

AGENDA

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

March 7, 2013 - 7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CORRESPONDENCE

COMMENTS FROM THE PUBLIC

BOARD & COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

PRESIDING OFFICER'S REPORT

ADMINISTRATION REPORTS

CONSENT CALENDAR

Page 1 Item 1: ARTS COMMISSION APPOINTMENT
Motion is to confirm the Mayoral appointment of Florence McMullin to the Des Moines Arts Commission effective immediately, to fill a vacant three year term which will expire on December 31, 2015.

PUBLIC HEARING

Page 5 1. DRAFT ORDINANCE NO. 13-002, INSTITUTIONAL CAMPUS
ZONING RECLASSIFICATION
Staff Presentation: Acting Director of Community
Development Denise Lathrop

NEXT MEETING DATE

March 14, 2013 Regular City Council Meeting

ADJOURNMENT

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Arts Commission Appointments

FOR AGENDA OF: March 7, 2013

ATTACHMENTS:

- 1. Arts Commission Applications

DEPT. OF ORIGIN: Parks, Recreation & Senior Services

DATE SUBMITTED: March 1, 2013

CLEARANCES:

- Legal 
- Finance NA
- Marina NA
- Parks, Recreation & Senior Services 
- Planning, Building & Public Works NA
- Police NA
- Courts NA

APPROVED BY CITY MANAGER
FOR SUBMITTAL: 

Purpose and Recommendation

The purpose of this agenda item is to recommend City Council approval one appointment to the City of Des Moines Arts Commission.

Motion: "I move to confirm the Mayoral appointment of Florence McMullin to the Des Moines Arts Commission effective immediately, to fill a vacant three year term which will expire on December 31, 2015."

Background

The City Council adopted Ordinance No. 06-1393 establishing the Des Moines Arts Commission in November 30, 2006. The nine Arts Commission positions were appointed in February 2007. The terms were staggered so that six positions are retained each year and three positions expire each year on December 31.

Discussion

This agenda seeks confirmation of the Mayoral appointment of applicant Florence McMullin to fill one vacant three year term on the Des Moines Arts Commission, effective immediately. Two applications were submitted (Attachment 1).

Alternatives

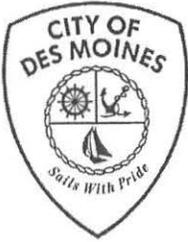
City Council may choose not to appoint the applicant.

Financial Impact

No financial impact.

Recommendation/Concurrence

The recommendation is made by Mayor Kaplan.



CITY OF DES MOINES
APPLICATION FOR APPOINTIVE OFFICE
21630 11th Avenue South
Des Moines, WA 98198

RECEIVED

Recvd. FEB 28 2012

CITY OF DES MOINES
CITY CLERK

Please Check

- Civil Service Commission
- Planning Agency
- Library Board
- Human Services (past)
- Senior Services (present)
- Arts Commission

NAME: Florence McMullin
 ADDRESS: ~~870~~ Wesley View #67, 815 So. 216th
 CITY, ZIP: Des Moines, WA 98198
 PHONE: Home 206 870 2067 Work —
 *E-MAIL: Florenceandcharlie007
 LENGTH OF RESIDENCE AT THE ABOVE ADDRESS 6 mos.
 REGISTERED VOTER? Yes
 EMPLOYMENT SUMMARY LAST FIVE YEARS: Retired

* Lived in Huntington Park (245th & Marine View Dr.) from 1990 to 9/9/12

Are you related to anyone presently employed by the City or a member of a City Board? _____
 If yes, explain: No

Do you currently have an owning interest in either real property (other than your primary residence or a business) in the Des Moines planning area? No If so, please describe: _____

IN ORDER FOR THE APPOINTING AUTHORITY TO FULLY EVALUATE YOUR QUALIFICATIONS FOR THIS POSITION, PLEASE ANSWER THE FOLLOWING QUESTIONS USING A SEPARATE PAPER IF NECESSARY.

1. Why do you wish to serve in this capacity and what can you contribute? A love for art and theatre, and classes on both in high school, college, and in community classes over the yrs
2. What problems, programs or improvements are you most interest in? by Arts Commission & new programs like outdoor sculptures.
3. Please list any Des Moines elective/appointive offices you have ^{been appointed} run/applied for previously. Senior Services Advisory Com. and Human Services Advisory Board.



CITY OF DES MOINES
APPLICATION FOR APPOINTIVE OFFICE
21630 11th Avenue South
Des Moines, WA 98198

RECEIVED

Recvd. JAN 09 2013

CITY OF DES MOINES
CITY CLERK

Please Check

NAME: SUSAN White
ADDRESS: 25742 Redondo Beach Dr So
CITY, ZIP: Des Moines, WA 98198
PHONE: Home 2539414112 Work _____
LENGTH OF RESIDENCE AT THE ABOVE ADDRESS 18 yrs
REGISTERED VOTER? Yes
EMPLOYMENT SUMMARY LAST FIVE YEARS: _____

- Civil Service Commission
- Planning Agency
- Library Board
- Human Services
- Senior Services
- Arts Commission

retired

Are you related to anyone presently employed by the City or a member of a City Board? _____
If yes, explain: NO

Do you currently have an owning interest in either real property (other than your primary residence or a business) in the Des Moines planning area? No If so, please describe: _____

IN ORDER FOR THE APPOINTING AUTHORITY TO FULLY EVALUATE YOUR QUALIFICATIONS FOR THIS POSITION, PLEASE ANSWER THE FOLLOWING QUESTIONS USING A SEPARATE PAPER IF NECESSARY.

1. Why do you wish to serve in this capacity and what can you contribute?
To promote the arts in Des Moines and in South King County. Enrich our current program.

