



Date December 5, 2011

COMMUNICATION FROM THE PLAN AND ZONING COMMISSION
REGARDING THE PROPOSED 2011 OMNIBUS AMENDMENT TO THE
DES MOINES URBAN REVITALIZATION PLANS

Communication from the City Plan and Zoning Commission advising that at a public hearing held on December 1, 2011, its members voted 12-0 in support of a motion to recommend that the proposed 2011-1 Omnibus Amendment to the City's urban revitalization plans, which adopts the Second Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area and makes other changes to the City's tax abatement program, is in conformance with the Des Moines 2020 Community Character Plan.

MOVED by _____ to receive and file.

FORM APPROVED:

Roger K Brown
Roger K. Brown
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED	APPROVED			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

Date _____

December 2, 2011

Agenda Item 44A

Roll Call # _____

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held December 1, 2011, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley	X			
Tim Fitzgerald	X			
Dann Flaherty	X			
John "Jack" Hilmes	X			
Joel Huston	X			
Ted Irvine	X			
Greg Jones	X			
William Page	X			
Christine Pardee	X			
Mike Simonson	X			
Kent Sovern				X
CJ Stephens				X



CITY PLAN AND ZONING COMMISSION
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 -1881
(515) 283-4182

ALL-AMERICA CITY
1949, 1976, 1981
2003

APPROVAL of the proposed 2011-1 Omnibus Amendment to the Citywide Urban Revitalization Plans, in conformance with the Des Moines' 2020 Community Character Plan.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends that the Commission find the proposed amendments to the Citywide Urban Revitalization Plans in conformance with the Des Moines' 2020 Community Character Plan.

STAFF REPORT

I. GENERAL INFORMATION

On July 28, 2011 the City Council extended the Citywide tax abatement program through December 31, 2011 allowing a full year for completion of improvements commenced in 2011. The Council initiated the following to be revised with the Citywide Urban Renewal Plan:

- Extend the Tax Abatement Program for an additional four years until December 31, 2015, with an additional year for the completion of improvements commenced by December 31, 2015.

- Expand the City-wide Urban Revitalization Area to encompass the entire City of Des Moines as it now exists and as hereafter expanded by future annexations.
- Terminate the separate urban revitalization plans created for the areas originally outside the City-wide Urban Revitalization Area.
- Add the downtown area back into the Targeted Residential Development Area wherein the taxable value added by qualifying improvements to residential and commercial multifamily property can receive a 10-year/100% exemption from taxation, reversing the action taken under the 2008-1 Omnibus Amendment which removed the downtown area from the Targeted Residential Development Area.
- Change the eligibility requirements to receive tax abatement for improvements to property assessed as commercial or industrial property for tax purposes.

Staff will present the recommended eligibility requirements for commercial and industrial property at the December 1st meeting.

II. DES MOINES' 2020 COMMUNITY CHARACTER PLAN

Staff believes the amendment is in conformance with the goals of the Des Moines' 2020 Community Character Plan. The intent for eligibility for use of tax abatement to be for projects that is in conformance with the Zoning, Site Plan, and the Subdivision Ordinances as well as the Comprehensive Plan.

SUMMARY OF DISCUSSION

There was no discussion

CHAIRPERSON OPENED THE PUBLIC HEARING

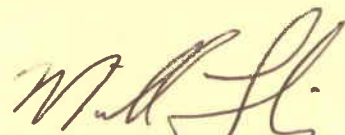
There was no one in the audience to speak in favor or in opposition of the applicant's request.

COMMISSION ACTION

Ted Irvine moved staff recommendation to find the proposed amendments to the Citywide Urban Revitalization Plans in conformance with the Des Moines' 2020 Community Character Plan.

Motion passed 12-0

Respectfully submitted,


 Michael Ludwig, AICP
 Planning Administrator

MGL:clw

cc: File

**SECOND RESTATED
URBAN REVITALIZATION PLAN
for the
Citywide Urban Revitalization Area
City of Des Moines, Iowa**

Adopted: December ____, 2011, by Roll Call No. 11-_____

TABLE OF CONTENTS

OVERVIEW OF URBAN REVITALIZATION	4
BACKGROUND OF URBAN REVITALIZATION IN DES MOINES	5
A. PREVIOUSLY DESIGNATED URBAN REVITALIZATION AREAS	5
B. RESIDENTIAL TAX ABATEMENT	8
C. COMMERCIAL AND INDUSTRIAL TAX ABATEMENT	9
D. SUMMARY	10
THE PLAN COMPONENTS	11
A. LEGAL DESCRIPTION	11
B. ASSESSED VALUATIONS AND OWNER IDENTIFICATION	11
C. EXISTING ZONING	11
D. EXISTING LAND USE	11
E. PROPOSED LAND USE	11
F. PROPOSED CAPITAL IMPROVEMENTS AND EXPANDED CITY SERVICES	12
G. APPLICABILITY OF PLAN	12
1. Definitions	12
2. Residential Property Consisting Of A One Or Two-Family Dwelling	13
3. Residential And Commercial Property Consisting Of Three Or More Dwellings	13
4. Property Assessed As Commercial Or Industrial	13
A. Commercial And Industrial Zoned Districts	14
B. (reserved)	14
H. QUALIFICATION FOR ELIGIBILITY	14
I. TAX EXEMPTION SCHEDULE	16
1. Residential Rehabilitation Abatement Schedule	16
2. Ten-Year Declining Abatement Schedule	16
3. Three-Year 100% Abatement Schedule	16
4. Residential Five-Year 100% Abatement Schedule	16
5. Targeted Residential Ten-Year 100% Abatement Schedule	16
6. Alternate Residential Ten-Year 100% Abatement Schedule	17
J. APPLICATION REQUIREMENTS	17
K. PRIOR APPROVAL	18
L. RELOCATION PROVISIONS	18
1. Benefits	18
2. Eligibility	18
3. Actual Reasonable Moving And Related Expenses	18
4. Least Costly Approach	18
M. DURATION OF PLAN/TERMINATION	18
1. Second Restated Plan	18
2. Restated Plan	19
3. Other Previously Designated Urban Revitalization Areas	19
N. OTHER ASSISTANCE PROGRAMS	20
1. City Programs	20
2. Polk County Programs	21

3. Iowa Programs	21
4. Neighborhood Finance Corporation Programs	22
5. Corporation for Economic Development in Des Moines Programs	22

Attachments:

Map 1	Official Zoning Map and Boundaries of the City-wide Urban Revitalization Area
Map 2	Existing Land Use Map
Map 3	Des Moines 2020 Community Character Land Use Plan
Map 4	Downtown Overlay District
Map 5	Court Avenue Historic Area
Map 6	Historic Fort Des Moines Area
Map 7	Eastern Gateway District Area 1
Map 8	Targeted Residential Development Area
Appendix A	Design Standards
A-1	Commercial Construction and Sustainability Design Standards
A-2	Court Avenue Design Standards
A-3	Eastern Gateway District Area 1 Design Standards
Appendix B	Historic Fort Des Moines II Archaeological Requirements
Appendix C	Assessed Valuation and Owner Identification

OVERVIEW OF URBAN REVITALIZATION

In 1979, the Iowa legislature enacted the Urban Revitalization Act giving Iowa cities the authority to designate an area or areas of the city as “urban revitalization areas”. Under the Act, qualified real estate within the designated urban revitalization area may be eligible to receive a total or partial exemption from property taxes on improvements for a specified number of years. The primary intent of this Act is to provide communities with a long-term increase or stabilization in their tax base by encouraging rehabilitation or new construction which might not otherwise have occurred.

The portion of the Act codified at Section 404.1 of the Iowa Code provides that the City Council may, by ordinance, designate an area of the city as a revitalization area, if that area is any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and which is detrimental to the public health, safety, or welfare.
2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, or welfare in its present condition and use.
3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.
4. An area which is appropriate as an economic development area as defined in Section 403.17.
5. An area designated as appropriate for public improvements related to housing and residential development, or constructions of housing and residential development, including single or multifamily housing.

Background of Urban Revitalization in Des Moines

A. PREVIOUSLY DESIGNATED URBAN REVITALIZATION AREAS

Between 1979 and 1987 the City of Des Moines designated 31 separate urban revitalization areas in conformance with Chapter 404 of the Code of Iowa. The City developed specific urban revitalization plans for 28 of these designated areas which defined the types of uses and improvements eligible for tax abatement in each area.

In 1987 the City consolidated the separate urban revitalization areas into a comprehensive unified urban revitalization area.

By Resolution and Roll Call No. 87-2630, adopted June 15, 1987 and, as amended by Roll Call No. 87-3961, adopted September 21, 1987, the City Council made a finding that the entire area within the corporate boundaries of the City of Des Moines as established on July 7, 1987, qualified for designation as an urban revitalization area under the slum and blight criteria in paragraphs (1) and (2) of Iowa Code §404.1. The finding was made in substantial part in reliance upon the following circumstances which then existed:

Housing Conditions:

- Approximately 29% of the City blocks containing housing had a majority of that housing in less than excellent condition and 11% of the total blocks had 20% or more of the housing in a dilapidated or deteriorated state.
- Fifty eight (58) abandoned properties were demolished by City code enforcement action in the prior fiscal year (FY 1986/87), sixty four (64) properties were scheduled for demolition in the current fiscal year (FY 1987/88), 74 additional properties were identified as requiring demolition, and the Office of Housing Safety was tracking 1,513 properties representing 2,313 former rental dwelling units which were vacant or inactive.
- There had been a 300% increase in tax delinquent properties between 1980 and 1986.
- Between 1978 and 1985 the number of building permits for new single-family units had dropped from 336 to 92, and the number of building permits for two-family units had dropped from 105 to 11, and the number of building permits for multiple-family units had dropped from 24 permits for a total of 433 dwelling units, to 8 permits for a total of 111 dwelling units.
- The 1980 Census of Population and Housing shows that 36.7% of the housing stock in the City of Des Moines was built prior to 1940, and only 7.5% of the housing stock was constructed after 1980.
- Compared to the surrounding suburbs, the City of Des Moines had a greater proportion of its housing stock occupied by low income persons, tenants, and persons 65 years old or older.
- The 1980 median housing values in the City of Des Moines were 48% to 63% of those in the surrounding suburbs.

- In 1985, the average cost of a new house in the City of Des Moines was 72.6% of the average cost of a new house in the surrounding suburbs.
- The foregoing conditions served to substantially impair and arrest the sound growth of the City of Des Moines.

Industrial Conditions:

- Between 1972 and 1977, the City of Des Moines gained three manufacturing establishments while losing 1,500 manufacturing based jobs.
- From 1980 to 1986, the Des Moines SMSA lost over 4,000 manufacturing jobs, which was approximately 16% of all manufacturing jobs. As a percentage of total employment, manufacturing dropped from 19% in 1970 to 11% in 1986.

Having found that the entire City of Des Moines as established on July 7, 1987, qualifies for designation as an urban revitalization area, the City Council proceeded to designate the entire City as the Citywide Urban Revitalization Area. The designation was accomplished by Ordinance No. 11,026 passed July 6, 1987 and, as amended by Ordinance No. 11,065 passed September 21, 1987.

On September 28, 1987, by Roll Call No. 87-4009, the City Council adopted the original Urban Revitalization Plan (the "original Plan") for the Citywide Urban Revitalization Area. The original Plan retained and incorporated many of the formerly designated areas within the Citywide Urban Revitalization Area and, terminated other areas where the plans had been repealed, and where there had been substantial completion of industrial and commercial utilization of available land.

The original Plan incorporated 20 of the previously designated urban revitalization areas for the purpose of encouraging certain types of commercial and industrial development within such areas. Chart A in the original Plan lists the 20 areas and identifies those areas wherein tax abatement was made available to encourage new construction of improvements assessed as commercial property, to additions and rehabilitation of existing improvements assessed as commercial property; and to improvements assessed as industrial property.

The original Plan also sought to encourage industrial development within three areas newly designated as industrial parks. Tax abatement was made available to qualifying improvements to property assessed as industrial or commercial property within the Vandalia Acres, Park Avenue, Riverpoint, and River Hills-Riverfront Industrial Parks.

Prior to 1996, the Urban Revitalization Act did not provide a feasible means of expanding the boundaries of the City-wide Urban Revitalization Area. Independent urban revitalization plans had to be created for eight separate areas annexed into the City after the adoption of the original Plan:

<u>Ewing Park Urban Revitalization Area</u> (Residential only)		
Designation of Area	09/16/91	Ordinance No. 11,719
Plan Adopted	11/18/91	Roll Call No. 91-4889

Sunrise Estates Urban Revitalization Area (Residential only)

Designation of the Area 01/04/93 Ordinance No. 11, 923
Plan Adopted 01/04/93 Roll Call No. 93-72

Creekview Estates Urban Revitalization Area (Residential only)

Designation of the Area 08/23/93 Ordinance No. 12,033
Plan Adopted 09/07/93 Roll Call No. 93-3344

4247 Beaver Avenue Urban Revitalization Area (Residential only)

Designation of the Area 06/20/94 Ordinance No. 13,064
Plan Adopted 11/21/94 Roll Call No. 94-4459

Hickory Grove Urban Revitalization Area (Residential only)

Designation of the Area 12/05/94 Ordinance No. 13,126
Plan Adopted 12/05/94 Roll Call No. 94-4624

Airport Business Park Urban Revitalization Area (Commercial and industrial park)

Designation of the Area 01/16/95 Ordinance No. 13,142
Plan Adopted 02/20/95 Roll Call No. 95-642
Incorporated into the 09/24/01 Roll Call No. 01-2932
Citywide Urban Revitalization Area

Airport Commerce Park West Urban Revitalization Area (Commercial and industrial park)

Designation of the Area 08/07/95 Ordinance No. 13,222
Plan Adopted 07/24/95 Roll Call No. 95-2860

Leland Avenue Urban Revitalization Area (Commercial and industrial park)

Designation of the Area 12/18/95 Ordinance No. 13,285
Plan Adopted 12/18/95 Roll Call No. 95-4725

In 1996 the Iowa Legislature amended Iowa Code §404.2 to provide:

"A city which has adopted a plan for a revitalization area which covers all property within the city limits may amend that plan at any time, pursuant to this section, to include property which has been or will be annexed into the city. The provisions of the original plan shall be applicable to the property which is annexed and the property shall be considered to have been part of the revitalization area as of the effective date of its annexation to the city."

After 1996, the City was able to extend urban revitalization tax abatement to newly annexed areas by amending the Citywide Urban Revitalization Plan rather than by creating additional independent urban revitalization areas. However, only the Airport Business Park Urban Revitalization Area was merged into the Citywide Urban Revitalization Area. The other 7 independent urban revitalization areas have remained in force."

On October 21, 2002, by Roll Call No. 02-2446, the City Council expanded the City-wide Urban Revitalization Area to encompass all lands annexed into the City of Des Moines after January 1, 2000. This action left most of the lands annexed between July 7, 1987, and January 1, 2000,

outside the City-wide Urban Revitalization Area, and only portions of those lands were included in the 7 remaining independent urban revitalization areas.

B. RESIDENTIAL TAX ABATEMENT

The Urban Revitalization Plan for the Citywide Urban Revitalization Area and for each of the separate urban revitalization areas identified above allowed an urban revitalization tax exemption (commonly known as "tax abatement") for the taxable value added by qualifying improvements to property assessed as residential property, and to commercial property consisting of three or more separate living quarters with at least seventy-five percent of the space used for residential purposes. The most favorable schedules allowed for such improvements were as follows:

1. An exemption equal to 100% of the taxable value added by the qualifying improvements for a term of five years; or,
2. An exemption equal to 115% of the taxable value added by the qualifying improvements for a term of ten years. However, the maximum amount of the taxable value added by the improvement used to compute such exemption shall not exceed \$20,000.

