000-4000 vpd
- Lack of benches
- Feel unprotected next to the traffic on Marine View Drive
- Lack of sidewalks along S 223<sup>rd</sup>
- No destination – No incentive
- Only one waterfront restaurant
- Lack of easy connection to the Marina from node – lack of clearly defined sidewalk
- Lack of sidewalk on S 240<sup>th</sup> Street creates a barrier for Highline Community College students to walk to Downtown
- City should take risk and buy land to consolidate for redevelopment project – to relocate library Downtown? Or even City Hall? – this will generate more business for cafes and lunch spots

### **S216th/Marine View Drive Node**

- Create a clearly visible pedestrian access off of 7<sup>th</sup> Avenue S down to Beach Park Trail with signage to it that is visible from Marine View Drive
- Metropolitan Market instead of QFC, PCC
- Like to see mixed-use
- More inviting art/water feature at Big Catch Plaza – we already have a glass artist in Des Moines

### **S 227<sup>th</sup> Street/Marine View Drive Node**

- Cover/screen boat yard at entrance to Marina District and use its surface for a “Welcome to the Marina District” sign or put up historical images of Des Moines
- Don’t like seeing Jack-in –the-Box, Taco-Time, 7-Eleven or other fast food as “first impression”
- Provide continuous sidewalk (paved with trees and landscaping) from Pacific Highway/Kent-Des Moines Road to S 227<sup>th</sup>/Marine View Drive



## **Marina District Village**

- Mixed Use/Civic Center/Arts District
- Strongly pedestrian oriented with ample open space and access to transit
- 35' to 55' height limit (conditions for height bonus – LEED Certified, public improvements)
- Minimal parking requirements
- Uses:
  - Market rate housing
  - Live-work Space (i.e., Artists' lofts and galleries)
  - Retail
  - Office (upper stories only?)
  - Boutique Hotel

## **Marina District North Gateway – Residential Village**

- High intensity transit supportive mixed-use with residential bias (i.e., conditions for height bonus?)
- Strongly pedestrian oriented with ample open space
- 35-65' height limit
- Minimal parking requirement
- Uses:
  - Market rate and affordable housing
  - Grocery store
  - Office
  - Neighborhood services
  - Community gardens
  - No single use, big box, or auto-dependent uses

## **Marina Gateway South Gateway – Mixed Use Node**

- Medium intensity transit supportive mixed-use
- Strongly pedestrian oriented with ample open space
- 35-65' height limit (conditions for height bonus – LEED Certified, public improvements)
- Minimal parking requirement
- Uses:
  - Market rate and affordable housing
  - Office
  - Commercial/retail
  - Neighborhood services
  - No single use, big box, or auto-dependent uses