2. What problems, programs or improvements are you most interest in?
would like to help with art walk, encourage other venues to use Beach Park auditorium
example - Fed way Symphony, other arts groups

3. Please list any Des Moines elective/appointive offices you have run/applied for previously.
Council member 2001-2010

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Institutional Campus Zoning
Reclassification

FOR AGENDA OF: March 7, 2013

ATTACHMENTS:

- 1. Draft Ordinance 13-002
- 2. Existing Comprehensive Plan Map
- 3. SEPA DNS and Public Hearing Notice
- 4. Existing Zoning Map
- 5. Proposed Zoning Map

DEPT. OF ORIGIN: Planning, Building, & Public
Works

DATE SUBMITTED: February 27, 2013

CLEARANCES:

- Legal 16
- Finance N/A
- Marina N/A
- Parks, Recreation & Senior Services N/A
- Planning, Building & Public Works DEL
- Police N/A
- Courts N/A

APPROVED BY CITY MANAGER
FOR SUBMITTAL: [Signature]

Purpose and Recommendation:

The purpose of this public hearing is to seek the City Council’s approval of Draft Ordinance 13-002 (**Attachment 1**) related to a zoning reclassification from Restricted Service (RM-900B) and Residential Single Family (RS-7200) to Institutional Campus (I-C) for specific properties in the Central Des Moines, Zenith and South Des Moines Neighborhoods that are designated IC-Institutional Campus by the *Des Moines Comprehensive Plan (Attachment 2)*. Administration requests that the City Council approve the proposed zone reclassification by passing the following motions:

MOTIONS:

Motion 1: “I move to pass Draft Ordinance 13-002 amending DMMC 18.80.010 modifying the official zoning map of the City of Des Moines to a second reading for enactment on the next available consent calendar.”

Background:

In 2012, City Council identified a short-term strategic objective to “Review and modify or update the institutional zoning code regulations pertaining to Highline Community College and retirement communities.” These facilities include Wesley Homes, Judson Park, Landmark on the Sound, and Highline Community College.

On June 28, 2012, Des Moines City Council adopted Ordinance No. 1544 establishing a new Institutional Campus Zone (I-C) and development standards that support the uses, services and operations of large institutional facilities in the City that serve a regional clientele. The new zone (Chapter 18.22 DMMC) is intended to facilitate the development or redevelopment plans as established in agency Master Plans. These changes also require the development of a land use designation and zone.

As part of the adopted 2012 Comprehensive Plan Amendments (Ordinance No. 1551), the City subsequently changed the preferred land use designation established by the *Des Moines Comprehensive Plan* from RF-Retirement Facility and SF-Single Family Residential to IC-Institutional Campus (**Attachment 2**) for the following properties:

Institution	Parcel ID Number	Address	Neighborhood Location
Wesley Homes	0822049014 0822049087 0822049133	815 S 216th ST 816 S 216th ST 1122 S 216th ST	Central Des Moines
Judson Park Retirement Home	1722049025	23600 Marine View DR S	Zenith
Landmark on the Sound	1722049023	23660 Marine View DR S	Zenith
Highline Community College	1622049016 1622049013	2400 S 240th St	South Des Moines

State Environmental Policy Act

Draft Ordinance 13-002 requires review under the State Environmental Policy Act (SEPA) – Chapter 43.21C RCW as a non-project action. The City’s SEPA Responsible Official reviewed the content of the SEPA Checklist filed under LUA 12-026, which evaluated the impacts associated with the proposed zoning reclassification from Restricted Service Zone (RM-900B) and Residential Single Family – 7,200 (RS-7200) to Institutional Campus (I-C). Following this review, the SEPA Responsible Official issued a Determination of Nonsignificance (**Attachment 3**). The 15-day comment period concluded on February 28, 2013; however, final action by Council cannot be taken until the appeal period concludes on March 11, 2013.

Notice Requirements

Amendments to the official zoning map are considered Type IV Land Use Actions pursuant to DMMC 18.56.060(1) and as such require a public hearing with the City Council pursuant to DMMC 18.56.180 and 18.60.040. Notice of the public hearing was posted at the City’s official posting locations, the City website, the Seattle Times, provided to all properties owners subject to the zoning reclassification, and to all properties within 300 feet of the area under consideration to be rezoned as required by DMMC 18.60.120(3).

Further, the regulations within the proposed amendments are classified as development regulations under the Growth Management Act as defined in RCW 36.70A.030(7); therefore, the Draft Ordinance was required to be provided to the Department of Commerce for review and comment by the Department and other State agencies. Expedited Review was requested under RCW 36.70A.106(3)(b) which provides for a 15-day review and comment period. The Department of Commerce approved the request and the comment period concluded on February 1, 2013.

Planning Agency Review

The Planning Agency reviewed the proposed zoning reclassification during its regular meeting on February 4, 2013. The Planning Agency recommended that the City Council change the zoning on all properties designated IC-Institutional Campus as part of this request under an “area-wide” zoning reclassification in order to achieve consistency with the Comprehensive Plan land use designation. This recommendation has been incorporated into Draft Ordinance 13-002.

Discussion:

The *Des Moines Comprehensive Plan* Land Use Element (Chapter 2) establishes preferred land use designations to reflect the desired zoning for all properties within the City. Over time the zoning map is required to be amended in order to achieve consistency with the identified preferred land use designations established by a jurisdiction’s comprehensive plan which is the starting point for any planning process and the centerpiece of local planning. This concept is also one of the key requirements established by Policy 2-03-12 and Strategy 2-04-03 of the *Des Moines Comprehensive Plan* which states that the City must create consistency between the preferred land use designations and adopted zoning map.