The two schedules identified above proved to be insufficient to encourage the desired level of residential redevelopment in the inner-city area. On August 26, 1991, by Roll Call No. 91-3664, the City Council adopted an amendment to the Citywide Urban Revitalization Plan to establish the Targeted Community Development Urban Renewal Area and the Targeted Inner City Urban Renewal Area wherein improvements to qualifying residential and multiple-family commercial property were allowed tax abatement under the following schedules:

1. In the Targeted Community Development Urban Renewal Area – an exemption equal to 100% of the taxable value added by the qualifying improvements for a term of ten years.
2. In the Targeted Inner City Urban Renewal Area – an exemption equal to 100% of the taxable value added by the qualifying improvements for an initial term of 5 years and a subsequent partial exemption from taxation equal to a percentage of the taxable value added by the improvements for a period of 5 years (years 6 through 10), as follows:
 - a. For the 6th year – 90%
 - b. For the 7th year – 70%
 - c. For the 8th year – 50%
 - d. For the 9th year – 30%
 - e. for the 10th year – 10%

The schedule allowed in the Targeted Inner City Urban Renewal Area also proved to be insufficient to encourage the desired level of redevelopment in the affected area. On February 23, 1998, by Roll Call No. 98-549, the City Council adopted The First Amendment to the Restated Urban Revitalization Plan to combine the Targeted Community Development Urban Renewal Area and the Targeted Inner City Urban Renewal Area into a single Targeted Residential Development Area. Qualifying improvements to residential and multiple-family commercial property within the Targeted Residential Development Area is now allowed an exemption from taxation equal to 100% of the taxable value added by such improvements for a

term of ten years.

By the end of 2007, substantial residential redevelopment was occurring within the downtown core. On January 7, 2008, by Roll Call No. 08-038, the City Council approved an amendment to the Restated Citywide Urban Revitalization Plan to remove the downtown core from the Targeted Residential Development Area effective for improvements not commenced under any necessary permits by December 31, 2010, and completed by December 21, 2011. The downtown core area residential development projects remained eligible for the 100%-five year tax abatement.

This Second Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area (this "Second Restated Plan") is intended to extend residential tax abatement as described above to the entire area within the City of Des Moines. Any qualifying improvement to residential property or multiple-family commercial property within the City will be eligible to choose between the schedules described in Article I. The boundaries of the Targeted Residential Development Area are returned to the 2007 boundaries, but the schedules are not changed by the adoption of this Second Restated Plan.

C. COMMERCIAL AND INDUSTRIAL TAX ABATEMENT

The original Urban Revitalization Plan for the City-wide Urban Revitalization Area continued tax abatement for commercial and industrial development within a number of the previously existing neighborhood urban revitalization areas. The original Plan also sought to encourage commercial and industrial development within the industrial areas located in Vandalia Acres, Park Avenue, Riverpoint and River Hills-Riverfront Industrial Parks by allowing tax abatement for improvements to commercial or industrial property. Subsequent amendments to the Plan have resulted in additional areas being designated as business or industrial parks; or as subareas wherein qualifying improvements to property assessed as commercial and industrial property may qualify for tax abatement.

This Second Restated Plan extends tax abatement to all improvements to property assessed for taxation as commercial or industrial property that are located in commercially and industrially zoned districts as such districts exist at the time the improvements are made, excluding all land within the Downtown Overlay District shown on Map 5. Any qualifying improvement to property assessed for taxation as commercial or industrial property that are located in commercially or industrially zoned districts outside the Downtown Overlay District are eligible to choose between the schedules described in Article I.

All improvements to property assessed for taxation as commercial or industrial property that are located within the Downtown Overlay District are ineligible for tax abatement. A future amendment to this Second Restated Plan may permit tax abatement for defined classes of commercially assessed property in the Downtown Overlay District, subject to additional standards and specialized requirements.

D. SUMMARY

Prior to the adoption of this Second Restated Plan, urban revitalization tax abatement was generally available within the City of Des Moines under a patchwork of plans and amendments. The existing Citywide Urban Revitalization Area encompassed 31 different subareas, and incorporated many of the old independent plans for the original areas dating from the 1980's.

The Urban Revitalization Plan for the Citywide Urban Revitalization Area has also been repeatedly amended. The 21st Amendment to the original Plan adopted a Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area (the "Restated Plan"). The Restated Plan has been amended 23 times. This Second Restated Plan constitutes the 45th Amendment to the original Plan, and the 24th Amendment to the Restated Plan.

The patchwork of plans and plan amendments that encompassed most, but not all of the territory within the City of Des Moines, and various annexations of additional territory, has prompted the City to consolidate the entire boundaries of the City as it now exists and as potentially expanded in the future, into a single consolidated and unified urban revitalization plan.

The purpose of this Second Restated Plan is to encourage residential development and redevelopment within the City by expanding the Citywide Urban Revitalization Area and the availability of tax abatement for qualifying improvements to residential and multifamily commercial property to the entire City .

A further purpose of this Second Restated Plan is to encourage commercial and industrial development and redevelopment within Des Moines by replacing the geographic subareas with a focus on qualifying criteria that operate to encourage development with a high quality of design, exterior materials and landscaping in the districts zoned for commercial and industrial development throughout the entire City.

THE PLAN COMPONENTS

ARTICLE A. LEGAL DESCRIPTION

The Citywide Urban Revitalization Area contains the entire area within the corporate boundaries of the City of Des Moines as those boundaries existed on December 1, 2011, and all areas thereafter annexed into the City of Des Moines effective immediately upon their annexation. Map 1 identifies the corporate boundaries of the City of Des Moines as those boundaries existed on December 1, 2011.

ARTICLE B. ASSESSED VALUATIONS AND OWNER IDENTIFICATION

A map depicting all the existing parcels of real estate within the City-wide Urban Revitalization Area, together with a listing of the names and addresses of the owners of record and the assessed valuations of record of each such parcel, listing the land and building values separately as of the date of adoption of this Second Restated Plan are contained in Appendix C. Appendix C is a compact disk (CD), the original of which is on deposit in the office of the City Clerk.

ARTICLE C. EXISTING ZONING

Existing zoning within the City of Des Moines is defined and dictated by the Zoning Ordinance, codified in Chapter 134 of the Municipal Code of the City of Des Moines, Iowa. The Zoning Ordinance text provides the standards and definitions of the zoning classifications shown on the Zoning Map. Section 134-277 of the Zoning Ordinance adopts the Official Zoning Map, which is on file and available for public inspection in the offices of the Community Development Department. A copy of the Official Zoning Map, as amended to date of this Second Restated Plan, is incorporated herein as Map 1.

The Zoning Ordinance text and the Official Zoning Map are subject to change through amendments to the Zoning Ordinance in the manner established in Chapter 414 of the Iowa Code and in Chapter 134 of the Municipal Code.

ARTICLE D. EXISTING LAND USE

Existing land use within the City-wide Urban Revitalization Area as of the date of adoption of this Second Restated Plan includes residential, commercial, industrial, public and semi-public, and park and open space, as shown by Map 2.

ARTICLE E. PROPOSED LAND USE

On August 7, 2000, by Roll Call 00-3381, the City Council adopted the Des Moines 2020 Community Character Land Use Plan. The Des Moines 2020 Community Character Land Use Plan portrays desirable patterns of land uses and densities within the City of Des Moines. The Des Moines 2020 Community Character Land Use Plan, as amended from time to time, is on file and available for public inspection in the offices of the Community Development Department. A copy of the Des Moines 2020 Community Character Land Use Plan, as amended to the date of

this Second Restated Plan, is incorporated herein as Map 3. The Des Moines 2020 Community Character Land Use Plan is subject to change in the manner established by Iowa Code 414 and Article III of Chapter 82 of the Municipal Code.

ARTICLE F. PROPOSED CAPITAL IMPROVEMENTS AND EXPANDED CITY SERVICES

No additional capital improvements or expanded city services are proposed as part of the implementation of this Second Restated Plan.

The City annually adopts a Capital Improvements Budget for the following fiscal year and a Capital Improvements Program for the following five years which are incorporated herein by reference. The Capital Improvements Budget and Program represent a legislative declaration of intent on future capital improvement projects and the anticipated means of financing those projects. Copies of the current Capital Improvements Budget and Program are on file and available for public inspection in the Office of the City Clerk.

ARTICLE G. APPLICABILITY OF PLAN

1. Definitions

The following words, terms and phrases, when used in this Second Restated Plan, shall have the meanings ascribed to them below, except where the context clearly indicates a different meaning:

"Commercially or industrially zoned districts" consist of the C-0 Commercial-Residential District and less restrictive "C" districts, the "D-R" Downtown Riverfront District, the M-1 Light Industrial District and all other "M" districts, the PBP Planned Business Park District, and those portions of the PUD Planned Unit Development District planned for commercial or industrial uses, as such districts are shown on the Official Zoning Map incorporated by reference in Sec. 134-277 of the Municipal Code.

"Feasible" when used in reference to a requirement imposed by this Second Restated Plan, means that the property owner can comply with the referenced requirement by the use of established design or construction techniques that do not raise the cost of the improvements by an amount which is wholly disproportionate to the benefit provided by the temporary exemption from taxation allowable under this Second Restated Plan. This determination is to be made by the Community Development Director, subject to the applicants right to appeal that determination to the City Council by written notice of appeal delivered to the City Clerk.

"Fronting" when used with regard to the location of a building relative to an adjoining street, means that the view of the building is not substantially screened from view from that street by other buildings, fencing or landscaping.

2. Residential Property Consisting Of A One Or Two-Family Dwelling

The taxable value added by new construction or by rehabilitation and additions to existing structures consisting of a single freestanding dwelling or two attached dwellings and any accessory buildings, all of which are assessed as residential property and which satisfies the qualification requirements of Article H of this plan is eligible for a temporary exemption from taxation pursuant to Article I.

3. Residential and Commercial Property Consisting of Three or More Dwellings

The taxable value added by new construction, or by rehabilitation and additions to existing structures consisting of 3 more separate living quarters with at least 75% of the total space in all buildings on the property used for residential purposes, all of which is assessed as residential or commercial property and which satisfies the qualification requirements of Article H of this plan is eligible for a temporary exemption from taxation pursuant to Article I, SUBJECT TO compliance with the following standards:

- a) *Landscaping.* The improvements must be to property which conforms with the site plan landscape standards applicable to development within the C-2 District, as the same may be amended from time to time. However, any higher level of landscaping required by any other applicable requirement shall continue to apply.
- b) *Site Plan and Design Standards.* If the improvements include a new building, a building addition over 50% of the existing building area, or renovations to a building that have an estimated cost for building permit purposes that exceeds 50% of the assessed value of the existing building, then the property must also conform with:
 - (1) An approved site plan.
 - (2) The Commercial Construction and Sustainability Design Standards set forth in Appendix A-1, together with any of the following design standards that apply to such property:
 - (a) Improvements to any such property within the Court Avenue Historic Area as shown by Map 5, must substantially comply with the Court Avenue Design Standards attached hereto as Appendix A-2.
 - (b) Improvements to any such property within the Eastern Gateway District Area 1 as shown by Map 7 shall comply with the Eastern Gateway District Area 1 Design Standards set forth in Appendix A-3.

4. Property Assessed As Commercial Or Industrial

The taxable value added by new construction or by rehabilitation and additions to existing structures assessed as commercial or industrial property (exclusive of multiple-family commercial property) which satisfies the qualification requirements of Article H of this plan and the additional requirements under one or more of the subcategories of commercial and industrial property listed below is eligible for a temporary exemption from taxation pursuant to Article I.

NOTE: Improvements to property assessed as commercial or industrial property (exclusive of multiple-family commercial property) within the Downtown Overlay District identified on Map 5 are not eligible for a temporary exemption from taxation under this

Second Restated Plan as initially adopted. It is anticipated that future amendments to this Second Restated Plan will identify classes of commercial and industrial property within the Downtown Overlay District that will then be eligible for a temporary exemption from taxation.

A. Commercially and Industrially Zoned Districts: Improvements to property within a commercially and industrially zoned district and outside the Downtown Overlay District, which comply with the following standards:

- 1) *Location.* The improvements must be to property having a primary vehicular access from street frontage properly zoned for commercial or industrial use.
- 2) *Landscaping.* The improvements must be to property which conforms with the site plan landscape standards applicable to development within the C-2 District, as the same may be amended from time to time. However, any higher level of landscaping required by any other applicable requirement shall continue to apply.
- 3) *Site Plan and Design Standards.* If the improvements include a new building, a building addition over 50% of the existing building area, or renovations to a building that have an estimated cost for building permit purposes that exceeds 50% of the assessed value of the existing building, then the property must also conform with:
 - (a) An approved site plan.
 - (b) The Commercial Construction and Sustainability Design Standards set forth in Appendix A-1, together with any of the following design standards that apply to such property:
 - (1) Improvements to any such property within the Court Avenue Historic Area as shown by Map 5, must substantially comply with the Court Avenue Design Standards attached hereto as Appendix A-2.
 - (2) Improvements to any such property within the Eastern Gateway District Area 1 as shown by Map 7 shall comply with the Eastern Gateway District Area 1 Design Standards set forth in Appendix A-3.

B. (reserved)

ARTICLE H. QUALIFICATION FOR ELIGIBILITY

Improvements satisfying the applicability requirements of Article G of this Plan shall qualify for tax exemption under Article I of this Plan, provided the improvements satisfy all of the following eligibility requirements:

1. The improvements must have been added during the time the area has been designated a revitalization area.
2. Improvements consisting of rehabilitation or additions to existing improvements must have increased the actual value of the qualified real estate by at least 5% for property assessed as residential and 15% for property assessed as commercial or industrial.

3. The improvements must be completed in accordance with all applicable zoning, building and other regulations of the City of Des Moines and all necessary permits have been obtained.
4. If the improvements are occupied, the occupancy must be in conformance with the applicable provisions of the Building Codes in Chapter 26 of the Municipal Code.
5. If the improvements are devoted to a non-conforming use, as defined by the zoning regulations of the City of Des Moines, then such use must comply with the applicable proposed land use shown on the Des Moines 2020 Community Character Land Use Plan.
6. Improvements to property within the boundaries of the Historic Fort Des Moines Area as shown by Map 6 which involve over twelve inches of excavation must substantially comply with the Historic Fort Des Moines II Archaeological Requirements attached hereto as Appendix B.
7. Improvements consisting of the construction of a new building shall be served by the public sewer system. EXCEPTIONS: In the event that:
 - i) public sewer is not available within 100 feet of the boundaries of the parcel of land upon which the improvement is made;
 - ii) the improvement is assessed as residential property;
 - iii) the parcel of land upon which the improvement is made was created prior to July 1, 1999, and not thereafter voluntarily reduced in size; and,
 - iv) the owners of the property have entered into an agreement in recordable form acceptable to the City Legal Department agreeing to connect to the public sewer system when it becomes available and waiving the right to protest the assessment for such sewer;then the use of a private sewage disposal system may be utilized if:
 - a) the lot is two acres or less in size; or,
 - b) the City Council has by resolution made a determination that the improvements will not jeopardize future development and improvements in the vicinity considering the following factors:
 - (1) the location of the improvements on the lot must allow for future development to urban densities;
 - (2) the location of the improvements must not interfere with the logical extension of streets, water, sewer and other public infrastructure to serve future development in the vicinity; and,
 - (3) the improvement is reasonably accessible by emergency vehicles. Any private bridge or culvert use for such access must be of width and load bearing capacity sufficient to carry a fire truck and other emergency vehicles.

ARTICLE I. TAX EXEMPTION SCHEDULE

Tax exemption on qualifying improvements shall follow one of the applicable schedules as set out below. Eligible property owners shall elect to take one of the applicable schedules. Once the choice has been made and the exemption granted, the owner is not permitted to change the method of exemption.

1. **Residential Rehabilitation Abatement Schedule.** All qualified real estate assessed as residential property is eligible to receive an exemption from taxation based on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the exemption is equal to a percent of the actual value added by the improvements, determined as follows: one hundred fifteen percent of the value added by the improvements. However, the amount of the actual value added by the improvements which shall be used to compute the exemption shall not exceed twenty thousand dollars and the granting of the exemption shall not result in the actual value of the qualified real estate being reduced below the actual value on which the homestead credit is computed under Section 425.1 of the Code.
2. **Ten-Year Declining Abatement Schedule.** All qualified real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:
 - a. For the first year, eighty percent.
 - b. For the second year, seventy percent.
 - c. For the third year, sixty percent.
 - d. For the fourth year, fifty percent.
 - e. For the fifth year, forty percent.
 - f. For the sixth year, forty percent.
 - g. For the seventh year, thirty percent.
 - h. For the eighth year, thirty percent.
 - i. For the ninth year, twenty percent.
 - j. For the tenth year, twenty percent.
3. **Three-Year 100% Abatement Schedule.** All qualified real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.
4. **Residential Five-Year 100% Abatement Schedule.** All qualified real estate assessed as residential property or assessed as commercial property, if the commercial property consists of three or more separate living quarters with at least seventy-five percent of the space used for residential purposes, is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of five years.
5. **Targeted Residential Ten-Year 100% Abatement Schedule.** All qualified real estate within the Targeted Residential Development Area, as shown in Map 8, assessed as residential property or assessed as commercial property, if the commercial property

consists of three or more separate living quarters with a least seventy-five percent of the space used for residential purposes is eligible to receive an exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years.

