



Date November 1, 2021

**RESOLUTION SCHEDULING PUBLIC HEARING ON THE ADOPTION OF
THE FOURTH RESTATED URBAN REVITALIZATION PLAN
FOR THE CITYWIDE URBAN REVITALIZATION AREA**

WHEREAS, on June 15, 1987, by Roll Call No. 87-2630, the Des Moines City Council adopted a resolution, in accordance with the provisions of Section 404.2(1) of the Urban Revitalization Act, finding that the rehabilitation, conservation, redevelopment, or a combination thereof of the entire area then within the corporation boundaries of the City of Des Moines is necessary in the interest of the public health, safety, or welfare of the residents of the City and the area meets the criteria of Section 404.1 of the Code of Iowa; and

WHEREAS, by Ordinance No. 11,026 passed July 6, 1987, as amended by Ordinance No. 11,065 passed September 21, 1987, the City Council designated the entire area within the corporate boundaries of the City of Des Moines as established on July 7, 1987, as the City-wide Urban Revitalization Area; and

WHEREAS, on September 28, 1987, by Roll Call No. 87-4009, the Des Moines City Council adopted a resolution in accordance with the provisions of Section 404.2(6) of the Act, approving the Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "Original Plan"); and

WHEREAS, on June 16, 1997, by Roll Call No. 97-2126, the City Council approved and adopted the Twenty-first Amendment to the Original Plan, which adopted the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "First Restated Plan"); and

WHEREAS, on December 5, 2011, by Roll Call No. 11-2085, the City Council adopted the 2011 Omnibus Amendment to amend the First Restated Plan and the eight other urban revitalization plans then existing in the City of Des Moines, merge the other eight urban revitalization areas into City-wide Urban Revitalization Area, expand the City-wide Urban Revitalization Area to include the entire City of Des Moines as it then existed and as thereafter expanded by later annexations, extend the duration of the City-wide Urban Revitalization Area, and adopt the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area; and

WHEREAS, on October 26, 2015, by Roll Call No. 15-1816, the City Council approved and adopted the Third Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area (the "Third Restated Plan") to further extend the duration of the Citywide Urban Revitalization Area, amend the tax exemption schedules for various classes of improvements, discontinue tax abatement for multi-family properties not located within the proposed Targeted Multiple-Family Residential Map attached to said Plan, provide an exemption to allow "rowhome" type developments with eight or fewer units to obtain tax abatement, and make other changes as set forth in the Third Restated Plan, which Plan was thereafter amended by City Council resolutions; and

WHEREAS, the City Manager recommends that the City Council again amend the City's Urban Revitalization Plan as set forth in the proposed Fourth Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area (the "Fourth Restated Plan"), in form on file in the office of the City Clerk and as described in the attached communication from the Plan and Zoning Commission, which amendments include but are not limited to:



Roll Call Number

Agenda Item Number

25

Date November 1, 2021

- extending the duration of the Citywide Urban Revitalization Area and Plan until December 31, 2028, with an additional year for the completion of improvements commenced by December 31, 2028,
- amending the tax exemption schedules for the actual value added by various classes of improvements to real estate, and
- adding declining schedules for new construction of missing middle housing containing 2 to 12 dwelling units and Accessory Household Units, and for certain improvements incorporating additional energy efficiency and sustainability criteria; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 21, 2021, its members voted 9-0 in support of a motion to recommend that the proposed Fourth Restated Plan is in conformance with the PlanDSM: Creating Our Tomorrow comprehensive plan.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa that:

1. That the attached communication from the Plan and Zoning Commission, finding the proposed Fourth Restated Plan in conformance with the PlanDSM: Creating Our Tomorrow comprehensive plan, is hereby received and filed.
2. A public hearing on the proposed Fourth Restated Plan shall be held before the City Council at its next regularly scheduled meeting at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on November 15, 2021, at which time the City Council will hear both those who oppose and those who favor said Plan.
3. The City Clerk is hereby authorized and directed to cause notice of the public hearing in the accompanying form to be given by publication in the Des Moines Register on November 4, 2021.

MOVED by _____ to adopt

FORM APPROVED:

/s/ Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

Exhibits

"A" Notice of Hearing
"B" Fourth Restated Plan

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. KAY CMELIK, 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.

City Clerk

October 26, 2021

Communication from the City Plan and Zoning Commission advising that at their October 21, 2021 meeting, the following action was taken regarding a City initiated requests for the following:

- A) Determination as to whether the proposed 4th Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area, to update, amend, and extend the duration of the existing Urban Revitalization Plan, is in conformance with PlanDSM: Creating Our Tomorrow comprehensive plan.
- B) Determination as to whether the proposed amendment to Des Moines Municipal Code Section 135-2.11, to revise the Flat Building Type into Flat A and Flat B Building Types, is in conformance with PlanDSM: Creating Our Tomorrow comprehensive plan.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 9-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus				X
Dory Briles	X			
Abby Chungath				X
Kayla Berkson	X			
Chris Draper	X			
Jann Freed	X			
Todd Garner	X			
Johnny Alcivar	X			
Lisa Howard	X			
Carolyn Jenison				X
William Page				X
Steve Wallace				X
Greg Wattier	X			
Emily Webb	X			

APPROVAL of Part A) The Commission find the proposed Fourth Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area to be in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