The seven properties are not in compliance with this fundamental planning principle. The properties are currently zoned RM-900B and RS-7,200 which are inconsistent with the IC preferred land use designation shown on **Attachment 2**. The zoning classification on the subject properties should be changed to I-C in order to effectuate the City Council’s decision in 2012 to re-designate the properties to IC. At this time, however, the Landmark on the Sound property is being excluded from the zoning reclassification given the property owner is uncertain whether the new I-C zone will provide them the same flexibility provided under the RM-900B zone. The Council Finance and Economic Development Committee discussed the matter at their January 29, 2013 meeting and directed staff to exclude the Landmark on the Sound property from the zoning reclassification. Maps illustrating the current and proposed zoning classifications are included as **Attachments 4 and 5** respectfully.

Alternatives:

The City Council has the following alternatives:

- **Alternative 1: Do Nothing**

The City Council may determine that particular conditions exist that warrant denying the zoning reclassification; however, these conditions would have to be clearly articulated. This is not the recommended alternative.

- **Alternative 2: Approve Zoning Reclassification on second reading.**

The City Council could adopt Draft Ordinance 13-002 on second reading changing the zoning classification from Restricted Service (RM-900B) and Residential Single Family (RS-7200) to Institutional Campus (I-C) for Wesley Homes, Judson Park, and Highline Community College (see **Attachment 5**).

Financial Impact:

Reclassifying the subject properties to the I-C Zone will help facilitate redevelopment of these campus properties which could have both direct and in-direct beneficial financial impacts on the City.

Recommendation/Conclusion:

The zoning reclassification to I-C Institutional Campus will bring the identified properties into compliance with the Growth Management Act (Chapter 36.70A RCW) and allow the property owner(s) to redevelop the property with uses that are compatible with I-C zoning and the objectives of the respective campus master plans. Specifically, approving the zoning reclassification will implement the following City goals and objectives:

- **City Council 2012 Goal 2:** “Improve economic stability and vitality.”
- **City Council 2012 Strategic Objective:** “Review and modify/update the institutional zoning code regulations pertaining to Highline Community College and retirement communities.”
- **Des Moines Comprehensive Plan:** The proposed zoning reclassification will create consistency between the preferred land use designations and adopted zoning map as directed by Land Use Element Policy 2-03-12 and Strategy 2-04-03.
- **Des Moines Municipal Code:** A primary purpose and objective of the I-C Institutional Campus zone is to facilitate the development or redevelopment of the existing institutional uses that support the planned economic development of the City.

Therefore, Administration requests that the City Council approve the zoning reclassification of the six properties that comprise the Wesley Homes, Judson Park and Highline Community College campuses facilities.

Concurrence

The Draft Ordinance has received a “do pass” recommendation from both the Planning Agency and the Finance and Economic Development Committee.

COMMUNITY DEVELOPMENT'S FIRST DRAFT 02/26/2013

DRAFT ORDINANCE NO. 13-002

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON, amending the official zoning map of the City of Des Moines in order to change the zoning classification for specific properties currently zoned Residential Single Family - 7,200 (RS-7200) and Restricted Service Zone (RM-900B) to Institutional Campus (I-C).

WHEREAS, the Preferred Land Use Designation for seven properties located in the Central Des Moines, Zenith and South Des Moines Neighborhoods was changed from Single Family (SF) and Multifamily (MF) to Institutional Campus (IC) as part of the *2012 Des Moines Comprehensive Plan Amendments*, and

WHEREAS, the primary purpose of the zoning code as provided in Chapter 18.06 DMMC, is for the orderly development of property in the City and to prevent the intrusion of incompatible uses which would damage the security and stability of land and improvements, and

WHEREAS, the property's current zoning classification is inconsistent with the Preferred Land Designation of IC-Institutional Campus established by the *City of Des Moines Comprehensive Plan* map, and

WHEREAS, on February 4, 2013, the Des Moines Planning Agency reviewed the proposed site specific rezone during a public meeting and recommended approval, and

WHEREAS, the SEPA responsible official issued a notice of determination of nonsignificance (DNS) on the 13th day of February 2013 and the accompanying comment and appeal periods have lapsed, and

WHEREAS, proper and timely notice was given to the Washington State Department of Commerce of these amendments as required by Chapter 36.70A RCW, and

WHEREAS, notice of the public hearing was given to the public in accordance with law and a public hearing was held on the 7th day of March 2013, and all persons wishing to be heard were heard, and

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WHEREAS, the City Council finds that the amendment contained in this ordinance is appropriate and necessary for the preservation of the public health and welfare; now therefore,

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

NEW SECTION. **Sec. 1. Findings of fact.** The findings of fact and conclusions set forth in Exhibit "A", attached hereto and incorporated by this reference, are adopted in full by the City Council in support of its decision to change the zoning classification for the area described in section 2 of Ordinance No. _____.

NEW SECTION. **Sec. 2. Area of zone reclassification.** The zoning classification of the following legally described property and depicted on the attached map (incorporated herein by this reference) entitled Exhibit "B" is amended from Residential Single Family - 7,200 (RS-7200) and Restricted Service Zone (RM-900B) to Institutional Campus (I-C):

Parcel No. 0822049087 (Wesley Homes):

That portion of the Southwest Quarter of the Northeast Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington except the west 274 feet and excluding the west 7.5 acres and excluding portion described as follows:

Beginning at the NE corner of said SW Quarter;
 THENCE west along N line thereof 242.60 feet to NW Corner of E 7.5 acres of said SW Quarter and the point of beginning;
 THENCE S 00° 03' 29" W along W line of said E 7.5 acres 675.48 feet;
 THENCE N 19° 38' 24" W 144.24 feet;
 THENCE N 19°13' 39" W 216.18 feet;
 THENCE N 52° 44' 31" W 170.65 feet;
 THENCE S 58° 52' 44" W 254.80 feet;
 THENCE S 80° 37' 59" W 238.69 feet;
 THENCE S 82°59' 51" W 183.89 feet to E line of said W 274 feet of SW Quarter;
 THENCE N 00° 56' 27" W 475.13 feet along said E line to S line of S 212TH Street;
 THENCE S 86° 39' 36" E to point of beginning; and excluding portion within the S 216TH Street (taxable portion).