- 6. Alternate Residential Ten-Year Declining Abatement Schedule.** All qualified real estate assessed as residential property or assessed as commercial property, if the commercial property consists of three or more separate living quarters with at least seventy-five percent of the space used for residential purposes, is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:
- a. For the first year, one hundred percent.
 - b. For the second year, ninety percent.
 - c. For the third year, eighty percent.
 - d. For the fourth year, seventy percent.
 - e. For the fifth year, sixty percent.
 - f. For the sixth year, fifty percent.
 - g. For the seventh year, forty percent.
 - h. For the eighth year, thirty percent.
 - i. For the ninth year, twenty percent.
 - j. For the tenth year, ten percent.

ARTICLE J. APPLICATION REQUIREMENTS

An application shall be filed for each new exemption claimed. The first application for an exemption shall be made by the owner of the property or a representative of the property owner, by filing an Application for Tax Abatement with the Community Development Department by February 1 of the assessment year for which the exemption is first claimed, but not later than the year in which all improvements included in the project are first assessed for taxation, or the following two assessment years, in which case the exemption is allowed for the total number of years in the exemption schedule. However, upon the request of the owner at any time, the Des Moines City Council may provide by resolution that the owner may file an application by February 1 of any other assessment year selected by the City Council in which case the exemption is allowed for the number of years remaining in the exemption schedule selected.

The application shall be made on a form provided by the Community Development Department and shall provide all information requested by that form, and such additional information as may be requested by the Community Development Director or the Director's designee to determine if the improvements qualify for a exemption from taxation.

A confirmation letter shall be issued to the applicant by the Community Development Department upon receipt of a completed application. The application shall not be considered filed until the confirmation letter has been issued.

ARTICLE K. PRIOR APPROVAL

A person may submit a proposal for an improvement project to the City Council to receive prior approval for eligibility for a tax exemption on the project. The City Council shall, by resolution, give its prior approval for an improvement project only if it is demonstrated to the City Council that the proposed project is in conformance with this Second Restated Plan. Such prior approval shall not entitle the owner to exemption from taxation until the improvements have been completed, an application for tax abatement is timely filed, and the improvements are found to be qualified real estate. However, if the proposal is not approved, the person may submit an amended proposal for the City Council to approve or reject. All prior approvals for an improvement project shall be effective for a period of one year from the date such prior approval is given; if construction has not begun by that date the prior approval is null and void.

ARTICLE L. RELOCATION PROVISIONS

1. **Benefits.** Upon application for and verification of eligibility for tax abatement to a property owner by the City, qualified tenants in designated areas whose displacement was due to action on the part of a property owner to qualify for said tax abatement under this Plan shall be compensated by the property owner for one month's rent and for actual reasonable moving and related expenses.
2. **Eligibility.** "Qualified Tenant" as used in this Plan shall mean the legal occupant of a residential dwelling unit who has occupied the same dwelling unit continuously since one year prior to the date the property was first designated by the City as an urban revitalization area.
3. **Actual Reasonable Moving And Related Expenses.** A qualified tenant of a dwelling is entitled to actual reasonable expenses for:
 - a. Transportation of the displaced person and personal property from the displacement to the replacement site. Transportation costs for a distance beyond twenty-five miles are not eligible.
 - b. Packing, crating, unpacking and uncrating of personal property.
 - c. Disconnecting, dismantling, removing, reassembling and reinstalling relocated household appliances and other personal property.
4. **Least Costly Approach.** The amount of compensation for an eligible expense shall not exceed the least costly method of accomplishing the objective of the compensation without causing undue hardship to the displaced tenant and/or landlord.

ARTICLE M. DURATION OF PLAN/TERMINATION

1. **Second Restated Plan.** Tax abatement under this Second Restated Plan shall be available for qualified improvements added during the period beginning on the later of:
 - a) January 1, 2012; or
 - b) The effective date of designation of the affected property as part of the City-wide Urban Revitalization Area,and continuing through December 31, 2015. Tax abatement under this Second Restated

Plan shall also be available for qualified improvements added on or before December 31, 2016, which are part of a building project on a single subdivided lot or unsubdivided parcel of property under unified ownership, provided, that necessary building permits for the project are obtained and construction on the project has commenced on or before December 31, 2015.

Notwithstanding anything stated in this article, if the City Council determines at any time that the desired level of revitalization has been attained or economic conditions are such that the continuation of the exemption granted would cease to be of benefit to the City, the City Council may repeal the ordinance establishing the revitalization areas, pursuant to Section 404.7, Code of Iowa.

For purposes of determining commencement of construction, the following definitions apply:

- "Commencement of new construction of a building" means the first placement of permanent construction materials which are to become part of a building on a building site, such as the pouring of slabs or footings, or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets, walkways or utility connections; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms.
- "Commencement of rehabilitation of or additions to an existing building" means, with respect to each individual improvement project involving rehabilitation of or additions to an existing building, (a) the first placement of permanent construction materials which are to become a physical portion of the rehabilitation or addition, or (b) the first alteration of any wall, ceiling, floor or other structural part of the existing building.

2. **Restated Plan.** The Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "original Restated Plan") is hereby amended by amending the boundaries of the Targeted Residential Area to be as shown on Map 8, with such amendment to be effective retroactive to January 1, 2011. The Restated Plan, as so amended shall continue to apply to improvements completed by December 31, 2011, and to improvements added on or before December 31, 2012, which are part of a building project on a single subdivided lot or unsubdivided parcel of property under unified ownership, provided, that the necessary building permits for the project were obtained and construction on the project has commenced on or before December 31, 2011.
3. **Other Previously Designated Urban Revitalization Areas.** The urban revitalization plans for the designated urban revitalization areas located outside the City-wide Urban Revitalization Area prior to the adoption of this Second Restated Plan are hereby incorporated into this Second Restated Plan by reference, and shall continue to apply to improvements within such areas completed by December 31, 2011, and to improvements added on or before December 31, 2012, which are part of a building project on a single subdivided lot or unsubdivided parcel of property under unified ownership, provided, that

the necessary building permits for the project were obtained and construction on the project has commenced on or before December 31, 2011. All such other urban revitalization plans shall expire in accordance with their terms on December 31, 2012.

ARTICLE N. OTHER ASSISTANCE PROGRAMS

A number of additional financial aid programs are available to qualifying businesses and residents of the City of Des Moines. Some of these programs are available on a City-wide basis, others are available only to residents of targeted areas. The following is a list of the available financial aid programs. Further information on such programs is available through the Community Development Department and Housing Services Department as well as other public and private housing organizations. The continued availability of these programs is subject to future funding.

1. City Programs

Minor Home Repair Program. This program operated by the Community Development Department provides assistance with repairs to plumbing, heating, electrical systems, roof, and foundation problems that create an immediate threat to the health and safety of the owner. The program provides a deferred payment loan that is funded through federal dollars and supplemented with other funding sources such as the Federal Home Loan Bank or Polk County Housing Trust Fund when monies are available.

Lead Based Paint Removal Program. Operated jointly by the City's Community Development Department and the Polk County Health Department, the program creates lead-safe housing for families with children under six years old. The program provides some rehabilitation dollars and addresses all lead hazards in or around a home. Priority is given to those families whose children have an elevated blood lead level.

Homeownership Program. The City provides funding to for-profit and not-for-profit developers to build or rehabilitate housing that is then sold to lower income homeowners. This allows lower income homeowners to purchase a high quality house at a below market value cost. Priority is placed on foreclosed housing or vacant lots within the central part of the City.

Rental Rehabilitation Program. The City provides federal funding for substantial rehabilitation of rental units for low income renters. Priority areas for these limited dollars are those units that have been vacant for a number of years, are located in a visible corridor or street, and provide larger family housing.

Furnace Repair/Replacement Program. The Community Action Agency (CAA) in the City's Housing Services Division provides furnace repair and replacement for low income households whose furnaces are non-functioning or dangerous. The CAA also takes applications for the Low Income Home Energy Assistance Program (LIHEAP) to assist low-income families meet the cost of home heating. The Crisis Assistance Program offered by the CAA may be able to help a home owner threatened by a power shut-off.

Revenue Bonds. Although the City is not committed at this time to issue revenue bonds for revitalization projects within the City of Des Moines, it should be noted that this procedure is available under the Urban Revitalization Act to the extent allowed by the Internal Revenue Code of 1954, as amended, to qualifying residential, commercial, industrial and non-profit projects. The City has developed administrative policies for the application and evaluation of these projects.

2. Polk County Programs

Polk County Housing Trust Fund. The Polk County Housing Trust Fund ("PCHTF") enriches the quality of life by providing funding to nonprofit housing providers for administrative and program costs. The PCHTF assists with a wide variety of housing types through its non profit partners including Home Opportunities Made Easy, Inc., Greater Des Moines Habitat for Humanity and Anawim Housing.

Weatherization Assistance Program. The Polk County Public Works Department is responsible for intake and verification of applications and is responsible for work write-ups, bid letting and inspection of eligible homes which receive services such as caulk, weather stripping, window replacement, storm doors and insulation. house remodeling and rehabilitation services.

Emergency Repair Program. The Polk County Public Works can offer assistance within the City of Des Moines for minor repairs that threaten the safety of the homeowner. The County will provide assistance for smaller items such as a water heater or roof repair.

3. Iowa Programs

FirstHome and FirstHome Plus. Iowa Finance Authority ("IFA") administers FirstHome and FirstHome Plus programs which offer qualified homebuyers affordable mortgage financing with a fixed interest rate. The programs offer buyers flexible credit qualification and a lower down payment. More than 400 lenders around Iowa offer the program, including the Neighborhood Finance Corporation

Military Homeownership Program. IFA also administers the Military Homeownership Program which provides grants to eligible members of the armed forces to assist in the purchase of qualified homes in Iowa. These funds may be used in conjunction with FirstHome, FirstHome Plus and the RuralHome Subsidy programs.

Low Income Housing Tax Credits. IFA annually allocates Low Income Housing Tax Credits to developers for the construction and or rehabilitation of rental units targeted to low income tenants. The City may contribute additional federal funds to a project to encourage additional affordability and neighborhood revitalization.

Iowa Community Economic Betterment Account. The Iowa Department of Economic Development administers the Iowa Community Economic Betterment Account which provides assistance to businesses either through grants, interest rate buy downs or low

interest loans.

Revitalize Iowa's Sound Economy. The Iowa Department of Transportation administers the Revitalize Iowa's Sound Economy ("RISE") program which provides financial assistance for road improvements which assist economic development.

4. Neighborhood Finance Corporation Programs

Neighborhood Finance Corporation ("NFC") is a nonprofit mortgage lender that receives annual funding from Polk County and the City of Des Moines to provide financial assistance for home rehabilitation in targeted areas. The targeted areas consist of low and moderate income areas designated by HUD and neighborhoods selected for the City's Neighborhood Revitalization Program. The NFC can provide up to \$10,000 in forgivable funds for home improvements and/or major repairs and health and safety items, including roofing, furnace and air conditioning, electrical and plumbing updates, repair or building a garage and replacement windows. The funds are totally forgivable over a five year period if the house is purchased with NFC financing. Portions of Home Improvement Loans for existing owner-occupants are forgiven over a five year period depending on the applicant's income.

5. Corporation for Economic Development in Des Moines Programs

The Corporation for Economic Development in Des Moines is a Certified Development Company under the Small Business Investment Act of 1958 as amended, and is certified to originate loans under the 504 Program and administer the City of Des Moines' Revolving Loan Fund and Microloan Programs.

Appendix A-1

Commercial Construction and Sustainability Design Standards

OVERVIEW

Tax abatement is offered as an incentive to commercial and industrial projects that demonstrate a commitment to the quality of Des Moines' commercial and industrial areas that is comparable with requirements of our metropolitan counterparts and over time, will improve the character of the commercial and industrial areas throughout the City.

Except where otherwise noted, if the improvements to multiple-family residential property or to commercial or industrial property include a new building, a building addition over 50% of the existing building area, or renovations to a building that have an estimated cost for building permit purposes that exceeds 50% of the assessed value of the existing building, then the property must also conform with the design standards set forth in this appendix to qualify for a partial exemption from taxation under the Restated Plan.

It is intended that these eligibility standards for tax abatement will be phased in as development regulations in the future.

Compliance with the standards will be reviewed by the Community Development Director or the Director's designee for recommendation to the City Council. An application for tax abatement must be approved by the City Council before it may be forwarded to the Polk or Warren County Assessor to allow the abatement.

DEVELOPMENT STANDARDS

1. Landscaping
Landscaping must be provided in compliance with the City of Des Moines Landscape Standards for the C-2 District. This requirement does not relieve higher levels of landscaping that may be required by other measures.
2. Sidewalks
 - a) Public sidewalk must be installed along all perimeter streets in conformance with the approved site plan.
 - b) Pedestrian sidewalk access must be provided between the public right-of-way and the primary building entry(s) in accordance with the approved site plan.
 - c) All required sidewalks must be in good repair and not contain any defects as defined in Section 102-43 of the Des Moines Municipal Code.
3. Screening
 - a) Trash containers shall be fully enclosed with 100% opaque walls and gate(s) constructed of masonry, steel panels, or other durable materials approved by the Community Development Director. Wood, vinyl or chain link are not durable materials for the purposes of this requirement.

- b) Outside storage of materials or equipment must be enclosed by opaque wood or masonry fence. No stored materials may be stacked higher than the perimeter fence.
- c) Roof-mounted utilities must be screened on all sides by an architectural screen wall with a height equal to the height of the equipment, and constructed with an exterior finish and color matching the primary building exterior. Roof-mounted utilities may also be screened by a parapet wall or by setback from the edge of the building equal to five times the height of the equipment, or any combination of the above.
- d) Wall-mounted utilities must be screened on all sides by an architectural screen wall or painted to match the adjoining building finish.
- e) Ground-mounted and wall-mounted utilities and meters shall be screened, or not visible from public streets.

4. Building Materials

- a) **Minimum of 75% of the surface area (exclusive of windows and doors) of facades fronting and perpendicular to a public street must be glass, brick, concrete panels, architectural concrete block (such as split-face or burnished block), architectural metal panels or stone.**
- b) **All buildings shall have window and door openings comprising at least 20% of the surface area of each facade fronting public streets. However, those portions of such a facade adjoining areas of a building devoted to processing, manufacturing or storage uses associated with an industrial use of the building need only have window and door openings comprising at least 20% of the area of first floor such facade, up to a maximum elevation of 14 feet.**
- c) No building elevation should have exterior insulation and finish system (EIFS) within 5' of the finished grade.
- d) **As an alternative to conforming with the requirements set forth above in this paragraph 4, all facades fronting and perpendicular to a public street must be constructed of materials and with a design approved by the Community Development Director as being consistent with the overall intent and purpose of these Commercial Construction and Sustainability Design Standards, and providing an equivalent level of quality and durability.**

5. Underground Utilities

All utility service lines to the property shall be underground, unless otherwise allowed by an approved site plan.

6. Signage

Free standing signs must be monument signs or directory signs (no pole-mounted signage). A monument sign is defined as a sign that is permanently attached to a structure that is built on grade (affixed to the ground).

7. Site Custodial

- a) All obsolete unneeded curb cuts, drive approaches, signs, sign poles, sign bases, concrete and paving islands shall be removed.
- b) Drive approaches shall be in good repair, properly sized and located.

8. Sustainability

The development must provide a minimum of four (4) of the following sustainable features:

- a) Bike racks for public use that provide a minimum of 10% of the automobile parking provided.
- b) Permeable pavement for a minimum of 30% of the paved area.
- c) Green roof on 50% of the rooftop area.
- d) Rain garden(s) that absorb 25% of runoff from impervious surfaces during a 1 ¼ "rain event over 24 hours.
- e) Exceed applicable energy code by 15%.
- f) 50% increase in required landscaping.
- g) 90% of exterior building elevations constructed from renewable materials.
- h) Primary entry within ¼ mile of a DART transit stop.
- i) Redevelopment of a previously-developed site.
- j) Renovation of an existing building.