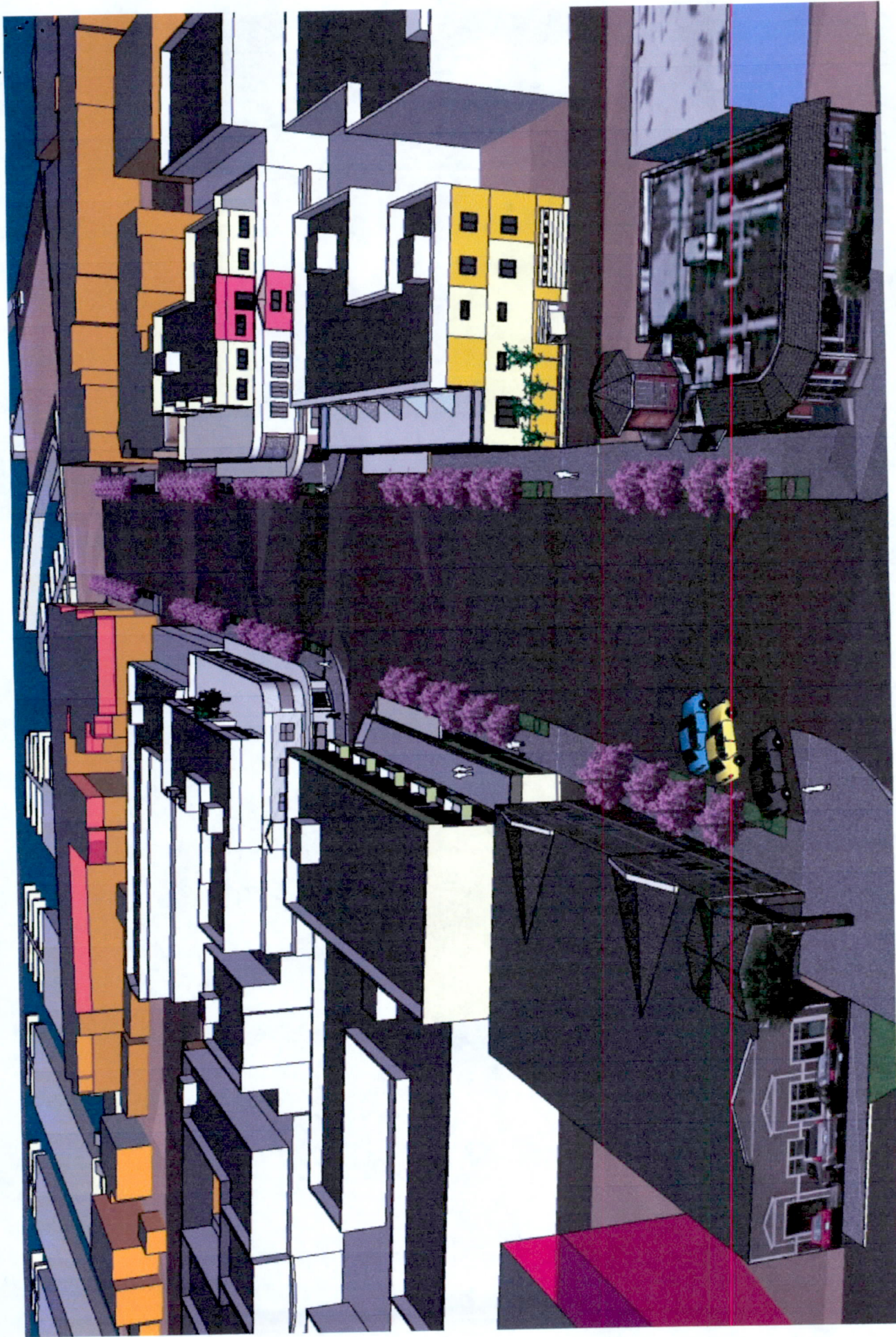
35-foot Model – View from MVD/S 223<sup>rd</sup> Street intersection looking west





35-foot Model – View west along S 223<sup>rd</sup> Street





35-foot Model – Birdseye view of S 223<sup>rd</sup> Street/7<sup>th</sup> Avenue S Node





45-foot Model – View from MVD/S 223<sup>rd</sup> Street intersection looking west





# CITY DEVELOPMENT

|                                | Existing                   | In Progress                   | Future                    |
|--------------------------------|----------------------------|-------------------------------|---------------------------|
| INFRASTRUCTURE                 | Bus/RapidRide Transit      | Water System Expansion        | Light Rail/Stations       |
|                                | Freeway Access             |                               |                           |
|                                | Airport/Seaport Access     |                               |                           |
|                                | New School Buildings       |                               |                           |
| ATTRACTION DEVELOPMENT         | DM Creek Trail             | Marina                        | Landmark on the Sound     |
|                                | Redondo (MAST, Beach)      | Beach Park Bldgs(EventCenter) | DMCBP Destination Retail  |
|                                | Saltwater State Park       |                               | DM Creek Trail Expansion  |
| COMMERCIAL AREA REVITALIZATION | S. Andrews Redevelopment   | Waterview Crossing            | Marina Dist Redevelopment |
|                                | Pac Hwy New Bldgs          | Artemis Hotel                 | Pac Hwy Redevelopment     |
|                                | Developer Incentives       | EB-5 Investor Program         |                           |
|                                | Crime Reduction            | Marina Dist Zoning Review     |                           |
| BUSINESS PARK DEVELOPMENT      | Infrastructure Connections | Consolidated Ownership        | FAA HQ                    |
|                                | SEPA Analysis              |                               | Destination Retail        |
| GATEWAY DEVELOPMENT            |                            | 216th (phase 1)               | 216th @24th               |
|                                |                            |                               | Big Catch Plaza?          |
|                                |                            |                               | Kent-DM Rd @ Pachwy?      |
|                                |                            |                               | Kent-DM Rd @ MVD?         |