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Parcel No. 0822049014 (Wesley Homes) :

That portion of the Northwest Quarter of the Southeast Quarter of Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning at point on W line of NW Quarter of SE Quarter 1827.42 feet north of SW corner of SE Quarter of said Section 8;

THENCE E 418.00 feet;

THENCE S to N line of S 219th Street formerly Ethel O. Peck County Road (40 feet wide);

THENCE E along N line of said S 218th Street to W line of H. J. Latimer County Road No. 823;

THENCE N along said W line of Road to N line of said NW Quarter SE Quarter;

THENCE W along said N line to NW corner of said NW Quarter SE Quarter;

THENCE S along W line thereof to point of beginning;

EXCEPT that portion included in Morgan O'Brien County Road No. 155 along N line thereof; and

EXCEPT following described portion thereof:

Beginning at point on N line of said S 219th Street distance of 115 feet west of W line of said H. J. Latimer County Road No. 823;

THENCE continuing along N line of said S 219th Street 200.00 feet;

THENCE N parallel with W line of H. J. Latimer County Road No. 823 a distance of 107.10 feet;

THENCE E parallel with N line of said 219th Street 200.00 feet;

THENCE S parallel with W line of said H. J. Latimer County Road No. 823 a distance of 107.10 feet to point of beginning; and

EXCEPT S 10 feet thereof conveyed to King County by deed under Recording No. 4801586; and

EXCEPT the following described portion thereof:

Beginning at intersection of N line of S 219th Street of formerly Ethel O. Peck County Road and W line of 11th Avenue S formerly H. J. Latimer County Road No. 823;

THENCE N along W line of 11th Avenue S 97.1 feet;

THENCE westerly parallel to S 219th Street 115 feet;

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THENCE S parallel to 11th Avenue S 97.1 feet to said N line of S 219th Street;

THENCE easterly along said N line 115 feet to point of beginning; and

EXCEPT portion thereof conveyed to City of Des Moines by deed under Recording No. 20100301000781 described as follows:

Beginning at intersection of S margin of S 216th Street and W Margin of 11th Avenue S;

THENCE S 00° 01' 43" E along said W Margin 11.22 feet.

Parcel No. 0822049133 (Wesley Homes) :

That portion of the E half E 15 acres SW Quarter NE Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington; less W 80 feet of S 330 feet thereof; less portion thereof lying within following described tract:

Commencing at center of NE Quarter said Section 8;

THENCE S 00° 13' 23" W 747.43 feet;

THENCE N 87° 15' 32" W 242.48 feet;

THENCE N 00° 03' 29" E 749.98 feet;

THENCE S 86° 39' 35" E 242.60 feet along N line SW Quarter NE Quarter said Section to point of beginning;

LESS portion thereof if any lying within W half of E 15 acres SW Quarter NE Quarter said Section 8;

LESS S 30 feet of remainder lying within S 216th Street together with portion SW Quarter SE Quarter NE Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning at point on W line said SW Quarter which is N 00° 03' 23" E 42.03 feet from SW corner thereof (said point lying ON N margin S 216TH Street);

THENCE N 00° 03' 23" E along said W line of said subdivision 556.67 feet;

THENCE S 87° 15' 32" E parallel with N line said SW Quarter a distance of 48.75 feet;

THENCE S 20° 21' 27" E 114.83 feet;

THENCE S 00° 03' 23" W 450.00 feet to N margin S 216TH Street;

THENCE N 87° 41' 30" W 88.81 feet along N margin said street to point of beginning - as delineated per city of Des Moines lot line adjustment No. LL 93-007 Recording No. 9303230783 --

Ordinance No. 13-003

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together with 80 feet of N 300 feet of S 330 feet of E half E 15 acres of SW Quarter NE Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington.

Parcel No. 1722049025 (Judson Park):

Parcel A: portion of tract 22 Des Moines two-acre tracts and of N 346.50 feet of NE Quarter SW Quarter SE Quarter Section 08 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning S Quarter corner said Section 17;
 THENCE N 00° 58' 22" E along N-S center line of said Section a distance 972.48 feet;
 THENCE S 88° 28' 52" E 30.00 feet to point on E margin of Marine View Drive S (as now established) which point is also the west end of existing old fence line as disclosed in King County Superior Court Cause No. 390139 and to point of beginning;
 THENCE S 88° 28' 52" E along said existing old fence line 627.21 feet to E line of said NW Quarter SW Quarter SE Quarter Section 17;
 THENCE N 00° 59' 30" E along E line said subdivision 325.90 feet to NE corner thereof;
 THENCE N 88° 28' 47" W along N line said subdivision 15.00 feet to SE corner said tract 22;
 THENCE N 00° 58' 22" E along E line said tract 22 a distance of 117.25 feet to NE corner thereof;
 THENCE N 88° 28' 47" W along N line said tract 22 a distance of 612.27 feet to E margin of said Marine View Drive S;
 THENCE S 00° 58' 22" W along said E margin 442.17 feet to point of beginning;