9. Historic and Cultural Resources

If the project includes a site with a historic building that is on the National Register of Historic Places or deemed eligible for the Register of Historic Places, the building must be retained if feasible, considering the condition of the property.

Appendix A-2
Court Avenue Design Standards
Applicable within the Court Avenue Historic Area

Intent:

The Court Avenue Historic Area is identified in Map 5. The Court Avenue Historic Area has a rich historic past and legacy. It is highly encouraged that the design of new buildings and additions and alterations to existing buildings be designed to provide a compatible “place specific” solution that compliments the existing, commercial style brick character of the Court Avenue Historic Area and highlights the Beaux Art design of the Civic Center Historic District.

New buildings should be designed to be integrated into the unique and specific urban context of Court Avenue. New buildings should not imitate the classically inspired architecture of the Civic Center Historic District along the east and west riverbanks of the Des Moines River.

To build on the pedestrian character of Court Avenue and to compliment the longer range goals for a major pedestrian way along the riverfront, projects along Court Avenue have a predominance of retail, consumer services, civic, cultural or entertainment uses at the street level.

Buildings and uses that add pedestrian traffic and green spaces are encouraged. It is also recommended “people places” be created between buildings. Street level parking is strongly discouraged.

Except where otherwise noted, if the improvements to multiple-family residential property or to commercial or industrial property include a new building, a building addition over 50% of the existing building area, or renovations to a building that have an estimated cost for building permit purposes that exceeds 50% of the assessed value of the existing building, then the property must also conform with the design standards set forth in this appendix to qualify for a partial exemption from taxation under the Restated Plan.

Compliance with these standards will be reviewed by the Community Development Director or the Director’s designee for recommendation to the City Council. An application for tax abatement must be approved by the City Council before it may be forwarded to the Polk or Warren County Assessor to allow the abatement.

Requirements:

1. Uses:

Any building within the Court Avenue Historic Area shall be designed and constructed in a manner intended to accommodate retail, consumer services, civic, cultural or entertainment uses along more than 75% of the building frontage along each street.

2. Exterior Materials:

- a. A minimum of 75% of the building façade fronting any street shall be brick and a minimum of 50% of all other building façades shall be brick to continue the predominance of brick as a building material in the Court Avenue Historic Area while allowing for the introduction of contemporary building materials. The area of each façade devoted to windows and doors shall be disregarded in determining this percentage. A traditional brick size is required (approximately 8 inches long and 4 inches wide) for street-fronting façades.
- b. The balance of the exterior materials shall be durable and long lasting. Exterior insulation finishing systems (EIFS) and wood shall not be considered durable for the purposes of this requirement.

3. Exterior Building Details:

- a. Various design measures must be taken to subdivide the façade and add visual richness to the area to achieve a scale of new construction similar to the scale of the existing historic building pattern in this area. Belt courses, vertical subdivision into bays, cornices, changes in patterns of masonry openings, fluctuation in height and other interruptions to monotonous repetitions must be implemented to break up the façade into segments not more than 20 feet wide.
- b. New construction must have a street level ceiling height of at least 11' to carry out the typical pattern of architectural emphasis of the street level; existing historic building ceiling heights in this area range from 12' to 16' in height.
- c. Window patterns, types and sizes should be compatible with the historic nature of Court Avenue and other similar turn-of-the-century commercial districts. Residential windows shall be predominately a 2:1 proportion of height to width. Operable residential windows are preferred. Commercial windows should be clear, non reflective glazing and designed with large panes.

4. Lot Coverage, Setbacks and Height:

- a. New buildings must have a 75% lot coverage to encourage an appropriate level of development intensity and achieve compatibility with existing historic structures.
- b. A minimum of 70% of the linear frontage of the street façade of any new construction must be set at the right-of-way line to maintain the concept of a street wall consistent with the existing historic structures. However, any building constructed along the western 1/2 of the 400 block of Court Avenue must be set back at least 52 feet from the centerline of Court Avenue to preserve the public views of the Polk County Courthouse.
- c. New buildings shall not exceed 80 feet in height for any portion of the building set at or within 20 feet of a street property line to insure new construction does not overwhelm adjacent historic buildings.

Appendix A-3
Eastern Gateway Area 1 Design Standards
Applicable within the Eastern Gateway Area 1

Intent:

The Eastern Gateway District of downtown Des Moines was a thriving, active downtown neighborhood and business district in the late 1800s to about 1950. In the past fifty years, the buildings in this area deteriorated due to age and economic obsolescence with greatly diminished retail and housing uses. Many buildings and storefronts were vacant or underutilized when the City undertook several public-private projects in the area, starting in 2000, to improve the area for commercial and residential uses. As part of its efforts to reestablish the Eastern Gateway District as an active and thriving downtown neighborhood, the City is committed to supporting the continued revitalization of the Eastern Gateway Area 1 through the provision of tax abatement for the rehabilitation of historically contributing buildings, and for the construction of new buildings with appropriate design features and uses that strengthen this emerging mixed-use neighborhood.

A subset of the larger Eastern Gateway District, identified in Map 8 and designated as Eastern Gateway Area 1, has special architectural and historical importance. This subarea is bounded by Des Moines Street on the north, the railroad tracks south of Court Avenue on the south, the east bank of the Des Moines River on the west, and E. 7th Street on the east. The Eastern Gateway Area 1, has the greatest potential within the Eastern Gateway District to become a pedestrian commercial district.

New buildings should be designed to be integrated into the unique and specific commercial style brick character of the Eastern Gateway District. New projects should not imitate the classically inspired architecture of the Civic Center Historic District along the east and west sides of the Des Moines River.

Projects in the Eastern Gateway Area 1 should have street level uses that are predominantly retail/commercial, civic/cultural or entertainment in nature. To build on the early 1900's context and pedestrian-scale of the district, buildings and uses that add street life and green spaces are encouraged. It is also recommended that "people places" be created between buildings. Surface parking lots are strongly discouraged.

Except where otherwise noted, if the improvements to multiple-family residential property or to commercial or industrial property include a new building, a building addition over 50% of the existing building area, or renovations to a building that have an estimated cost for building permit purposes that exceeds 50% of the assessed value of the existing building, then the property must also conform with the design standards set forth in this article to qualify for a partial exemption from taxation under the Restated Plan.

Compliance with the standards will be reviewed by the Community Development Director or the Director's designee for recommendation to the City Council. An application for tax abatement

must be approved by the City Council before it may be forwarded to the Polk or Warren County Assessor to allow the abatement.

New Construction Requirements

1. Uses:

Any new building constructed within the Eastern Gateway Area 1 shall be designed and constructed in a manner intended to accommodate retail, consumer services, civic, cultural or entertainment uses along more than 75% of the building frontage on public streets.

2. Exterior Materials

- a. A minimum of 75% of the building façade fronting any street shall be brick. A traditional brick size is required (about 8 inches long and 4 inches wide) for street-fronting facades. A minimum of 50% of all other building facades shall be brick to continue the predominance of brick as a primary building material in the Eastern Gateway Area 1 while allowing for the introduction of contemporary building materials. The area of each façade devoted to windows and doors shall be disregarded in determining this percentage.
- b. Exterior materials shall be durable and long lasting. Exterior insulation finishing systems (EIFS) while permitted for use above the first floor, are not encouraged.
- c. Brick color is preferred in the range of the red, rust and buff family of colors to compliment the existing palette of brick already found within the district.
- d. Other materials such as stone, glass, and metals may be used in a manner that is compatible with the use of brick and enhance the historic precedence for brick as an exterior building material.

3. Exterior Building Details

- a. Various design measures must be taken to subdivide the façade and add visual richness to the area to achieve a scale of new construction similar to the scale of the existing historic building pattern in this area. Belt courses, vertical subdivision into bays, cornices, changes in patterns of masonry openings, fluctuation in height and other interruptions to monotonous repetitions must be implemented to break up the façade into segments not more than 20 feet wide.
- b. New construction shall have a street level ceiling height of at least 11 feet above the finished floor to carry out the typical pattern or architectural emphasis of the street level. A ceiling height of 12 to 18 feet in height is encouraged to support ground level retail development.
- c. Window patterns, types and sizes should be addressed in a manner that offers continuity and compatibility to the existing character of this area that historically offered a significant amount of street level retail, window displays and views into and out of buildings. Upper floor residential windows should be predominantly a 2:1 proportion of height to width. Operable residential windows are preferred. Commercial windows should be clear, non-reflective glazing and designed with large panes.

4. Lot Coverage, Setbacks and Height

- a. New buildings shall be at least 36 feet or three stories in height, unless any adjoining buildings are less than three stories, in which case the new building shall be at least two stories or 24 feet in height.
- b. Maximum building heights are established by the Capitol Dominance Overlay District standards set forth in the Zoning Ordinance. Those standards limit any structure in Capitol Dominance Overlay District "A" to a maximum building height of 75 feet. Those standards limit any structure in Capitol Dominance Overlay District "B" to a maximum building height of 55 feet, provided however, that if the portion of the structure over 55 feet in height is devoted entirely to a residential use, the maximum building height is limited to 75 feet.
- c. New buildings shall have frontage on the principal adjoining street of not less than 70 percent of the lot to encourage appropriate levels of development intensity and achieve compatibility with existing historic structures within the district.
- d. A minimum of 70% of the linear frontage of the street façade of any new construction must be set within 1 foot of the street right-of-way line to maintain the concept of a "street wall" and the historical pattern of building street frontage up to the property line.

Appendix B
Historic Fort Des Moines Archaeological Requirements
Applicable within the Historic Fort Des Moines Area

Intent

The City of Des Moines originated with the construction of the historic Fort Des Moines II at the confluence of the Des Moines and Raccoon Rivers. The area formerly occupied by the historic Fort Des Moines II and the settlement around the fort has yielded significant archaeological artifacts instructive of the early history of the City and of the settlement of the state of Iowa. These archaeological requirements are intended to encourage the preservation of these archaeological artifacts and to avoid the use of property tax incentives to subsidize the destruction of artifacts important to the history of the City of Des Moines and the State of Iowa.

Archaeology Requirements and Notification

- a. To protect important historic resources, owners or developers proposing projects which involve over twelve inches of excavation within the area of archaeological sensitivity designated as the Historic Fort Des Moines II Archeological Area identified on Map 6, must comply with the following requirements prior to commencing such excavation:
 1. The owner or developer must retain the services of a consultant who meets the U.S. Secretary of the Interior's professional qualification standards as a Historic Archaeologist to make an assessment of the potential for archaeological yields on the site in consultation with the Iowa State Historic Preservation Office.
 2. The archaeological consultant shall prepare a report assessing the potential for archaeological yields on the site and shall seek the concurrence of the Iowa State Historic Preservation Office with the report.
 3. The report of the archaeological consultant and any response from the Iowa State Historic Preservation Office shall be submitted to the City Manager's Office.
- b. The City of Des Moines reserves the right to deny a site plan, demolition permit, building permit or grading permit until this consultation report has been received and to issue a permit with conditions which may stipulate adequate time for protection arrangements, press releases and/or removal of artifacts.
- c. Owners and developers of property are required to notify the Des Moines Community Development Department immediately when encountering any archaeological finds during any excavation or construction and to immediately halt construction disturbance in order to allow adequate time for additional measures, including removal of the artifacts to an Iowa repository or some other protective measures.
- d. Tax abatement may be denied for a project that is reasonably determined by the City to have the potential to result in the destruction of significant archaeological artifacts unless appropriate remedial measures are taken to document and recover the artifacts in conformance with the recommendations of the Iowa State Historic Preservation Office.

Compliance with Statutory Requirements

(For reference only - not part of the Second Restated Urban Revitalization Plan)

Iowa Code	Requirement	Where Addressed in Plan
404.2(2)(a)	Legal description of area Map depicting the existing parcels	Article A & Map 1
404.2(2)(b)	Assessed value of land and buildings	Article B & Appendix C
404.2(2)(c)	List of owners of record	Article B & Appendix C
404.2(2)(d)	Zoning classifications and district boundaries	Article C & Map 1
404.2(2)(d)	Existing land uses	Article D & Map 2
404.2(2)(d)	Proposed land uses	Article E & Map 3
404.2(2)(e)	Proposals for improving or expanding services	Article F
404.2(2)(f)	Definition of eligible property.	Articles G and H
404.2(2)(f)	Duration of plan	Article M
404.2(2)(f)	Will revenue bonds be used?	Article N.1
404.2(2)(g)	Relocation	Article L
404.2(2)(h)	Tax exemption schedules	Article I
404.2(2)(i)	Required percent increase in actual value	Article H.2
404.2(2)(j)	Description of any grants or loans for residential improvements.	Article N

**2011-1 OMNIBUS AMENDMENT TO THE
URBAN REVITALIZATION PLANS
OF THE
CITY OF DES MOINES, IOWA**

Constituting the following numbered amendment to the urban revitalization plans for the following urban revitalization areas within the City of Des Moines.

<u>Amendment</u>	<u>Urban Revitalization Area</u>
Twenty-Fourth	City-wide Urban Revitalization Area (to Restated Plan)
Fifth	Ewing Park Urban Revitalization Area
Fifth	Sunrise Estates Urban Revitalization Area
Fifth	Creekview Urban Revitalization Area
Fifth	4247 Beaver Avenue Urban Revitalization Area
Fifth	Hickory Grove Urban Revitalization Area
Sixth	Airport Business Park Urban Revitalization Area
Fifth	Airport Commerce Park West Urban Revitalization Area
Fourth	Leland Avenue Urban Revitalization Area

Adopted: December _____, 2011, by Roll Call No. 11-_____

HISTORY

City-wide Urban Revitalization Area

The City Council approved the original Urban Revitalization Plan for the City-wide Urban Revitalization Area by Roll Call No. 87-4009 on September 28, 1987. The original City-wide Urban Revitalization Area was comprised of the entire area within the boundaries of the City of Des Moines on July 7, 1987. The original Urban Revitalization Plan for the City-wide Urban Revitalization Area was amended twenty-one times as identified below:

Adoption and Amendment of the original City-wide Urban Revitalization Plan

<i>Action</i>	<i>Date</i>	<i>Roll Call/Ordinance Number</i>
Designation of Area	07/06/87	Ordinance No. 11,026
Amendment of Area	09/21/87	Ordinance No. 11,065
"Original" Plan Adopted	09/28/87	87-4009
First Amendment	06/05/89	89-2438
Second Amendment	07/24/89	89-3209 (expanded area)
Third Amendment	01/15/90	90-191
Fourth Amendment	06/25/90	90-2793
Fifth Amendment	08/26/91	91-3664
Sixth Amendment	09/08/92	92-3497
Seventh Amendment	03/15/93	93-973
Eighth Amendment	03/15/93	93-971
Ninth Amendment	05/17/93	93-1868
Tenth Amendment	01/03/94	94-114
Eleventh Amendment	08/01/94	94-3024
Twelfth Amendment	11/07/94	94-4273
Thirteenth Amendment	12/19/94	94-4781
Fourteenth Amendment	02/20/95	95-644/ Ord. No. 13,149
Fifteenth Amendment	03/06/95	95-869
Sixteenth Amendment	05/22/95	95-2087
Seventeenth Amendment	07/10/95	95-2659
Nineteenth Amendment	10/16/95	95-3949
Nineteenth Amendment	12-02-96	96-4031
Twentieth Amendment	06/02/97	97-1975 (expanded area)
Twenty-First Amendment	06-16-97	97-2126 (expanded area & adopted Restated Plan)

The Twenty First Amendment to the Original Plan adopted the Restated Urban Revitalization Plan (the "Restated Plan") which has since been amended as shown below. This amendment is the Twenty-Fourth Amendment to the Restated Plan.

