



AGENDA
DES MOINES CITY COUNCIL
REGULAR MEETING
City Council Chambers
21630 11th Avenue S, Suite C
Des Moines, Washington
Thursday, January 8, 2026 - 6:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL SWEARING-IN OF NEWLY ELECTED COUNCILMEMBERS

SELECTION OF MAYOR/DEPUTY MAYOR

CORRESPONDENCE NOT PREVIOUSLY RECEIVED BY COUNCIL

COMMENTS FROM THE PUBLIC

CITY MANAGER REPORT/PRESENTATIONS/BRIEFINGS

CONSENT AGENDA

Item 1.

Approval of Vouchers

Motion: "I move to approve the payment vouchers through December 22, 2025 and payroll transfers through December 19, 2025 in the attached list and further described as follows:"

EFT Vendor Payments	#12830 - 12944	\$3,325,331.97
Wires	#3177 - 3202	\$2,158,554.35
Accounts Payable Checks	#167202 - 167254	\$209,346.70
Payroll Checks 12/5/2025	#20035 - 20038	\$3,020.96
Payroll Advice 12/5/2025	#15785 - 15948	\$515,432.62
Payroll Checks 12/19/2025	#20039 - 20040	\$4,343.01
Payroll Advice 12/19/2025	#15949 - 16103	\$495,738.11
Total Checks and Wires for A/P & Payroll:		\$6,711,767.72

Item 2.

Approval of Minutes

Motion: "I move to approve the minutes from the City Council Regular

Meeting(s) held on November 13, December 04, and December 11, 2025."

- Item 3. **South County Area Transportation Board Agreement**
Motion: "I move to approve the Agreement with South County Area Transportation Board for the 2026 to 2029 term, and authorize the City Manager to sign the Agreement substantially in the form as submitted."

PUBLIC HEARING/CONTINUED PUBLIC HEARING

- Item 1. **Unit Lot Subdivision, Lot Splitting, and Substandard or Nonconforming Lot Regulations Update -1st Reading**
Staff Presentation:
Laura Techico, Planning and Development Services Manager
- Motion:**"I move to pass Draft Ordinance 25-117 to a second reading on January 22, 2026."

NEW BUSINESS

- Item 1. **2026 City Council Calendar**
Staff Presentation:
Bonnie Wilkins, Director of Administrative Services
- Motion:** "I move to approve the 2026 City Council Calendar as presented."
- Item 2. **Planning Commission Appointment Process**
Staff Presentation:
Rebecca Deming, Community Development Director
- Motion:** "I move to direct staff to proceed with option # ____ for appointment of Planning Commissioners."
- Item 3. **Business License Model Ordinance Update - 1st Reading**
Staff Presentation:
Matt Hutchins, Assistant City Attorney
- Motion:** "I move to pass Draft Ordinance 25-124 to a second reading on the next available regular Council meeting agenda."

COUNCILMEMBER REPORTS

(4 minutes per Councilmember) - 30 minutes

PRESIDING OFFICER'S REPORT

EXECUTIVE SESSION

Property Acquisition under RCW 42.30.110(1)(b) - 10 Minutes

NEXT MEETING DATE

January 22, 2026 City Council Regular Meeting

ADJOURNMENT

Members of the public who wish to provide comment during the meeting via Zoom must register in advance. To register, please email cityclerk@desmoineswa.gov by 12:00 p.m. (noon) on the Wednesday before the meeting.

City Council meeting can be viewed live on the City's website, Comcast Channel 21/321, on the City's [YouTube](#) channel or via [Zoom](#).

[Projected Future Agenda Items](#)

**City Council
AGENDA ITEM**

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Approval of Vouchers

ATTACHMENTS:

1. Approval of Vouchers

FOR AGENDA OF:

January 8, 2026

DEPT OF ORIGIN:

DATE SUBMITTED:

12/12/2025

CLEARANCES:

City Clerk
Finance

Purpose and Recommendation

Voucher transfers and expense reimbursement claims have been audited and certified by the auditing office in compliance with RCS 42.24.080 and RCW 42.24.090.

Suggested Motion:

Motion: "I move to approve the payment vouchers through December 22, 2025 and payroll transfers through December 19, 2025 in the attached list and further described as follows:"

EFT Vendor Payments	#12830 - 12944	\$3,325,331.97
Wires	#3177 - 3202	\$2,158,554.35
Accounts Payable Checks	#167202 - 167254	\$209,346.70
Payroll Checks 12/5/2025	#20035 - 20038	\$3,020.96
Payroll Advice 12/5/2025	#15785 - 15948	\$515,432.62
Payroll Checks 12/19/2025	#20039 - 20040	\$4,343.01
Payroll Advice 12/19/2025	#15949 - 16103	\$495,738.11

Total Checks and Wires for A/P & Payroll:	\$6,711,767.72
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Background

City Council review and approval of voucher reports is a key internal control that promotes transparency, accountability, and public trust in the City's financial operations. By examining vouchers after expenditures have occurred, the Council provides independent oversight to confirm that payments were properly authorized, supported by appropriate documentation, and made in accordance with the adopted budget, City policies, and applicable laws. This review helps ensure public funds are used for their intended purposes, strengthens fiscal discipline, and reinforces the separation of duties between staff who process payments and the elected officials responsible for safeguarding taxpayer resources.

Discussion

The vouchers below have been reviewed and certified by individual departments and the City of Des Moines Auditing Officer.

Alternatives

N/A

Financial Impact

As described above.

Recommendation

Approval of vouchers.



Des Moines

WATERLAND CITY

Voucher Certification Approval
January 8, 2026
Auditing Officer Certification

Voucher transfers and expense reimbursement claims have been audited and certified by the auditing office in compliance with RCS 42.24.080 and RCW 42.24.090. A listing of these claims has been provided to the City Council.

On **January 8, 2026** the Des Moines City Council unanimously approved for payment the vouchers through December 22, 2025 and payroll transfers through December 19, 2025 as detailed in the attached list.

The vouchers below have been reviewed and certified by individual departments and the City of Des Moines Auditing Officer:


 Jeff Friend, Finance Director

		# From	# To	Amounts
Claims Vouchers:				
EFT's		12830	12944	3,325,331.97
Wires		3177	3202	2,158,554.35
AP Checks		167202	167254	209,346.70
Total Vouchers paid				5,693,233.02
Payroll Vouchers				
Payroll Checks	12/5/2025	20035	20038	3,020.96
Payroll Advice		15785	15948	515,432.62
Payroll Checks	12/19/2025	20039	20040	4,343.01
Payroll Check		15949	16103	495,738.11
Total Paychecks & Direct Deposits				1,018,534.70
Total checks and wires for A/P & Payroll				6,711,767.72

**City Council
AGENDA ITEM**

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Approval of Minutes

ATTACHMENTS:

1. November 13, 2025 Draft Minutes
2. December 04, 2025 Draft Minutes
3. December 11, 2025 Draft Minutes

FOR AGENDA OF:

January 8, 2026

DEPT OF ORIGIN:

DATE SUBMITTED:

12/12/2025

CLEARANCES:

City Clerk

Purpose and Recommendation

The purpose of this agenda item is for Council to review the minutes from the November 13, December 4 and December 11, 2025 Regular City Council meetings.

Suggested Motion:

Motion: "I move to approve the minutes from the City Council Regular Meeting(s) held on November 13, December 04, and December 11, 2025."

Background

The City Clerk's Office has prepared action-format meeting minutes for City Council's consideration.

Discussion

N/A

Alternatives

The City Council may make corrections to errors and approve the meeting minutes as amended.

Financial Impact

N/A

Recommendation

Staff recommends Council approve the meeting minutes as presented.



Des Moines

WATERLAND CITY
MINUTES

DES MOINES CITY COUNCIL

REGULAR MEETING

City Council Chambers

21630 11th Avenue S, Suite C

Des Moines, Washington

Thursday, November 13, 2025 - 6:00 PM

CALL TO ORDER

Mayor Traci Buxton called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Gene Achziger.

ROLL CALL

Council Present:

Mayor Traci Buxton; Deputy Mayor Harry Steinmetz; Councilmember Gene Achziger; Councilmember Yoshiko Grace Matsui; Councilmember JC Harris; and Councilmember Matt Mahoney

Council via Zoom:

Councilmember Jeremy Nutting

Staff Present:

City Manager Katherine Caffrey; Assistant City Manager Adrienne Johnson-Newton; Assistant City Attorney Matt Hutchins; City Prosecutor Tara Vaughn; Police Chief Ted Boe; IT Manager Chris Pauk; Director of Court Administration Melissa Patrick; Finance Director Jeff Friend; Director of Administrative Services Bonnie Wilkins; Harbormaster Scott Wilkins; Public Works Director Michael Slevin; City Engineer Tommy Owen; Community Development Director Rebecca Deming; Planning & Development Services Manager Laura Techico; Land Use Planner I Alicia Jacobs; Land Use Planner II Peyton Murphy; Deputy City Clerk Sara Lee; and City Clerk Taria Keane

CORRESPONDENCE NOT PREVIOUSLY RECEIVED BY COUNCIL

- No additional correspondence outside of the emails already received by Council.

COMMENTS FROM THE PUBLIC

- Scott Wilkins, Tenant Appreciation Party Invite
- Joe Dusenbury, Airport Committee

REGIONAL COMMITTEE REPORT

KING COUNTY FLOOD CONTROL DISTRICT

- Councilmember JC Harris gave an update about the King County Flood Control District Budget.

REGIONAL TRANSIT COMMITTEE

- Councilmember JC Harris gave an update about the Regional Transit Committee Budget.

PUGET SOUND REGIONAL COUNCIL

- Councilmember Matt Mahoney gave an update on the Puget Sound Regional Council Transportation Policy Board meeting held November 13, 2025.

SOUND CITIES ASSOCIATION PUBLIC ISSUES COMMITTEE

- Deputy Mayor Harry Steinmetz gave an update on the two meetings held November 12, 2025.

CITY MANAGER REPORT/PRESENTATIONS/BRIEFINGS

- No Report

CONSENT AGENDA

Item 1: APPROVAL OF VOUCHERS

Motion: To approve the payment vouchers through October 30, 2025 and payroll transfers through October 29, 2025 in the attached list and further described as follows:

EFT Vendor Payments	#12605-12700	\$ 708,386.84
Wires	#3133-3146	\$1,916,014.52
Accounts Payable Checks	#167118-167133	\$ 40,428.37
Accounts Payable Voided Checks		\$ (572.00)

Regular Meeting Minutes
November 13, 2025

Payroll Checks	#20026-20029	\$ 13,004.77
Payroll Advice	#15299-15462	\$ 494,101.96
Payroll Checks Void	#20027-20027	\$ (3,340.30)
Payroll Check	#20030-20030	\$ 3,340.30

Total Checks and Wires for A/P & Payroll: \$3,171,364.46

Item 2: APPROVAL OF MINUTES

Motion: To approve the minutes for the Committee of the Whole and Council Study Session held on October 02, 2025, and the City Council Regular Meeting held on October 09, 2025.

Item 3: B&O TAX MODEL ORDINANCE UPDATE - 2ND READING

Motion: To approve Draft Ordinance No. 25-100, updating the City of Des Moines Business and Occupation Tax Model Ordinance.

Item 4: 2025 NEIGHBORHOOD TRAFFIC CALMING PROJECT - CONTRACT AWARD

Motion: To approve the Public Works Contract with Base Crew LLC (Contractor) for the 2025 Neighborhood Traffic Calming Project in the amount of \$55,968.00, and authorize a project construction contingency in the amount of \$6,000.00, and further authorize the City Manager to sign said Contract substantially in the form as submitted.

Item 5: SEA-TAC STAKEHOLDER ADVISORY ROUND TABLE (StART) POSITION APPOINTMENT

Motion: To reappoint Joe Dusenbury to a term on the StART Committee effective December 31, 2025 and expiring on December 31, 2027.

Direction/Action

Motion made by Councilmember Matt Mahoney to approve the Consent Agenda as read; seconded by Councilmember Jeremy Nutting. Motion passed 7-0.

PUBLIC HEARING/CONTINUED PUBLIC HEARING

Item 1: 2026 PROPERTY TAX LEVY - 2ND READING

At 6:20 p.m. Mayor Traci Buxton opened the Public Hearing.

- Finance Director Jeff Friend gave a PowerPoint Presentation on the 2026 Property Tax Levy.

Mayor Traci Buxton asked 3 times if anyone wished to speak.

Seeing none Mayor Traci Buxton asked Council if they had any questions.

At 6:26 p.m. Mayor Traci Buxton closed the Public Hearing.

Direction/Action

Motion 1 made by Councilmember Jeremy Nutting to enact Draft Ordinance No. 25-101, determining the amount of funds to be raised by ad valorem taxes for the year 2026 for general City expenditures; seconded by Deputy Mayor Harry Steinmetz.

Motion passed 7-0.

Motion 2 made by Councilmember Jeremy Nutting to enact Draft Ordinance No. 25-102 authorizing the increase in ad valorem taxes for the year 2026 for general City expenditures; seconded by Councilmember Matt Mahoney.

Motion passed 7-0.

Item 2: 2025/2026 BIENNIAL BUDGET AMENDMENTS - 1ST READING

At 6:32 p.m. Mayor Traci Buxton opened the Public Hearing.

- Finance Director Jeff Friend gave a PowerPoint Presentation on the 2025/2026 Biennial Budget Amendments.

Mayor Traci Buxton asked 3 times if anyone wished to speak.

Seeing none Mayor Traci Buxton asked Council if they had any questions.

At 7:04 p.m. Mayor Traci Buxton closed the Public Hearing.

Direction/Action

Motion made by Councilmember Matt Mahoney to forward Draft Ordinance No. 25-092, relating to municipal finance and amending the 2025/2026 Biennial Budget adopted in Ordinance No. 1813, to a second reading; seconded by Deputy Mayor Harry Steinmetz.

Motion passed 7-0.

Item 3: LAND USE APPLICATION ABANDONMENT ORDINANCE - 1ST READING

At 7:16 p.m. Mayor Traci Buxton opened the Public Hearing.

- Land Use Planner Peyton Murphy gave a PowerPoint Presentation on the Land Use Application Abandonment Ordinance.

Mayor Traci Buxton asked 3 times if anyone wished to speak.

Seeing none Mayor Traci Buxton asked Council if they had any questions.

At 7:22 p.m. Mayor Traci Buxton closed the Public Hearing.

Direction/Action

Motion made by Councilmember Matt Mahoney to pass draft Ordinance 25-072 to a second reading on December 4, 2025; seconded by Deputy Mayor Harry Steinmetz.