Part B) The Commission find the proposed amendments to Des Moines Municipal Code Chapter 135 to create Flat A and Flat B building types to be in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan. (10-2021-5.03)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends that the Commission find the proposed Fourth Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area to be in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

Part B) Staff recommends that the Commission find the proposed amendments to Des Moines Municipal Code Chapter 135 to create Flat A and Flat B building types to be in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

A. The proposed 4th Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area is attached.

The following is a summary of key components of the proposed restated plan:

- Required minimum valuation increase of 5% for all abatement schedules. The 3rd Restated Urban Revitalization Plan (City's current plan) requires a minimum 5% valuation increase for single-household and a minimum 15% valuation increase for 3+ household and commercial/industrial.
- Reliance on Municipal Code Chapter 135 construction material requirements for eligibility. The 3rd Restated Urban Revitalization Plan has an appendix chapter that specifies construction requirements with no relief mechanisms.
- 10-year, 100% abatement for all residential rehab City-wide. The 3rd Restated Urban Revitalization Plan has residential rehab broken into two separate schedules, including a 10-year 115% abatement schedule for projects resulting in a maximum increased value of \$20,000, and a 10-year 100% abatement schedule for higher value projects. The proposed 4th Restated Urban Revitalization Plan provides 10-year 100% abatement schedule for all qualified residential rehabilitation.
- 10-year 100 % abatement for new detached accessory housing units (such as carriage houses) City-wide. This is a higher-level incentive from what is available in the 3rd Restated Urban Revitalization Plan.
- 3-year 100% and 10-year declining abatement continues to be available for commercial/industrial projects in commercial/industrial districts. This is consistent with the 3rd Restated Urban Revitalization Plan.
- Sustainability requirements for commercial/industrial projects have been updated for better alignment with Municipal Code Chapter 135.

- Sustainability requirements for 13+ household residential projects have been updated for better alignment with Municipal Code Chapter 135. Projects with permit applications accepted before December 31, 2022, construction started by July 1, 2023, and construction completed by December 31, 2023 continue to be eligible for the abatement schedules in the 3rd Restated Urban Revitalization Plan under its sustainability requirements.
- New abatement schedules for Missing Middle housing, which includes house building types with 2-4 units, bi-attached houses (duplexes), Row buildings with 2-12 units, and Flat B buildings (small apartment structures) with 2-12 units:
 - 8-year declining abatement offered City-wide for meeting minimum plan requirements.
 - 9-year declining abatement offered City-wide for including enhanced efficiency and sustainability features.
 - Projects started in 2022 will be eligible for these schedules if the 4th Restated Urban Renewal Plan is approved this year.
- Over the next 2-years, new 1-household residential projects transition from 6-year declining abatement to 5-year declining abatement outside the targeted area and from 10-year declining abatement to 9-year declining abatement within the targeted low-density residential area.
 - New 1-household residential construction with permit applications accepted before December 31, 2022, construction started by July 1, 2023, and construction completed by December 31, 2023 continue to be eligible for the abatement schedules in the 3rd Restated Urban Revitalization Plan under its eligibility criteria.
 - After the dates listed above, new 1-household residential construction will be eligible for the following schedules under the 4th Restated Urban Revitalization Plan:
 - i. Projects constructed to minimum plan requirements will be eligible for 5-year declining abatement outside the targeted low density residential area and 9-year declining abatement within the targeted low density residential area.
 - ii. Projects constructed with enhanced efficiency and sustainability features will be eligible for 6-year declining abatement outside the targeted low density residential area and 10-year declining abatement within the targeted low density residential area.
- To qualify for abatement schedules that require enhanced efficiency and sustainability features, projects must have the following:

- Minimum R-20 exterior walls; and
- Level 2 electric vehicle charging station OR infrastructure (electric box and conduit) for future installation of level 2 electric vehicle charging station.

B. Proposed Amendments to the Planning and Design Code (Chapter 135) are necessary to create a Flat A Building Type (containing 13+ units) and Flat B Building Type (containing 2 to 12 units). This amendment allows the City to offer the “Missing Middle” tax abatement schedule for Flat B Building Types and the “High Density Residential” tax abatement schedule for Flat A Building Types.

The following is a summary of changes to Chapter 135:

- Table 135-2.1-1 “Building Types By Districts”. Existing text “Flat Building” changed to “Flat A and Flat B Buildings” in the tenth row of the Building Types column.
- Table 135-2.1-2 “Building Types By Districts”. Existing text “Flat Building” changed to “Flat A and Flat B Buildings” in the tenth row of the Building Types column.
- Titles, headings for all of Section 135-2.11 updated to incorporate Flat A and Flat B buildings.
- Text of Section 2.11.1 amended to identify distinguishing characteristics of Flat A and Flat B buildings.
- Text of Section 2.11.2 amended to reference revised images of Flat A buildings in Figure 135-2.11-A and revised images of Flat B buildings in Figure 135-2.11-B.
- Section 135-2.11.3.A.8 amended as follows:
 - Minimum building width (ft) in RX1 district changed from 40 to 30 feet.
 - Minimum building width (ft) in RX2, DXR and NX3 districts changed from 60 to 30 feet.
 - Maximum building width (ft) in RX1 district changed from 90 to 120 feet.
- Section 135-2.11.3.A.9 amended as follows:
 - Minimum lot width for single-unit wide Flat A and Flat B Buildings in NX2 and NX2a districts changed from 35 feet to 45 feet.
 - Minimum lot width for single-unit wide Flat A and Flat B Buildings in RX1 district changed from 30 feet to 45 feet.