Amendments to the Restated Urban Revitalization Plan

<i>Action</i>	<i>Date</i>	<i>Roll Call Number</i>
First Amendment	02-23-98	98-549 (expanded area)
Second Amendment	05-18-98	98-1628
Third Amendment	10-19-98	98-3272
Fourth Amendment	03-15-99	99-747
Fifth Amendment	07-12-99	99-2221
Sixth Amendment	10-18-99	99-3258
Seventh Amendment	02-07 -00	00-361
Eighth Amendment	02-07 -00	00-364
Ninth Amendment	12-18-00	00-4680
Tenth Amendment	07-23-01	01-2329
Eleventh Amendment	09-24-01	01-2932
Twelfth Amendment	06-03-02	02-1447
Thirteenth Amendment	10-21-02	02-2546
Fourteenth Amendment	02-09-04	04-315
Fifteenth Amendment	02-28-05	05-476
Sixteenth Amendment	02-28-05	05-478
Seventeenth Amendment	04-24-06	06-847
Nineteenth Amendment	08-07-06	06-1599
Nineteenth Amendment	09-10-07	07-1762
Twentieth Amendment	02-11-08	08-250
Twenty-First Amendment	08-21-08	08-1451
Twenty-Second Amendment	05-18-09	09-896
Twenty-Third Amendment	03-28-11	11-0517

Other City of Des Moines Urban Revitalization Areas

Several areas annexed into the City of Des Moines after the creation of the City-wide Urban Revitalization Area and before 1997 have not been added to that urban revitalization area. Instead, separate urban revitalization areas have been designated within the annexation areas were deemed appropriate by the City Council. The separate urban revitalization plans for these areas were adopted and amended as identified below:

Ewing Park Urban Revitalization Area

Designation of Area	09/16/91	Ordinance No. 11,719
Plan Adopted	11/18/91	91-4889
(1st) 1995-1 Omnibus	03/06/95	95-869
(2nd) 2000-1 Omnibus	02/07/00	00-361
(3rd) 2005-1 Omnibus	02/28/05	05-478
(4th) 2008-1 Omnibus	02/11/08	08-250

Sunrise Estates Urban Revitalization Area

Designation of Area	01/04/93	Ordinance No. 11,923
Plan Adopted	01/04/93	01/04/93 93-72

(1st)1995-1 Omnibus	03-06-95	95-869
(2nd) 2000-1 Omnibus	02/07/00	00-361
(3rd) 2005-1 Omnibus	02/28/05	05-478
(4th) 2008-1 Omnibus	02/11/08	08-250

Creekview Estates Urban Revitalization Area

Designation of Area	08/23/93	Ordinance No. 12,033
Plan Adopted	09/07/93	93-3344
(1st) 1995-1 Omnibus	03/06/95	95-869
(2nd) 2000-1 Omnibus	02/07/00	00-361
(3rd) 2005-1 Omnibus	02/28/05	05-478
(4th) 2008-1 Omnibus	02/11/08	08-250

4247 Beaver Avenue Urban Revitalization Area

Designation of Area	06/20/94	Ordinance No. 13,064
Plan Adopted	11/21/94	94-4459
(1st)1995-1 Omnibus	03-06-95	95-869
(2nd) 2000-1 Omnibus	02/07/00	00-361
(3rd) 2005-1 Omnibus	02/28/05	05-478
(4th) 2008-1 Omnibus	02/11/08	08-250

Hickory Grove Urban Revitalization Area

Designation of Area	12/05/94	Ordinance No. 13,126
Plan Adopted	12/05/94	94-4624
(1st) 1995-1 Omnibus	03-06-95	95-869
(2nd) 2000-1 Omnibus	02/07/00	00-361
(3rd) 2005-1 Omnibus	02/28/05	05-478
(4th) 2008-1 Omnibus	02/11/08	08-250

Airport Business Park Urban Revitalization Area

Designation of Area	01/16/95	Ordinance No. 13,142
Plan Adopted	02/20/95	95-642
(1st) 1995-1 Omnibus	03/06/95	95-869
2nd Amendment	12/02/96	96-4040 (expanding area)
(3rd) 2000-1 Omnibus	02/07/00	00-361
(4th) 2005-1 Omnibus	02/28/05	05-478
(5th) 2008-1 Omnibus	02/11/08	08-250

Airport Commerce Park West Urban Revitalization Area

Designation of Area	08/70/95	Ordinance No. 13,222
Plan Adopted	07/24/95	95-2860
1st Amendment	12/02/96	96-4021 (expanding area)
(2nd) 2000-1 Omnibus	02/07/00	00-361
(3rd) 2005-1 Omnibus	02/28/05	05-478
(4th) 2008-1 Omnibus	02/11/08	08-250

Leland Avenue Urban Revitalization Area

Designation of Area	12/18/95	Ordinance No. 13,285
Plan Adopted	12/18/95	95-4725
(1st) 2000-1 Omnibus	02/07/00	00-361
(2nd) 2005-1 Omnibus	02/28/05	05-478
(3rd) 2008-1 Omnibus	02/11/08	08-250

PURPOSE OF 2011-1 OMNIBUS AMENDMENT

The purpose of the 2011-1 Omnibus Amendment to the urban revitalization plans for the City of Des Moines is to make the following amendments to the City's Tax Abatement Program:

- a) To extend the Tax Abatement Program for an additional four years until December 31, 2015, with an additional year for the completion of improvements commenced by December 31, 2015;
- b) To expand the City-wide Urban Revitalization Area to encompass the entire City of Des Moines as it now exists and as hereafter expanded by future annexations;
- c) To amend the urban revitalization plan for the City-wide Urban Revitalization Area to add the downtown area back into the Targeted Residential Development Area wherein the taxable value added by qualifying improvements to residential and commercial multifamily property can receive a 10-year/100% exemption from taxation, reversing the action taken under the 2008-1 Omnibus Amendment which removed the downtown area from the Targeted Residential Development Area;
- d) To amend the urban revitalization plan for the City-wide Urban Revitalization Area to change the eligibility requirements to receive tax abatement for improvements to property assessed as commercial or industrial property for tax purposes;
- e) To amend and restate the urban revitalization plan for the City-wide Urban Revitalization Area to be as set forth in the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "Second Restated Plan") which is on file and available for inspection by the public in the office of the City Clerk; and,
- f) To discontinue the separate urban revitalization plans created for the urban revitalization areas originally outside the City-wide Urban Revitalization Area;

2011-1 OMNIBUS AMENDMENT

1. Adoption of the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area.

The Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area is hereby approved and adopted, and shall be applicable to improvements to real property added during the period beginning on the later of:

- a) January 1, 2012; or
- b) The effective date of designation of the affected property as part of the City-wide Urban Revitalization Area,

2. Phase-out of the Restated Urban Revitalization Plan.

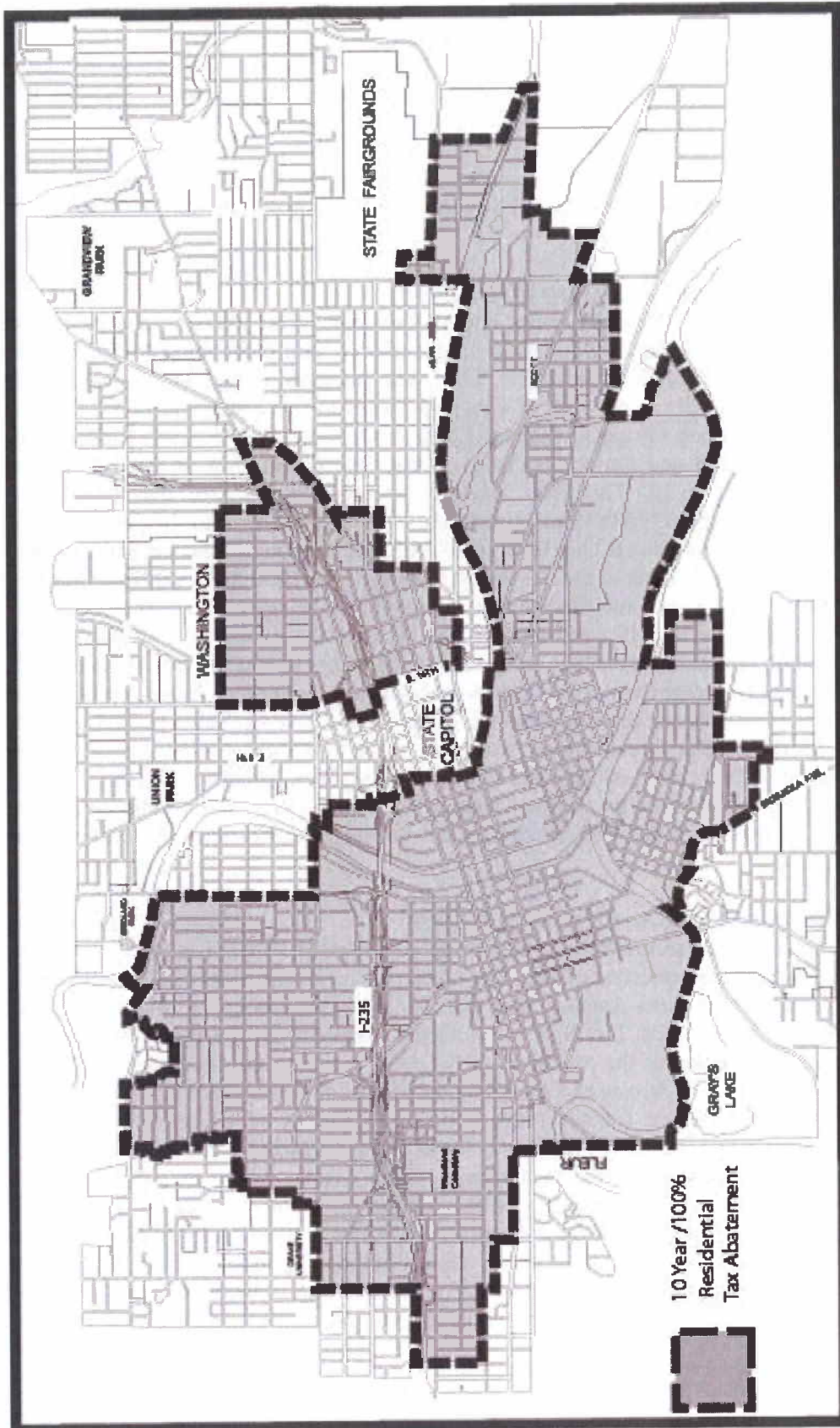
The provisions of the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "original Restated Plan") is hereby amended by amending the boundaries of the Targeted Residential Area to be as set forth in Appendix F (Rev. 4) and as shown on Map 7 (Rev. 4), with such amendment to be effective retroactive to January 1, 2011. The Restated Plan, as so amended shall continue to apply to improvements completed by December 31, 2011, and to improvements added on or before December 31, 2012, which are part of a building project on a single subdivided lot or unsubdivided parcel of property under unified ownership, provided, that the necessary building permits for the project are obtained and construction on the project has commenced on or before December 31, 2011. This amendment is intended to reverse the action taken under the 2008-1 Omnibus Amendment which removed the downtown area from the Targeted Residential Development Area.

3. Phase-out of Other Previously Designated Urban Revitalization Areas.

The urban revitalization plans for the designated urban revitalization areas located outside the City-wide Urban Revitalization Area prior to the adoption of the Second Restated Plan are incorporated into the Second Restated Plan by reference, and shall continue to apply to improvements within such areas completed by December 31, 2011, and to improvements added on or before December 31, 2012, which are part of a building project on a single subdivided lot or unsubdivided parcel of property under unified ownership, provided, that the necessary building permits for the project are obtained and construction on the project has commenced on or before December 31, 2011. All such other urban revitalization plans shall expire in accordance with their terms on December 31, 2012.

Map 7 (Rev. 4)

to the City-wide Urban Revitalization Plan
Targeted Residential Development Area



APPENDIX F (Rev. 4) TARGETED RESIDENTIAL DEVELOPMENT AREA

The Targeted Residential Development Area consists of the following areas:

1. The Logan Prime Service Area, as amended, as legally defined in the Eighth Amendment to the Omnibus Urban Renewal Plan Amendment, adopted by the City Council by Roll Call No. 92-1207 on April 6, 1992.
2. That portion of the Southeast Prime Service Area approved in the Resolution Approving the Omnibus Urban Renewal Plan Amendment, adopted by City Council by Roll Call No. 2907 on June 25, 1979, which is legally described as:

Southeast Prime Service Area (West of 30th Street)

Beginning at a point where the center line of East 30th Street intersects the center line of the Chicago, Rock Island and Pacific Railroad right-of-way, said point being on the East line of the Southeast Quarter (SE1/4) of Section 1, Township 78 North, Range 24 West of the 5th P. M.; thence South along the center line of East 30th Street to the center line of C. B. & Q. Street; thence westerly along the center line of C. B. & Q. Street to the North right-of-way line of Chicago, Burlington and Quincy Railroad in the South Half (S2) of the Northwest Quarter (NW1/4) of Section 12, Township 78 North, Range 24 West of the 5th P. M.; thence northwesterly along the North right-of-way line of the said railroad to the East line of the West 1545.6 feet of the Northwest Quarter (NW1/4) of said Section 12; thence South along the East line of the West 1545.6 feet of the Northwest Quarter (NW3) and the Southwest Quarter (SW1/4) of said Section 12 to the center line of a creek (said creek being located in the Southwest Quarter (SW1/4) of said Section 12 and running from Dean Lake to the Des Moines River); thence easterly along the center line of the said creek to the center line of the Des Moines River; thence westerly along the center line of the Des Moines River to the westerly extension of the center line of Raccoon Street; thence easterly along the center line of Raccoon Street to the East right-of-way line of Southeast 12th Street; thence North along the East right-of-way line of Southeast 12th Street to the southern right-of-way line of the Chicago, Rock Island and Pacific Railroad; thence easterly along the southern line of the Chicago, Rock Island and Pacific Railroad right-of-way to the point of beginning; all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Southeast Prime Service Area (East of 30th Street)

Beginning at the intersection of S.E. 30th Street and Walnut; thence East, along the centerline of Walnut Street, to the centerline of S.E. 31st Street; thence South, along the centerline of S.E. 31st to the centerline of Dean Avenue; thence East, along the centerline of Dean Avenue to the northerly extension of S.E. 36th Street from Court Avenue to Dean Avenue; thence South, along the northerly extension of the centerline of S.E. 36th Street to the intersection of Court Avenue and S.E. 36th Street; thence continuing along the centerline of S.E. 36th Street to the centerline of Laurel Hill Road; thence southeasterly, along the centerline of Laurel Hill Road to the East section line of S.E. 1/4 of 6-78-23; thence South, along said section line to the centerline of Scott Avenue; thence West, along the centerline of Scott Avenue to the centerline of the Drainage Ditch that crosses Scott Avenue; thence southerly, along the centerline of said ditch, approximately 335 feet; thence West, along a straight line, to the East lot lines of Lots 1 and 21 of Fisherfield, an Official Plat; thence South, along said East lot lines to the centerline of S.E. 32nd Street; thence South, along the centerline of S.E. 32nd Street to the North right of way line of the Norfolk and Western Railroad; thence northwesterly, along the North right of way line of said