EXCEPT E 15 feet of S 90 feet of said tract 22: together with parcel B: that portion of W half of SW Quarter of SE Quarter Section 17 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning S Quarter corner of said Section 17;
 THENCE N 00° 58' 22" E along N-S center line of said Section a distance of 816.75 feet;
 THENCE S 88° 28' 07" E 30.00 feet to point on E margin of Marine View Drive and to point of beginning;
 THENCE continuing S88° 28' 07" E 627.16 feet to E line said W half of SW Quarter of SE Quarter Section 17;

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THENCE N 00° 59' 30" E along said E line 155.88 feet to existing old fence line as disclosed in King County Superior Court Cause No. 390139;

THENCE N 88° 28' 52" W along said old fence line 329.21 feet to point which is 328 feet easterly (measured along said fence and westerly extension thereof) from W line of said SE Quarter;

THENCE S 00° 53' 47" W 135.79 feet;

THENCE N 88° 28' 10" W 298.18 feet to said E margin Marine View Drive S;

THENCE S 00° 58' 22" W along said E margin 20.00 feet to point of beginning; together with parcel C: that portion of SW Quarter SE Quarter Section 17 Township 22 North Range 04 East of the W.M., in King County, Washington described as follows:

Beginning at point 836.75 feet north of SW corner said subdivision;

THENCE north 135 feet more or less to westerly production of line of fence decreed to be property line in King County Superior Court Cause No. 390139;

THENCE easterly 30.00 feet to point on said line which is 325.50 feet south of N line said subdivision;

THENCE easterly along said E creed line (which would intersect E line of NW Quarter of SW Quarter of SE Quarter of said Section at point 325.90 feet south of NE corner of said subdivision) a distance of 298.00 feet;

THENCE south 135 feet more or less to a point 328.18 feet east of point of beginning;

THENCE west 328.18 feet to point of beginning;

EXCEPT that portion thereof lying within Marine View Drive S: together with parcel D: that portion of tract 24 of Des Moines two-acre tracts described as follows:

Beginning N Quarter corner Section 17 Township 22 North Range 04 East of the W.M., in King County, Washington

THENCE S 00° 58' 52" W along N-S center line of said Section a distance of 3795.51 feet;

THENCE S 88° 55' 14" E 32.48 feet to E margin 8th Avenue S (Marine View Drive S);

THENCE continuing S88° 55' 14" E 297.52 feet to W line of E 315 feet of said tract 24;

THENCE S 00° 58' 52" W along said W line 34.49 feet to S line of said tract 24;

THENCE N 88° 55' 14" W along said S line 297.58 feet to point on E margin 8th Avenue S (Marine View Drive S);

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THENCE N 01° 04' 46" E along said margin 34.49 feet more or less to point of beginning;

Parcel No. 1622049016 (Highline Community College):

SW 1/4 of SE 1/4 less County Road and portion vacant Street adjacent to Section 16 Township 22 North Range 4 East of the W.M., in King County, Washington.

Parcel No. 1622049013 (Highline Community College):

SE 1/4 of SW 1/4 less County Road of Section 16 Township 22 North Range 4 East of the W.M., in King County, Washington.

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

18.80.010 Designated. The map filed in the City Clerk's office and marked Exhibit "C" "B" to Ordinance No. ~~1546~~_____ and adopted ~~July 25,~~ 2012 March, 2013, constitutes the zoning map for the City. The map referenced herein supersedes all previously adopted maps. If the designations of the map are found to be in conflict with other land use designations, the map is deemed to control. Conditional rezones or other special zoning designations shall be clearly outlined on the map along with the associated ordinance number.

NEW SECTION. Sec. 4. 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

Ordinance No. 13-003
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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. 5. 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 _____th day of March, 2013 and signed in authentication thereof this _____th day of March, 2013.

M A Y O R

APPROVED AS TO FORM:

Assistant City Attorney

ATTEST:

City Clerk

Published: _____

EXHIBIT A TO DRAFT ORDINANCE NO. 13-002**FINDINGS of FACT**

1. In 2012, Des Moines City Council identified a short-term strategic objective to "Review and modify or update the institutional zoning code regulations pertaining to Highline Community College and retirement communities."

2. On June 28, 2012, Des Moines City Council adopted Ordinance No. 1544 adding a new chapter to Title 18 DMMC entitled I-C Institutional Campus Zone, establishing new development standards for a new Institutional Campus Zone (I-C) in the City of Des Moines and amending DMMC 18.06.020 and 18.06.030 to add the new I-C zone to the list of existing zoning categories in the City.

3. On October 25, 2012, the City Council adopted Ordinance 1551 adopting the *2012 Comprehensive Plan Amendments*, which included among other items, changing the preferred land use designation for the area described in Section 2 of Draft Ordinance 13-002 from RF-Retirement Facility and PF-Public Facility to IC-Institutional Campus.

4. The area described in Section 2 of Draft Ordinance No. 13-002 subject to this zoning reclassification to Institutional Campus (I-C) is currently zoned Residential Single Family 7,200 (RS-7,200) and Restricted Service Zone (RM-900B) is inconsistent with the current preferred land use designation of IC-Institutional Campus established by *City of Des Moines Comprehensive Plan*.

5. *Des Moines Comprehensive Plan* Policy 2-03-12 directs the City to "[R]ecognize the City of Des Moines Comprehensive Plan Preferred Land Use Maps, Figures 2-1 through 2-09, as the official land use maps of the City of Des Moines, providing a geographic representation of the Land Use Element Goal and Policies. Recognize the City of Des Moines Zoning Map as the official zoning map. Undertake all planning activities to implement and support the designated land use pattern."