- Minimum lot width for single-unit wide Flat A and Flat B Buildings in RX2, DXR and NX3 districts changed from 40 feet to 45 feet.
- Minimum lot width for 2-unit wide Flat A and Flat B Buildings in RX2, DXR and NX3 districts changed from 80 feet to 60 feet.
- Minimum lot area for Flat A and Flat B Buildings in RX2, DXR and NX3 districts changed from 9,600 square feet to 7200 square feet.
- Section 135-2.11.3.C.16 amended to note that Flat A Buildings contain a minimum of 13 household units and Flat B Buildings contain a minimum of 2 units and maximum of 12 household units.
- Existing label “Figure 135-2.11-B Flat Building: Building Siting” amended to “Figure 135-2.11-C Flat Building: Building Siting”.
- Existing “Figure 135-2.11-C Flat Building: Height and Uses Requirements” renamed to “Figure 135-2.11-D Flat Building: Height and Uses Requirements”.
- Existing “Figure 135-2.11-D Flat Building: Façade Requirements” renamed to “Figure 135-2.11-E Flat Building Façade Requirements”.
- Figure references in Sections 135-2.11.3.A; 135-2.11.3.B; 135-2.11.3.C and 135-2.11.3.D revised to match applicable figure name changes noted above.

II. CONSISTENCY WITH STATE CODE

The proposed amendments to the Chapter 135 (Planning and Design) have been prepared in consideration of Iowa Code Chapter 18B.

III. CONSISTENCY WITH PLANDSM

The proposed 4th Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area and amendments to Chapter 135 to create Flat A and Flat B building types are supported by goals and policies of PlanDSM, as noted in Appendix D of the proposed 4th Restated Urban Revitalization Plan.

SUMMARY OF DISCUSSION

Dory Briles advised item #8 could be considered under the consent agenda as City staff is in support of the recommendation.

COMMISSION ACTION:

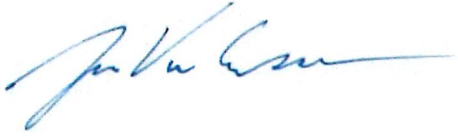
Jann Freed made a motion for:

Part A) The Commission find the proposed Fourth Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area to be in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

Part B) The Commission find the proposed amendments to Des Moines Municipal Code Chapter 135 to create Flat A and Flat B building types to be in conformance with the PlanDSM Creating Our Tomorrow Comprehensive Plan.

Motion passed: 9-0

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jason Van Essen", with a long horizontal flourish extending to the right.

Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:tjh

ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Section 135-2.11, Figures 135-2.11-A, 135-2.11-B, 135-2.11-C, 135-2.11-D, and Tables 135-2.1-1 and 135-2.1-2, relating to Flat A and Flat B building types and regulations.

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

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Section 135-2.11, Figures 135-2.11-A, 135-2.11-B, 135-2.11-C, and 135-2.11-D, and Tables 135-2.1-1 and 135-2.1-2, relating to Flat A and Flat B building types and regulations, as follows:

135-2.11 Flat [A and Flat B](#) Building Types

Sec. 134-2.11.1 DESCRIPTION AND INTENT

~~The~~ Flat [A and Flat B](#) buildings contains multiple residential units within a building form scaled to fit within existing residential neighborhoods. ~~This~~ [These](#) building forms [are](#) ~~is~~ modeled after historic apartment buildings.

~~The~~ Flat [A and Flat B](#) buildings can be configured in several ways, from a narrow, two-stacked-unit building to a larger multi-unit building. However, the width of the building along the street is limited.

Design components of the Flat building include a high level of transparency, such as windows on the front facade, a clearly defined principal entrance on the street, and a yard area surrounding the building similar to adjacent residential [development](#).

[The primary distinction between Flat A and Flat B buildings is the building scale. Flat B buildings are intended to be smaller, neighborhood-scale residential buildings. While a Flat A building contains 13 or more units, a Flat B building contains a minimum of 2 units and a maximum of 12 units. Flat B buildings are classified as “missing middle” housing types by the City of Des Moines.](#)

Sec. 134-2.11.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 135-2.11-A](#) are intended to illustrate the general character intent for the [Flat A](#) building type. [The images shown in Figure 135-2.11-B are intended to illustrate the general character intent for the Flat B building type.](#) The buildings and sites in each image may not fulfill all of the building type requirements.

Sec. 135-2.11.3 FLAT A AND FLAT B BUILDING REGULATIONS

A. Building Siting. Refer to Figure 135-2.11-~~B~~C

....

	NX2, NX2A	RX1	RX2, DXR, NX3
8. Minimum Building Width (ft)	30	40 <u>30</u>	60 <u>30</u>
Maximum Building Width (ft)	70, 120 on block ends	90 <u>120</u>	120
9. Minimum Lot Width (ft)	35 <u>45</u> for single-unit wide; 70 for 2-unit	30 <u>45</u> for single-unit wide; 60 for 2-unit	40 <u>45</u> for single-unit wide; 80 <u>60</u> for 2-unit wide
Maximum Lot Area (sq ft)	wide 8,400	wide 7,200	9,600 <u>7,200</u>

....