Motion passed 7-0.

Item 4: CO-LIVING HOUSING ORDINANCE - 1ST READING

At 7:23 p.m. Mayor Traci Buxton opened the Public Hearing.

- Land Use Planner Alicia Jacobs gave a PowerPoint Presentation on the Co-Living Housing Ordinance.

Mayor Traci Buxton asked 3 times if anyone wished to speak.

Seeing none Mayor Traci Buxton asked Council if they had any questions.

At 7:34 p.m. Mayor Traci Buxton closed the Public Hearing.

Direction/Action

Motion made by Councilmember Matt Mahoney to pass draft Ordinance 25-090 to a second reading on December 4, 2025; seconded by Councilmember Yoshiko Grace Matsui.

Motion passed 7-0.

NEW BUSINESS

Item 1: 2026-2031 CAPITAL IMPROVEMENTS PLAN
Staff Presentation by Finance Director Jeff Friend

- Finance Director Jeff Friend gave a PowerPoint Presentation on the 2026-2031 Capital Improvements Plan.

Direction/Action

Motion made by Deputy Mayor Harry Steinmetz to adopt Draft Resolution No. 25-093 approving the City of Des Moines 2026–2031 Capital Improvements Plan; seconded by Councilmember Jeremy Nutting.

Motion passed 7-0.

Item 2: INTERLOCAL AGREEMENT FOR COORDINATED SAMP REVIEW AND LEGAL SERVICES

Staff Presentation by Community Development Director Rebecca Deming

- Community Development Director Rebecca Deming gave a PowerPoint Presentation on the Interlocal Agreement for coordinated SAMP Review and Legal Services.

Direction/Action

Motion made by Councilmember Matt Mahoney to approve the Interlocal Agreement between the Cities of Burien, Des Moines, and SeaTac for Legal and Environmental Review in Connection with the NEPA and SEPA Evaluations of the Sea-Tac Airport Sustainable Master Plan and authorize the City Manager to sign substantially in the form as attached; seconded by Councilmember Jeremy Nutting.

Motion passed 7-0.

Item 3: CITY COUNCIL COMPENSATION FRAMEWORK DISCUSSION

Staff Presentation by Assistant City Manager Adrienne Johnson-Newton

- Assistant City Manager Adrienne Johnson-Newton gave a PowerPoint Presentation on the City Council Compensation Framework Discussion.

EXECUTIVE SESSION

The Special Meeting was called to order by Mayor Traci Buxton at 8:25 p.m.

ROLL CALL

Council Present:

Mayor Traci Buxton; Deputy Mayor Harry Steinmetz; Councilmember Gene Achziger; Councilmember JC Harris; and Councilmember Matt Mahoney

Council Via Zoom:

Councilmember Jeremy Nutting

The purpose of the Special Meeting was to hold an Executive Session to discuss the Performance of a Public Employee under RCW 42.30.110(1)(g).

The Executive Session expected to last 45 minutes.

At 9:11 p.m. the meeting was extended to 9:42 p.m.

Councilmember Jeremy Nutting left the meeting at 9:12 p.m.

No formal action was taken. The Special Meeting lasted 67 minutes and adjourned at 9:42 p.m.

The City Council regular meeting reconvened at 9:42 p.m.

Direction/Action

Motion 1 made by Councilmember Matt Mahoney to increase the City Manager's salary as a merit increase of six percent with an additional adjustment of four percent for COLA for a total of a ten percent increase which would equate \$269,500 for the year of 2026; seconded by Councilmember Yoshiko Grace Matsui.

Motion passed 5-1.

For: Mayor Traci Buxton; Deputy Mayor Harry Steinmetz; Councilmember Gene Achziger; Councilmember Yoshiko Grace Matsui; and Councilmember Matt Mahoney

Against: Councilmember JC Harris

Motion 2 made by Councilmember Yoshiko Grace Matsui to set the City's annual contribution to the City Manager's Deferred Comp Account to \$12,000 annually until the year 2030; seconded by Deputy Mayor Harry Steinmetz.

Motion passed 5-1.

For: Mayor Traci Buxton; Deputy Mayor Harry Steinmetz; Councilmember Gene Achziger; Councilmember Yoshiko Grace Matsui; and Councilmember Matt Mahoney

Against: Councilmember JC Harris

Motion 3 made by Deputy Mayor Harry Steinmetz to amend the termination and severance clause to accrue at a rate of three months per year of service until the cap of twelve months is reached; seconded by Councilmember Matt Mahoney.
Motion passed 5-1.

For: Mayor Traci Buxton; Deputy Mayor Harry Steinmetz;
Councilmember Gene Achziger; Councilmember Yoshiko Grace Matsui;
and Councilmember Matt Mahoney

Against: Councilmember JC Harris

NEW BUSINESS CONTINUED

Item 4: NEW AGENDA ITEMS FOR CONSIDERATION

Mayor Traci Buxton recommended the following:

1. Use the segment "Items for Future Focus" in the City Manager Evaluation as a springboard for expectations in 2026 and create a tangible document for the City Manager.
2. Consider the formation of an ad hoc committee in August to review evaluation procedures and make recommendations to Council.
3. Review evaluation timeline, create a schedule, and review evaluation procedures.

Council consensus supported the recommendation.

Direction/Action

Motion made by Councilmember Yoshiko Grace Matsui to have staff prepare an amendment to the City Managers Contract and to authorize the Mayor to sign the contract on the behalf of Council based on the motions passed; seconded by Councilmember Matt Mahoney.
Motion passed 5-1.

For: Mayor Traci Buxton; Deputy Mayor Harry Steinmetz;
Councilmember Gene Achziger; Councilmember Yoshiko Grace Matsui;
and Councilmember Matt Mahoney

Against: Councilmember JC Harris

NEXT MEETING DATE

December 04, 2025 City Council Regular Meeting.

ADJOURNMENT

Direction/Action

Motion made by Councilmember Gene Achziger to adjourn the meeting;
seconded by Councilmember Matt Mahoney.
Motion passed 6-0.

The meeting adjourned at 9:57 p.m.



Des Moines

WATERLAND CITY
MINUTES

DES MOINES CITY COUNCIL
REGULAR MEETING

City Council Chambers
21630 11th Avenue S, Suite C
Des Moines, Washington

Thursday, December 4, 2025 - 5:00 PM

CITY COUNCIL COMMITTEE OF THE WHOLE

5:00 p.m. - 5:50 p.m.

CALL TO ORDER

Mayor Traci Buxton called the Committee of the Whole meeting to order at 5:00 p.m.

ROLL CALL

Council Present:

Mayor Traci Buxton; Deputy Mayor Harry Steinmetz; Councilmember Gene Achziger; Councilmember JC Harris; and Councilmember Yoshiko Grace Matsui

Council Via Zoom:

Councilmember Matt Mahoney; and Councilmember Jeremy Nutting

Staff Present:

City Manager Katherine Caffrey; City Attorney Tim George; Assistant City Attorney Matt Hutchins; Director of Administrative Services Bonnie Wilkins; Finance Director Jeff Friend; Public Works Director Michael Slevin; Community Development Director Rebecca Deming; Senior Planner Jason Woycke; Administrative Coordinator Laura Hopp; and City Clerk Taria Keane

COMMITTEE OF THE WHOLE ITEMS

- Item 1: WESLEY MASTER PLAN INTRODUCTION
Staff Presentation by Senior Planner Jason Woycke
- Senior Planner Jason Woycke gave a PowerPoint Presentation on the Wesley Master Plan.
- Item 2: CITY CURRENTS DISCUSSION
Staff Presentation by Director of Administrative Services Bonnie Wilkins
- Director of Administrative Services Bonnie Wilkins gave a PowerPoint Presentation on the City Currents Discussion.

CITY COUNCIL REGULAR MEETING

6:00 p.m. - 10:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Deputy Mayor Harry Steinmetz.

ROLL CALL

Council Present:

Mayor Traci Buxton; Deputy Mayor Harry Steinmetz; Councilmember Gene Achziger; Councilmember JC Harris; and Councilmember Yoshiko Grace Matsui

Council Via Zoom:

Councilmember Matt Mahoney and Councilmember Jeremy Nutting

Staff Present:

City Manager Katherine Caffrey; Assistant City Manager Adrienne Johnson-Newton; City Attorney Tim George; Police Chief Ted Boe; Assistant City Attorney Matt Hutchins; Director of Administrative Services Bonnie Wilkins; Harbormaster Scott Wilkins; Finance Director Jeff Friend; Public Works Director Michael Slevin; City Engineer Tommy Owen; Community Development Director Rebecca Deming; Administrative Coordinator Laura Hopp; and City Clerk Taria Keane

CORRESPONDENCE NOT PREVIOUSLY RECEIVED BY COUNCIL

- No additional correspondence outside of the emails already received by Council.

COMMENTS FROM THE PUBLIC

- Chris DeLaRosa, FLOCK Cameras

REGIONAL COMMITTEE REPORT

SOUND CITIES ASSOCIATION

- Deputy Mayor Harry Steinmetz gave an update on the Sound Cities Association Meeting held on December 3, 2025.

CITY MANAGER REPORT/PRESENTATIONS/BRIEFINGS

City Manager Katherine Caffrey shared about the upcoming Tree Lighting at the Marina Saturday, December 6, 2025 and the Town Hall Strategic Plan Meeting Tuesday, December 9, 2025.

- Item 1: 2025 3RD QUARTER FINANCIAL REPORT
Staff Presentation by Finance Director Jeff Friend
- Finance Director Jeff Friend gave a PowerPoint Presentation on the 2025 3rd Quarter Financial Report.

CONSENT AGENDA

- Item 1: APPROVAL OF VOUCHERS
Motion: To approve the payment vouchers through November 20, 2025 and payroll transfers through November 20, 2025 in the attached list and further described as follows:

EFT Vendor Payments	#12701-12811	\$2,266,010.04
Wires	#3147-3165	\$478,601.24
Accounts Payable Checks	#167134-167201	\$1,914,403.33
Payroll Checks	#20031-20033	\$4,533.94
Payroll Advice	#15463-15628	\$499,195.09
Payroll Check	#20034-20034	\$4,458.73
Payroll Checks	#15629-15784	\$477,516.56

Total Checks and Wires for A/P & Payroll: \$5,644,718.93

- Item 2: APPROVAL OF MINUTES
Motion: To approve the minutes for the October 23, 2025 City Council Regular Meeting.

- Item 3: LAND USE APPLICATION ABANDONMENT - 2nd READING
Motion: To adopt draft Ordinance ~~25-090~~ 25-072 adopting the Land Use Application Abandonment Ordinance.

- Item 4: CO-LIVING HOUSING ORDINANCE - 2nd READING
Motion: To adopt draft Ordinance 25-090 adopting the Co-living Housing Ordinance.
- Item 5: ADOPTION OF 2026 CITY COUNCIL STATE LEGISLATIVE PRIORITIES
Motion: To adopt the 2026 City of Des Moines State Legislative Priorities.
- Item 6: COLLECTIVE BARGAINING AGREEMENT - POLICE GUILD
Motion: To approve the attached Collective Bargaining Agreement between the City of Des Moines and the Police Guild and to authorize the City Manager to sign the Agreement substantially in the form as attached.
- Item 7: BOUNDARY LINE ADJUSTMENT WITH NORMANDY PARK
Motion: To enact Draft Resolution 25-075 approving an adjustment of the City's common boundary with the City of Normandy Park and authorize the City Manager to sign the Interlocal Agreement substantially in the form as attached.

Direction/Action

Motion: made by Councilmember Jeremy Nutting to approve the Consent Agenda as read; seconded by Deputy Mayor Harry Steinmetz. Motion passed 7-0.

PUBLIC HEARING/CONTINUED PUBLIC HEARING

- Item 1: PLANNING COMMISSION ORDINANCE - 1st READING

At 6:30 p.m. Mayor Traci Buxton opened the Public Hearing.

Staff Presentation by Community Development Director Rebecca Deming.

Public Comment

- William Kennedy, Proponent

Mayor Traci Buxton asked 3 times if anyone wished to speak.

Mayor Traci Buxton asked Council if they had any questions.

At 6:45 p.m. Mayor Traci Buxton closed the Public Hearing.

Direction/Action

Main Motion: made by Deputy Mayor Harry Steinmetz to pass draft Ordinance 25-108 to a second reading on December 11, 2025; seconded by Councilmember Yoshiko Grace Matsui.

Amended Motion 1: made by Deputy Mayor Harry Steinmetz to amend draft Ordinance 25-108 to include review and recommendation by the Planning Commission on the Comprehensive Plan Adoption and Amendments; seconded by Councilmember JC Harris.
Motion failed 3-4.

For: Mayor Traci Buxton, Deputy Mayor Harry Steinmetz, and Councilmember JC Harris.

Against: Councilmember Matt Mahoney, Councilmember Jeremy Nutting, Councilmember Gene Achziger, and Councilmember Yoshiko Grace Matsui.

Amended Motion 2: made by Deputy Mayor Harry Steinmetz to amend draft Ordinance 25-108 to include review and recommendation by the Planning Commission to include Business Park Institutional Campus in the Master Plans; seconded by Councilmember JC Harris.
Motion passed 4-3.

For: Mayor Traci Buxton, Deputy Mayor Harry Steinmetz, Councilmember JC Harris, and Councilmember Gene Achziger.

Against: Councilmember Matt Mahoney, Councilmember Jeremy Nutting, and Councilmember Yoshiko Grace Matsui.

Amended Motion 3: made by Councilmember Gene Achziger to amend draft Ordinance 25-108 to include in Section 2 add a part 7 stating there should be no term limits in regard to appointments to the Planning Commission; seconded by Councilmember Yoshiko Grace Matsui.
Motion failed 3-4.

For: Mayor Traci Buxton, Deputy Mayor Harry Steinmetz, and Councilmember Gene Achziger.

Against: Councilmember Matt Mahoney, Councilmember Jeremy Nutting, Councilmember JC Harris, and Councilmember Yoshiko Grace Matsui.

Amended Motion 4: made by Councilmember Yoshiko Grace Matsui to amend draft Ordinance 25-108 to Section 2 (a) stating consists of members qualified who show an interest.
Motion died for lack of a second.

Amended Motion 5: made by Councilmember Gene Achziger to amend draft Ordinance 25-108 to include a reference to the term limits for all appointive committees per DMMC 4.24.040(2); seconded by Councilmember JC Harris.
Motion passed 7-0.