6. *Des Moines Comprehensive Plan* Strategy 2-04-03 requires the City to "[C]reate consistency between the uses designated in the City of Des Moines Comprehensive Plan with those designated on the City of Des Moines Zoning Map."

7. *Des Moines Comprehensive Plan Strategy 2-04-05* states that, "Zoning should be brought into conformance with the City of Des Moines Comprehensive Plan Land Use Map."

8. *Des Moines Comprehensive Plan Strategy 2-04-06* states that the City should, "[R]equire all zoning changes to conform with the land use pattern designated on the City of Des Moines Comprehensive Plan Land Use Map. Require that all rezones consider, among other relevant considerations, the following:

- (1) The effect upon the physical and biological environments;
- (2) The effect on the economic, social and cultural environments;
- (3) The impact on adjacent land uses and neighborhoods; and
- (4) The impact on community and regional facilities, utilities, and transportation."

9. Amendments to official zoning map are considered Type IV Land Use Actions pursuant to DMMC 18.56.060(1) and as such require a public hearing with the City Council pursuant to DMMC 18.56.180 and 18.60.040.

10. The Des Moines Planning Agency held a public meeting on February 4, 2013 and recommended that the City Council adopt the zoning reclassification for the subject properties.

11. Draft Ordinance 13-002 was reviewed pursuant to the State Environmental Policy Act (SEPA) - Chapter 43.21C RCW as a non-project action.

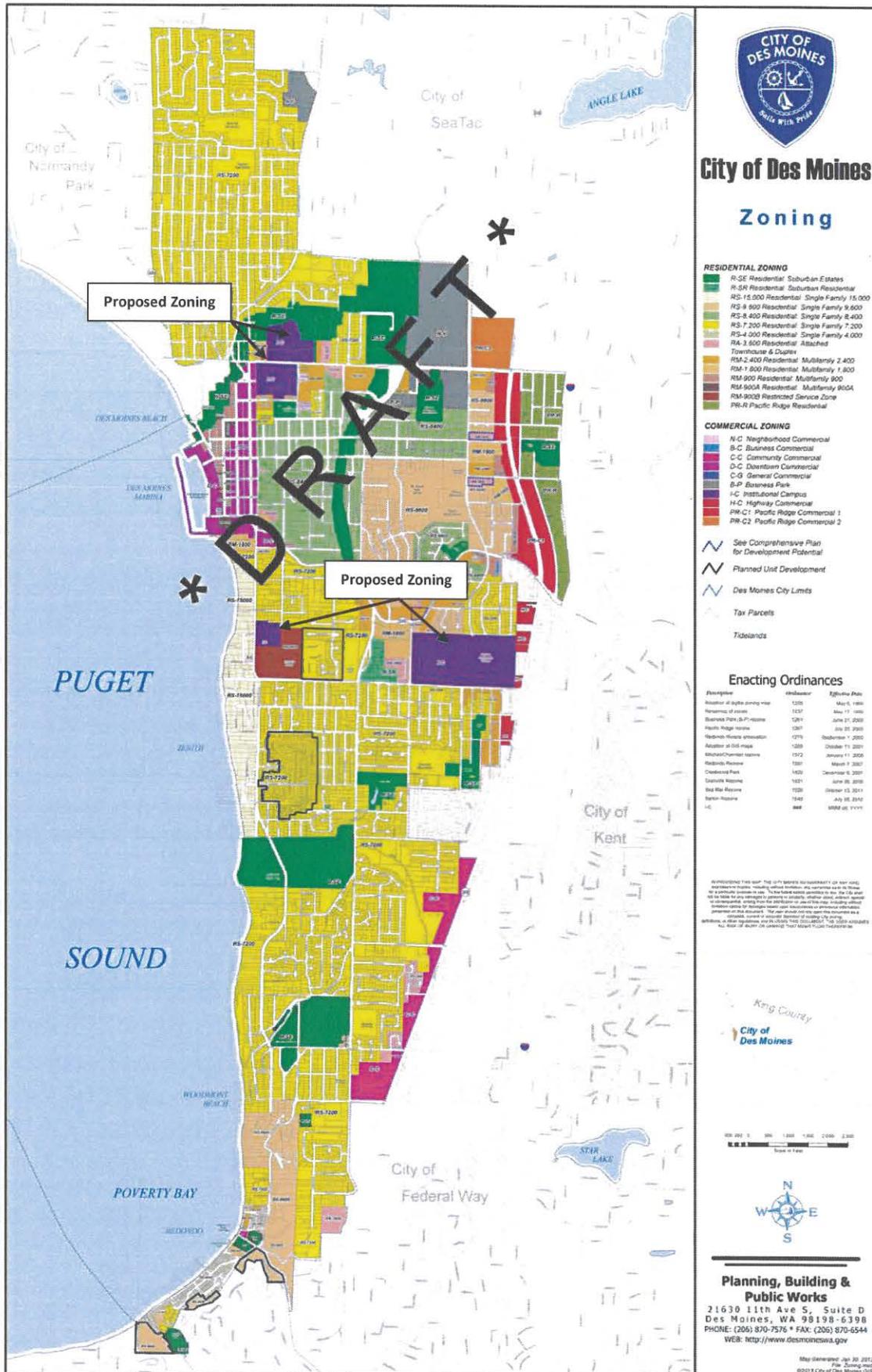
12. A SEPA Determination of Nonsignificance (LUA2012-0004) was issued on February 13, 2013.