# BUSINESS DEVELOPMENT

|                                 | Existing                                    | In Progress                                                                                        | Future                                                                           |
|---------------------------------|---------------------------------------------|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| BUSINESS RETENTION & EXPANSION  | Small Bus Dev Ctr<br>Econ Dev Staff         | Highline CC Discount Program<br>Streamlining Regulation<br>(Code Review)<br>Channel 21 Programming | Shop Waterland                                                                   |
|                                 | Promotional Materials<br>Econ Dev Staff     |                                                                                                    | New City Website<br>Target Businesses (Boutiques,<br>Art Galleries, Pizza, etc.) |
|                                 | Start Zone<br>Econ Dev Staff                |                                                                                                    |                                                                                  |
| START-UPS & EMERGING ENTERPRISE | Waterfront Destination Dining<br>Marina Inn |                                                                                                    | Marina Activities/Sm Vendors<br>Hotels, B&B's?                                   |
| TOURISM                         |                                             |                                                                                                    |                                                                                  |

# MARKET DEVELOPMENT

|                               | Existing                                                                                                           | In Progress                                  | Future                                    |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------|----------------------------------------------|-------------------------------------------|
| INVESTOR/DEVELOPER ATTRACTION | NWProperty.net<br>Econ Dev Staff<br>Promotional Materials                                                          | Foreign Investor Outreach                    | New City Website<br>Mybuildingpermit.com? |
|                               | Arts Commission<br>SW Chamber<br>Small Bus Dev Ctr<br>SKCEDI<br>Seattle South Side<br>Farmer's Market<br>DM Rotary | Destination Des Moines<br>Highline CC        | Expand Relationships                      |
|                               | Seattle Southside<br>Parks & Rec Staff/Materials<br>Marina Staff<br>Econ Dev Staff                                 | State Tourism Website                        | New City Website<br>Way-Finding Signage   |
| NEW RESIDENT ATTRACTION       | Retirees<br>Families                                                                                               |                                              | Millenials?                               |
| EVENTS                        | Parks & Rec Events<br>DM Rotary Events                                                                             | Destination DM Events<br>Marina Staff Events |                                           |

(PB Wine Festival, Car Shows, Waterland Parade, Squidman Triathlon, Strongman Competition, PB Arts Fest, Blues & Brews!)



# **Economic Vitality Vision Statement**

**Des Moines is an economically vibrant community that maximizes the potential of its natural assets. Healthy redeveloped commercial areas are comprised of strong local businesses that are patronized by residents as well as visitors to the area. Attractive redevelopment incorporates green space, public art, residential density and mixed use, and draws people to work, shop, play and invest in Des Moines.**

## **Goal I: Create a Business and Development Climate That Facilitates Desirable Investment**

- A. Continue to cultivate a culture supportive of economic development among City staff and residents
- B. Create strong support mechanisms for the business community
- C. Continue to monitor and enhance the City's business, development, and permitting services
- D. Engage with businesses and developers throughout the permitting process to build confidence and strengthen the City's image as a good place to do business
- E. Continue to assess and reform zoning codes and regulations