B. Height. Refer to Figure 135-2.11-~~C~~D

....

C. Uses. Refer to Figure 135-2.11-~~C~~D

....

	NX2, NX2A	RX1	RX2, DXR, NX3
16. All Stories	Any permitted <u>Residential</u> use <u>Flat A Building: minimum 13 household units (cumulative building total)</u> <u>Flat B Building: minimum 2 household units – maximum 12 household units (cumulative building total)</u>		

....

D. Street & Roof Requirements. Refer to Figure 135-2.11-~~D~~E

Figures 135-2.11-A, 135-2.11-B, 135-2.11-C and 135-2.11-D:

Revising Figures as shown on attachment hereto, and by this reference made a part hereof, as follows:

- Figure 135-2.11-A: (1) Delete “Example illustrations of Flat Buildings” and replace with “Example illustrations of Flat A Buildings”; (2) Revise images.
- Figure 135-2.11-B: (1) Renumber to Figure 135-2.11-C; (2) Add new Figure 135-2.11-B: “Example illustrations of Flat B Buildings”.
- Figure 135-2.11-C: Renumber to Figure 135-2.11-D
- Figure 135-2.11-D: Renumber to Figure 135-2.11-E

Tables 135-2.1-1 and 135-2.1-2

Revising Table 135-2.1-1 and Table 135-2.1-2 as shown on attachment hereto, and by this reference made a part hereof, as follows:

- “Building Types” column, “Flat Building” row: Revise title to “Flat A & Flat B Buildings”.

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

FORM APPROVED:

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

**FOURTH RESTATED
URBAN REVITALIZATION PLAN**

for the

Citywide Urban Revitalization Area

City of Des Moines, Iowa

As adopted on [REDACTED], 2021 by

Roll Call No. [REDACTED].

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Attachments:

Map 1	Official Zoning Map and Boundaries of the City-wide Urban Revitalization Area
Map 2	Existing Land Use Map
Map 3	PlanDSM Future Land Use Map
Map 4	Targeted Low-Density Residential Area
Map 5	Targeted Multiple-Family Residential Area
Map 6	Downtown Area
Map 7	<i>Number Not Used</i>
Map 8	Court Avenue Historic Area
Map 9	Historic Fort Des Moines II Area
Appendix A	Court Avenue Design Standards
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Appendix C	Assessed Valuation and Owner Identification
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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 construction 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.
- 58 abandoned properties were demolished by City code enforcement action in the prior fiscal year (FY 1986/87), 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 Citywide 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 prior to 2002.

On October 21, 2002, by Roll Call No. 02-2446, the City Council expanded the Citywide Urban Revitalization Area to encompass all lands annexed into the City of Des Moines after January 1, 2000. That action left most of the lands annexed between July 7, 1987, and January 1, 2000, outside the Citywide Urban Revitalization Area, and only portions of those lands were included in the 7 remaining independent urban revitalization areas prior to 2001.

The Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area (the "Second Restated Plan") was adopted on December 5, 2011, by Roll Call No. 11-2085. The Second Restated Plan expanded the Citywide Urban Revitalization Area to include all land then within the City, and all land thereafter annexed into the City effective upon annexation.

The Third Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area (the "Third Restated Plan") was adopted and amended, respectively, on October 26, 2015, by Roll Call Nos. 15-1816 and 15-1818, which: (1) Extended the term of the Plan to qualified improvements completed by December 31, 2020, and to qualified improvements commenced under authority of a building permit by December 31, 2020, and completed by December 31, 2021; (2) Increased tax abatement granted for the renovation and rehabilitation of existing single-family, two-family or multi-family properties to 10-year, 100% and City-wide; (3) Reduced the amount of abatement given for new single-family and two-family homes outside of the "targeted residential area"; (4) Reduced the amount of abatement given for new single-family and two-family homes within the "targeted residential area"; (5) Discontinued tax abatement for multi-family properties not located within the Targeted Area and Corridors Map; (6) Provided an exemption to allow "rowhome" type developments with eight or fewer units on their own parcel and outside of the Targeted Area and Corridors Map to obtain tax abatement, subject to meeting minimum design guidelines; and (7) proposed alternate schedules for extension of time granted for projects underway to remain eligible under the then-current Second Restated City-Wide Urban Revitalization Plan.

The Third Restated Plan was thereafter amended as follows: (1) First Amendment, adopted on December 7, 2015 by Roll Call No. 15-2080, to temporarily extend tax abatement for new and expansions of existing multiple-family dwellings outside the Targeted Multiple-Family Residential Area, amend the tax abatement schedule numbers to avoid duplication of existing schedule numbers used by the Polk County Assessor, and make other editorial corrections to the Plan; (2) Second Amendment, adopted on July 25, 2016, by Roll Call No. 16-1256, to allow the limited use of vinyl siding products on rowhouse projects and to identify additional sustainability measures that may be used to satisfy the minimum sustainability requirements; (3) Third Amendment, adopted on October 23, 2017, by Roll Call No. 17-1853, to delete the expiration date for abatement schedule for commercial property improvements within the Riverpoint West Area, extend the Plan expiration date to December 31, 2025, replace the Court Avenue Historic Area map, and update references to the City's comprehensive plan; and (4) Fourth Amendment, adopted on March 9, 2020, by Roll Call No. 20-0477, to amend the definition of the Riverpoint West Area and allow additional tax abatement for qualifying improvements to commercial property in the Riverpoint West Area.