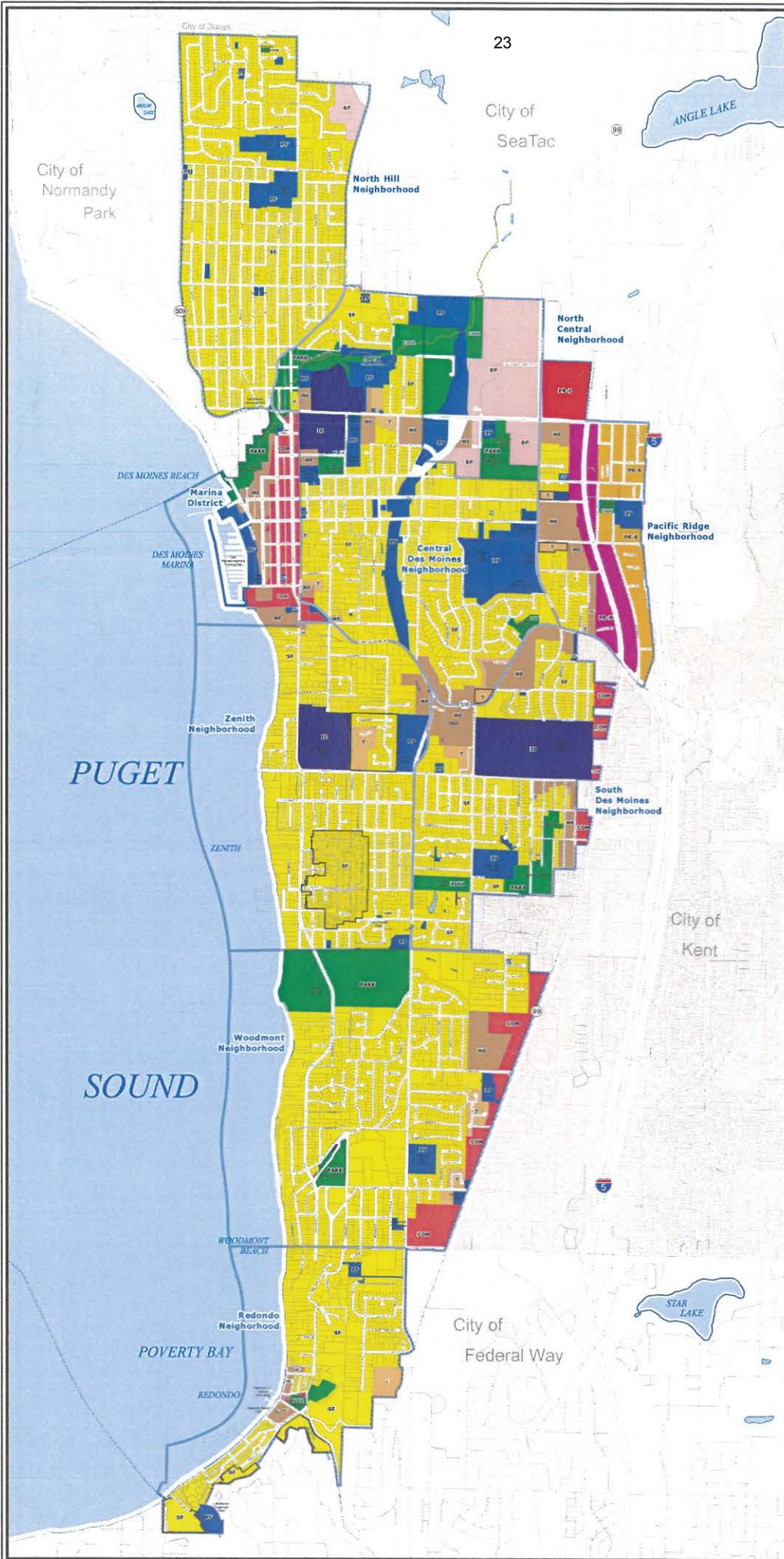
13. Pursuant to the Growth Management Act - Chapter 36.70A RCW the Draft Ordinance was provided to the Department of Commerce for 60-day review and comment by the Department and other State agencies. Expedited review was requested and granted by Commerce and the review period concluded on February 7, 2013.

14. A public hearing with the City Council was held on March 7, 2013 as required by DMMC 18.56.200 and 18.60.040.

15. The date of the public hearing to consider the Draft Ordinance was set by the City Council on February 7, 2013 pursuant to Resolution 13-002 as required by DMMC 18.60.120(3).

16. Notice of the public hearing was posted at the City's official posting locations, the City website, the Seattle Times, provided to all properties owners subject to the zoning reclassification, and to all properties within 300 feet of the area under consideration to be rezoned as required by DMMC 18.60.120(3).



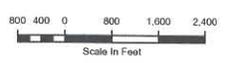


City of Des Moines
Comprehensive Plan
Preferred Land Use

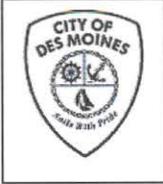
- Designations**
- RESIDENTIAL
 - MF - Multifamily
 - PR-R - Pacific Ridge Residential
 - SF - Single Family
 - T - Townhome
 - COMMERCIAL/NON RES
 - BP - Business Park
 - COM - Commercial
 - IC - Institutional Campus
 - PARK - Park
 - PF - Public Facility
 - PR-C - Pacific Ridge Commercial
 - PR-M - Pacific Ridge Mixed
- Des Moines City Limits
 Neighborhood Planning Areas
 PUD See Plan For Density

**CITY OF DES MOINES
COMPREHENSIVE PLAN MAP SERIES**
This map series is intended for general planning purposes related to the City of Des Moines Comprehensive Plan.