## **Goal II: Strengthen the City's Identity and Communications to Enhance the City's Image**

- A. Continue to define and build upon Des Moines' identity as a community
- B. Use compelling and consistent messages and materials to shape Des Moines' external image
- C. Define Des Moines' boundaries through signage and way finding
- D. Develop and maintain vibrant public places and streetscapes to strengthen a sense of place and attract visitors



**Goal III: Actively Encourage Desirable Investment in Des Moines**

- A. Launch a coordinated effort to promote Des Moines' strengths and investment-friendly business and development climate
- B. Raise the City's profile among developers and employers through a marketing campaign and the cultivation of individual relationships
- C. Target appropriate businesses for Marina District
- D. Proactively open up key sites for development
- E. Promote residential redevelopment opportunities

**Goal IV: Facilitate the Development of a Vibrant and Defining Marina District**

- A. Facilitate investment in the Marina District to create a vibrant commercial and economic center
- B. Facilitate the development of Marina District as a community gathering place
- C. Take a business district approach to Marina District and its businesses

# PROPOSED CODE CHANGES 2011 WORK PROGRAM FOR PB&PW

| NO. | DMMC                                             | Brief Description                                                                               | Proposed Action                                                                                                                                                                                                                                                                                                                                        |
|-----|--------------------------------------------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1   | Title 5, Business Licensing                      | Business Licenses                                                                               | Modernize and make more staff and business efficient                                                                                                                                                                                                                                                                                                   |
| 2   | Building Code, 14.08,                            | Ventilation & Indoor Air Quality Code                                                           | This section refers to the WA State Ventilation & Indoor Air Quality Code. This document will disappear once the State Bldg. Code Council implements the new Energy Code.                                                                                                                                                                              |
| 3   | Building Code, 14.XX                             | High rise buildings                                                                             | South King Fire wishes us to add a few items that reflect what Federal Way has done. They would also reflect what City of Seattle currently has in their Code and brings some smoke control issues and other items into focus where the code is currently silent. This is also in preparation for our new wave of high rise buildings that are coming. |
| 4   | Building Code, 14.08                             | Noise Reduction Zone                                                                            | 14.08.180, Article 1, Sound Decibel Reduction Zone, should be updated when the Port's 150 study is completed.                                                                                                                                                                                                                                          |
| 5   | Building Code, 14.08                             | Sprinkler requirements                                                                          | At our last building adoption, "B" occupancies somehow got left out of the requirement for sprinklers for buildings over 5,000 square feet. I know how it happened upon reflection and do want to "fix" this item.                                                                                                                                     |
| 6   | Land Filling, Clearing & Grading Code, 14.24.170 | Grading exemption reads " <u>not</u> less than a total of 50 cubic yards"                       | Correct to read "less than"                                                                                                                                                                                                                                                                                                                            |
| 7   | Land filling, Clearing & Grading Code, 14.24.xx  | Flood plain code                                                                                | Revamp to be consistent with NIMFs challenge to FEMA requiring broader buffers for ecological reasons                                                                                                                                                                                                                                                  |
| 8   | 14.24.170                                        | New/Green Technology                                                                            | Certain technologies are emerging but our codes/fees appear to be punitive compared to traditional technologies, e.g., Geo-thermal heat/cooling systems. Modify code to provide incentives for these technologies. Start with Grading Code, but other may be discovered as well.                                                                       |
| 9   | Subdivision Definitions, 17.08.075               | Definition of Community Development Director                                                    | Change for consistency with new Department Director or to City Manager or Designee                                                                                                                                                                                                                                                                     |
| 10  | Subdivision Definitions, 17.08.230               | Definition of Planning Official                                                                 | Change for Consistency with new Department Director or to City Manager or Designee                                                                                                                                                                                                                                                                     |
| 11  | Short Subdivisions, 17.12.070                    | Public Notice section requires the City provide notice of the public hearing per DMMC 17.40.070 | A public hearing is not required for Type II Land Use Actions per DMMC 18.56.040 and DMMC 18.86.160                                                                                                                                                                                                                                                    |
| 12  | Short Subdivisions, 17.12.080                    | Deadline for Comments only 15 days                                                              | Change timeline to be more consistent with state law                                                                                                                                                                                                                                                                                                   |
| 13  | Short Subdivisions, 17.12.180(3)                 | Time limit for short plats to file for final plat within six months of preliminary approval     | Extend to reflect time needed to review/construct civil improvements associated with most short plats. Add extension language?                                                                                                                                                                                                                         |