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 was 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 (first) 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.

The Second Restated Plan extended 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 became eligible for tax abatement. The Second Restated Plan also returned the boundaries of the Targeted Residential Development Area to the 2007 boundaries.

In 2013, the Iowa legislature created a new classification of property called multiresidential property. "Beginning with valuations established on or after January 1, 2015, mobile home parks, manufactured home communities, land-leased communities, assisted living facilities, property primarily used or intended for human habitation containing three or more separate dwelling units, and that portion of a building that is used or intended for human habitation and a proportionate share of the land upon which the building is situated, regardless of the number of dwelling units located in the building, if the use for human habitation is not the primary use of the building and such building is not otherwise classified as residential property, shall be valued as a separate class of property known as multiresidential property . . ." 2013 Iowa Acts Ch 123. This new classification of property was incorporated into the Second Restated Plan without substantive change to the Plan.

The Third Restated Plan, as amended, increased tax abatement for renovation and rehabilitation of existing single-family, two-family and multi-family properties, while reducing the tax abatement schedules for new single-family and two-family homes City-wide. The Third Restated Plan also addressed an identified need to provide tax abatement for "rowhome" developments with eight or fewer units subject to meeting minimum design guidelines, while discontinuing tax abatement for multiple-family properties not located within the Targeted Area and Corridors Map. The purposes for these revisions to tax abatement in the Third Restated Plan and its amendments included promoting downtown Des Moines density to better utilize existing services, infrastructure, and transit, and focusing multi-family projects within the Targeted Areas and urban renewal areas and major corridors extending therefrom.

C. COMMERCIAL AND INDUSTRIAL TAX ABATEMENT

The original Urban Revitalization Plan for the Citywide 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 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.

The Second Restated Plan sought to encourage commercial and industrial development and redevelopment throughout the City 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 Second Restated Plan extended 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 to said Plan.

All improvements to property assessed for taxation as commercial or industrial property that were located within the Downtown Overlay District were ineligible for tax abatement under the Second Restated Plan as initially adopted. The First Amendment to the Second Restated Plan designated the Riverpoint West Area bounded by SW 9th Street on the east, Martin Luther King Jr. Parkway on the north, and the Raccoon River on the south and west, as a new subarea within the Downtown Overlay District wherein the value added by qualified improvements to real estate assessed as commercial property may qualify for a temporary exemption from taxation under the 3-year 100% tax abatement schedule or a new 5-year declining tax abatement schedule. The Third Restated Plan, as amended, did not materially change the tax abatement options provided in the Second Restated Plan for commercial and industrial properties, other than to add Schedule 2A for eligible improvements within the Riverpoint West area.

D. SUMMARY OF FOURTH RESTATED URBAN REVITALIZATION PLAN

1. Residential Uses

Pursuant to this Fourth Restated Urban Revitalization Plan for the Citywide Urban Revitalization Area (this "Plan" or this "Fourth Restated Plan"), tax abatement remains available for qualifying single-household, two-household and multiple-household residential development throughout the City, and is extended to address the City's goals of encouraging accessory dwelling units, appropriate residential density, and missing middle housing options. While the City of Des Moines desires to encourage continued residential development within the City, some amendments to the residential component of this Plan are warranted to reduce the overall cost of certain incentives while adding other incentives, to implement increased energy efficiency and sustainability measures, and to encourage residential development consistent with the City's Zoning and Planning and Design Ordinances and comprehensive plan in areas which have ready access to jobs, transportation corridors, public transportation and public services. A further purpose of this Fourth Restated Plan is to continue to encourage the renovation of existing residential property throughout the City, in alignment with the City's PlanDSM: Creating Our Tomorrow comprehensive plan goal of "[p]rovid[ing] enhanced residential tax abatement for minor and major renovations and rehabilitation of existing housing stock."¹ This Plan also generally implements the PlanDSM planning goal of "utiliz[ing] incentives and economic development tools such as...tax abatement...to encourage rehabilitation and/or redevelopment in targeted neighborhood nodes and corridors."²

This Fourth Restated Plan makes changes and additions to the tax exemption schedules applicable to residential development, including but not limited to the following:

- Deletion of 10-year, 115% exemption for rehabilitation under \$20,000 increased value (former Schedule 1);
- Revision of exemptions for new construction of House A, B, C and D Building Types, containing one dwelling unit (former Schedules 4D and 4E);
- Addition of declining schedules for new construction of House A, B, C and D Building Types and for row houses in Row and Flat B Building Types, containing 2-12 dwelling units, and removal of said improvements from former Schedules (former Schedules 4D and 4E);
- Addition of supplemental declining schedules for new construction of House A, B, C, and D, Row, and Flat B Building Types, located outside of the Riverpoint West Area identified in Map 6, that meet additional energy efficiency and sustainability criteria set forth in Article H(5); and
- Revision of 10-year, 100% rehabilitation schedule to include new construction of Accessory Household Unit (AHU) Building Types, with addition of an AHU to existing House A, B, C and D Building Types remaining eligible for the same tax exemption (former Schedule 4A).