Main motion as amended passed 7-0.

Item 2: AMENDED TRANSPORTATION IMPROVEMENT PLAN (2026-2045)

Staff Presentation by City Engineer Tommy Owen

At 7:09 p.m. Mayor Traci Buxton opened the Public Hearing.

Staff Presentation by City Engineer Tommy Owen.

Mayor Traci Buxton asked 3 times if anyone wished to speak.

Mayor Traci Buxton asked Council if they had any questions.

At 7:23 p.m. Mayor Traci Buxton closed the Public Hearing.

Direction/Action

Motion: made by Councilmember Matt Mahoney to move to approve Draft Resolution No. 25-114 amending the 2026-2045 Transportation Improvement Plan for the City of Des Moines; seconded by Councilmember Jeremy Nutting.
Motion passed 6-1.

For: Mayor Traci Buxton, Deputy Mayor Harry Steinmetz, Councilmember Yoshiko Grace Matsui, Councilmember Gene Achziger, Councilmember Matt Mahoney, and Councilmember Jeremy Nutting.

Against: Councilmember JC Harris

UNFINISHED BUSINESS

Item 1: CITY COUNCIL COMPENSATION FRAMEWORK AND SURVEY DISCUSSION
Staff Presentation by Assistant City Manager Adrienne Johnson-Newton

- Assistant City Manager Adrienne Johnson-Newton gave a PowerPoint Presentation on the City Council Compensation Framework and Survey Discussion.

Following the presentation, the Council had staff recommendations.

NEW BUSINESS

Item 1: ANIMAL CONTROL DISCUSSION REGARDING POTENTIAL CONTRACT WITH BURIEN CARES
Staff Presentation by Police Chief Ted Boe

- Police Chief Ted Boe gave a PowerPoint Presentation on Animal Control Discussion regarding Potential Contract with Burien Cares.

Following the presentation, the Council had staff recommendations.

Item 2: CREATING A PUBLIC SAFETY SALES TAX FUND – 1st READING
Staff Presentation by Finance Director Jeff Friend

- Finance Director Jeff Friend gave a PowerPoint Presentation on Creating a Public Safety Sales Tax Fund.

Direction/Action

Motion: made by Deputy Mayor Harry Steinmetz to forward Draft Ordinance No. 25-105, amending DMMC 3.51.103 to repurpose the Public Safety Levy Fund as the Public Safety Sales Tax Fund, to the second reading; seconded by Councilmember Yoshiko Grace Matsui. Motion passed 7-0.

Item 3: NEW AGENDA ITEMS FOR CONSIDERATION – 10 Minutes

- Councilmember Gene Achziger proposed a new agenda item to consider amending the Transportation Improvement Plan to include the Last Mile exploration and implementation. Council consensus supported the recommendation.

- Councilmember Gene Achziger proposed a new agenda item to consider exploring joint regional animal control with our neighboring cities.
Council consensus supported the recommendation.

EXECUTIVE SESSION

The Special Meeting was called to order by Mayor Traci Buxton at 8:25 p.m.

ROLL CALL

Council Present:

Mayor Traci Buxton; Deputy Mayor Harry Steinmetz; Councilmember Yoshiko Grace Matsui; Councilmember Gene Achziger; and Councilmember JC Harris

Council via Zoom:

Councilmember Matt Mahoney and Councilmember Jeremy Nutting

Others Present:

City Manager Katherine Caffrey; City Attorney Tim George; and Community Development Director Rebecca Deming.

The purpose of the Special Meeting was to hold an Executive Session to discuss pending litigation pursuant to RCW 42.30.110(1)(i).

No formal action was taken.

The Executive Session lasted 10 minutes.

The special meeting adjourned at 8:35 p.m.

The City Council regular meeting was reconvened at 8:35 p.m.

COUNCILMEMBER REPORTS

(4 minutes per Councilmember) - 30 minutes

COUNCILMEMBER MATT MAHONEY

- Tree Lighting at the Marina

COUNCILMEMBER YOSHIKO GRACE MATSUI

- Tree Lighting at the Marina

- Town Hall Meeting
- Burning Boat
- New Light Rail Station

COUNCILMEMBER JEREMY NUTTING

- No Report

COUNCILMEMBER JC HARRIS

- Regional Transit Committee
- New Light Rail Station
- Des Moines Historical Society

COUNCILMEMBER GENE ACHZIGER

- New Light Rail Station
- Tree Lighting at the Marina

DEPUTY MAYOR HARRY STEINMETZ

- Sound Cities Association Meeting
- Tree Lighting at the Marina
- New Light Rail Station

PRESIDING OFFICER'S REPORT

- Sound Cities Association Meeting
- Squid-A-Rama
- Puget Sound Region Council Executive Board Meeting and the Regional Transportation Plan
- Historical Society Open House

NEXT MEETING DATE

December 11, 2025 City Council Regular Meeting

ADJOURNMENT

Direction/Action

Motion: made by Deputy Mayor Harry Steinmetz to adjourn; seconded by Councilmember Yoshiko Grace Matsui
Motion passed 7-0.

The meeting adjourned at 8:53 p.m.



Des Moines

WATERLAND CITY

MINUTES

DES MOINES CITY COUNCIL

REGULAR MEETING

City Council Chambers

21630 11th Avenue S, Suite C

Des Moines, Washington

Thursday, December 11, 2025 - 6:00 PM

CALL TO ORDER

Mayor Traci Buxton called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Matt Mahoney.

ROLL CALL

Council Present:

Mayor Traci Buxton; Deputy Mayor Harry Steinmetz; Councilmember Gene Achziger; Councilmember Yoshiko Grace Matsui; Councilmember JC Harris; and Councilmember Matt Mahoney

Council Via Zoom:

Councilmember Jeremy Nutting

Staff Present:

City Manager Katherine Caffrey; Assistant City Manager Adrienne Johnson-Newton; City Attorney Tim George; Assistant City Attorney Matt Hutchins; Director of Administrative Services Bonnie Wilkins; Finance Director Jeff Friend; Assistant Police Chief Kevin Penney; Community Development Director Rebecca Deming; Planning & Development Services Manager Laura Techico; Senior Planner Jason Woycke; Public Works Director Michael Slevin; City Engineer Tommy Owen; Surface Water and Environmental Engineering Manager Tyler Beekley; Civil Engineer I Alex Johnson; Communications and Community Programs Analyst Alexandra Reyes; Deputy City Clerk Sara Lee; and City Clerk Taria Keane

CORRESPONDENCE NOT PREVIOUSLY RECEIVED BY COUNCIL

- No additional correspondence outside of the emails already received by Council.

COMMENTS FROM THE PUBLIC

- Chris DeLaRosa, FLOCK
- Dave Kaplan, Public Service
- Bettina Carey, Public Service
- Chuck Coleman, Public Service
- Judy Grande, FLOCK
- Tina Orwall, Mayor Buxton

REGIONAL COMMITTEE REPORT

EMERGENCY MANAGEMENT ADVISORY COMMITTEE MEETING

- Councilmember JC Harris gave an update on the Emergency Management Advisory Committee Meeting held on December 10, 2025.

PUGET SOUND REGIONAL COUNCIL TRANSPORTATION POLICY BOARD

- Councilmember Matt Mahoney gave an update on the Puget Sound Regional Council Transportation Policy Board meeting held on December 11, 2025.

CITY MANAGER REPORT/PRESENTATIONS/BRIEFINGS

Item 1: CITIZENS ADVISORY BOARD

- Citizens Advisory Board Member Victoria Andrews gave an overview on the items the Citizens Advisory Board worked on in 2025.

Item 2: RECOGNITION OF OUTGOING COUNCILMEMBER SERVICE

- City Manager Katherine Caffrey recognized the service of Councilmember Matt Mahoney and Mayor Traci Buxton.

At 6:40 p.m. Council took an 11 minute break.

At 6:51 p.m. the meeting resumed.

CONSENT AGENDA

Item 1: APPROVAL OF VOUCHERS

Motion: To approve the payment vouchers through November 26, 2025 in the attached list and further described as follows:

EFT Vendor Payments	#12812-12829	\$83,719.74
Wires	#3166-3176	\$673,754.47

Total Checks and Wires for A/P & Payroll: \$757,474.21

Item 2: APPROVAL OF MINUTES

Motion: To approve the minutes for the November 04, 2025 City Council Study Session.

Item 3: CREATING PUBLIC SAFETY SALES TAX FUND - 2nd READING

Motion: To enact Draft Ordinance No. 25-105, amending DMMC 3.51.103 to repurpose the Public Safety Levy Fund as the Public Safety Sales Tax Fund.

Item 4: 2026 VEHICLE PURCHASE

Motion: To approve the purchase of vehicles identified in Attachment 1 for a total estimated amount of \$744,000 and to authorize the City Manager or the City Manager's designee to sign the purchase orders at the time they are created.

Item 5: 2026-2027 ON-CALL CONSULTANT AGREEMENTS FOR CIVIL ENGINEERING SERVICES

Motion: To approve the Consultant Services Contract for On-Call Civil Engineering Services (2026-2027) with Century West Engineering, Exeltech, KBA Inc., Kittelson & Associates, Inc., KPFF Consulting Engineers., NV5, Parametrix, Perteet, Psomas, SCJ Alliance, and Transpo Group each up to \$1,250,000.00, and authorize the City Manager to sign the Consultant Services Contracts substantially in the form as submitted.

Item 6: PLANNING COMMISSION ORDINANCE - 2nd READING

Motion: To adopt draft Ordinance 25-108 creating the Planning Commission.

Item 7: MARINA STEPS INNOVATIVE STORMWATER BIORETENTION TESTING, ON-CALL GENERAL ENGINEERING SERVICES TASK ASSIGNMENT-WITH PSOMAS
Motion: To approve the 2024-2025 On-Call General Civil Engineering Services Task Assignment 2025-016 with Psomas, Inc. to provide stormwater bioretention testing and reporting in association with the Marina Steps Project in the amount not to exceed \$214,607.00 and authorize the City Manager to sign said Task Assignment substantially in the form as submitted.

Item 8: ANIMAL CONTROL CONTRACT
Motion: To approve the contract with Burien CARES in the amount of \$80,000 per year for expanded animal control services in 2026 and 2027, and authorize the City Manager to sign the contract substantially in the form as attached.

Item 9: 16TH AVE PIPE PROJECT CONSULTANT ON-CALL AGREEMENT TASK ASSIGNMENT FOR ENGINEERING SERVICES
Motion: To approve the 2024-2025 On-Call General Civil Engineering Services Task Assignment 2025-02 Supplement with Perteet to provide design and permitting services for the 16th Ave Pipe Project in the amount of \$234,938.00 and authorize the City Manager to sign said Task Assignment Supplement substantially in the form as submitted.

Direction/Action

Motion made by Councilmember Matt Mahoney to approve the Consent Agenda as read; seconded by Deputy Mayor Harry Steinmetz.
Motion passed 7-0

PUBLIC HEARING/CONTINUED PUBLIC HEARING

Item 1: 2025/2026 BIENNIAL BUDGET AMENDMENTS
Staff Presentation by Finance Director Jeff Friend

At 6:52 p.m. Mayor Traci Buxton opened the Public Hearing.

Finance Director Jeff Friend gave a PowerPoint Presentation on the 2025/2026 Biennial Budget Amendments.

Mayor Traci Buxton asked 3 times if anyone wished to speak.

Mayor Traci Buxton asked Council if they had any questions.

At 7:20 p.m. Mayor Traci Buxton closed the Public Hearing.

Direction/Action

Main Motion made by Councilmember Matt Mahoney to enact Draft Ordinance No. 25-092, relating to municipal finance and amending the 2025/2026 Biennial Budget adopted in Ordinance No. 1813; seconded by Deputy Mayor Harry Steinmetz.

Amended Motion made by Councilmember JC Harris to amend Draft Ordinance No. 25-092 to require a supermajority of the Council to approve use of the contingency.
Motion died for lack of a second.

Main Motion passed 7-0.

Item 2: WESLEY HOMES MASTER PLAN AMENDMENT
Staff Presentation by Senior Planner Jason Woycke

At 7:32 p.m. Mayor Traci Buxton opened the Public Hearing.

Senior Planner Jason Woycke, Wayne Carlson Principal Land Use Planner with AHBL, and Steve Nornes Senior Project Developer with Senior Housing Partners gave a PowerPoint Presentation on the Wesley Homes Master Plan Amendment.

Mayor Traci Buxton asked all Councilmembers if they had any of the following:

1. A demonstrated biased or prejudice for or against any party to the proceedings.
2. A direct or indirect monetary interest in the outcome to the proceedings.
3. A prejudgment of the issue prior to hearing the facts on the record.
4. Ex parte contact with any individual, excluding administrative staff, with regard to an issue prior to the hearing.

All Councilmembers did not.

Mayor Traci Buxton asked 3 times if anyone wished to speak.

Mayor Traci Buxton asked Council if they had any questions.

At 7:55 p.m. Mayor Traci Buxton closed the Public Hearing.

Direction/Action

Motion made by Councilmember Matt Mahoney to approve Draft Resolution 25-120 approving the Master Plan Amendment for the proposed Wesley Homes project LUA2025-0026 subject to conditions set forth in the Resolution.; seconded by Councilmember Jeremy Nutting.

Motion passed 7-0.

NEW BUSINESS

Item 1: GRANT ACCEPTANCE AND ECONOMIC DEVELOPMENT PARTNERSHIP AGREEMENT WITH PORT OF SEATTLE
Staff Presentation by City Manager Katherine Caffrey

- City Manager Katherine Caffrey gave a PowerPoint Presentation on the Grant Acceptance and Economic Development Partnership with Port of Seattle.

Direction/Action

Motion made by Deputy Mayor Harry Steinmetz to accept the grant funding from the Port of Seattle in the amount of \$68,800 and authorize the City Manager to sign the Economic Development Partnership Agreement (P-00322557) substantially in the form as attached; seconded by Councilmember Matt Mahoney.

Motion passed 6-1.

For: Mayor Traci Buxton, Deputy Mayor Harry Steinmetz, Councilmember Yoshiko Grace Matsui, Councilmember Gene Achziger, Councilmember Matt Mahoney, and Councilmember Jeremy Nutting.

Against: Councilmember JC Harris

Item 2: ECONOMIC DEVELOPMENT SUPPORT SERVICES-
PROFESSIONAL SERVICES AGREEMENT WITH EERNISSEE
CONSULTING

- Dan Eernissee with Eernissee Consulting gave a PowerPoint Presentation on the Economic Development Support Services - Professional Services Agreement with Eernissee Consulting.