- Enacting Ordinances**
- ORDINANCE, YEAR
- Ord. 1551, 2012
 - Ord. 1528, 2011
 - Ord. 1499, 2010
 - Ord. 1469, 2009
 - Ord. 1425, 2008
 - Ord. 1376, 2006
 - Ord. 1232, 2003
 - Ord. 1265, 2000
 - Ord. 1238, 1999
 - Ord. 1176, 1996
 - Ord. 1160, 1995



Planning, Building & Public Works
21630 11th Ave S, Suite D
Des Moines, WA 98198-6398
PHON 1



CITY OF DES MOINES, WASHINGTON

Community Development Department
 21650 11th Avenue South, Suite D
 Des Moines, WA 98198
 Phone: (206) 870-7576 Fax: (206) 870-6544

NOTICE OF DETERMINATION OF NONSIGNIFICANCE and PUBLIC HEARING

Notice is hereby given on 02/13/13 that the City of Des Moines Responsible SEPA Official has determined that the proposal by the City of Des Moines Planning, Building and Public Works Department filed under LUA2012-0004 to change the zoning classification for Wesley Homes (Tax Parcel #0822049014, #0822049087, and #0822049133), Judson Park (Tax Parcel #1722049025) and Highline Community College (Tax Parcel #1622049016 and #1622049013) from Restricted Service Zone (RM-900B) and Residential Single Family – 7,200 (RS-7200) Zone to Institutional Campus Zone (I-C), does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This determination shall become final and effective, provided a proper and complete appeal has not been filed, on 03/11/13.

Written comments concerning the DNS may be submitted to the Des Moines Planning, Building, and Public Works Department, located at 21630 11th Avenue South, Suite D, Des Moines, WA 98198, by 4:30 p.m., 02/28/13. Comments should discuss specific environmental issues associated with this proposal and identify how the DNS does or does not address those issues.

The decision to issue the DNS may be appealed by filing an appeal consistent with Sections 16.04.210 and 18.94.113, if applicable, of the Des Moines Municipal Code. Appeals must be complete and filed with the City Clerk by 4:30 p.m., on 03/11/13. The appeal letter must cite specific procedural errors, omissions, environmental impacts, inaccurate environmental information or failure to comply with specific adopted policies or codes which dispute the validity of the DNS.

Notice is also hereby given that the City of Des Moines City Council will conduct a public hearing relating to the I-C Institutional Campus zoning reclassification on 03/07/13 at 7:00 p.m. or as soon thereafter as the matter may be heard in the Council Chambers, 21630 11th Avenue South, Des Moines, WA 98198. The City of Des Moines provides special accommodations such as hearing devices, wheelchair space, and large print material for city meetings. Anyone needing special assistance should contact the City Clerk at 206-870-6519.

The documents prepared for the review of this application and the current status of the application are available at the following website: www.desmoineswa.gov/mypermits. Once on the above website, please click on Click to Search under the Permit Search Section and then enter the File Number identified above in The Search By ID Number box and then click Search to access the information.

Further information about this Type IV Land Use Action contact Denise Lathrop by phone (206) 870-6563 or by e-mail: dlathrop@desmoineswa.gov during regular office hours. All letters and telephone inquiries should refer to file number.



City of Des Moines

Zoning Map

RESIDENTIAL ZONING

- R-SE Residential: Suburban Estates
- R-SR Residential: Suburban Residential
- RS-15,000 Residential: Single Family 15,000
- RS-9,000 Residential: Single Family 9,000
- RS-8,400 Residential: Single Family 8,400
- RS-7,200 Residential: Single Family 7,200
- RS-4,000 Residential: Single Family 4,000
- RA-3,000 Residential: Attached Townhouse & Duplex
- RM-2,400 Residential: Multifamily 2,400
- RM-1,800 Residential: Multifamily 1,800
- RM-900 Residential: Multifamily 900
- RM-900A Residential: Multifamily 900A
- RM-900B Residential: Multifamily 900B
- PR-R Pacific Ridge Residential

COMMERCIAL ZONING

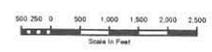
- N-C Neighborhood Commercial
- B-C Business Commercial
- C-C Community Commercial
- D-C Downtown Commercial
- C-G General Commercial
- B-P Business Park
- H-C Highway Commercial
- PR-C1 Pacific Ridge Commercial 1
- PR-C2 Pacific Ridge Commercial 2

- See Comprehensive Plan for Development Potential
- Planned Unit Development
- Des Moines City Limits
- Tax Parcels
- Tidelands

Enacting Ordinances

Description	Ordinance	Effective Date
Adoption of digital zoning map	1235	May 5, 1999
Renaming of zones	1237	May 17, 1999
Business Park (B-P) rezone	1261	June 21, 2000
Pacific Ridge rezone	1267	July 25, 2000
Redondo Rezoning	1273	September 1, 2000
Adoption of GIS maps	1279	October 11, 2001
Mishawaka rezone	1372	January 11, 2006
Redondo Rezone	1397	March 7, 2007
Crestwood Park	1420	December 8, 2007
Granville Rezone	1431	June 29, 2008
Sea Mar Rezone	1523	October 13, 2011
Benton Rezone	1548	July 26, 2012

IN PROVIDING THIS MAP, THE CITY MAKES NO WARRANTY OF ANY KIND, expressed or implied, including without limitation, any warranty as to the accuracy or completeness of the information contained herein. The City shall not be liable for any damages, including consequential damages, arising from the production or use of this map, including without limitation, any claims for damages based upon misstatements or omissions contained herein. The user shall not rely upon this document as a substitute for professional advice or services. THE CITY ASSUMES NO LIABILITY FOR ANY INJURY OR DAMAGE THAT MIGHT FLOW THEREFROM.



Planning, Building & Public Works
 21630 11th Ave S, Suite D
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