A. Affordable Housing – Missing Middle. This Plan specifically addresses, and is intended to further, the planning objective of providing affordable housing. PlanDSM: Creating Our Tomorrow contains multiple land use and housing goals to address affordable housing, including:

- “Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bikeable neighborhoods”³;
- “Encourage mixed use development that incorporates affordable and market rate housing along transit corridors and in neighborhood nodes”⁴;
- “Prioritize housing development at an increased density in locations that are close to public transit, shopping, public amenities, schools, and open spaces”⁵;
- “Support development of and access to quality housing affordable to all income level households”⁶;
- “Distribute affordable housing broadly throughout the City to avoid concentrations in neighborhoods or one sector of the City”⁷; and
- “Support and promote a regional approach to provision of affordable housing.”⁸

Missing middle housing is identified by the Congress for the New Urbanism (CNU)⁹ as “an initiative designed to confront and help remedy a serious market gap in many walkable urban places” in form of “a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living.”¹⁰ This form of residential development is intended to provide affordable housing and walkability through introducing lower-density residential and multi-residential units and accessory household units (AHUs) into existing neighborhoods. In April 2015, the Polk County Housing Trust Fund created a regional housing plan for Central Iowa with goals including “offer[ing] a variety of housing choices for our diverse population” and “preserv[ing], maintain[ing], and improv[ing] the region’s] existing housing inventory”.¹¹ The Des Moines Regional Workforce Housing Strategy, based on research and recommendations compiled in 2019, further provides a regional and

downtown-focused planning tool “to address future workforce housing challenges” including scarcity of affordable housing and a “housing ‘danger zone’” for lower-income workers.¹² Goals of said study for Des Moines include adding affordable and equitable housing options near job opportunities through affordable rehabilitation programs and incentives.

Missing middle housing in qualifying Missing Middle Residential buildings and Accessory Household Units (AHUs) is incentivized City-wide by this Plan through Schedules 10-RF, 08-RD, and 09-RD. Said housing is distinguished in this Plan from other residentially assessed buildings in order to encourage (1) affordable housing, which is more efficient and less expensive to accomplish through Missing Middle buildings and Accessory Household Units than through one-unit household construction; (2) construction of Missing Middle Residential buildings on a smaller scale in lower-density neighborhoods, which scale is more relatable and compatible to such neighborhoods than High-Density Residential buildings; and (3) construction of High-Density Residential buildings within the Targeted Multiple-Family Residential Area (Map 5, attached hereto), which Area provides the most services, transportation/transit and employment opportunities, and the highest concentration of mixed-uses available to serve the population density associated with High-Density Residential buildings.

B. Multiresidential Uses. As described above, in 2013, the Iowa legislature created a new classification of property called multiresidential property. 2013 Iowa Acts Ch. 123. This new classification of property was incorporated into the Second Restated Plan without substantive change to the Plan and carried forward in the Third Restated Plan. Thereafter, in 2021, the Iowa legislature revised various Iowa statutes including Iowa Code Sections 404.2(2)(f), 404.3A, 441.21(8)-(10), and 441.21(13), and adopted Section 441.21(14), eliminating said multiresidential property classification effective January 1, 2022, with applicability to assessment years beginning on or after January 1, 2022. This legislative change incorporated the multiresidential category of property, “primarily used or intended for human habitation containing three or more separate dwelling units” and classified as multiresidential, into the “residential” assessment category. H.F. 418. For tax exemption purposes, the 2021 legislation assigned commercial property and residential property “consist[ing] of three or more separate living quarters with at least seventy-five percent of the space used for residential purposes” to the “residential” classification. I.C. § 404.3(4)(a) (I.C. 2021); H.F. 418. This Fourth Restated Plan thus generally removes prior references to multiresidential assessment from the qualified property and tax exemption schedule descriptions and includes those assessment classes in the residential designation in accordance with House File 418 and said amendments to the Iowa Code.

2. Commercial and Industrial Uses

Pursuant to this Fourth Restated Plan, tax abatement remains available for qualifying improvements to commercial and industrial property located outside the downtown Des Moines area identified in Map 6 attached hereto at the same level allowed under the Third Restated Plan. This Fourth Restated Plan generally eliminates Appendix A-1, construction standards for commercial and industrial uses, and instead relies on compliance with adopted Zoning and Planning and Design ordinances within the Municipal Code, and Article H of this Plan for eligibility. Similarly to residential uses, this Plan implements goals of PlanDSM: Creating Our Tomorrow comprehensive plan relating to commercial and industrial improvements by

“[utilizing] tax incentives, including tax abatement..., to retain, recruit businesses, and encourage higher quality design”¹³ and “to encourage rehabilitation and/or redevelopment in targeted neighborhood nodes and corridors”¹⁴.