Direction/Action

Motion made by Councilmember Matt Mahoney to move to approve the Agreement with Eernisse Consulting for Economic Development Services in the amount not to exceed \$96,000, and further authorize the City Manager to sign said Contract substantially in the form as submitted; seconded by Deputy Mayor Harry Steinmetz. Motion passed 6-1.

For: Mayor Traci Buxton, Deputy Mayor Harry Steinmetz, Councilmember Yoshiko Grace Matsui, Councilmember Gene Achziger, Councilmember Matt Mahoney, and Councilmember Jeremy Nutting.

Against: Councilmember JC Harris

Item 3: NEW AGENDA ITEMS FOR CONSIDERATION – 10 Minutes

- There were no New Agenda Items for Consideration

COUNCILMEMBER REPORTS

(4 minutes per Councilmember) - 30 minutes

COUNCILMEMBER YOSHIKO GRACE MATSUI

- Town Hall Meeting

COUNCILMEMBER JEREMY NUTTING

- No Report

COUNCILMEMBER JC HARRIS

- Citizens Advisory Board
- Community Outreach
- Budget

COUNCILMEMBER GENE ACHZIGER

- New Light Rail Station
- Tree Lighting at the Marina
- Redondo Bonfire
- Thank you to Mayor Traci Buxton and Councilmember Matt Mahoney

DEPUTY MAYOR HARRY STEINMETZ

- New Light Rail Station
- Des Moines Historical Society
- Tree Lighting at the Marina
- Citizens Advisory Board
- Town Hall Meeting
- Redondo Bonfire
- Thank you to Mayor Traci Buxton and Councilmember Matt Mahoney

COUNCILMEMBER MATT MAHONEY

- Reflection on Council Service

PRESIDING OFFICER'S REPORT

- Reflection on Council Service

NEXT MEETING DATE

January 08, 2026 City Council Regular Meeting

ADJOURNMENT

Direction/Action

Motion: made by Councilmember Matt Mahoney to adjourn; seconded by Deputy Mayor Harry Steinmetz.
Motion passed 7-0.

The meeting adjourned at 9:00 p.m.

**City Council
AGENDA ITEM**

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: South County Area Transportation Board Agreement

ATTACHMENTS:

1. 2026-2029 South County Area
Transportation Board Agreement

FOR AGENDA OF:

January 8, 2026

DEPT OF ORIGIN:

Public Works

DATE SUBMITTED:

12/29/2025

CLEARANCES:

Public Works

City Clerk

Purpose and Recommendation

The purpose of this item is to authorize the City Manager to enter into the attached agreement for the South County Area Transportation Board. The term of the agreement is 2026 through 2029 at an annual rate of \$100.

Suggested Motion:

Motion: "I move to approve the Agreement with South County Area Transportation Board for the 2026 to 2029 term, and authorize the City Manager to sign the Agreement substantially in the form as submitted."

Background

This agreement recognizes that multi-jurisdictional transportation planning and coordinated transportation plans benefit the citizens of South King County. As such the South County Area Transportation Board (SCATB) has served as the central forum for information sharing, consensus building, and coordination to develop recommendations for transportation policies, projects and programs for the south King County. The City of Des Moines is an active member of the board and holds one voting seat.

Discussion

The purpose of this Agreement is to recognize the South County Area Transportation Board as the transportation board for the south King County area to share information, build consensus, and provide advice on plans, programs, policies and priorities for countywide, regional, state, and federal transportation decisions.

The current Des Moines seat on the board is vacant due to the expiration of Councilmember Mahoney's term on the City Council. It is anticipated that the Council will choose a new representative to serve on the board soon.

Jurisdictions that are signatories to this agreement shall have full voting rights on all of the following issues before the South County Area Transportation Board, unless otherwise noted, including:

1. Administrative issues, such as additional members and use of dues.
2. Identification of projects for the regional competition, if prescribed by the process approved by the King County caucus of the Transportation Policy Board.
3. Recommendations to Sound Transit on policies, capital and service plans, and implementation.
4. Recommendations to King County on Metro Transit planning, development, and implementation of products and services.
5. Recommendations to WSDOT on policies, programs, and projects.
6. Recommendations to the PSRC on plans, policies, programs, and projects such as Transportation 2040 updates and regional funding policies, strategies or programs.
7. Recommendations to the State Legislature and state committees and commissions established by the Legislature on transportation policy, budgets, priorities, legislative proposals, and studies.
8. Recommendations to the federal delegation on federal legislation including reauthorization and funding priorities and other transportation-related programs.
9. Letters of support for transportation projects.

Alternatives

Council could decline representation on the board.

Financial Impact

The annual dues for participation on the SCATB are \$100 per voting member and the City of Des Moines has one voting member. The dues are within the transportation budget.

Recommendation

Staff recommends continued membership on the board and approval of the SCATB agreement.

South County Area Transportation Board Agreement

Parties to Agreement

City of Algona
City of Auburn
City of Black Diamond
City of Burien
City of Covington
City of Des Moines
City of Enumclaw
City of Federal Way
City of Kent
City of Maple Valley
City of Milton
City of Normandy Park
City of Pacific
City of SeaTac
City of Tukwila
Muckleshoot Indian Tribe
King County

Transmitted to parties for approval and signature on October 17, 2025.

THIS AGREEMENT is made and entered into by and among the CITY OF ALGONA, hereafter called “Algona”; the CITY OF AUBURN, hereafter called “Auburn”; the CITY OF BLACK DIAMOND, hereafter called “Black Diamond”; the CITY OF BURIEN, hereafter called “Burien”; the CITY OF COVINGTON, hereafter called “Covington”; the CITY OF DES MOINES, hereafter called “Des Moines”; the CITY OF ENUMCLAW, hereafter called “Enumclaw”; the CITY OF FEDERAL WAY, hereafter called “Federal Way”; the CITY OF KENT, hereafter called “Kent”; the CITY OF MAPLE VALLEY, hereafter called “Maple Valley”; the CITY OF MILTON, hereafter called “Milton”; the CITY OF NORMANDY PARK, hereafter called “Normandy Park”; the CITY OF PACIFIC, hereafter called “Pacific”; ; the CITY OF SEATAC, hereafter called “SeaTac”; the CITY OF TUKWILA, hereafter called “Tukwila”; the MUCKLESHOOT INDIAN TRIBE; and KING COUNTY, a legal subdivision of the State of Washington, hereafter called “King County” as members of the South County Area Transportation Board.

WHEREAS, the parties to this agreement recognize that multi-jurisdictional transportation planning and coordinated transportation plans benefit their citizens; and

WHEREAS, the South County Area Transportation Board has served as the central forum for information sharing, consensus building, and coordination to develop recommendations for transportation policies, projects and programs for the south King County area;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1.0 Purpose of this Agreement

The purpose of this Agreement is to recognize the South County Area Transportation Board as the transportation board for the south King County area to share information, build consensus, and provide advice on plans, programs, policies and priorities for countywide, regional, state, and federal transportation decisions.

2.0 Members and Voting

Members shall have full voting rights, limited voting rights, or shall be non-voting members, as follows:

2.1 Members with Full Voting Rights: Only jurisdictions which are signatories to this agreement shall have full voting rights on all of the following issues before the South County Area Transportation Board, unless otherwise noted, including:

1. Administrative issues, such as additional members and use of dues.
2. Identification of projects for the regional competition, if prescribed by the process approved by the King County caucus of the Transportation Policy Board.
3. Recommendations to Sound Transit on policies, capital and service plans, and implementation.
4. Recommendations to King County on Metro Transit planning, development, and implementation of products and services.
5. Recommendations to WSDOT on policies, programs, and projects.
6. Recommendations to the PSRC on plans, policies, programs, and projects such as Transportation 2040 updates and regional funding policies, strategies or programs.
7. Recommendations to the State Legislature and state committees and commissions established by the Legislature on transportation policy, budgets, priorities, legislative proposals, and studies.
8. Recommendations to the federal delegation on federal legislation including reauthorization and funding priorities and other transportation-related programs.
9. Letters of support for transportation projects.

2.2 Members with Limited Voting Rights: The South County Area Transportation Board may add members with limited voting rights on the issues such as those listed below by unanimous vote of the parties to this agreement in attendance at a regular meeting.

1. Recommendations to WSDOT on policies, programs, and projects.
2. Recommendations to the PSRC on plans, policies, programs and projects such as Transportation 2040 updates and regional funding policies, strategies or programs.
3. Recommendations to the State Legislature and state committees and commissions established by the Legislature on transportation policy, budgets, priorities, legislative proposals, and studies.
4. Recommendations to the federal delegation on federal legislation including reauthorization and funding priorities and other transportation-related programs.

2.2(a) Such members and voting rights, if any, shall be listed in operating procedures to be adopted by the South County Area Transportation Board.

2.3 Non-Voting Members: The South County Area Transportation Board may add non-voting members by unanimous vote of the parties to this agreement in attendance at a regular meeting. The South County Area Transportation Board may remove non-voting members by a unanimous vote of the parties to the agreement at a regular meeting.

2.3(a) Such members shall be included in operating procedures to be adopted by the South County Area Transportation Board.

3.0 Representation and Conduct

3.1 Representation of city and county members shall be as follows:

Full Voting Members	Number of Representatives/Votes
City of Algona	1
City of Auburn	1
City of Black Diamond	1
City of Burien	1
City of Covington	1
City of Des Moines	1
City of Enumclaw	1
City of Federal Way	1
City of Kent	1
City of Maple Valley	1
City of Milton	1
City of Normandy Park	1
City of Pacific	1
City of SeaTac	1
City of Tukwila	1
Muckleshoot Indian Tribe	1
King County	3

3.2 Elected officials shall be appointed to the South County Area Transportation Board by their cities and counties for a one-year term. King County representation shall be a maximum of two Councilmembers and the King County Executive.

3.3 Each city or county participating member may appoint an alternate for a one-year term. Designated alternates may vote in place of designated voting representatives in the absence of the designated representative.

4.0 Operating Procedures

4.1 The South County Area Transportation Board shall adopt operating procedures to specify limited voting members and non-voting members, if any, dues for limited and non-voting members, if any, and operational issues such as election of officers, formation of subcommittees and rules of order. A chair and vice-chair or co-chairs shall be elected per the operating procedures and shall be responsible for setting meeting agenda, running meetings and any other activities identified in the operating procedures.

5.0 Lead Agency

5.1 King County will be the Lead Agency for receipt and disbursement of funds collected through annual dues, and general administrative and program support for the South County Area Transportation Board. King County assumes wage and benefit costs of its staff performing Lead Agency responsibilities to the extent that King County appropriates such funds. The Lead Agency, in its sole discretion, shall determine the level of staffing available based upon funding.

5.2 Lead Agency responsibilities may be limited to: maintaining the South County Area Transportation Board membership rosters and distribution lists; arranging for Board meetings, including scheduling, agendas and rooms; collecting, administering and disbursing Board dues; providing Board meeting support to the chair and vice chair or co-chairs; attending Board meetings; and preparing Board meeting summaries.

6.0 Financing and Cost Sharing Guidelines

6.1 Annual Review of Financing: The South County Area Transportation Board shall determine by June 30 of each year whether annual dues of \$100.00 per voting representatives will be required of the South County Area Transportation Board member jurisdictions for the following year. Additionally, King County will provide the South County Area Transportation Board a status update on funds collected and funds remaining by June 30 of each year.

6.2 Yearly Dues: The Lead Agency may bill annually at the end of each year, and dues are to be paid within ninety days after receipt of the invoice. Members not in good standing shall lose voting rights until the required dues are paid. Additional dues above \$100.00, and any dues required by limited or non-voting members, will be determined by the South County Area Transportation Board as prescribed in the operating procedures. Revenue from dues shall be used for refreshments, room rentals, speaker fees, special events, public education, or other expenses authorized by the South County Area Transportation Board. The designated Lead Agency shall not be required to pay yearly dues.

6.3 Additional financial contributions: If additional financial contributions beyond an increase in dues are determined to be necessary, costs shall be shared among all voting members, with an option for King County to recuse itself from further financial obligations. Recused members may not vote on determining the additional financial contribution or uses for the additional funds.

6.4 Modification to Agreement Required: If additional funds are determined to be necessary, a modification to this agreement specifying cost-sharing, purpose, scope of work, administration, collection and disbursement of funds and other details is required in order to obligate a member jurisdiction to funding participation.

7.0 Withdrawal of a Party from this Agreement

Each party, for its convenience and without cause or for any reason whatsoever, may withdraw from participation in this Agreement by providing written notice, sent certified mail, return receipt required, to the chair of the South County Area Transportation Board at least thirty (30) days in advance of the effective date of the withdrawal. A withdrawing party shall not be entitled to a refund of any payments to the South County Area Transportation Board and shall pay any dues required to be paid under this Agreement for costs which had been obligated prior to the effective date of the withdrawal. All obligations other than dues cease upon withdrawal.

Each party's funding to perform its obligations under the Agreement, beyond the current appropriation year, is conditional upon appropriation by the party's governing body of sufficient funds. Should such an appropriation not be approved for a future year, a party may exercise its right to withdraw from the Agreement.

8.0 Duration

This Agreement shall take effect upon being duly adopted by the governing bodies of all parties and executed by the authorized representatives of all parties. This Agreement shall remain in effect until December 31, 2027, provided that unless terminated earlier in accordance with Section 9.0, this Agreement shall be automatically extended upon the same terms or conditions for another term commencing January 1, 2028, and ending no later than December 31, 2029.

9.0 Termination

All parties to this Agreement must agree to terminate this Agreement in order for such termination to be effective. If all parties desire to terminate this Agreement, they shall execute a Statement of Termination. Upon termination, no party shall be required to make any additional contributions. Any remaining funds shall be refunded to the parties to this Agreement according to Section 11.0.

10.0 Real and Personal Property

The acquisition of real property is not anticipated under this Agreement. Any personal property acquired pursuant to this Agreement shall be held by the Lead Agency. In the event this Agreement expires or is terminated in accordance with Section 8.0 or 9.0, any personal property other than cash shall remain with the Lead Agency.

11.0 Return of Funds

At such time as this Agreement expires without being extended or revised, or is terminated in accordance with Section 9.0, any unexpended and uncommitted funds shall be distributed proportionately to those parties to this Agreement at the time of termination based on each party's percentage share of the total balance at the time of termination.

12.0 Filing

This Agreement shall be filed with the King County Department of Records and Elections.