## PROPOSED CODE CHANGES 2011 WORK PROGRAM FOR PB&PW

|    |                                                  |                                                                                                                                        |                                                                                                                                                                                                                                                                          |
|----|--------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14 | Short Subdivisions,<br>17.28.010                 | Limits lot line adjustments to 2-4 lots                                                                                                | Authority to limit?                                                                                                                                                                                                                                                      |
| 15 | Layout & Design of Subdivisions, 17.36.010       | Layout Requirements Applicability                                                                                                      | Why does a plat vacation require compliance with the plat layout requirements?                                                                                                                                                                                           |
| 16 | Layout & Design of Subdivisions,<br>17.36.020(2) | Lot to Depth Width Ratio                                                                                                               | Change to exempt Townhouse Developments from the requirement                                                                                                                                                                                                             |
| 17 | Layout & Design of Subdivisions,<br>17.36.030(3) | Street Connectivity                                                                                                                    | Change for consistency with Case Law which prevents the requiring improvements that benefit other property owners                                                                                                                                                        |
| 18 | Layout & Design of Subdivisions, 17.36.100       | City owned tracts required for all drainage facilities                                                                                 | Change to City operate facilities must be in City owned tract – private facilities for commercial projects not required to be separate tract                                                                                                                             |
| 19 | Layout & Design of Subdivisions,<br>17.36.120(1) | Requires existing above-ground electrical and communication systems in all rights-of-way adjoining the subdivision to be undergrounded | Commensurate with project impacts? Inconsistent with 12.48.050                                                                                                                                                                                                           |
| 20 | Layout & Design of Subdivisions, 17.36.150       | Park land dedication and improvement in-lieu fees                                                                                      | Formula is problematic, unfairly penalizes large lots                                                                                                                                                                                                                    |
| 21 | Layout & Design of Subdivisions,<br>17.36.150(1) | Amount of Land Dedicate is mandatory minimum 5%                                                                                        | In order to comply with Case Law - Change to park a minimum necessary to maintain current ratio of park land to pop established by Parks Plan. Also insert language regarding the minimum park size acceptable to the City is 0.5 Acres – provide for an in-lieu option. |
| 22 | Application Requirement, 17.40.010               | Blue Line Paper Required                                                                                                               | Blue Line Paper no longer used. Additional only 3 copies required – City Typically requires 5 copies                                                                                                                                                                     |
| 23 | Subdivision Applications, 17.40.050              | Requires all final plats, alterations, vacations, binding site plans to submit on mylar                                                | Amend as necessary to coincide with current King County Recorder's Office requirements                                                                                                                                                                                   |
| 24 | Zoning Definitions,<br>18.04.xx                  | State defined terms that are preempted in residential zones                                                                            | Verify that all definitions for Group homes, halfway houses, Adult Family Homes, etc., are consistent with the States definitions.                                                                                                                                       |
| 25 | Zoning Definitions,<br>18.04.018                 | Adult Family Home definition                                                                                                           | Check for consistency with RCW/WAC                                                                                                                                                                                                                                       |
| 26 | Zoning Definitions,<br>18.04.090                 | Board defined as City Council                                                                                                          | Change to be consistent with DMMC 18.94.340 which defines board of adjustment as Hearing Examiner                                                                                                                                                                        |
| 27 | Zoning Definitions,<br>18.04.094                 | Def of Boarding Home                                                                                                                   | Verify Def consistent with State Law regarding Boarding Homes                                                                                                                                                                                                            |
| 28 | Zoning Definitions,<br>18.04.095                 | Def of Boarding House                                                                                                                  | Verify Def consistent with State Law regarding Boarding Homes                                                                                                                                                                                                            |
| 29 | Zoning Definitions,<br>18.04.XXX                 | Lot Coverage                                                                                                                           | Add definition of Lot Coverage – what is included? How is it calculated?                                                                                                                                                                                                 |
| 30 | Zoning Definitions,<br>18.04.XXX                 | Building Height for Commercial Buildings with partial exposed basements or parking garages                                             | Add definition of How it is determined – what is included? How is it calculated?                                                                                                                                                                                         |

