

ORDINANCE NO. 1673

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to screening requirements for rooftop mechanical equipment on industrial buildings within the B-P Zone, and amending Des Moines Municipal Code sections 18.105.070 and 18.235.100.

WHEREAS, the City Council directed City staff to prepare an ordinance for its consideration which addresses screening requirements for rooftop mechanical equipment on industrial buildings within the B-P Zone, and

WHEREAS, the proposed text code amendments are consistent with *Des Moines 2035: Charting Our Course for a Sustainable Future* (the Comprehensive Plan) vision, goals, policies and implementation strategies aimed at promoting development and redevelopment in a manner that strengthens community sustainability, livability and business vitality, and

WHEREAS, the Planning, Building and Public Works Director, acting as the SEPA responsible official, reviewed this proposed non-project action and determined that the proposed textual code amendments result in no substantive changes respecting use or modification of the environment and are therefore categorically exempt from threshold determination and EIS requirements in accordance with WAC 197-11-800 (19) (b) and chapter 16.05 DMMC, and

WHEREAS, the City Council set the date for the public hearing by Draft Resolution No. 1348, fixing the public hearing for January 19, 2017 as required by law, and

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

WHEREAS, notice of the SEPA DNS and public hearing was issued on December 19, 2016 in accordance with the DMMC, and

WHEREAS, the SEPA comment and appeal periods have lapsed with no comments received and no appeals filed, and

WHEREAS, a public hearing was held on January 19, 2017 where all persons wishing to be heard were heard, and

WHEREAS, the City Council finds that the Title 18 DMMC 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 18.105.070, *Performance Standards*, and section 12 of Ordinance No. 1655, shall be amended to read as follows:

...

(3) Warehouse, light manufacturing and distribution facilities shall comply with the following additional standards:

(a) Loading areas shall be set back, recessed and/or screened so as not to be visible from adjacent public rights-of-way or properties designated as residential by the City of Des Moines Comprehensive Plan.

(b) Loading areas shall only be allowed between the rear lot line and the extension of the front facade of the principal structure, provided no loading areas are allowed between a building and a side street lot line.

(c) The office portion of a warehouse use shall be oriented towards the adjacent public street with the highest classification as determined by the City's Comprehensive Transportation Plan, as presently constituted or as subsequently amended.

(d) The portion of a building visible from public rights-of-way shall be architecturally treated to break up the box-like look of the buildings.

(e) The building(s) shall be designed and oriented to locate the shorter width of the building towards the public right-of-way.

(f) The main entries to the building shall portray a quality office appearance while being architecturally related to the overall building composition.

(g) The City Manager or City Manager's designee may authorize modifications to the rooftop mechanical equipment screening requirements in DMMC 18.105.070(11) when it is demonstrated that the intent of this chapter is being met, particularly related to adjacent residential properties. Consideration shall be given to conditions on or adjacent to the site, including differences in elevation, existing vegetation, location of existing and proposed structures, or through other measures such as painting or partial screening.

...

Sec. 2. DMMC 18.235.100, Criteria, and section 577 of Ordinance No. 1591 shall be amended to read as follows:

...

(4) Building Design.

(a) Evaluation of a project shall be based on the quality of its design and relationship to the natural setting of its surroundings.

(b) Building components, such as windows, doors, eaves, and parapets, should be proportionate and relative to each other.

(c) Colors should be harmonious, with bright or brilliant colors used only for accent.

(d) Unless otherwise modified in this Title, design attention should be given to mechanical equipment or other utility hardware on roofs, grounds, or buildings to screen them from view.

Sec. 4. Effective date. This Ordinance shall take effect and be in full force thirty (30) days after its final approval by the Des Moines City Council in accordance with law.


PASSED BY the City Council of the City of Des Moines this 19th day of January, 2017 and signed in authentication thereof this 19th day of January, 2017.


MAYOR

APPROVED AS TO FORM:


City Attorney

ATTEST:


City Clerk

Effective Date: February 18, 2017

Published: January 24, 2017

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1673, Adopted January 19, 2017.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This Ordinance relates to screening requirements for rooftop mechanical equipment on industrial buildings within the B-P Zone, and amends Des Moines Municipal Code sections 18.105.070 and 18.235.100.

The full text of the Ordinance will be mailed without cost upon request.

Bonnie Wilkins, CMC
City Clerk

Published: January 24, 2017