13.0 Legal Relations

13.1 The parties shall comply with all applicable state and federal laws and regulations.

13.2 This Agreement is solely for the benefit of the parties hereto and gives no right to any other party. No joint venture or partnership is formed as a result of this Agreement. No employees or agents of one party or any of its contractors or subcontractors shall be deemed, or represent themselves to be, employees of any other party.

13.3 Each party shall defend, indemnify and hold harmless the other party and all of its officials, employees, principals and agents from all claims, demands, suits, actions, and liability of any kind whatsoever which arise out of, are connected with, or are incident to any negligent acts of the first party, its contractor, and/or employees, agents, and representatives in performing the first party's obligations under this Agreement. The parties agree that their obligations under this paragraph extend to claims made against one party by the other party's own employees. For this purpose, the parties, by mutual negotiation, hereby waive any immunity that, as respects the other party only, would otherwise be available against such claims under the industrial insurance provisions of RCW Title 51. In the event

either party incurs attorney's fees, costs or other legal expenses to enforce the provisions of this section, against the other party, all such fees, costs and expenses shall be recoverable by the prevailing party.

13.4 The provisions of this Section shall survive and remain applicable to each of the parties notwithstanding any termination or expiration of this Agreement and notwithstanding a party's withdrawal from this Agreement.

14.0 Entirety and Modifications

14.1 This Agreement merges and supersedes all prior negotiations, representations and agreements between the parties relating to the subject matter hereof and constitutes the entire agreement between the parties.

14.2 This Agreement may be modified or extended only by written instrument signed by all the parties hereto.

15.0 Counterparts

The signature pages of this Agreement may be executed in any number of counterparts, each of which shall be an original. For purposes of this Agreement, a duly authorized electronic signature constitutes an original signature.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed and delivered by its duly authorized officer or representative as of the date set forth below its signature.

City of Algona By: _____ Date: _____	City of Auburn By: _____ Date: _____	City of Black Diamond By: _____ Date: _____
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City of Burien By: _____ Date: _____	City of Covington By: _____ Date: _____	City of Des Moines By: _____ Date: _____
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City of Enumclaw By: _____ Date: _____	City of Federal Way By: _____ Date: _____	City of Kent By: _____ Date: _____
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City of Maple Valley By: _____ Date: _____	City of Milton By: _____ Date: _____	City of Normandy Park By: _____ Date: _____
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City of Pacific By: _____ Date: _____	City of SeaTac By: _____ Date: _____	City of Tukwila By: _____ Date: _____
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Muckleshoot Indian Tribe By: _____	King County By: _____
---------------------------------------	--------------------------

Date: _____ Date: _____

**City Council
AGENDA ITEM**

**BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA**

SUBJECT: Unit Lot Subdivision, Lot Splitting, and Substandard or Nonconforming Lot Regulations Update -1st Reading

ATTACHMENTS:

1. Draft Ordinance No. 25-117
2. Unit Lot Subdivision & Lot Splitting
Draft Ordinance PowerPoint

FOR AGENDA OF:

January 8, 2026

DEPT OF ORIGIN:

Community Development

DATE SUBMITTED:

12/19/2025

CLEARANCES:

City Clerk
Community Development
Public Works

Purpose and Recommendation

The purpose of this agenda item is for the Council to hold a Public Hearing and consider passing a Draft Ordinance to a second reading adopting the Unit Lot Subdivision, Lot Splitting, and Substandard or Nonconforming Lot Draft Ordinance No 25-117.

Suggested Motion:

Motion:“I move to pass Draft Ordinance 25-117 to a second reading on January 22, 2026.”

Background

The 2025 Washington State legislative session passed several housing and land use bills, including Engrossed Substitute House Bill (ESHB) 5559 related to unit lot subdivisions, and Engrossed Second Substitute House Bill (E2SHB) 1096 related to lot splitting. State law requires cities, towns and counties in Washington State to update their subdivision regulations to incorporate these processes within two years of the May 20, 2025 effective date or as part of their 2027 comprehensive plan periodic update process (the latter is not applicable to Des Moines).

City staff conducted a review of Des Moines' existing regulations to ensure compliance with ESHB 5559 and E2SHB 1096. As a result of the review, proposed code amendments add new chapters to Title 17 Des Moines Municipal Code (DMMC) entitled "Unit Lot Subdivisions" and "Lot Splitting" and amendments to DMMC 18.190.280 Substandard or nonconforming lots in residential or commercial Zones.

These proposed code changes would build upon the recent zoning code updates related to middle housing (Ordinance No. 1821) and accessory dwelling units (Ordinance No. 1820). The unit lot subdivision and lot splitting updates are being undertaken to help the state address its housing shortage and affordability. Unit lot subdivisions allow the division of multiple housing units, including middle housing and accessory dwelling units, into separate lots for sale to individual owners to provide fee simple homeownership opportunities. This allows smaller units on smaller lots, providing a more affordable ownership unit. Lot splitting allows for a more streamlined administrative process to split an existing lot into two concurrently with the review of a residential building permit.

Discussion

Discussion will focus on adding new chapters entitled 'Unit Lot Subdivisions' and 'Lot Splitting' as well as proposed amendments to DMMC 18.190.280 Substandard or nonconforming lots in Residential or Commercial Zones. (Attachment 1).

Proposed Code/Rationale:

Definitions. The following definitions will be added to the subdivision code in DMMC 17.01.050:

- "Lot,parent (unit lot subdivision)" means a lot which is subdivided into unit lots through the unit lot subdivision process.
- "Lot,parent (lot splitting)" means a lot which is split into two lots through a lot splitting process.
- "Lot, unit" means a lot created from a parent lot and approved through the unit lot subdivision process.
- "Lot split" means the administrative process of dividing an existing lot into two lots for the purpose of sale, lease, or transfer of ownership.
- "Lot split survey" means the final survey prepared for filing for record with the county auditor and containing all elements and requirements for a lot split under this title.
- "Unit lot subdivision" means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.

Zoning Districts. Unit lot subdivision and lot splitting regulations will apply to the same zones identified during the middle housing updates, those whose purpose is predominantly for residential use, excluding portions designated as environmentally critical areas. The zoning districts include:

- R-SE: Suburban Estate Zone;
- R-SR: Suburban Residential Zone;
- Single Family Residential (SFR) Zones designated as: RS-15,000; RS-9,600; RS-8,400; RS-7,200 and RS-4,000;
- RA-3600: Attached Townhouse and Duplex 3,600 Zone; and
- RM-2400: Multifamily 2,400 Zone.

Unit Lot Subdivisions. A new chapter entitled ‘Unit Lot Subdivisions’ will be added to Title 17 DMMC.

- The purpose of this chapter is to adopt the process for the creation of unit lots for single family, middle housing and accessory dwelling unit development through established subdivision procedures while generally only applying development standards to the parent site as a whole rather than to individual unit lots. In order to be eligible for the unit lot subdivision process, the parent parcel shall meet all Title 18 DMMC standards of the applicable zone in which it is located. Development on individual unit lots shall meet building and fire code separation requirements.
- Requests for unit lot subdivisions shall be processed and decided upon as specified in chapter 17.05 DMMC Short Subdivisions. The title of the recorded plat shall include the phrase ‘Unit Lot Subdivision’.
- Common areas outside of the unit lots shall be placed in tracts or easements and owned in common by the owners of the unit lots or a homeowners’ association.
- Dedication of right-of-way may be required, but frontage improvements would be required only when triggered by the applicable codes for the development/construction of the lots.

In general, unit lot subdivisions create new lots much like a typical short subdivision, except the development standards for the underlying zone are applied only to the parent lot as a whole. This allows for smaller units on smaller lots, resulting in a more attainable ownership unit for a homeowner to gain equity on the home.

Lot Splitting. A new chapter entitled ‘Lot Splitting’ will be added to Title 17 DMMC.

- The purpose of this chapter is to adopt an administrative process for splitting and existing, residential lot into no more than two lots, that are conforming in lot area and width, to facilitate the construction of middle or single-family housing.

- The lot splitting process may be completed concurrently with a residential building permit.
- Dedication of right-of-way or construction of frontage improvements may be required when triggered by the applicable codes for the development/construction of the lots.
- The review process would mirror that of a lot line adjustment and include a recording of a survey rather than a two-lot short subdivision process. The title of the recorded survey will include the phrase 'Lot Split'.

In general, lot splitting provides a simpler, streamlined process that can be combined with the review of a residential building permit. The process only requires a Type I administrative decision by the director(s) per chapter 18.20 DMMC versus a Type II decision requiring public comment that would typically be required by a preliminary short subdivision decision.

Substandard or Nonconforming Lots. Changes are proposed to DMMC 18.190.280 in order to bring it more in line with the intent of the unit lot subdivision codes, which allow for development on separately owned lots less than the minimum lot area allowed in the zone. The code changes include removing the restriction that substandard lots that were under common ownership at some point as far back as 1988 would not be considered separate building sites. As proposed, owners of two or more previously platted lots may use them for up to two building sites, provided they meet the applicable development standards. If they own more than two substandard lots, any additional building sites must be at least 50% of the minimum lot area for the zone.

Alternatives

State law (RCW 58.17.060(3) and RCW 58.17.145) requires cities to revise their regulations as needed, within two years of the May 20, 2025 effective date, to conform with current unit lot subdivision and lot splitting requirements. No alternative courses of action are permitted under ESHB 5559 and E2SHB 1096. After the applicable deadline, cities must accept, process, and approve applications consistent with the new state legislation.

Financial Impact

Unknown

Recommendation

Staff recommends passing Draft Ordinance 25-117 relating to land use and updating regulations related to unit lot subdivisions, lot splitting, and substandard or nonconforming lots to a second reading on January 22, 2026.

CITY ATTORNEY'S FIRST DRAFT 12/29/2026

DRAFT ORDINANCE NO. 25-117

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON adding new chapters to Title 17 DMMC entitled "Unit Lot Subdivisions" and "Lot Splitting" and amending DMMC 18.190.280 Substandard or nonconforming lots.

WHEREAS, in 2025 the Washington state Legislature passed Engrossed Substitute House Bill (ESHB) 5559, amending RCW 58.17.020 and RCW 58.17.060, related to unit lot subdivisions, and

WHEREAS, in 2025 the Washington state Legislature passed Engrossed Second Substitute House Bill (E2SHB) 1096, amending RCW 36.70A.635, adding a new section to chapter 58.17 RCW and creating new sections related to lot splitting, and

WHEREAS, in passing ESHB 5559 and E2SHB 1096 the Legislature requires local jurisdictions to include procedures for unit lot subdivisions allowing division of a parent lot into separately owned unit lots and to establish an administrative process for lot splitting, and

WHEREAS, in passing E2SHB 1110 related to middle housing, the State legislature found that Washington is facing an unprecedented housing crisis for its current population and a lack of housing choices, and is not likely to meet affordability goals for future populations, and

WHEREAS, the Des Moines City Council passed Ordinance 1821 relating to zoning and the regulation of middle housing on June 12, 2025, and

WHEREAS, the Des Moines City Council passed Ordinance 1820 relating to zoning and the regulation of accessory dwelling units on June 12, 2025, and

WHEREAS, the adoption of unit lot subdivision and lot splitting provisions would allow for the subdivisions of single family, middle, and accessory dwelling unit housing types and therefore expand fee-simple homeownership opportunities, and

WHEREAS, Des Moines Comprehensive Plan Housing Element Policies encourage housing opportunities throughout the City and

support a range of housing choices for different household types and income levels; and

WHEREAS, the City is required under RCW 36.70A.040(4)(d) to implement the goals and policies of the City's Comprehensive Plan by adoption of implementing development regulations, and

WHEREAS, on December 8, 2025, the City submitted the proposed amendment to the Washington State Department of Commerce for its expedited 30-day review and received documentation of completion of the procedural requirement (Submittal ID 2025-S-11223), and

WHEREAS, the changes proposed by this ordinance have been processed in accordance with the requirements of the State Environmental Policy Act (SEPA), a final determination of non-significance was issued by the responsible official, and the appropriate comment has expired and is not subject to legal challenge under chapter 43.21C RCW, and

WHEREAS, the Des Moines City Council held a duly noticed public hearing on January 8, 2026, and

WHEREAS, based on careful consideration of the facts and law, the City Council finds that the proposed amendments attached and incorporated herein should be approved as presented; now therefore,

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

Sec. 1. DMMC 17.01.050 and section 5 of Ordinance No. 1585 is amended to read as follows:

Definitions.

As used in this Title, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this section shall have the indicated meanings. All other words or phrases appropriate to the context of their uses shall be interpreted as defined in the Zoning Code.

...

"Director" means the Community Development Director or designee.

...

"Lot" means a fractional part of divided lands having fixed boundaries, means of access, and sufficient area and dimension to meet minimum yard, area, and open space requirements of the Zoning Code for the zone in which the lot is located at the time such lot was created.

"Lot, parent (unit lot subdivision)" means a lot which is subdivided into unit lots through the unit lot subdivision process.

"Lot, parent (lot splitting)" means a lot which is split into two lots through a lot splitting process.

"Lot, unit" means a lot created from a parent lot and approved through the unit lot subdivision process.

"Lot line adjustment" means:

- (a) A division made for the purpose of alteration by adjusting boundary lines between platted or unplatted lots or both; or
- (b) A consolidation of multiple lots into one single lot; provided, that the division or consolidation does not create any additional lot, tract, or parcel; and does not create any lot, tract, or parcel which contains insufficient area and dimension to meet minimum requirements for width and area of a building site as required by Title 18 DMMC.

"Lot split" means the administrative process of dividing an existing lot into two lots for the purpose of sale, lease, or transfer of ownership.

"Lot split survey" means the final survey prepared for filing for record with the county auditor and containing all elements and requirements for a lot split under this title.

"Material error" means an error in fact or an omission of substantive information in an application, or supplementary study, supplied to the City, which would constitute the basis for a decision.

...

"Tract" means land reserved for special uses including but not limited to open space, surface water retention, utilities, or access. Tracts are neither counted as lots nor considered building sites.

"Unit lot subdivision" means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.

"Vacation" means the elimination of a recorded lot line, right-of-way, or easement.

NEW SECTION Sec. 2. Title.

This chapter shall be entitled "Unit Lot Subdivisions."

NEW SECTION Sec. 3. Application.

This chapter shall apply to the following zoning districts which are zones predominantly for residential use:

- (a) R-SE: Suburban Estate Zone;
- (b) R-SR: Suburban Residential Zone;
- (c) Single-Family Residential (SFR) Zones designated as: RS-15,000; RS-9,600; RS-8,400; RS-7,200; and RS-4,000;
- (d) RA-3600: Attached Townhouse and Duplex 3,600 Zone;
- (e) RM-2400: Multifamily 2,400 Zone.

