

ORDINANCE NO. 15,962

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Section 135-2.18.3, relating to design alternatives for height limitations.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Section 135-2.18.3, relating to design alternatives for height limitations, as follows:

2.18.3 DESIGN ALTERNATIVES

A. CONSIDERATIONS. A Type 2 design alternative may be requested for relief from the height limitations set forth in section 135-2.18.2 in accordance with the following considerations:

1. Compliance with the purpose statement above in this section.
2. The applicant must provide a detailed architectural and viewshed analysis that illustrates, three-dimensionally, the specific location and specific heights of all components and includes the following, at a minimum:
 - a. Proximity to the Capitol;
 - b. Proximity to view corridors identified in the Capitol Gateway East Urban Design Plan or most recent similar plan;
 - c. Impact on views to and from the Capitol; and
 - d. Any other illustrations as required by the community development director.

B. TYPE 1 DESIGN ALTERNATIVE. A Type 1 design alternative may be requested for relief from the maximum building height limitation set forth in section 135-2.18.2.A, when eligible as follows:

1. The relief from maximum building height limitation applies to lot(s) identified within a large-scale development plan approved prior to the applicant's request for the Type 1 design alternative;
2. The relief from maximum building height limitation applies to building type(s) and use(s) consistent with those shown in said approved large-scale development plan; and
3. The relief from maximum building height limitation does not exceed the proposed height(s) specified and shown in said approved large-scale development plan, as verified by the development services director or designee using three-dimensional modeling performed by the city using site-specific digital building drawings provided by the applicant. Under this subsection 135-2.18.3.B.3, said relief can be denied by the city solely if said proposed height(s) are exceeded.

C. TYPE 2 DESIGN ALTERNATIVE. A Type 2 design alternative may be requested for relief from the height limitations set forth in section 135-2.18.2, subject to the considerations set forth above in section 135-2.18.3.A, when:

1. An applicant is not eligible to request a Type 1 design alternative pursuant to section 135-2.18.3.B; or
2. An applicant is requesting relief from height limitations for towers, utilities and other appurtenances set forth in section 135-2.18.2.B.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Glenna K. Frank
Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest: I, P. Kay Cmelik, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 20-2157), passed by the City Council of said City at a meeting held on December 21, 2020 and signed by the Mayor on December 21, 2020 and published and provided by law in the Business Record on January 8, 2021. Authorized by Publication Order No. 11380.

P. Kay Cmelik, City Clerk