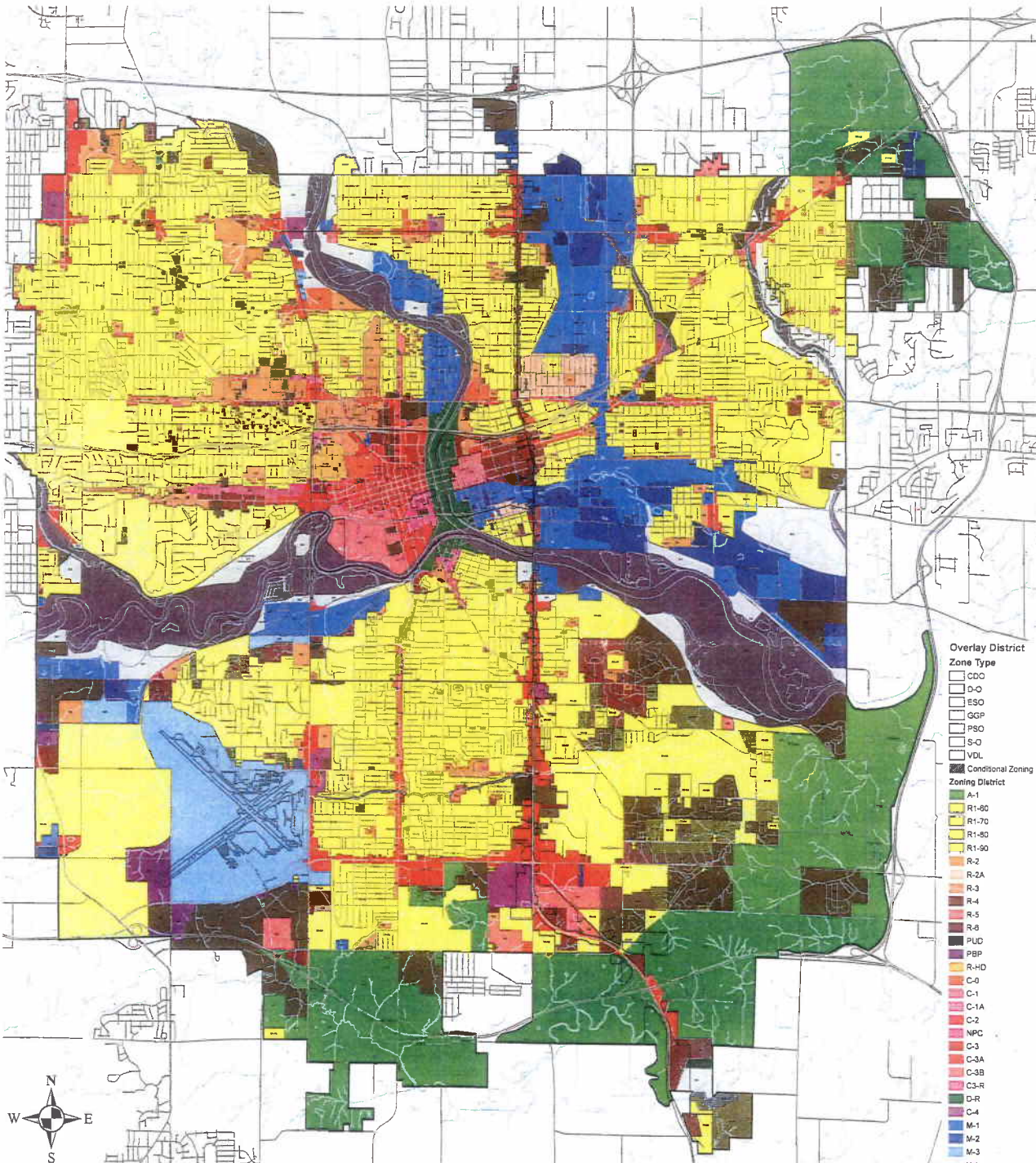
railroad to the centerline of S.E. 30th Street; thence North, along S.E. 30th Street centerline to the point of beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

3. That part of the Pioneer-Columbus Prime Service Area, approved in the Resolution Approving the Omnibus Urban Renewal Plan Amendment adopted by City Council by Roll Call No. 2907 on June 25, 1979, which is legally described as:

Beginning at the intersection with the center line of Southwest 7th Street and the Westerly projected center line of Indianola Road (formerly known as Indianola Avenue); thence northwesterly along the center line of Southwest 7th Street and its projection to the point of intersection with the mid-point of the Raccoon River; thence northeasterly along the middle line of the Raccoon River to the point of confluence with the mid-point of the Des Moines River; thence southeasterly along the middle of the Des Moines River to its intersection with the northerly projected center line of Southeast 14th Street; thence South along the projected center line of Southeast 14th Street, to its intersection with the Westerly projected center line of East Granger Avenue; thence East along the projected center line of East Granger Avenue to its intersection with the northerly projected center line of Southeast 16th Street; thence South along the projected center line of Southeast 16th Street to its intersection with the center line of Hartford Avenue; thence West along the center line of Hartford Avenue to its intersection with the center line of Southeast 6th Street; thence South along the center line of Southeast 6th Street to its intersection with the center line of Pioneer Road; thence West along the center line of Pioneer Road to its intersection with the center line of Southeast 5th Street; thence North along the center line of Southeast 5th Street to its intersection with the Easterly projected center line of East Gray Street; thence West along the projected center line of East Gray Street to its intersection with center line of Indianola Avenue; thence northwesterly along the center line of Indianola Avenue to its intersection with the Easterly projected center line of Hartford Avenue; thence West along the projected center line of Hartford Avenue to its intersection with the South projection of the West line of the East 50.0 feet of Lot 23 Official Plat of the West ½ lying South of the Des Moines River Section 10, Township 78 North, Range 24 West of the P.M.; thence North along the South projection of the West line of the East 50.0 feet of said Lot 23 and along the North projection of the East 50.0 feet of said Lot 23 to the center line of Hillside Avenue; thence East along the center line of Hillside Avenue to the intersection with the North projection of the West line of the East ½ of Lot 22 Official Plat of the West ½ lying South of the Des Moines River Section 10, Township 78 North, Range 24 West of the P.M.; thence South along the North projection of the West line of the East ½ of said Lot 22 to the point of intersection with the North ½ of said Lot 22; thence East along the North ½ of said Lot 22 to the East line of said Lot 22; thence South along the East line of said Lot 22 to a point being 120.0 feet North of the Southeast corner of said Lot 22; thence East along a straight line being 120.0 feet North of and parallel with the South line of Lot 21 Official Plat of the West ½ lying South of the Des Moines River Section 10, Township 78 North, Range 24 West of the P.M., to a point being 90.2 feet East of the West line of said Lot 21; thence South along a straight line being 90.2 feet East of and parallel with the East line of said Lot 21 to the intersection with the South line of said Lot 21, also being a point on the North right-of-way line of Hartford Avenue; thence East along the North right-of-way line of Hartford Avenue and along the East projection of the North right-of-way line of Hartford Avenue to the center line of Indianola Avenue; thence northwesterly along the center line of Indianola Avenue to the point of intersection with the center line of Southeast 1st Street and Indianola Road; thence northwesterly along the center line of Indianola Road (formerly known as Indianola Avenue) to the point of beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

4. The Woodland-Willkie Prime Service Area, as legally defined in the Resolution Approving the Omnibus Urban Renewal Plan Amendment, adopted by the City Council by Roll Call No. 2907 on June 25, 1979.
5. That part of the Model Cities Prime Service Area, as legally defined in the Resolution Approving the Omnibus Urban Renewal Plan Amendment, adopted by the City Council by Roll Call No. 2907 on June 25, 1979, excluding the following property: Property within the Central Place Industrial Park Redevelopment Program Area, as legally defined in the Original Urban Renewal Plan for the Central Place Industrial Park Redevelopment Program adopted by the City Council by Roll Call No. 2390 on May 20, 1985; and
6. The Des Moines Urban Renewal Project No. 1 - River Hills Urban Renewal Area, as legally described in the Des Moines Urban Renewal Project No. 1 - River Hills -- Urban Renewal Plan, adopted by the City Council by Roll Call No. 964 on March 28, 1960.
7. The Capitol-Center Development Area, as legally described in the Capitol-Center Development Area Urban Renewal Plan, adopted by the City Council by Roll Call No. 3748 on August 2, 1973.
8. The Riverpoint Capitol-Center Development Area Urban Renewal Area as described in the Restated Urban Renewal Plan adopted by the City Council by Roll Call No. 97-4066 on December 22, 1997.

CITY OF DES MOINES ZONING MAP



- Overlay District**
- CDO
 - D-O
 - ESO
 - GGP
 - PSO
 - S-O
 - VDL
 - Conditional Zoning
- Zoning District**
- A-1
 - R1-60
 - R1-70
 - R1-80
 - R1-90
 - R-2
 - R-2A
 - R-3
 - R-4
 - R-5
 - R-6
 - PLUD
 - PBP
 - R-HD
 - C-0
 - C-1
 - C-1A
 - C-2
 - NPC
 - C-3
 - C-3A
 - C-3B
 - C3-R
 - D-R
 - C-4
 - M-1
 - M-2
 - M-3
 - U-1
 - FW



ZONING DISTRICT CLASSIFICATIONS

- | | |
|---|---|
| A-1 AGRICULTURAL DISTRICT | C-1 NEIGHBORHOOD RETAIL COMMERCIAL DISTRICT |
| R1-60 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT | C1-A NEIGHBORHOOD COMMERCIAL REUSE DISTRICT |
| R1-70 ONE-FAMILY LOW-DENSITY RESIDENTIAL DISTRICT | C-2 GENERAL RETAIL AND HIGHWAY-ORIENTED COMMERCIAL DISTRICT |
| R1-80 ONE-FAMILY RESIDENTIAL DISTRICT | NPC NEIGHBORHOOD PEDESTRIAN COMMERCIAL DISTRICT |
| R1-90 LARGE LOT ONE-FAMILY RESIDENTIAL DISTRICT | C-3 CENTRAL BUSINESS DISTRICT |
| R-2 ONE & TWO-FAMILY RESIDENTIAL DISTRICT | C3-A CENTRAL BUSINESS DISTRICT SUPPORT |
| R-2A GENERAL RESIDENTIAL DISTRICT | C-3B CENTRAL BUSINESS MIXED USE DISTRICT |
| R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT | C3-R CENTRAL BUSINESS DISTRICT MIXED-RESIDENTIAL DISTRICT |
| R-4 MULTIPLE-FAMILY RESIDENTIAL DISTRICT | D-R DOWNTOWN RIVERFRONT DISTRICT |
| R-5 MOBILE HOME RESIDENTIAL DISTRICT | C-4 SHOPPING CENTER COMMERCIAL DISTRICT |
| R-6 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT | M-1 LIGHT INDUSTRIAL DISTRICT |
| PLUD PLANNED UNIT DEVELOPMENT DISTRICT | M-2 HEAVY INDUSTRIAL DISTRICT |
| PBP PLANNED BUSINESS PARK DISTRICT | M-3 LIMITED INDUSTRIAL DISTRICT |
| R-HD RESIDENTIAL HISTORIC DISTRICT | U-1 FLOOD PLAIN DISTRICT |
| C-0 COMMERCIAL-RESIDENTIAL DISTRICT | FW FLOODWAY DISTRICT |

OVERLAY DISTRICT CLASSIFICATIONS

- PLEASE CONSULT THE COMMUNITY DEVELOPMENT DEPARTMENT OF THE CITY OF DES MOINES FOR OVERLAY DISTRICT INFORMATION.
- S-O STUDY OVERLAY DISTRICT
 - CDO CAPITOL DOMINANCE OVERLAY DISTRICT
 - GGP GAMBLING GAMES PROHIBITION OVERLAY DISTRICT
 - ESO ENTERTAINMENT SIGN OVERLAY DISTRICT
 - PSO PEDESTRIAN ORIENTED SIGN OVERLAY DISTRICT
 - VDL VEHICLE DISPLAY LOT OVERLAY DISTRICT
 - D-O DOWNTOWN OVERLAY DISTRICT

CONDITIONAL ZONING

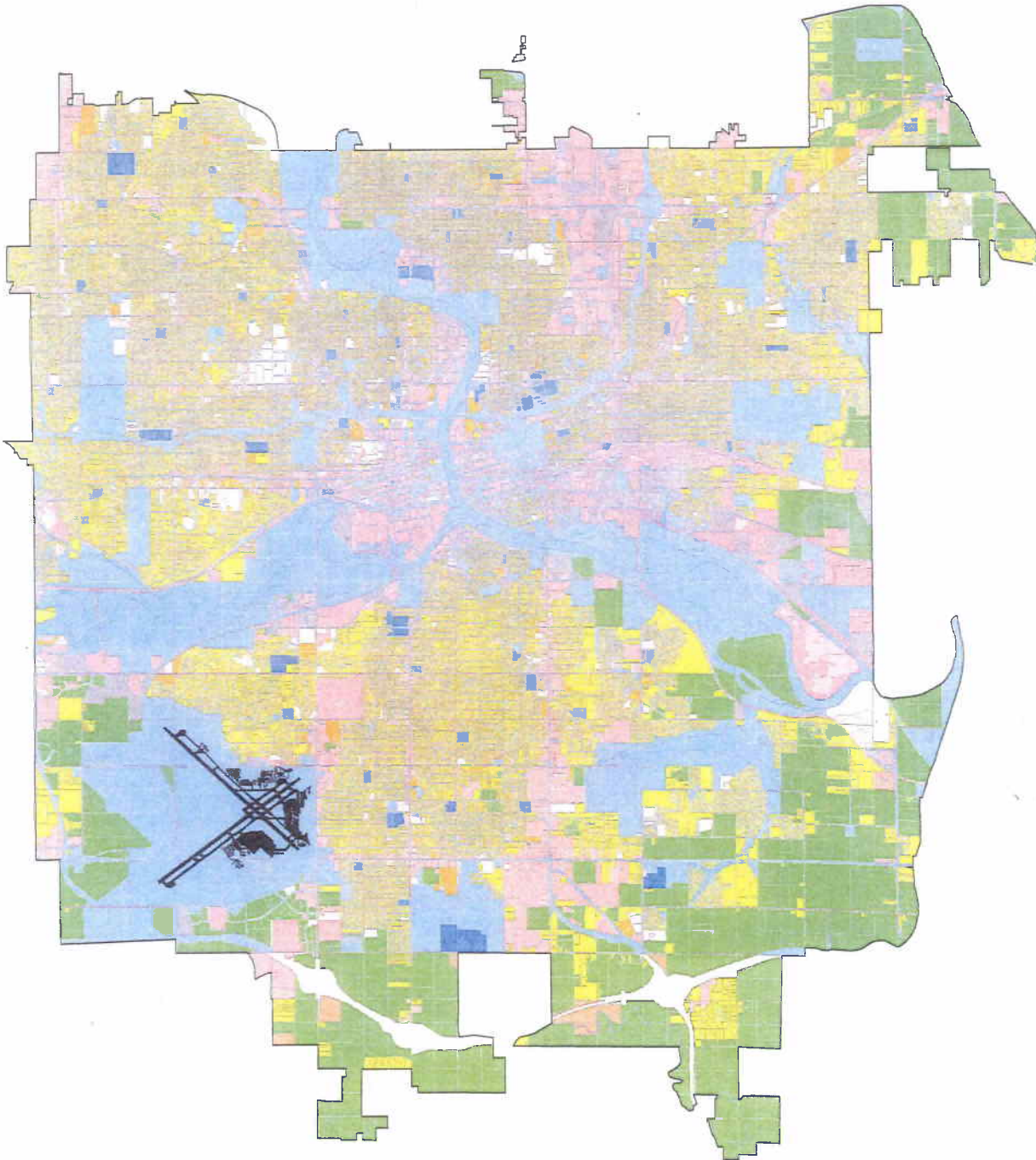
PLEASE CONSULT THE COMMUNITY DEVELOPMENT DEPARTMENT OF THE CITY OF DES MOINES FOR CONDITIONAL ZONING INFORMATION.

City of Des Moines, Iowa.
Ordinance Number 7228.
Adopted July 12, 1982.

This map was produced utilizing electronic mapping software. Please consult the City of Des Moines Community Development Department for more precise information and for possible changes to this document since the date listed at the bottom.

Current as of November 1, 2011
City of Des Moines, Community Development Department.

