

# Draft Ordinance No. 22-058

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# Purpose

- ▶ To establish a moratorium prohibiting the submission or acceptance of development applications for new development within a 73-acre area located south of S. 216th Street;
- ▶ To set a date for a public hearing on the moratorium, establishing six months as the tentative effective period until the Council public hearing; and
- ▶ To declare an emergency necessitating immediate adoption of a moratorium.



# Moratoria and Legal Context

- ▶ A moratorium is a temporary limitation on development:
  - ▶ It allows a pause on all new development, land use, and construction applications in order for a City to consider new development and zoning regulations.
  - ▶ It is one of the principal tools of local governments for implementing Planning and GMA (Growth Management Act) objectives.
- ▶ The GMA grants cities the authority to adopt a moratorium ([RCW 36.70A.390](#)):
  - ▶ A public hearing shall be held within at least 60-days of adopting the moratorium ordinance and findings of fact justifying the City Council's action.
  - ▶ A moratorium can be in effect for six months, but may be extended to one year.

# Planning Context

- ▶ Over \$30 million invested in transportation and infrastructure improvements to facilitate freight mobility and the creation of family wage jobs in the business park area.
- ▶ With the exception of the FAA office building, recent development of the Des Moines Creek Business Park and adjacent commercial properties to the east have been predominantly distribution, warehouse and logistics, and light industrial.
- ▶ The City's Comprehensive Plan assumed a more balanced mix of commercial and business uses and job opportunities.
- ▶ A moratorium will allow the City time to study the area and develop new policies, strategies or zoning to shape future development trends, facilitate the highest and best use, and create family wage jobs.
- ▶ Without a moratorium the City could, in the near future, receive applications for new development that could conflict with the achievement of the long-range vision and job growth for this area.

# Comprehensive Plan Periodic Review

- ▶ GMA requires the City to review and revise its comprehensive plan and development regulations by December 30, 2024 (RCW 36.70A).
  - ▶ VISION 2050 designates Des Moines as a “High Capacity Transit Community”.
  - ▶ Des Moines was allocated new growth targets of 2,380 jobs and 3,800 housing units (2019-2044 horizon).
  - ▶ High capacity transit is expected to shift market demand and development patterns.
- ▶ Provides an opportunity to address land use and zoning in the Study Area.

# What the moratorium does and does not affect...

## What part of the City does it affect:

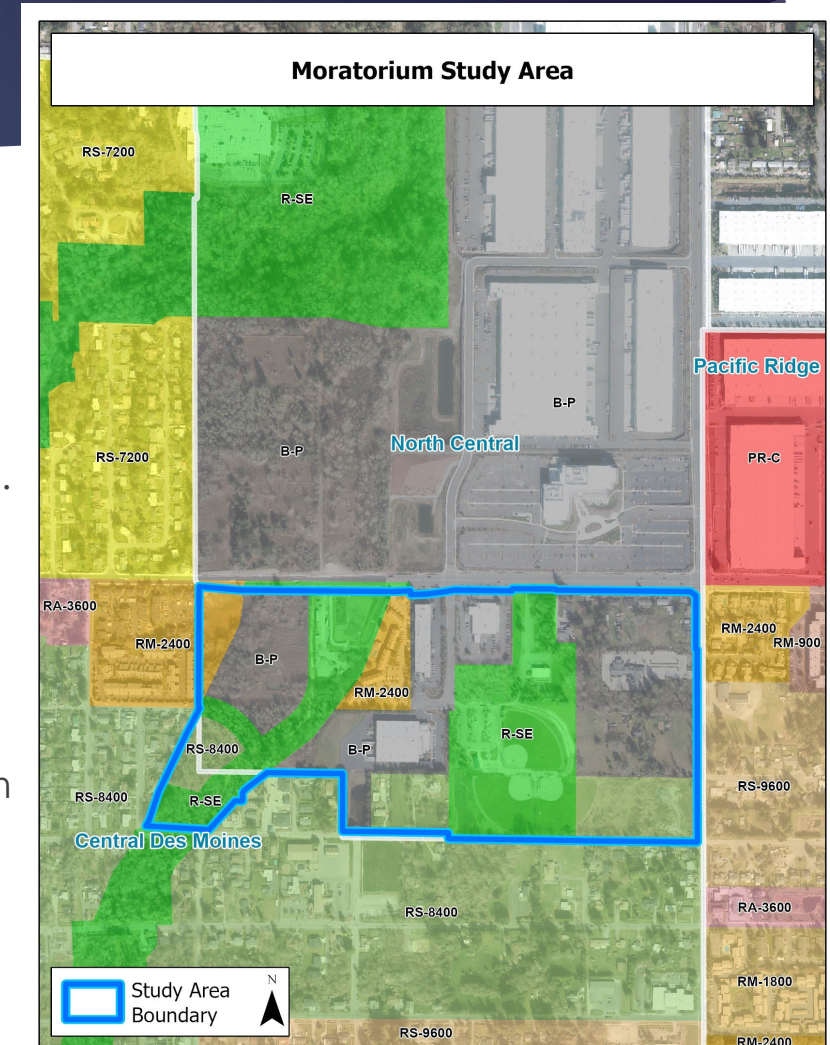
- ▶ Approximately 73 acres in the north central portion of the city, in the area located south of S. 216th Street (Study Area).
- ▶ It includes properties zoned Business Park (B-P), Residential Multifamily 2,400 (RM-2,400), Residential Single Family 8,400 (RS-8,400), and Suburban Estates (R-SE).

## What types of projects does the moratorium affect:

- ▶ It prohibits the submission or acceptance of any development applications for new development, additions, and alterations in the identified Study Area.

## What the moratorium does not affect:

- ▶ It does not apply to any applications that were submitted prior to the moratorium or applications for tenant improvements, home occupations, sign permits, and permits that are required for upkeep, repair or maintenance of existing buildings and properties or work mandated by the City.
- ▶ It does not apply to any property outside of the identified study area.



# Overview Draft Ordinance No. 22-058

- ▶ WHEREAS statements legally frame the information encompassed in tonight's presentation and will serve as Finding of Fact justifying the City Council's action.
- ▶ Contains definitions and key terms.
- ▶ Sets the date for a public hearing where the public can provide input.
- ▶ Establishes six months as the tentative effective period of the moratorium until the Council public hearing.
- ▶ Declares that an emergency exists necessitating that this Ordinance take effect immediately upon passage by a majority vote plus one of the whole membership of the Council.

# Council Review of Ordinance



# Motions

- ▶ **Motion 1:** “I move to suspend Rule 26(a) in order to enact Draft Ordinance No. 22-058 on first reading.”
- ▶ **Motion 2:** “I move to enact Draft Ordinance No. 22-058, establishing a six month moratorium prohibiting the submission or acceptance of development applications for new development in the Moratorium Study Area, setting a date for a public hearing and declaring an emergency.”