3. Energy Efficiency and Sustainability.

This Fourth Restated Plan continues and enhances the City’s effort to incentivize the sustainability of buildings in Des Moines, the reduction of the community’s greenhouse gas and carbon emissions, and the fostering of a sustainable local economy through environmentally sound building practices and energy efficiency, as well as to promote the reduction in long-term utility costs for property owners and lower annual operating costs in order to increase housing affordability. PlanDSM: Creating Our Tomorrow contains multiple goals to advance energy efficiency and sustainability, including:

- “Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bikeable neighborhoods”¹⁵;
- “[S]trive to reduce greenhouse gas emissions by encouraging energy efficient buildings, reducing vehicle miles traveled, increasing landscape plantings, and utilizing green infrastructure”¹⁶;
- “Support downtown development that investigates and incorporates green building techniques and design”¹⁷;
- “Support programs and agencies that help with weatherization and sustainability measures to reduce home operating costs for water and energy usage”¹⁸;
- “Encourage businesses that ... practice energy efficiency...; utilize green building practices; ... and/or utilize sustainable transportation and distribution systems”¹⁹;
- “Evaluate and develop an incentive program that encourages property owners to adopt green infrastructure practices”²⁰; and
- “Identify and mitigate barriers to implementation of green infrastructure in public and private development and rehabilitation/repairs.”²¹

In August 2016, the City Council adopted GuideDSM: Strategic Plan 2016-2031, which includes stated goal of the City becoming a “recognized leader in community sustainability”.²² Toward that goal, the City joined Phase II of the City Energy Project in 2017 and has created an energy benchmarking challenge program, Benchmarking DSM, and related ordinance for City and private property owners of 25,000+ square-foot buildings to annually report and benchmark energy and water usage data.²³ The City has further joined with the Downtown Community Alliance to add downtown Des Moines area recycling; has undertaken a tree inventory; and has created a Citizens Taskforce on Sustainability. As a continuation of the Third Restated Plan, Article H of this Plan requires property owners to select from and provide eligible increased energy efficiency and sustainability features for new construction and specified rehabilitation projects for High-Density Residential, commercial, and industrial buildings. In addition, energy efficiency and sustainability in qualifying newly-constructed Low-Density Residential and Missing Middle buildings is incentivized by this Plan through supplemental Schedules 06-RD, 09-RD, and 10-RD.

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. Municipal Code Section 2-1, “City limits described.”, which is on file and available in the Office of the City Clerk and incorporated herein by reference, sets forth the legal description of the real estate forming the boundaries of the City, minus any property which may have been annexed into the City of Des Moines after the effective date of said Section 2-1 and which property is included within the Citywide Urban Revitalization Area. All areas hereafter annexed into the City of Des Moines are included within the Citywide Urban Revitalization Area effective immediately upon their annexation. Map 1 identifies the corporate boundaries of the City of Des Moines, and thus reflects the boundaries of the Citywide Urban Revitalization Area, as those boundaries existed as of October 4, 2021.

ARTICLE B. ASSESSED VALUATIONS AND OWNER IDENTIFICATION

A list of the names and addresses of the owners of record of real estate within the Citywide Urban Revitalization Area, and of the existing assessed valuations of record of each such parcel, listing the land and building values separately as of October 4, 2021, constitutes Appendix C to this Plan. Appendix C is available in spreadsheet and electronic file formats, the originals of which are on deposit in the office of the Development Services Department at the direction 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. The Zoning Ordinance text provides the standards and definitions of the zoning classifications shown on the Zoning Map. Section 134-1.10 of the Zoning Ordinance adopts the Official Zoning Map, which is on file and available for public inspection in the offices of the Development Services Department. A copy of the Official Zoning Map, as amended to October 4, 2021, 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 Citywide Urban Revitalization Area as of October 4, 2021, include not classified, residential, exempt residential, multi-family, commercial, public and semi-public, agriculture, and industrial uses, as shown by Map 2.

ARTICLE E. PROPOSED LAND USE

On April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating our Tomorrow plan as the City's Comprehensive Plan. That plan includes a PlanDSM Future Land Use Map, a copy of which, dated October 4, 2021, is incorporated herein as Map 3. Together that plan and map show how and where the City will provide for a variety of housing densities and types as well as commercial and industrial uses. The PlanDSM Future Land Use Map 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 Fourth 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. QUALIFIED PROPERTY

1. Definitions

The following words, terms and phrases, when used in this Fourth Restated Plan, shall have the meanings ascribed to them below, except where the context clearly indicates a different meaning: “Accessory Household Units” or “AHUs” means the accessory structure type as described in Municipal Code Sections 134-3.9.2 and 135-2.22.2.F.

“Accessory Structures” means the accessory structures as described in Municipal Code Section 135-2.22 to which the applicable County Assessor attributes taxable value, excluding Accessory Household Units.

“Commercially and Industrially Zoned Districts” means the following zoning districts located outside of the downtown Des Moines area and Riverpoint West Area (Map 6 attached hereto): Agriculture (A), Downtown (DX), Mixed-Use (MX1, MX2, MX3, RX1, RX2, CX, EX), Industrial (I), Public, Civic, Institutional (P2), and applicable commercial or industrial Legacy Planned Unit Development (PUD), as such districts are shown on the Official Zoning Map incorporated by reference in Section 134-1.10 of the Municipal Code.

“High-Density Residential” means Downtown Storefront, Downtown General, Storefront, Commercial Cottage, and Flat A building types, containing 13 or more separate household units, as described in Municipal Code Article 135-2.

“House Building Type” means the building type(s) as described in Municipal Code Sections 135-2.13 through 135-2.16, and includes one- to four-unit houses, and further includes one- to four-

unit houses located or constructed within a Legacy Planned Unit Development (PUD) zoning district.

“Household” means as described in Municipal Code Sections 134-9.11 and 135-12.10, and may also be referred to as “family” when used in this Plan.