2011 Existing Land Use

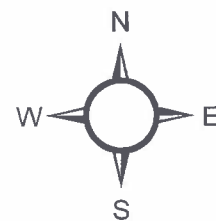


Existing

Land Use

ClassDesc

 Agricultural; Agriculture	 Exempt Commercial
 Residential	 Exempt
 Multi-Family	 Government
 Commercial	 School
 Exempt Residential	 Industrial
	 Utility
	 Other



Map 2

Created: 11/29/2011

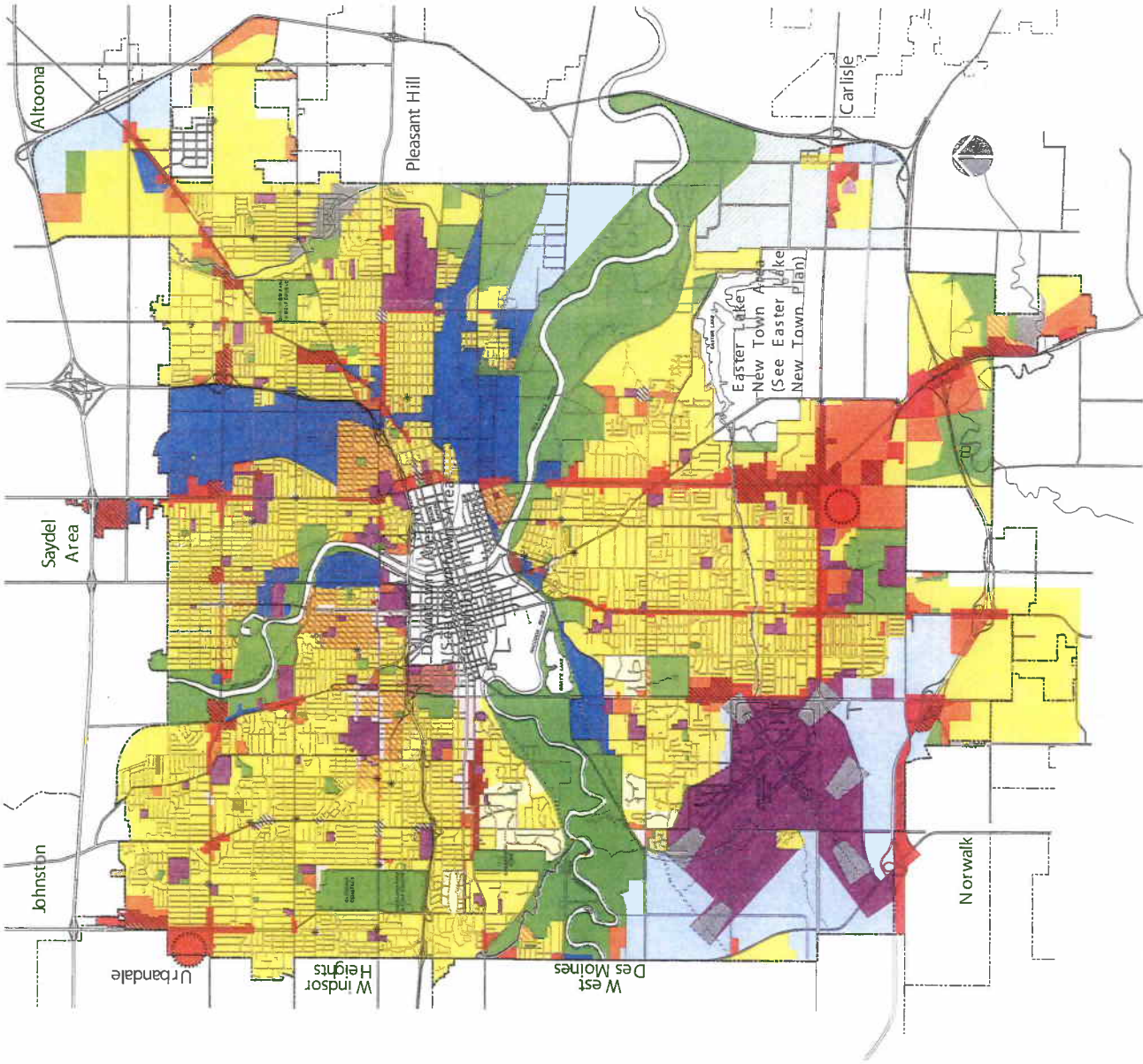
DES MOINES' 2020 COMMUNITY CHARACTER PLAN

LEGEND









- RESIDENTIAL**
- INFLOW LETS RESIDENTIAL**
Areas developed with lots less than 1/2 acre up to 2 units per acre
 - LOW-DENSITY RESIDENTIAL**
Areas developed with exclusively single-family detached lots as of Dec. 31, 1994, up to 4 units per net acre
 - LOW-MEDIUM DENSITY RESIDENTIAL**
Areas developed with mix of single-family, duplex and small multi-family units, up to 12 units per net acre
 - MEDIUM-DENSITY RESIDENTIAL**
Areas developed with multi-family units including those over 6 units, up to 17 units per net acre
 - MIXED USE AND DENSITY RESIDENTIAL**
Areas developed with a mix of residential, office, retail and office. Encourage mix of single-family, duplex, small multi-family as well as developments over 17 units per net acre
 - HIGH-DENSITY RESIDENTIAL**
Areas developed with high-rise and Mid-Rise buildings over 17 units per net acre
- COMMERCIAL - PEDESTRIAN-ORIENTED**
Small-scale commercial serving primarily adjacent neighborhood. Maximum building use of 25,000 sq. ft.
- NEIGHBORHOOD COMMERCIAL CENTER**
Medium-scale commercial serving neighborhood and adjacent neighborhood and specialty retail/services. Cumulative building use of 75,000 to 100,000 sq. ft.
- COMMERCIAL CORRIDOR**
Small-to-medium scale commercial in a linear pattern along major thoroughfares. Maximum building use of 200,000 sq. ft.
- COMMERCIAL - AUTO-ORIENTED**
Commercial in which the site orientation is primarily focused on the needs and convenience of the motorist. In the future, encourage developments that provide motorists with necessary accommodations on site for pedestrians.
- SMALL SCALE OFFICE BUILDINGS**
Small-to-medium scale commercial in a linear pattern along major thoroughfares. Maximum building use of 200,000 sq. ft.
- COMMUNITY COMMERCIAL**
Large-scale commercial development located on or at the edge of the city. Maximum building use of 250,000 to 500,000 sq. ft. of building coverage
- REGIONAL SHOPPING MALL**
Multi-use building with over 1,000,000 sq. ft. of retail space
- PLANNED BUSINESS PARK**
- GENERAL INDUSTRIAL**
- PARK/OPEN SPACE**
- PUBLIC/GEM/PUBLIC**
Uses such as government facilities, schools, and hospitals
- CLEAR ZONE/DEVELOPMENT CONTROL ZONE**
- AGRICULTURAL**

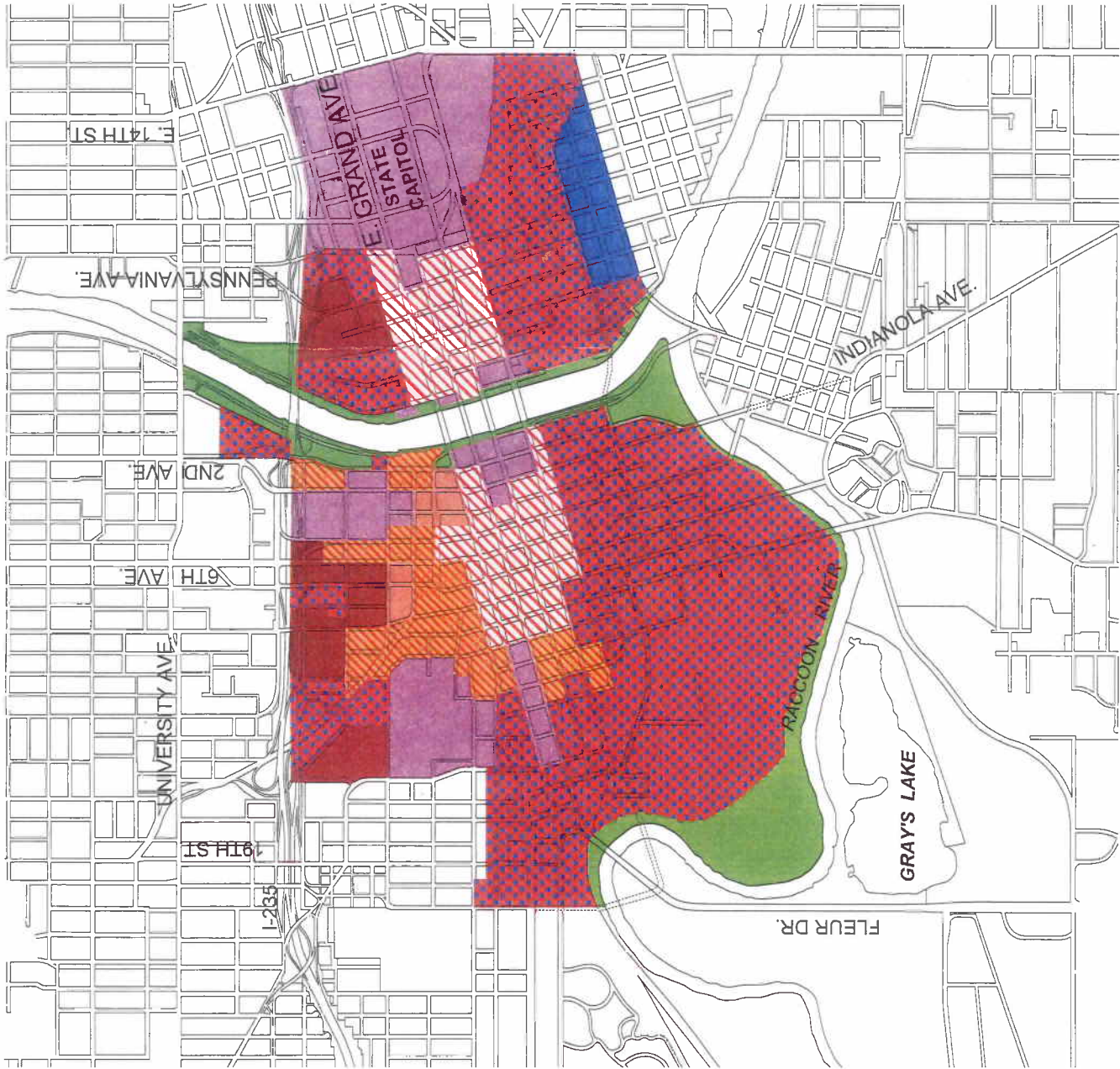
Adopted by Des Moines City Council
Resolution Number 2011-181
Approved on 11/17/2011
Map has been revised per amendments through January 24, 2011

Prepared by
Des Moines Community Development Department, Planning and Urban Design Division



**DES MOINES'
2020 COMMUNITY
CHARACTER PLAN
DOWNTOWN AREA**

- LEGEND**
-  **TRADITIONAL INDUSTRIAL**
Uses such as government facilities, schools, and hospitals
 -  **PARK/OPEN SPACE**
The following only applies to "D-R" Downtown Riverfront District zoned areas. May include retail and commercial establishments that encourage the public's use of the riverfront
 -  **PUBLIC/SEMI-PUBLIC**
Uses such as government facilities, schools, and hospitals
 -  **DOWNTOWN RETAIL/OFFICE CORE/CORE FRINGE**
Intended to serve as an extension of the high-density, compact, pedestrian-oriented shopping, office and financial area in the heart of downtown Des Moines
 -  **SUPPORT COMMERCIAL**
General businesses, retail and service establishments, limited high density residential, mixed use developments, and work centers that support the downtown core providing their own off-street parking
 -  **HIGH AMENITY OFFICE/INSTITUTIONAL**
Uses are intended to strengthen and complement the facilities in the retail and office core area and to provide buildings for office, institutional, cultural, recreational, and hotels
 -  **INTENSIVE, MIXED USE OFFICE/RESIDENTIAL**
Intended to accommodate mixtures of office, residential, parking and retail facilities developed intensively in a planned, large-scale project
 -  **HIGH DENSITY RESIDENTIAL/LIMITED COMMERCIAL**

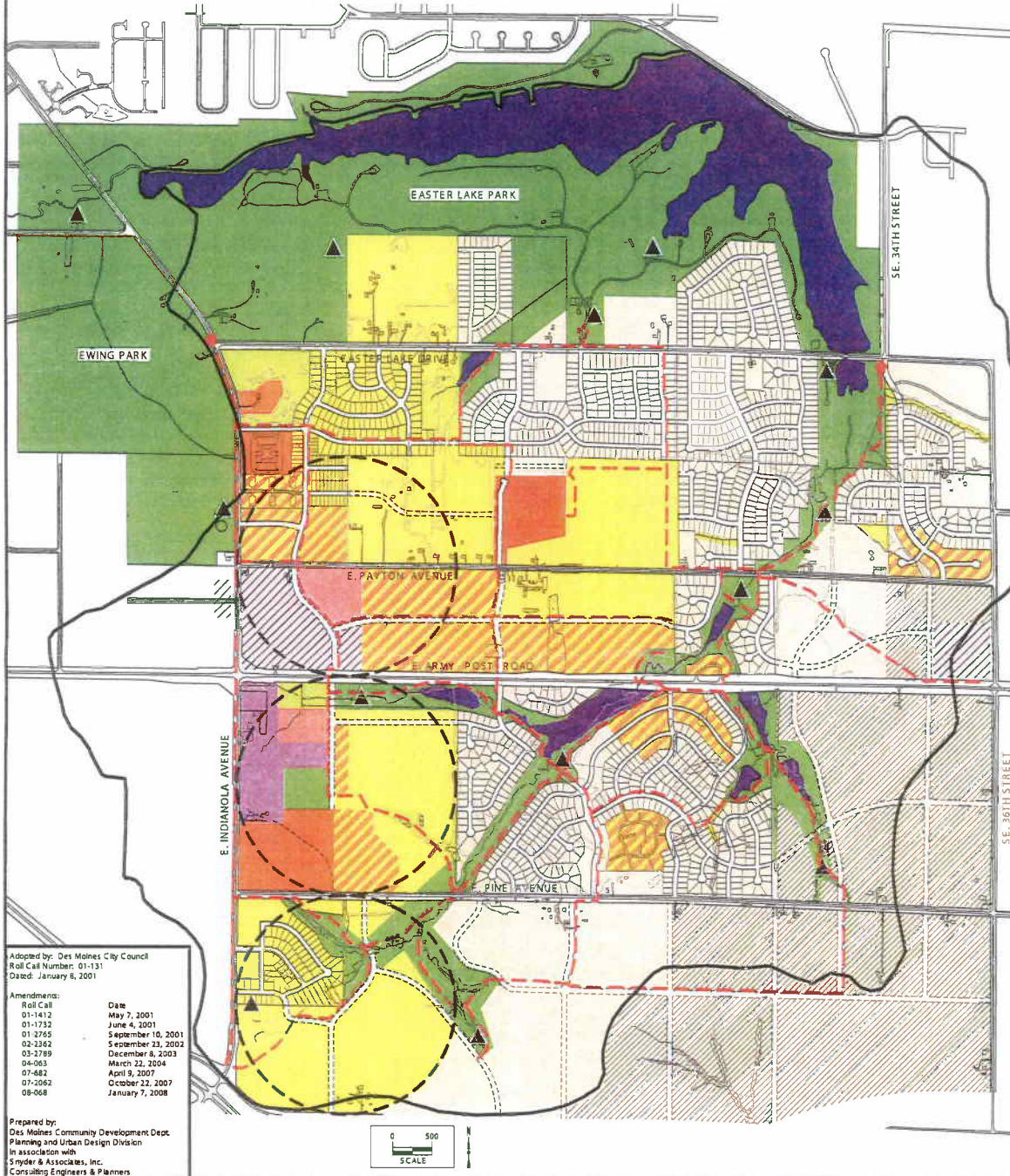


Adopted by: Des Moines City Council
 Roll Call Number: 00-3381
 Ordinance Number: 10077, 2000
 Amendments:
 Map has been revised per amendments through January 24, 2011

Prepared by:
 Des Moines Community Development Department
 Planning and Urban Design Division

EASTER LAKE NEW TOWN

A Land Use Plan for the Southeast Area of Des Moines
 A component of Des Moines' 2020 Community Character Plan,
 adopted by Des Moines City Council, on January 8, 2001 by Roll Call #01-131



Adopted by: Des Moines City Council
 Roll Call Number: 01-131
 Dated: January 8, 2001

Amendments:	Roll Call	Date
	01-1412	May 7, 2001
	01-1732	June 4, 2001
	01-2765	September 10, 2001
	02-2362	September 23, 2002
	03-2789	December 8, 2003
	04-063	March 22, 2004
	07-482	April 9, 2007
	07-2062	October 22, 2007
	08-068	January 7, 2008

Prepared by:
 Des Moines Community Development Dept.
 Planning and Urban Design Division
 in association with
 Snyder & Associates, Inc.
 Consulting Engineers & Planners



LEGEND

VILLAGE DEVELOPMENT

- LOW-DENSITY RESIDENTIAL**
 Areas developed with exclusively single family and duplex legal as of Dec. 31, 1996, up to 6 units per net acre
- LOW-MEDIUM DENSITY RESIDENTIAL**
 Areas developed with mix of single family, duplex and small multi-family units, up to 12 units per net acre
- MEDIUM-DENSITY RESIDENTIAL**
 Areas developed with multi-family units including those over 8 units, up to 17 units per net acre
- MIXED USE AND DENSITY RESIDENTIAL**
 Areas developed with a mix of densities and some limited retail and office. Encourages mix of single family, duplex, small multi-family as well as developments over 17 units per net acre
- NEIGHBORHOOD COMMERCIAL CENTER**
 Small-to-moderate scale commercial serving adjacent neighborhood and specialty retail service. Cumulative building total of 75,000 to 100,000 sq. ft.