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# PROPOSED CODE CHANGES 2011 WORK PROGRAM FOR PB&PW

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| 31 | Zoning Definitions, 18.04.120             | Building height definition                                                                                                                                                                                | Revise for clarity and consistency with subsequent code interpretations                                                                                                            |
| 32 | Zoning Definitions, 18.04.XXX             |                                                                                                                                                                                                           | Add definition of 'vacation/short-term rental'? And separate license process?                                                                                                      |
| 33 | Zoning Definitions, 18.04.252             | 'Environmentally sensitive areas'                                                                                                                                                                         | Update for consistency with 18.86 terminology                                                                                                                                      |
| 34 | Zoning Definitions, 18.04.270             | Definition of 'Family'                                                                                                                                                                                    | Enforceable? Consistent with State?                                                                                                                                                |
| 35 | Zoning Definitions, 18.04.320             | Definition of 'Grade'                                                                                                                                                                                     | Revise for clarity and consistency with subsequent code interpretations                                                                                                            |
| 36 | Zoning Definitions, 18.04.385             | Definition of 'Lot'                                                                                                                                                                                       | Add 'legal lot of record' definition?                                                                                                                                              |
| 37 | Zoning Definitions, 18.04.395             | Definition of 'Lot Lines'                                                                                                                                                                                 | Simplify/clarify? Add definitions of terms like 'gore-shaped',                                                                                                                     |
| 38 | Zoning Definitions, 18.04.432             | Definition of 'Ordinary High Water Mark'                                                                                                                                                                  | Consistent with State definitions?                                                                                                                                                 |
| 39 | Single Family Residential Zone, 18.08.090 | Permissible lot coverage                                                                                                                                                                                  | Amend for clarity – does not address eaves/overhangs                                                                                                                               |
| 40 | Single Family Residential Zone, 18.08.100 | Accessory building setbacks in rear third of lots                                                                                                                                                         | Add language re. consistency with building/fire codes                                                                                                                              |
| 41 | Zoning, 18.10 – 18.18                     | Permitted Uses and Density                                                                                                                                                                                | All Sections refer back to SF zone is that appropriate or should have own specific list. Not clear how density for MF zones is calculated see 18.12.040 as an example of confusion |
| 42 | N-C Neighborhood Commercial Zone, 18.20   | Neighborhood Commercial – Only 4 properties zoned NC of which 1 is City Hall and the other is the Police Station                                                                                          | Rezone 4 properties and Delete Chapter                                                                                                                                             |
| 43 | B-C Business Commercial Zone, 18.24       | Business Commercial – Only a small portion of one lot is zoned BC and the remainder is zoned RM 900. Property current has an apartment complex on the site – creates nonconforming problems for the owner | Rezone portion of property for consistency with other portion and Delete Chapter                                                                                                   |
| 44 | C-G General Commercial Zone, 18.28        | General Commercial - No Properties in the City Zone<br>General Commercial                                                                                                                                 | Delete General Commercial Chapter                                                                                                                                                  |
| 45 | C-G General Commercial Zone, 18.28        | C-G General Commercial Zone                                                                                                                                                                               | No lots currently under this zoning – remove?                                                                                                                                      |
| 46 | H-C Highway Commercial Zone, 18.29.070(1) | Minimum front yard Setback 60 feet                                                                                                                                                                        | Given depth of remaining HC lots – no front should be required                                                                                                                     |
| 47 | R-SF Residential: Suburban Residential    | 25' height limit                                                                                                                                                                                          | Purpose? Raise to 30' consistent with other SF zones?                                                                                                                              |



