

ORDINANCE NO. 16,463

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, is hereby amended, by amending Chapter 135, Sections 2.22.2, 6.1.2, 7.1.2, 9.1.2, 9.1.3 and Table 35-2.22.1, establishing an industrial accessory building type and modifying site plan review procedures.

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 Chapter 135, Sections 2.22.2, 6.1.2, 7.1.2, 9.1.2, 9.1.3 and Table 35-2.22.1, establishing an industrial accessory building type and modifying site plan review procedures, as follows:

Article 2. BUILDING TYPES

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135-2.22.2 ACCESSORY BUILDINGS

Accessory buildings shall be fully enclosed, unless otherwise stated. The following are classified as accessory buildings:

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I. Industrial Accessory Building. A non-enclosed or enclosed accessory building on the same lot as a principal industrial use. A principal structure is required, unless otherwise stated.

1. Side and Rear Setback. Minimum side and rear setback of an industrial accessory building shall be five feet.
2. Alley. Where an industrial accessory building is accessed off an alley with pavement narrower than 20 feet, the building shall be set back from the alley lot line to allow 24 feet from the opposite edge of alley pavement to the building
3. Height. The maximum height of the industrial accessory building may not be taller than 75 feet.
4. Character. The outbuilding shall be compatible in color and character with the primary structure on the lot.
5. Wheels and chassis on mobile industrial accessory buildings shall be screened from the street by skirting.

Article 6. PARKING

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135-6.1.2. APPLICABILITY

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E. Alternative Parking Ratios

The parking ratios of this article are not intended to be a barrier to development or redevelopment or to make development and redevelopment economically impractical or negatively impact the viability of businesses. In order to allow for flexibility in addressing the actual expected parking demand of specific uses, alternatives to the parking ratios of this article may be approved through the Type 1 design alternative procedures of section 135-9.2 of this chapter. In reviewing requests for authorization of alternative parking ratios, the authorized review and decision-maker may consider generally available parking information or data

provided by the applicant. In order to approve such alternative ratios, the authorized decision-maker must determine that:

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ARTICLE 7. LANDSCAPE AND STREETSCAPE

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135-7.1.2 APPLICABILITY

- A. General.** The landscape and streetscape regulations shall be provided and followed in accordance with the provisions of this article. Unless otherwise expressly stated, the regulations apply to all zoning districts and uses.
- B. Buffer Exceptions.** Landscape buffers are required according to the provisions in this article with the following exceptions:
 - 1. Shared Driveways. Buffers shall not be required along a property line where a curb cut or aisle is shared between two adjoining lots.
 - 2. Points of Access. Buffering is not required at driveways or other points of access to a lot, unless otherwise addressed by this article.
- C. Council-Approved Streetscape.** For all developments which are located within a streetscape corridor as approved by city council prior to the effective date of this chapter, compliance with the council-approved streetscape standards shall be required. At the discretion of the development services director, any properties which are contiguous or in close proximity to such council-approved streetscape corridors may also be required to comply with the council-approved streetscape standards.
- D. Increased Setbacks.** Increased setbacks or build-to zones may be required when additional right-of-way or street widening is planned, as determined by the development services director or city engineer.

ARTICLE 9. REVIEW AND APPROVAL PROCEDURES

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135-9.1.2 APPLICABILITY

- A. General.** The construction, reconstruction, extension, or alteration of any building, structure, site, change of use, use subcategory or specific use type, use of land, or any amendment to an existing site plan, is subject to the site plan review procedures of this section except as otherwise expressly stated.
- B. New Uses and Development.** The regulations of this chapter apply to all new buildings constructed and all new uses established in all zoning districts.
- C. Change of Use.** Subject the exceptions listed below, the regulations of this chapter apply to all site elements if the use subcategory or specific use type of a property changes. Changes from one legally established use to another legally established use within the same use group listed below are not considered a change of use for the purposes of this chapter, unless the new use requires the provision of additional parking to comply with Article 6 of this chapter.
 - 1. Use Group A: animal service, broadcast studio, commercial service, financial service, office, and retail;
 - 2. Use Group B: assembly and entertainment small, business or trade school, day care, day service adult, fraternal organization, funeral or mortuary service, place of worship, place of assembly, school, and sports and recreation; or
 - 3. Use Group C: fabrication and production; industrial service; and storage, distribution and wholesaling.

D. Renovation and Expansion.

1. Structures.
2. The regulations of this chapter apply whenever a building is enlarged by over 50% of the existing building gross floor area, or when renovations to an existing building, including a building addition, have an estimated cost for building permit purposes that exceeds 50% of the total assessed property value or \$500,000, whichever is greater. Estimated building permit valuation is cumulative from March 22, 2004, using all building permits issued by the city's permit and development center, county assessor's records, insurance records if no assessor's records are available, and other documentation as determined by the development services director.
3. Site Improvements. The regulations of this article shall be fulfilled as follows:
 - a. When any existing surface parking lot, outdoor storage area or vehicle maneuvering area is reconfigured or reconstructed, the lot shall comply with this chapter.
 - b. When any existing surface parking lot, outdoor storage area or vehicle maneuvering area is expanded in area or number of stalls by less than 50% of the original lot area, the area of expansion shall comply with this chapter.
 - c. When any existing surface parking lot, outdoor storage area or vehicle maneuvering area is expanded in area or number of stalls by 50% or more of the original lot area, the original lot area and the area of expansion shall comply with this chapter.
 - d. When compliance is triggered for existing parking lots, landscape improvements shall take precedence over parking requirements of this chapter.

E. Maintenance. Site improvements required by this chapter must be maintained for the life of the principal use. Damaged or dead plant material shall be replaced so that the requirements of Article 7 of this chapter are met at all times. Damaged site improvements must be repaired or replaced so that the requirements of this chapter are met at all times. Any damaged improvement that is no longer necessary for compliance with this chapter must be maintained or removed and converted to open space in compliance with the landscape standards of Article 7 of this chapter.

135-9.1.3 EXEMPTIONS

- A. The following are exempt from submitting a formal site plan in accordance with this article:
1. Projects that comply with all applicable zoning and design regulations and that will result in the cumulative addition of no more than 500 square feet of floor area, not to exceed 10% of the existing floor area;
 2. Interior alterations that do not alter the footprint, height, exterior or use of a building, except if the cumulative valuation of interior alterations, not including fire suppression systems, exceeds 50% of the total assessed property value or \$500,000, whichever is greater;

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TABLE 135-2.22.1. Accessory Structure Table

Accessory Buildings

Add new Row labeled "Industrial Accessory Building" Add - except in Districts 11 and 12. In Districts 11 and 12, add ●*.

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

FORM APPROVED: Chas M. Cahill, Assistant City Attorney

Connie Boesen, Mayor

Attest: I, Laura Baumgartner, 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. 25-0705), passed by the City Council of said City at the meeting held on May 5, 2025 and signed by the Mayor on May 5, 2025 and published and provided by law in the Business Record on May 23, 2025. Authorized by Publication Order No. 13011.

Laura Baumgartner, City Clerk