NEW SECTION Sec. 4. Purpose.

The purpose of this chapter is to adopt the process and procedures for the creation of unit lots for middle housing and accessory dwelling unit development through established subdivision procedures while generally only applying development standards to the parent site as a whole rather than to individual unit lots.

NEW SECTION Sec. 5. Authority.

This chapter is adopted pursuant to the provisions of RCW 58.17.020(11), (18) and (19), 58.17.030 and 58.17.060 and other applicable laws.

NEW SECTION Sec. 6. Procedure.

Requests for unit lot subdivisions shall be processed and decided upon as specified in chapter 17.05 DMMC Short Subdivisions.

NEW SECTION Sec. 7. Approval Criteria.

A unit lot subdivision creates a relationship between the parent parcel and each lot created, referred to as a "unit lot". Unit lot subdivisions shall meet all of the following standards:

- (a) Parent Parcel. In order to be eligible for the unit lot subdivision process, the parent parcel shall meet all Title 18 DMMC standards of the applicable zone in which it is located.
- (b) A unit lot subdivision cannot be used to permit land uses or densities that are not otherwise allowed in the zone in which the unit lot subdivision is proposed.
- (c) Unit lots shall be subject to applicable requirements of DMMC Titles 14, 16, 17 and 18, except as otherwise modified by this chapter.
- (d) Unit lot(s) are not subject to Title 18 DMMC dimensional standards of the applicable zoning district but shall meet the applicable building fire separation standards, fire access, adequacy of emergency vehicle access and fire protection water system standards.
- (e) Access. The parent parcel and each unit lot shall make adequate provisions for ingress and egress and parking, where required, which may or may not include use of common areas or easements.
- (f) Conditions of approval may require dedication of right-of-way but shall not require frontage improvements, unless the development of the unit

lot(s) would be required under applicable codes, regulations, and design standards to make frontage improvements.

- (g) Common Areas. Portions of the parent parcel not subdivided for unit lots shall be identified as tracts or easements and owned in common by the owners of the unit lots or by a homeowners' association comprised of the owners of the individual unit lots. Common areas shall be addressed within deed restrictions.

NEW SECTION Sec. 8. Limitations shown on unit lot subdivision.

Notes shall be prominently placed on the face of the short plat to be recorded with the County to state the following:

- (a) The title of the plat shall include the phrase "Unit Lot Subdivision."
- (b) Approval of the development (design and layout) on each unit lot was granted by the review of the development, as a whole, on the parent lot under file # _____.
- (c) Subsequent subdivision actions, additions, or modifications to the unit lot housing development, including all structures, may not create or increase any nonconformity of the parent lot as a whole, and shall conform to the approved unit lot housing development project or to the land use and development standards.
- (d) If a structure or portion of a structure within the unit lot housing development project has been damaged or destroyed, any repair, reconstruction, or replacement of any structure shall comply with chapter 18.15 DMMC - Nonconforming Buildings and Uses.
- (e) Additional development or redevelopment of the individual unit lots may be limited as a result of the application of development standards to the parent lot.

NEW SECTION Sec. 9. Title.

This chapter shall be entitled "Lot Splitting."

NEW SECTION Sec. 10. Application.

This chapter shall apply to the following zoning districts, which are zones predominantly for residential use in Des Moines:

- (a) R-SE: Suburban Estate Zone;
- (b) R-SR: Suburban Residential Zone;
- (c) Single-Family Residential (SFR) Zones designated as: RS-15,000; RS-9,600; RS-8,400; RS-7,200; and RS-4,000;
- (d) RA-3,600: Attached Townhouse and Duplex 3,600 Zone;
- (e) RM-2,400: Multifamily 2,400 Zone.

NEW SECTION Sec. 11. Purpose.

Residential lot splits are an administrative process for splitting an existing residential lot into no more than two lots to facilitate the creation of middle housing or single family housing. Residential lot splits may be combined with concurrent review of a residential building permit to create new middle housing or single family housing.

NEW SECTION Sec. 12. Authority.

This chapter is adopted pursuant to the provisions of RCW 58.17.145 and other applicable laws.

NEW SECTION Sec. 13. General Provisions.

- (1) A proposed lot split may be conditioned upon dedication of right-of-way on the parent lot to the extent such dedication is required under applicable codes, regulations, and design standards for the development, short plat, or subdivision of the parent lot absent an administrative lot split;
- (2) Development of dwelling units on the newly created lot may be conditioned upon construction of frontage improvements to a right-of-way adjacent to either the parent lot or the newly created lot to the extent required under applicable codes, regulations, and design standards.
- (3) Notwithstanding the provisions of this chapter, lots that are not buildable according to adopted development regulations

including, but not limited to, critical areas, shorelines, stormwater, setbacks, impervious surface areas, and building coverage standards are not eligible for a lot split.

(4) If a lot split results in a lot of a size that would allow for further land division, the lot is not eligible for a lot split but may be divided under other applicable land subdivision processes.

NEW SECTION Sec. 14. Decisional Criteria.

A new buildable residential lot created through a lot split and residential building permit or permits must be administratively approved and are not subject to administrative appeal if they comply with applicable development standards and the following conditions are met:

- (a) No more than one newly created lot is created through the administrative lot split;
- (b) Both the parent lot and the newly created lot meet the minimum lot size allowed under applicable development regulations;
- (c) The parent lot was not created through the splitting of a residential lot authorized by this section;
- (d) The parent lot is located in a residential zone and not in an exclusively nonresidential zone including, but not limited to, zones that are exclusively commercial, retail, agricultural, or industrial;
- (e) If the lot split would require demolition or alteration of any existing housing that would displace a renter, the applicant must recommend a displacement mitigation strategy that may include, but is not limited to, relocation assistance;
- (f) The applicable sewer and water purveyors have issued certificates of availability to serve the newly created lot and dwelling units;
- (g) Access and utility rights are granted or conveyed as necessary on or before recording of the lot split survey to provide access for the maximum number of dwelling units that could be developed on the newly created lot, provided such access rights may be reduced consistent with the city's adopted codes, regulations, or design standards as applicable

- through review of a subsequent application for a building permit, short subdivision, unit lot subdivision, subdivision application, or short subdivision if less than the maximum number of dwelling units are built on the newly created lot;
- (h) The Director or other designee determines that the application follows all applicable development regulations; and
 - (i) The lot split survey has been approved by the Director or other designee and includes a condition on the face of the survey that further lot splits of the parent lot and newly created lot are not authorized by this section.
 - (j) The title of the lot split survey shall include the phrase "Lot Split."

NEW SECTION Sec. 15. Administrative review.

(1) The owner of the subject property or the authorized agent(s) of the owner may apply for a lot split by submitting to the Community Development Department all of the information specified in DMMC 17.40.110, Application materials - Lot line adjustments.

(2) Within 14 days of issuing a notice of complete application in response to a lot splitting application, the planning official shall distribute a notice of application and request for comments. The request for comments shall contain a copy of the proposed lot split plan. The notice of application and request for comments shall be distributed to interested departments and affected agencies including, but not limited to, the Community Development Director, Public Works Director and Fire Department. The planning department shall consider all comments and information regarding the proposed lot split that are delivered to the Community Development Department within 15 days of the date of distribution. The planning official may extend the deadline for comments if he/she determines that an extension is necessary to obtain information relevant to the application.

(3) Within 30 days of the date of the notice of complete application, the Community Development Director shall approve, disapprove, or return to the applicant for modifications the

requested lot split. In making a decision, the director shall make appropriate findings of fact in writing. Following a decision, the planning official shall issue a notice of decision.

(4) If an application for a lot split is disapproved by the Community Development Director, the applicant may appeal such disapproval to the Hearing Examiner. Any such appeal shall be brought within 10 days of such disapproval and in accordance with the Hearing Examiner Code.

NEW SECTION Sec. 16. Filing for recording.

(1) The applicant shall submit to the Community Development Department, together with required recording fees, a final lot split survey meeting the requirements of this Title and the lot split approval. The submittal shall occur within 120 days following the date the lot split is approved or the lot split approval shall be deemed void and any development rights that have vested in the applicant shall be considered abandoned.

(2) The final lot split survey shall be prepared by a registered land surveyor, and shall be drawn on a standard 18-by-24-inch mylar at a scale of 1 inch equals 50 feet unless otherwise approved by the planning official. The final lot split survey shall contain language that property deeds consistent with the lot split shall be recorded with the county auditor within 270 days of the date the lot line adjustment is recorded or the lot line adjustment shall be null and void.

(3) The lot corners shall be set on the applicant's property by a registered land surveyor using appropriate permanent materials.

(4) If the lot split survey complies with the approved lot split and all requirements of this Title, the Community Development Director and Public Works Director shall sign the approved lot split survey.

(5) Within 15 days of the date the applicant submits a final lot split survey, the planning official shall transmit the approved lot split for recording with the county auditor.

NEW SECTION Sec. 17. Appeal.

A decision made pursuant to this chapter is a Type I decision. An appeal of such decision shall be as set forth in DMMC 18.20.150 and 18.20.160.

Sec. 18. DMMC 18.190.280 and section 4 of Ordinance No. 1695 is amended to read as follows:

Substandard or nonconforming lots in Residential or Commercial Zones.

In any Residential or Commercial Zone, a dwelling or building may be established on a lot which cannot satisfy the lot area requirements of the zone; provided, that:

(1) All other bulk regulations shall apply; and

~~(2) The owner of such nonconforming lot does not own any adjoining vacant lots of record of continuous boundary to which the nonconforming or substandard lot can be merged in title or with which the lot lines can be adjusted to create lots of record which satisfy the lot area requirements of the zone or create a lot of record of greater area; and~~

A person who owns two or more substandard lots may use such lots, either individually or in combination, for up to two building sites, if the building sites meet the setbacks and lot coverage requirements and the county health department standards (for septic systems) for the zone in which they are located. Additional contiguous substandard lots owned by the same person may be used for additional building sites, if the additional building sites contain at least 50 percent of the lot area required for the zone in which such building sites are located, if the building sites meet the setbacks and lot coverage requirements and the county health department standards (for septic systems) for the zone in which they are located; or

~~(3) The owner of such nonconforming lot or lots has not received a fee interest in such lot or lots from a party who at any time subsequent to April 25, 1988, held a fee interest in any adjoining lot of continuous boundary; and further provided, that The limitation in this subsection shall not apply to a party who either (a) acquires a fee interest by enforcement of a security interest in such property where the security interest was created prior to April 25, 1988, or (b) has acquired such fee~~

~~interest as the result of a judicial decree of partition by a court of competent jurisdiction; or~~

~~(4)~~ The government has acquired a portion of the property for right-of-way expansion or construction of essential public transportation facilities, subject to subsections (1), and (2), ~~and (3)~~ of this section.

Sec. 19. Codification. Sections 2 through 9 and 10 through 19 of this ordinance shall be codified as new chapters in Title 17 DMMC.

Sec. 20. Severability - Construction.

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

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

Sec. 21. 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 _____, 2026 and signed in authentication thereof this ____ day of _____, 2026.

M A Y O R

APPROVED AS TO FORM:

City Attorney

Ordinance No. _____
Page 13 of 13

ATTEST:

City Clerk

Published: _____



UNIT LOT SUBDIVISION & LOT SPLITTING DRAFT ORDINANCE

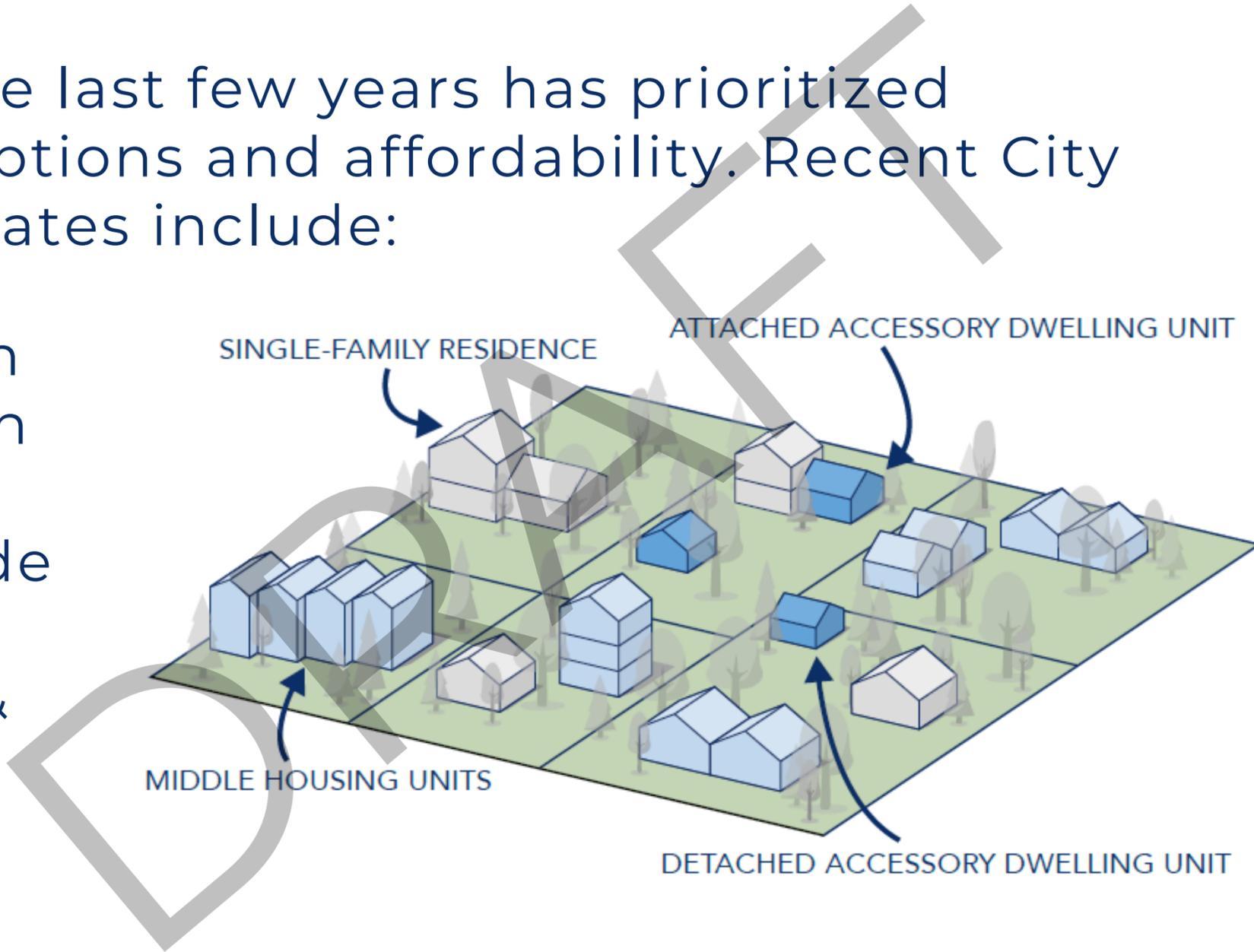
LAURA TECHICO, PLANNING & DEVELOPMENT SERVICES MANAGER
REBECCA DEMING, COMMUNITY DEVELOPMENT DIRECTOR