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| Zone, 18.30.070 |                                               |                                                                                                |                                                                                                                                                                                                                                                     |
|-----------------|-----------------------------------------------|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 48              | Unclassified Uses, 18.32                      | All Unclassified Uses and Conditional Uses allowed in all zones                                | Need to clarify which are acceptable in the different zones or add Unclassified and Conditional use section to each zone chapter – Please note some chapters already do this see DMMC 18.26.050 (CC zone) and DMMC 18.29.030 (HC zone) for examples |
| 49              | Keeping of Animals in Residential Zone, 18.33 | Keeping of animals in residential zone                                                         | Rewrite in conjunction with Animal Control?                                                                                                                                                                                                         |
| 50              | Noise Levels, 18.38                           | Noise Levels                                                                                   | Entire chapter invalid as written – Noise levels can be regulated if Chapter is consistent with state law – rewrite for consistency with WAC 173-060                                                                                                |
| 51              | Height, Yards, Area & Open Space, 18.40.130   | Permitted intrusions into required yards                                                       | Include mechanical units (e.g. HVAC?)                                                                                                                                                                                                               |
| 52              | Substandard Lots, 18.40.230                   | Substandard Lots                                                                               | Rewrite to be consistent with numerous code interpretations to address question related to date of enforcement and substandard lots created by judicial decision or purchased from different owners                                                 |
| 53              | Off Street Parking, 18.44.060                 | Required Number of Stalls                                                                      | Modify section to allow number of stalls to be established by parking study as option for uses listed and for uses not listed.                                                                                                                      |
| 54              | Nonconforming Buildings & Uses, 18.48.XXX     | Abandonment of Non-Conforming Use                                                              | Create section address how long a building with a non-conforming use can be unoccupied before the City considers that non-conforming use abandoned and no longer “grandfathered”                                                                    |
| 52              | Planned Unit Development, 18.52.100           | Permissive Variations                                                                          | Section is very difficult to understand and read – rewrite for clarity                                                                                                                                                                              |
| 56              | Land Use Review Procedures, 18.56.040(8)      | Townhouse with 4 or less lots Type II Land Use Action                                          | Listed as Type II land use, but short plats is now up to 9 should be changed to 9 or less lots                                                                                                                                                      |
| 57              | 18.56.050(3)                                  |                                                                                                |                                                                                                                                                                                                                                                     |
| 58              | Land Use Review Procedures, 18.56.050(4)      | Shoreline Substantial Development Permit                                                       | Listed as Type III land use, but SMP states it is Administrative as such should be Type II                                                                                                                                                          |
| 59              | Land Use Review, 18.56.060(13)                | Type IV land use action – Preliminary Townhouse Developments with more than 4 lots Type IV LUA | Revise for consistency with new short subdivision increase. Listed as Type IV land use, but short plats is now up to 9 should be changed to 10 or more lots.                                                                                        |
| 60              | Land Use Review Procedures, 18.56.060(14)     | Shoreline Substantial Development Permit w/ EIS                                                | Listed as Type IV land use, but SMP states it is Administrative as such should be Type II                                                                                                                                                           |
| 61              | (15)(16)?                                     |                                                                                                |                                                                                                                                                                                                                                                     |
| 62              | Land Use Review Procedures, 18.56.060(16)     | Shoreline Substantial Variance                                                                 | Listed as Type IV land use, but SMP states it is Board of Adjustment/Hearing Examiner as such should be Type III                                                                                                                                    |
| 63              | Land Use Review Procedures,                   | Final Townhouse Development with more than 4 lots Type V                                       | Listed as Type V land use, but short plats is now up to 9 should be changed to 10 or more lots                                                                                                                                                      |