GENERAL DEVELOPMENT ZONE

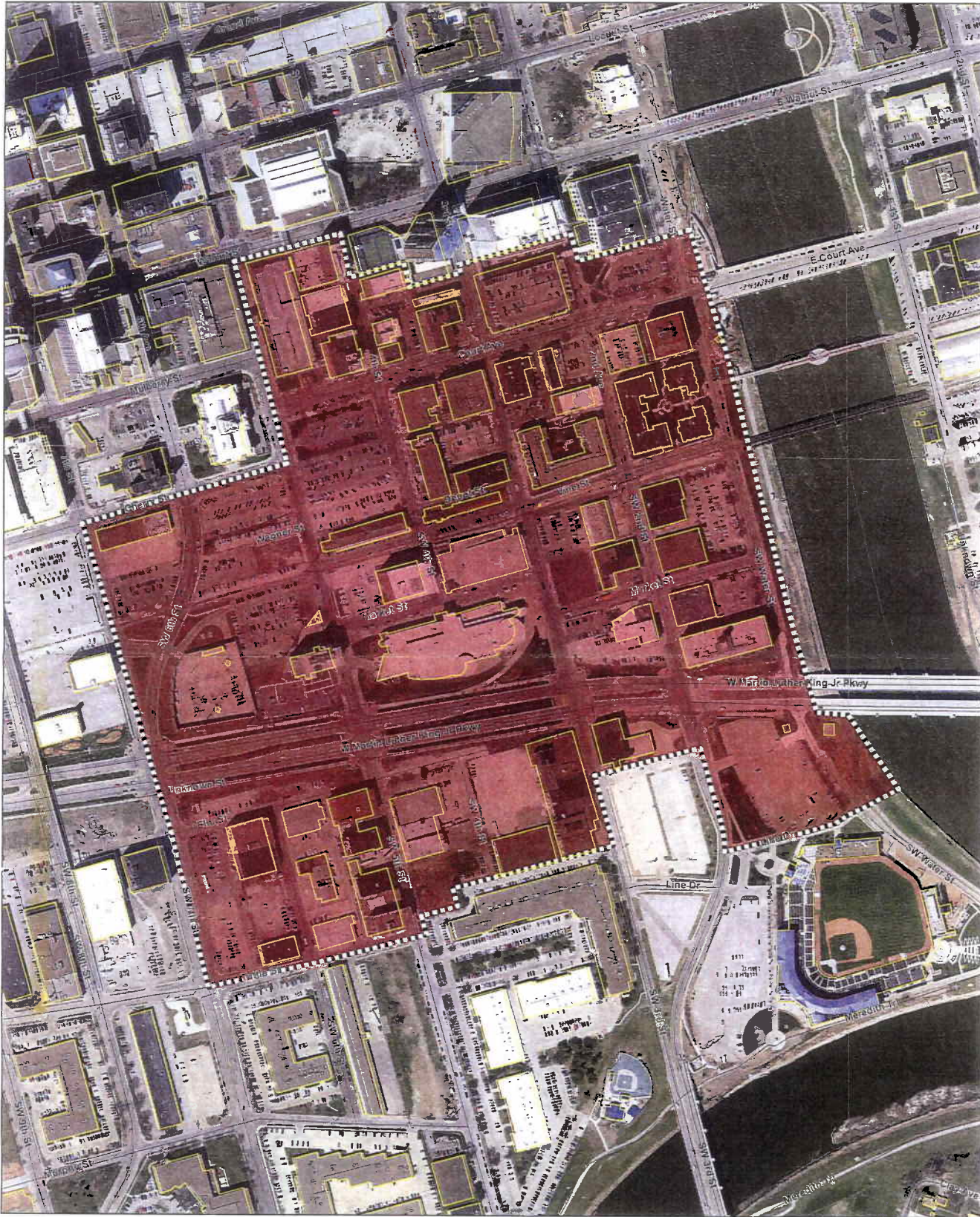
- LOW DENSITY RESIDENTIAL**
 Areas developed with exclusively single family, up to 3.4 units per net acre
- CONSERVATION ZONE**
 An area designated for future development as characterized under General Development Zone

OTHER

- PARK/OPEN SPACE - PUBLIC**
- PARK/OPEN SPACE - PRIVATE**
- NEIGHBORHOOD ACTIVITY NODE**
- PUBLIC/SEMI-PUBLIC**
 Use such as government facilities, schools, and hospitals
- WATERSHED BOUNDARY**
- FUTURE STREETS**
- BIKE TRAIL**
- 1/4 MILE RADIUS**

Map 3c

Historic Fort Des Moines Area



1 inch = 300 feet

-  Building Footprint
-  Historic Fort DSM Area
-  Parcel Property

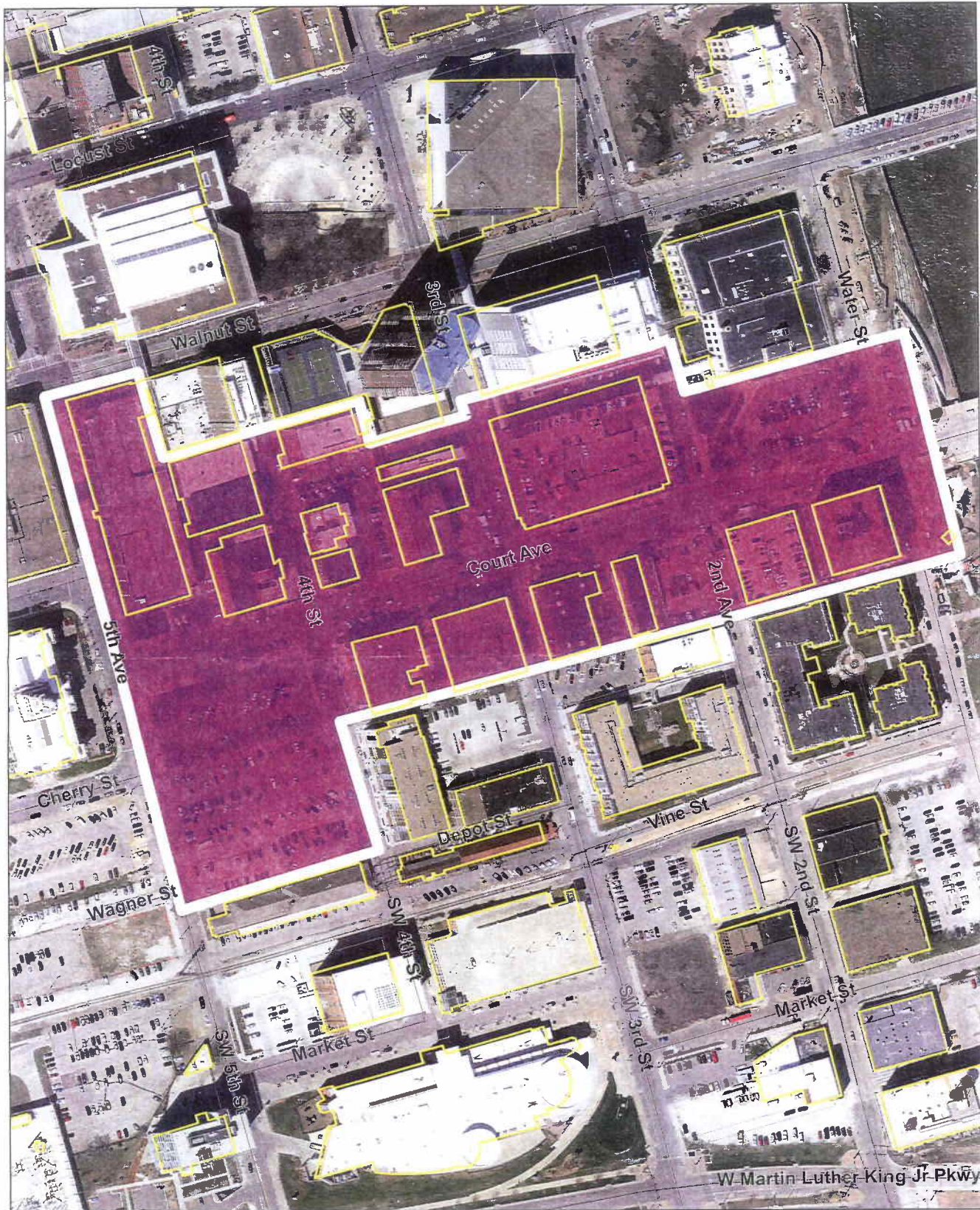
Map 6



N

Date: 11/29/2011

Court Avenue Historic Area

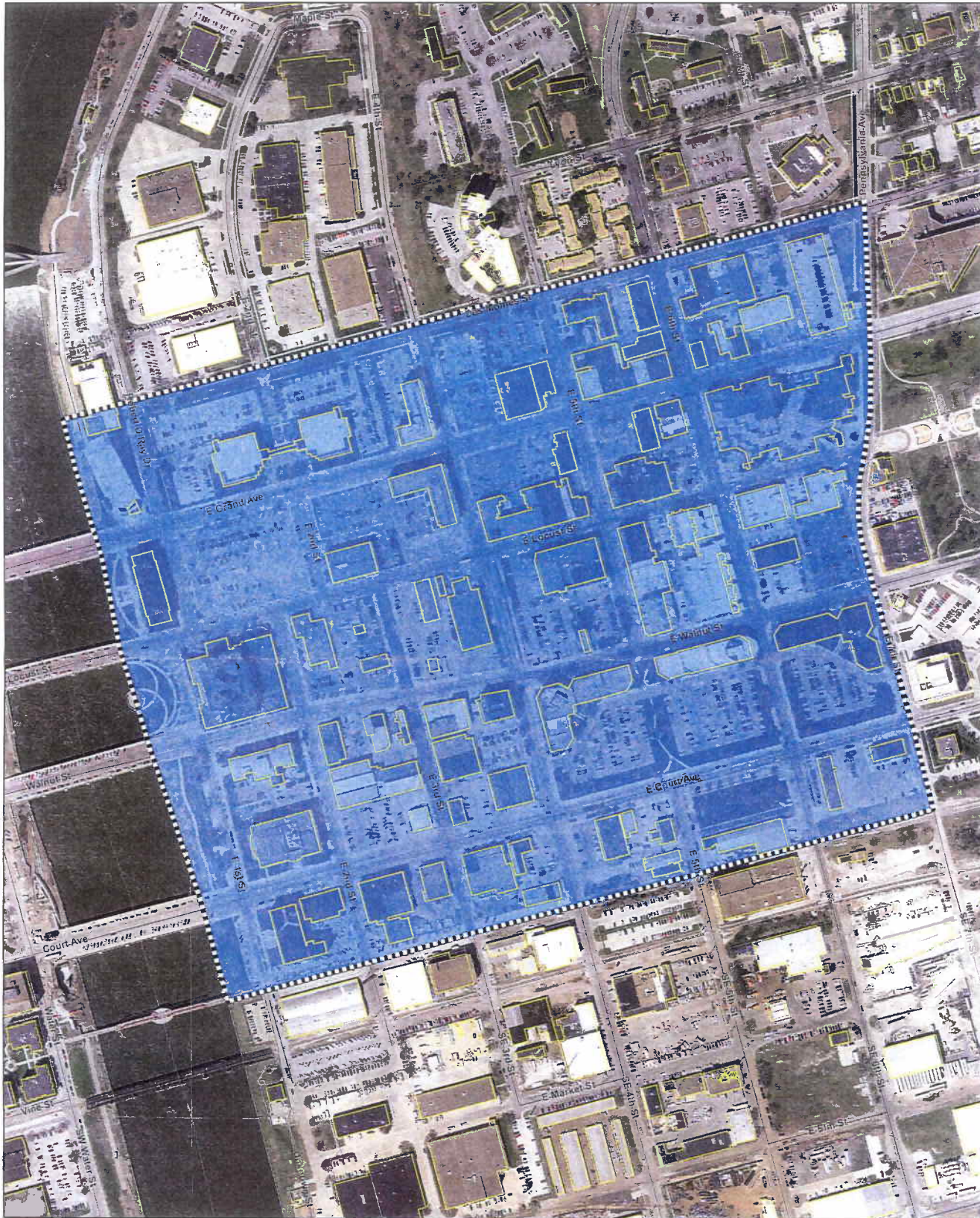


1 inch = 160 feet




-  Building_Foot
-  Court_His_Dis
-  ParcelProperty

Map 5

Eastern Gateway District Area 1



1 inch = 300 feet

-  Building Footprint
-  Eastern Gateway District
-  Parcel Property

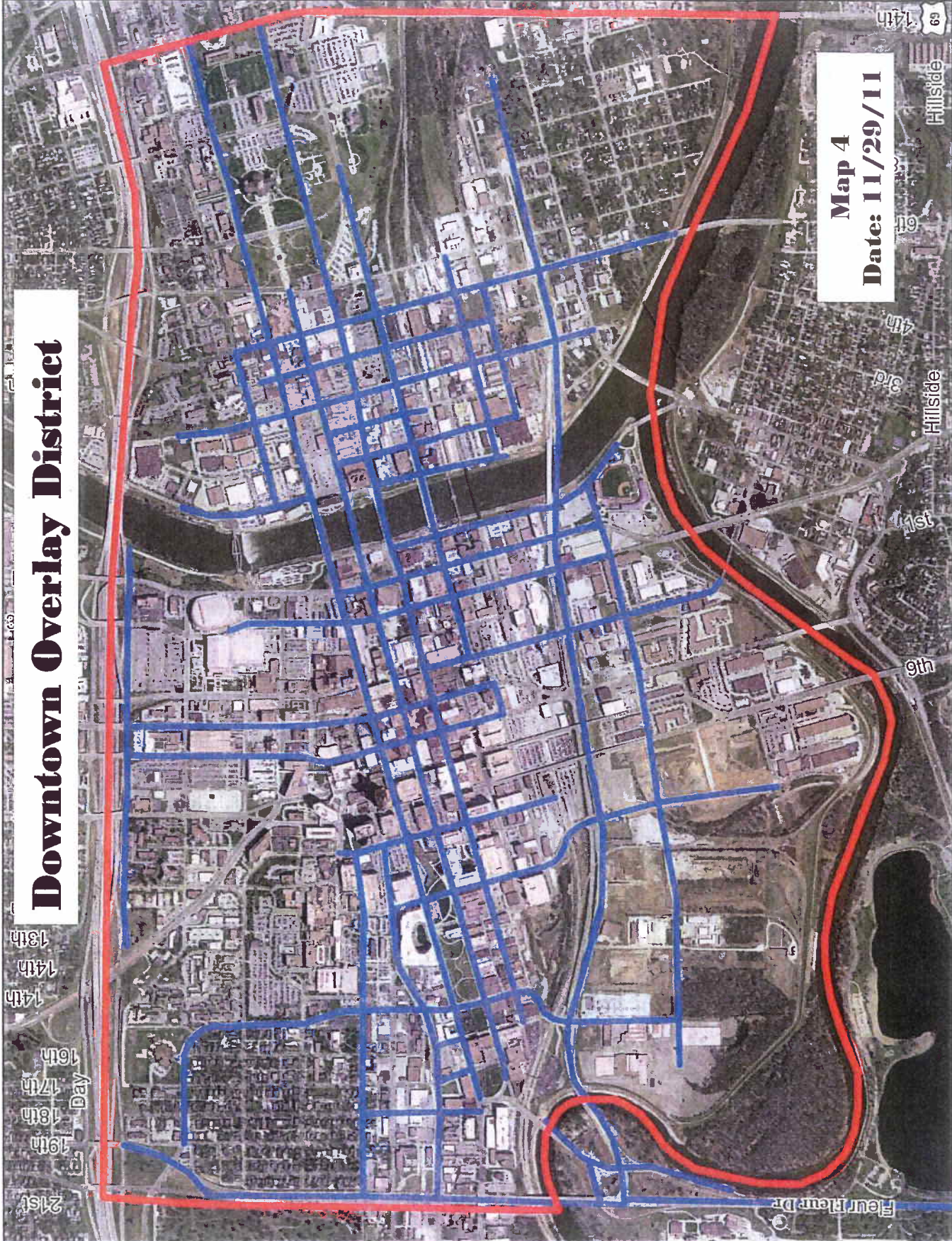
Map 7



Date: 11/29/2011

Downtown Overlay District

Map 4
Date: 11/29/11



Map 8
to the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area
Targeted Residential Development Area