CITY COUNCIL 1/8/2026

Background

State legislation in the last few years has prioritized expanding housing options and affordability. Recent City project and code updates include:

- Housing Action Plan
- Comprehensive Plan Periodic Update
- Middle Housing Code
- ADU Code
- Proposed Unit Lot & Lot Splitting Codes



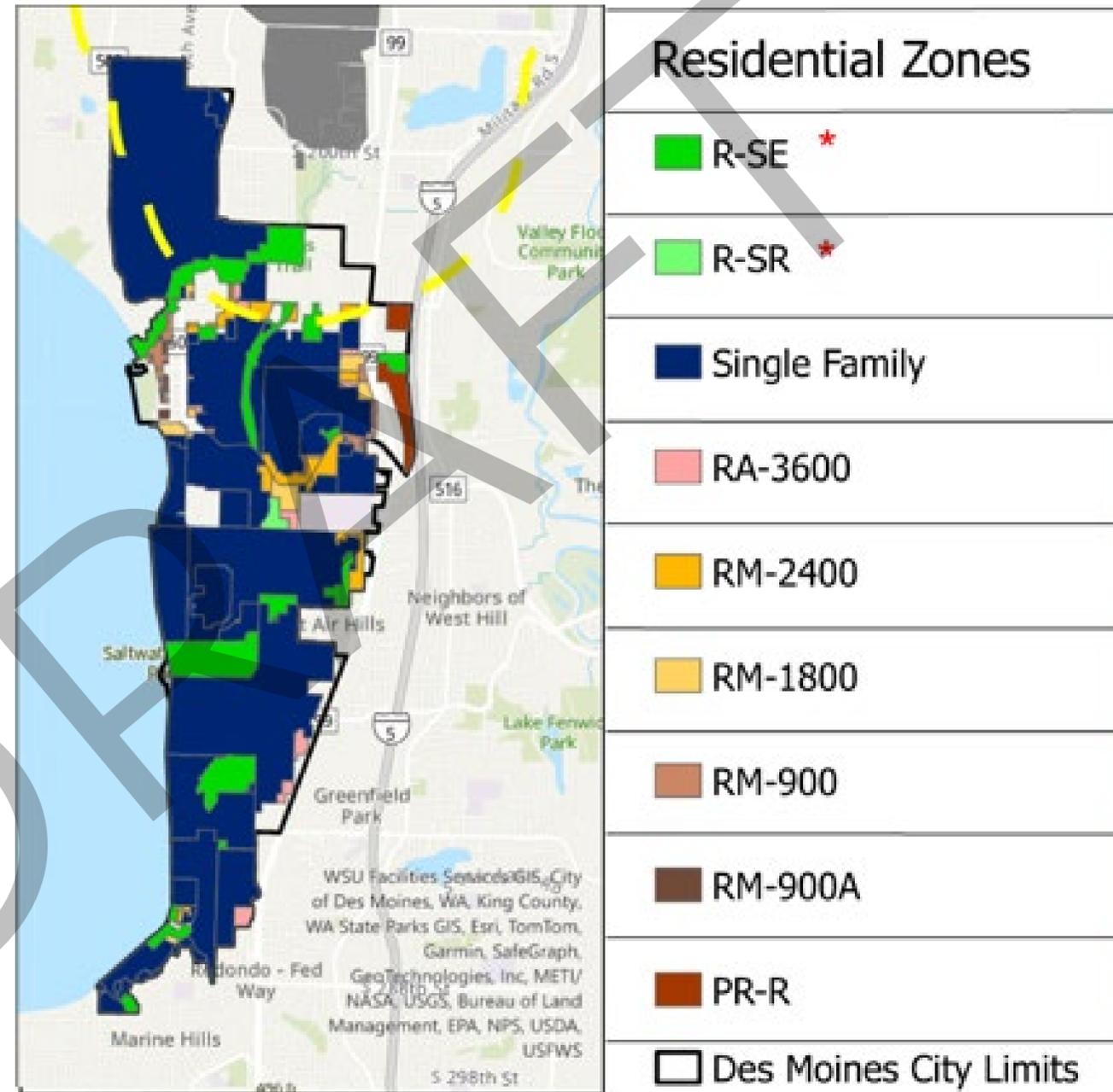
Unit Lot Subdivisions

- DEFINITION: “Unit lot subdivision” means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.”
- The purpose is to create unit lots for single family, middle housing and accessory dwelling unit development through existing subdivision procedures, while generally only applying development standards to the parent site as a whole.
- Unit lots may be smaller than the minimum lot area of the zone, resulting in smaller units on smaller lots, resulting in a more attainable ownership unit.
- Common areas outside of the unit lots shall be placed in tracts or easements and owned in common by the owners of the unit lots or a homeowners’ association.
- Dedication of right-of-way may be required, but frontage improvements would be required only when triggered by the applicable codes for the development/construction of the lots.

Zoning Districts

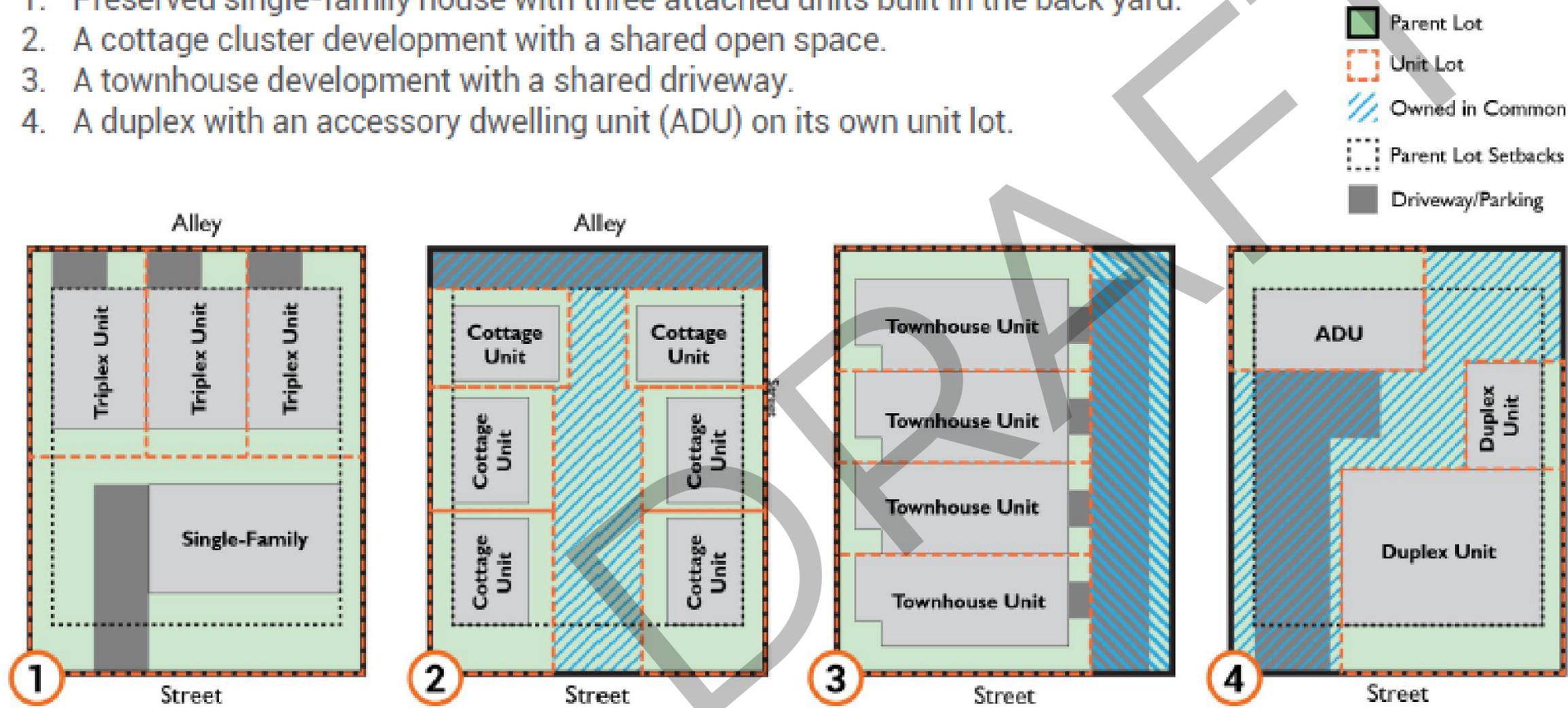
Same as Middle Housing

- Single Family Residential (SFR) Zones:
RS-15,000; RS-9,600; RS-8,400; RS-7,200; and RS-4,000
- R-SE: Suburban Estate Zone
- R-SR: Suburban Residential Zone
- RA-3600: Attached Townhouse and Duplex 3,600 Zone
- RM-2400: Multifamily 2,400 Zone



The examples illustrate how setbacks apply to a parent lot and unit lots.

1. Preserved single-family house with three attached units built in the back yard.
2. A cottage cluster development with a shared open space.
3. A townhouse development with a shared driveway.
4. A duplex with an accessory dwelling unit (ADU) on its own unit lot.



Source: WA Dept. of Commerce

Lot Splitting

- DEFINITION: “Lot Split” means the administrative process of dividing an existing lot into two lots for the purpose of sale, lease, or transfer of ownership.
- The purpose is to adopt an administrative process for splitting an existing, residential lot into no more than two lots, that are conforming in lot area and width, to facilitate the construction of middle or single-family housing.
- The review process would mirror that of a lot line adjustment and include a recording of a survey rather than a two-lot short subdivision process.
- The lot splitting process may be completed concurrently with a residential building permit.
- Dedication of right-of-way or construction of frontage improvements may be required when triggered by the applicable codes for the development/construction of the lots.

Substandard or Nonconforming Lots

Changes are proposed to DMMC 18.190.280 in order to bring it more in line with the intent of the unit lot subdivision codes, which allow for development on separately owned lots less than the minimum lot area allowed in the zone.

- The code changes include removing the restriction that substandard lots that were under common ownership at some point as far back as 1988 would not be considered separate building sites.
- As proposed, owners of two or more previously platted lots may use them for up to two building sites, provided they meet the applicable development standards. If they own more than two substandard lots, any additional building sites must be at least 50% of the minimum lot area for the zone.

Sec. 18. DMMC 18.190.280 and section 4 of Ordinance No. 1695 is amended to read as follows:
Substandard or nonconforming lots in Residential or Commercial Zones.

In any Residential or Commercial Zone, a dwelling or building may be established on a lot which cannot satisfy the lot area requirements of the zone; provided, that:

(1) All other bulk regulations shall apply; and

~~(2) The owner of such nonconforming lot does not own any adjoining vacant lots of record of continuous boundary to which the nonconforming or substandard lot can be merged in title or with which the lot lines can be adjusted to create lots of record which satisfy the lot area requirements of the zone or create a lot of record of greater area; and~~

A person who owns two or more substandard lots may use such lots, either individually or in combination, for up to two building sites, if the building sites meet the setbacks and lot coverage requirements and the county health department standards for the zone in which they are located. Additional contiguous substandard lots owned by the same person may be used for additional building sites, if the additional building sites contain at least 50 percent of the lot area required for the zone in which such building sites are located, if the building sites meet the setbacks and lot coverage requirements and the county health department standards for the zone in which they are located; or

~~(3) The owner of such nonconforming lot or lots has not received a fee interest in such lot or lots from a party who at any time subsequent to April 25, 1988, held a fee interest in any adjoining lot of continuous boundary; and further provided, that The limitation in this subsection shall not apply to a party who either (a) acquires a fee interest by enforcement of a security interest in such property where the security interest was created prior to April 25, 1988, or (b) has acquired such fee interest as the result of a judicial decree of partition by a court of competent jurisdiction; or~~

(4) The government has acquired a portion of the property for right-of-way expansion or construction of essential public transportation facilities, subject to subsections (1); and (2), and (3) of this section.

Motion

“I move to pass Draft Ordinance 25-117 to a second reading on January 22, 2026.”

DRAFT



Des Moines

WATERLAND CITY

**City Council
AGENDA ITEM**

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: 2026 City Council Calendar

ATTACHMENTS:

1. 2026 Calendar
2. 2026 City Council Meeting Calendar
PowerPoint

FOR AGENDA OF:

January 8, 2026

DEPT OF ORIGIN:

City Clerk

DATE SUBMITTED:

12/18/2025

CLEARANCES:

City Clerk

Purpose and Recommendation

The purpose of this Agenda Item is for Council to review and approve the proposed 2026 City Council meeting calendar.

Suggested Motion:

Motion: "I move to approve the 2026 City Council Calendar as presented."

Background

Historically, the City Council has not formally adopted an annual meeting calendar. As January 8, 2026 is the first regular meeting with newly seated Councilmembers, staff is bringing forward a proposed 2026 calendar for Council consideration. Establishing and approving a calendar at the beginning of the year will create a shared understanding of meeting dates, study sessions and major milestones.

Discussion

The proposed 2026 City Council Meeting Calendar is intended to serve as a planning and coordination tool for both Council and staff. The calendar reflects the Council's typical meeting schedule of the first, second, and fourth Thursdays of each month, but does not take into consideration the long-standing practice of taking most of August off, except for one meeting, as required.

Council may choose to modify this approach by electing not to take time off during the summer, shifting time off to a different month, or adding or deleting meetings as needed.

Alternatives

Council could choose not to approve the 2026 calendar.

Financial Impact

There is no financial impact associated with the adoption of the 2026 City Council Meeting Calendar.

Recommendation

Staff recommends that the City Council approve the proposed 2026 City Council Meeting Calendar to establish meeting dates for the upcoming year.