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|    | 18.56.070(11)                                         | Land Use Action                                                                                                                           |                                                                                                                                                                                                                                                                                                                  |
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| 64 | Land Use Review Procedures, 18.56.130                 | Notice of Complete Application                                                                                                            | Section not clear and is no longer consistent with RCW 36.70B.                                                                                                                                                                                                                                                   |
| 65 | Land Use Review Procedures, 18.56.260                 | Final Decision                                                                                                                            | Section not clear and is no longer consistent with RCW 36.70B. Additional reference sections not longer applicable and does not correctly reference applicable sections                                                                                                                                          |
| 66 | Procedures, Fees, Hearings & Notices, 18.64           | Procedural Requirements                                                                                                                   | Additional procedural requirements for permit reviews and hearings and notices – should be combined with 18.56                                                                                                                                                                                                   |
| 67 | Environmentally Critical Areas 18.86                  |                                                                                                                                           | Incorporate language re. repair/replacement of non-conforming structures                                                                                                                                                                                                                                         |
| 68 | Environmentally Critical Areas, 18.86.190             | Ravines, bluffs                                                                                                                           | Reinstate option to reduce opposite yard setback to 10'                                                                                                                                                                                                                                                          |
| 69 | Environmentally Critical Areas, 18.86                 | Emergencies                                                                                                                               | Should have exemption for Emergency Actions needed to protect property                                                                                                                                                                                                                                           |
| 70 | Environmentally Critical Areas 18.86.300(1)           | "shall be of a dimension of not less than 5,000 square feet"                                                                              | Revise to read 4,000 consistent with new RS-4000 zoning.                                                                                                                                                                                                                                                         |
| 72 | Hearing Examiner, 18.94.112                           | Matter to be heard by Hearing Examiner                                                                                                    | Should be in Chapter 18.56                                                                                                                                                                                                                                                                                       |
| 72 | Hearing Examiner, 18.94.130 – 18.94.300 and 18.94.330 | Review and Appeal Procedures, and Noticing Requirements                                                                                   | More review and appeal procedures and <b><u>very good noticing language and procedures – superior to language in SEPA but not used because not referenced in other portions of the Code</u></b> – should be moved to DMMC 18.56 and all noticing sections in code except SEPA should refer to these new sections |
| 73 | Hearing Examiner, 18.94.320                           | Conditional Use Permit Criteria                                                                                                           | Should be in the Conditional Use Chapter not in Hearing Examiner Code for ease of use                                                                                                                                                                                                                            |
| 74 | Zoning, 18.xx.xxx                                     | Public Facilities Zone                                                                                                                    | Should created Public Facilities Zone to overlay on these facilities                                                                                                                                                                                                                                             |
| 75 | Zoning, 18.xx.xxx                                     | Electric Vehicle Infrastructure                                                                                                           | Provide for charging stations in zones where appropriate to be consistent with State Law and Sept. 2011 deadline                                                                                                                                                                                                 |
| 76 | Zoning, 18.xx.xxx                                     | Churches                                                                                                                                  | Review regulation of churches city-wide and eliminate loophole for housing for sex offenders, drug addicts, alcohol treatment in conjunction with churches as a treatment facility when not consistent with the "Oxford House" court supported scenario.                                                         |
| 77 | Landscaping & Screening, 18.41                        | Scenic View Preservation                                                                                                                  | Eliminate City obligation to preserve scenic views between private properties because it is unenforceable                                                                                                                                                                                                        |
| 78 | Sign Code, 18.42                                      | The land use components of the sign code, including but not limited to application process, criteria, and specific regulations by zone. . | Modernize and make the sign code more business and community friendly after the Legal Dept addresses the constitutional aspects of the sign code this year,                                                                                                                                                      |



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| 79 | Planned Unit Development, 18.52.080 | PUD permitted uses  | Unclear and ambiguous needs to be clarified          |
| 80 | Unauthorized Use of Land, 18.72.040 | Shipping Containers | Prohibit use on commercial or residential properties |

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