2026

- Study Session
- Regular Meeting
- Council Retreat
- Holiday/Observed Holiday

January

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
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March

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29	30	31				

April

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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May

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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June

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14	15	16	17	18	19	20
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28	29	30				

July

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		



2026 City Council Meeting Calendar

January 8, 2026

Background & Purpose

Why adopt a Calendar?

- Council has never formally adopted an annual meeting calendar
- Provides a shared understanding of meeting dates, study sessions, and milestones
- Helps staff plan departmental work, schedule policy discussions, and coordinate projects

DRAFT

Proposed 2026 Calendar Highlights

- Regular meetings: First, Second and Fourth Thursdays of each month
- August – traditionally off, except one required meeting
- Council may modify:
 - Take no time off
 - Shift month(s) for break
 - Add/delete meeting dates
- Once approved, will help staff plan and schedule agenda packets throughout 2026

Motion

- Motion: “I move to approve the 2026 City Council Calendar as presented.”

OR

- Motion: “I move to approve the 2026 City Council Calendar as amended.”

DRAFT



Des Moines

WATERLAND CITY

**City Council
AGENDA ITEM**

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Planning Commission Appointment Process

ATTACHMENTS:

1. Planning Commission Appointment Process PowerPoint

FOR AGENDA OF:

January 8, 2026

DEPT OF ORIGIN:

Community Development

DATE SUBMITTED:

12/15/2025

CLEARANCES:

Community Development

Purpose and Recommendation

The purpose of this agenda item is for the Council to determine and give direction to staff on the Planning Commission appointment process.

Suggested Motion:

<p>Motion: "I move to direct staff to proceed with option # ____ for appointment of Planning Commissioners."</p>

Background

The Council approved an ordinance at the December 4, 2025 Council meeting, which updates the Municipal Code and establishes the Planning Commission. The ordinance includes the following:

Number of Members: Seven Commissioners.

Term: Four years. Three of the seven initial terms are two-year appointments to stagger the terms.

Appointment: **City Council appointment**

Membership:

Five members should consist of members qualified by experience or interests in areas related to Growth Management, Land Use, Housing, Transportation, Economic Development, Parks, or Environmental Management.

One should include an owner, operator, or employee of a small business within the City limits. Requirements for Residency:

- Members of the Commission shall be residents of the City who have lived within the City for at least one year prior to appointment to the Commission.
- One member of the Commission may be a nonresident if the member has been an owner, operator, or employee of a small business operating within the City limits for at least one (1) year prior to appointment to the Commission.

Members of the Commission shall not sit on any other City standing commissions or committees.

Discussion

The Council approved the Planning Commission Ordinance with the appointment type by the full City Council, instead of by Mayoral appointment and Council confirmation. We are currently out to advertisement and seeking applicants for commissioners. Staff is looking for direction on how Council would like to move forward with the appointment process. Below are alternatives that staff created for Council consideration.

Alternatives

1. Each Councilmember makes one recommendation, which the Council confirms as a whole. (The recommended commissioner would be their commissioner contact)
2. Each Councilmember provides their recommended seven commissioners, and the commissioners with the top seven votes become the commissioners.
3. Create a Council committee of three members to discuss and make a recommendation for all the commissioners, which the Council confirms as a whole.
4. Applicants are nominated individually and voted on by the Council as a whole.

Financial Impact

N/A

Recommendation

N/A



Planning Commission
Appointment Process
1.8.26

Planning Commission

Number of Commissioners: 7

Term: 4 years

Appointment: **City Council Appointment**

Membership:

- Five members should consist of members qualified by experience or interests in areas related to topics related to Growth Management, Land Use, Housing, etc.
- One should include an owner, operator, or employee of a small business within the City limits. One member of the Commission may be a nonresident if the member has been an owner, operator, or employee of a small business operating within the City limits for at least one (1) year prior to appointment to the Commission.
- Members of the Commission shall be residents of the City who have lived within the City for at least one year prior to appointment to the Commission.
- Commissioners shall not sit on any other City standing commissions or committees.

Staff Developed Options

1. Each councilmembers makes one recommendation, with confirmation by the Council as a whole. (The recommended commission would be their commissioner contact)
2. Each provide their recommended 7 commissioners and the commissioners with the top 7 votes becomes the commissioners.
3. Create a Council committee of 3 members to discuss and make a recommendation for all the commissioners.

DRAFT

Option 2

	Applicant 1	Applicant 2	Applicant 3	Applicant 4	Applicant 5	Applicant 6	Applicant 7	Applicant 8	Applicant 9	Applicant 10	Applicant 11	Applicant 12
Councilmember 1		X	X		X	X			X	X	X	
Councilmember 2	X	X	X		X			X		X	X	
Councilmember 3		X		X	X		X		X		X	X
Councilmember 4		X	X	X		X	X		X			X
Councilmember 5	X			X	X	X		X			X	X
Councilmember 6	X		X	X			X	X		X	X	
Councilmember 7			X		X	X		X	X	X		X

Applicant 1	Applicant 2	Applicant 3	Applicant 4	Applicant 5	Applicant 6	Applicant 7	Applicant 8	Applicant 9	Applicant 10	Applicant 11	Applicant 12
3	4	5	4	5	4	3	4	4	4	5	4

	Applicant 2	Applicant 3	Applicant 4	Applicant 5	Applicant 6	Applicant 8	Applicant 9	Applicant 10	Applicant 11	Applicant 12
Councilmember 1	X		X	X	X		X	X	X	
Councilmember 2	X	X		X	X	X	X	X	X	
Councilmember 3	X		X	X			X		X	X
Councilmember 4	X	X	X		X		X		X	X
Councilmember 5		X		X	X	X		X	X	X
Councilmember 6		X	X	X	X	X		X	X	
Councilmember 7	X		X	X	X	X	X	X		X

Applicant 2	Applicant 3	Applicant 4	Applicant 5	Applicant 6	Applicant 8	Applicant 9	Applicant 10	Applicant 11	Applicant 12
5	4	5	6	6	4	5	5	6	4

“I Move to appoint Applicant 2, 4, 5, 6, 8, 9, and 11”





Des Moines

WATERLAND CITY

**City Council
AGENDA ITEM**

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Business License Model Ordinance Update - 1st Reading

ATTACHMENTS:

1. Draft Ordinance No. 25-124
2. Business License Model Ordinance Update Powerpoint

FOR AGENDA OF:

January 8, 2026

DEPT OF ORIGIN:

Legal

DATE SUBMITTED:

12/16/2025

CLEARANCES:

Finance

Community Development

Purpose and Recommendation

The purpose of this agenda item is for the Council to consider on first reading Draft Ordinance 25-124, which would update the City of Des Moines business license code to incorporate 2025 amendments to the State of Washington’s model ordinance.

Suggested Motion:

Motion: "I move to pass Draft Ordinance 25-124 to a second reading on the next available regular Council meeting agenda."

Background

Washington cities are permitted by the Legislature to license business activity for the purposes of regulation and revenue. The Des Moines Municipal Code requires any person or entity (with limited exemptions) conducting business within the City to obtain an annual general business license and to pay the applicable fee as set by resolution of the City Council. The City’s general business license code was first enacted in 1960 and is codified in DMMC chapter 5.04.

In 2017, the Legislature passed Engrossed House Bill 2005, codified at chapter 35.90 RCW, which directed the Association of Washington Cities to develop a model ordinance on general business licenses by July 1, 2018 that included two mandatory provisions in order to promote uniformity among cities: (1) define “engaging in business within the city” and (2) provide a minimum income threshold under which a business license is not be required if the business does not have a physical location within the

city. Any Washington city imposing a business license was required to implement these two provisions. AWC published the final model ordinance in June 2018, and the City adopted these provisions through Ordinance No. 1706. The City's threshold was set at \$2,000, the minimum set out in the model ordinance. As permitted by the model ordinance, any business under this threshold is required to register with the City at no cost to do business in Des Moines.

In 2025, the model ordinance was updated to increase the minimum threshold from \$2,000 to \$4,000 per year. The update also provides for a CPI-based adjustment every four years. No changes were made to the definitions included in the model ordinance. Cities requiring a business license are required to implement this change.

Discussion

The proposed draft ordinance incorporates into the DMMC the change made to the model ordinance in 2025 – the minimum threshold at which the City can require a business license rather than a no-fee business registration for businesses without a physical location in the City increases from \$2,000 to \$4,000. This threshold will automatically increase every four years based on a formula provided in the model ordinance based on CPI. Adoption of these provisions is mandatory for the City under State law. Staff has ensured that this change has already been made in the FileLocal system for 2026 to maintain compliance with state law. No other changes are made.

Alternatives

The Council may:

1. Pass the draft ordinance as presented to a future meeting
2. Pass the draft ordinance with changes to a future meeting
3. Suspend Rule 8.06(K)(3)(a) and enact the draft ordinance on first reading
4. Decline to take action on the draft ordinance

Financial Impact

The number of business licensees who would be newly exempted by the higher threshold is believed to be 20 or fewer, which would result in a reduction in revenue less than \$3000.

Recommendation

Staff recommends the Council pass the draft ordinance for a second reading at the next available regular Council meeting.

CITY COUNCIL'S FIRST DRAFT 12/29/2025

DRAFT ORDINANCE NO. 25-124

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to business licensing, enacting a update to the business license code to adopt changes to the model ordinance and amending DMMC 5.04.020.

WHEREAS, the Legislature has given code cities the authority under RCW 35A.82.020 to license, regulate, and make inspection in regard to all places and kinds of business, production, commerce, entertainment, exhibition, and upon all occupations, trades and professions and any other lawful activity, and to impose excises for regulation or revenue of the same, and

WHEREAS, this authority granted by the Legislature is subject to limitations imposed from time to time by the Legislature, and

WHEREAS, the Des Moines City Council has provided for general business licenses and imposition of fees for obtaining such license, codified at chapter 5.04 DMMC, and

WHEREAS, in 2017 the Legislature passed Engrossed House Bill 2005 which required Washington cities, through the Association of Washington Cities to develop a model ordinance on general business licenses by July 1, 2018, and

WHEREAS, the City of Des Moines enacted Ordinance no. 1706 in 2018, adopting mandatory provisions of the model ordinance, including a minimum income threshold for requiring an out-of-city business license, and

WHEREAS, in 2025, the model ordinance was amended to increase the minimum threshold from \$2,000 to \$4,000, requiring the City to raise its threshold, and

WHEREAS, the City Council finds that the following amendment to Des Moines Municipal Code Chapter 5.04 is in the public interest now therefore,

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

Sec. 1. DMMC 5.04.020 and section 2 of Ordinance No. 39 as amended by section 1(A) of Ordinance No. 460 as amended by section 1 of Ordinance No. 863 as amended by section 6 of Ordinance No. 993 as amended by section 2 of Ordinance No. 1354 as amended by section 2 of Ordinance No. 1706 as amended by section 1 of Ordinance No. 1736 are each amended to read as follows:

License or license registration required - Transfer prohibited.

(1) It is unlawful for a person to engage in business within the City without first having secured a license to do so, or continue to engage in business after such license or license registration is revoked. Each business location shall be deemed a separate business.

(2) Any person or business whose annual value of products, gross proceeds of sales, or gross income of the business in the City is equal to or less than \$2,000 and who does not maintain a place of business within the City shall submit a business license registration to the Finance Director or the Finance Director's designee at no cost in lieu of obtaining a business license under this chapter. An approved business license registration submitted under this subsection shall fulfill the requirement to secure a business license set forth in subsection (1) of this section. The dollar threshold in this subsection does not apply to regulatory license requirements or activities that require a specialized permit.

Beginning January 1, 2026, the threshold amount is \$4000. The threshold amount will be adjusted every forty-eight months on January 1, by an amount equal to the increase in the Consumer Price Index ("CPI") for "West Urban, All Urban Consumers" (CPI-U) for each 12-month period ending on June 30 as published by the United States Department of Labor Bureau of Labor Statistics or successor agency. To calculate this adjustment, the current rate will be multiplied by one plus the cumulative four-year (forty-eight month) CPI increase using each 12-month period ending on June 30 of each prior year, and rounded to the nearest \$100. However, if any of the annual CPI increases are more than five (5) percent, a five (5) percent increase will be used in computing the annual basis and if any of the annual CPI decreased during the forty-

eight-month period, a zero (0) percent increase will be used in computing the annual basis.

(3) A license issued under this chapter is valid only for operation of the specific business for which application is made and is not transferable to any other person.

(4) Each day that a person engages in business without a valid business license or license registration constitutes a separate offense and may be punished as such; except a person that assumes operation of a business that has a current valid license is allowed 30 days to make application for a business license in the name of the new operator, but only if there is no change in the nature or type of business conducted, location, or use of the business premises and there are no existing violations of federal, state, or local law.

Sec. 2. Severability - Construction.

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

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

Sec. 3. Effective date. This ordinance shall take effect and be in full force on January 1, 2026.

PASSED BY the City Council of the City of Des Moines this ____ day of _____, 2026 and signed in authentication thereof this ____ day of _____, 2026.

M A Y O R

APPROVED AS TO FORM:

Ordinance No. _____
Page 4 of 4

City Attorney

ATTEST:

City Clerk

Published: _____

Effective Date: _____

Draft Ordinance 25-124
Model Business License
Ordinance Update



Background

Cities are authorized under RCW 35A.82.020 to require a license to conduct business within the city and to assess a fee for the license

City adopted a business license ordinance in 1960

- Defines conduct of business
- Requires annual license to conduct business
- Imposes a license fee
- Provides for revocation of license
- Exemptions for government, non-profits, and “casual or isolated sales”

Codified at DMMC chapter 5.04

EHB 2005

Passed by Legislature in 2017 session

Directed AWC to develop a model business license ordinance to be adopted by Washington cities.

Two required elements:

- Standard definition for conduct of business
- Minimum income threshold to require business license

Threshold amount set at \$2000 for out of city businesses

Cities may require no-cost registration under the threshold

Ordinance No. 1706

Des Moines adopted model ordinance provisions in 2018

- Definition of “engaging in business” updated to match model ordinance
- Business license required for all businesses located in the City
- Business license required for out-of-City businesses making receiving than \$2000 gross income in the City
- Out-of-City business making less than \$2000 required to register at no cost

2025 model ordinance changes

- Income threshold increases from \$2000 to \$4000
- Threshold will increase every four years according to CPI formula

Changes are mandatory

Few businesses believed to be affected

Suggested Motion

“I move to pass Draft Ordinance 25-124 to a second reading on the next regular Council meeting agenda.”

DRAFT



Des Moines

WATERLAND CITY