“Household Unit” means as described in Municipal Code Section 134-9.11, and may also be referred to as “dwelling units” and “living quarters” in this Plan and in accordance with Iowa Code Chapter 404.

“Low-Density Residential” means House A, B, C and D building types as defined in Municipal Code Sections 135-2.13 through 135-2.16 and containing one household unit.

“Missing Middle Residential” means two- to four-unit House A, B, C and D building types as described in Municipal Code Sections 135-2.13 through 135-2.16, and specifically Sections 135-2.13.3.E.2-3, 135-2.14.3.E.2, 135-2.15.3.E.3, and 135-2.16.3.E.4; two- to four-unit houses located or constructed within a Legacy Planned Unit Development (PUD) zoning district; and two- to 12-unit Flat B and Row building types, as described in Municipal Code Sections 135-2.11 and 135-2.12, respectively.

“Municipal Code” means the Municipal Code of the City of Des Moines, Iowa.

“New Construction” means the construction of a new building or the relocation of an existing building, excluding construction of a new accessory structure on the same lot as an existing related primary building.

“Rehabilitation” means the rehabilitation, restoration, repair, enlargement, or expansion of, or addition to, an existing building; the addition of an Accessory Household Unit (AHU) to an existing building; and the conversion of an existing, or construction of a new, accessory structure on the same lot as an existing related primary building.

“Riverpoint West Area” means the real property bounded by SW 9th Street on the east, Martin Luther King, Jr. Parkway on the north, the southern extension of the east right-of-way line of SW 16th Street on the west, and the Raccoon River on the south, as shown on Map 6.

“Row Building Type” means the building type as described in Municipal Code Section 135-2.12.

“Targeted Low Density Residential Area” means the Targeted Low Density Residential Area shown on Map 4.

“Targeted Multiple-Family Residential Area” means the Targeted Downtown Area shown on Map 5, and any contiguous parcels under common ownership and use having frontage on the Designated Corridors identified on Map 5 and located within an urban renewal area.

2. Residential Property Consisting of One Household Unit (Low-Density Residential)

The taxable value added by the new construction or the rehabilitation of a primary building and/or related accessory structure(s) that meets the following criteria is eligible for a temporary exemption from taxation pursuant to the applicable schedule for each type of improvement identified in the table below:

1. Assessed as residential property;
2. Consisting of Low-Density Residential buildings and/or related accessory structures;
3. Excluding new construction located in the Riverpoint West Area as shown on Map 6;
and
4. Meeting the qualification requirements of Article H of this Plan.

Each schedule is more specifically described in Article I.

Type of Improvements	Applicable Schedule
○ Rehabilitation Citywide	Schedule 10-RF 10-year 100% each year
○ New Construction in Targeted Low-Density Residential Area and Additional Sustainability Options Included (Article H(5))	Schedule 10-RD 10-year declining 100-100-100-100-100-100-100-60-40%
○ New Construction in Targeted Low-Density Residential Area	Schedule 09-RD 9-year declining 100-100-100-100-100-100-75-50-25%
○ New Construction outside Targeted Low-Density Residential Area and Additional Sustainability Options Included (Article H(5))	Schedule 06-RD 6-year declining 100-100-100-75-50-25%
○ New Construction outside Targeted Low-Density Residential Area	Schedule 05-RD 5-year declining 100-100-75-50-25%

3. Residential Property Consisting of Two to Twelve Household Units (Missing Middle Residential)

The taxable value added by the new construction or the rehabilitation of a primary building and/or related accessory structure(s) that meets the following criteria is eligible for a temporary exemption from taxation pursuant to the applicable schedule for each type of improvement identified in the table below:

1. Assessed as residential property;
2. Consisting of Missing Middle Residential buildings and/or related accessory structures;
3. Containing between 2 and 12 separate household units per building;
4. Excluding new construction located in the Riverpoint West Area as shown on Map 6;
and
5. Meeting the qualification requirements of Article H of this Plan.

Each schedule is more specifically described in Article I.

Type of Improvements	Applicable Schedule
○ Rehabilitation Citywide	Schedule 10-RF 10-year 100% each year
○ New Construction Citywide and Additional Sustainability Options Included (Article H(5))	Schedule 09-RD 9-year declining 100-100-100-100-100-100-75-50-25%
○ New Construction Citywide	Schedule 08-RD 8-year declining 100-100-100-100-100-75-50-25%

4. Residential and Commercial Property Consisting of Thirteen or More Household Units (High-Density Residential)

The taxable value added by the new construction or rehabilitation of a primary building and/or related accessory structure(s) that meets the following criteria is eligible for a temporary exemption from taxation pursuant to the applicable schedule for each type of improvement identified in the table below:

1. Assessed as residential or commercial property;
2. Consisting of High-Density Residential buildings and/or related accessory structures;
3. Consisting of 13 or more separate household units per building;
4. Containing at least 75% of the total primary building space used for residential purposes;
5. Improvements
 - (a) include either (i) new construction located within the Targeted Multiple-Family Residential Area identified in Map 5, (ii) rehabilitation of an existing building located within the Targeted Multiple-Family Residential Area identified in Map 5 that increases the number of dwelling units in the building as part of a single primary structure or an unsubdivided parcel of property under unified ownership, or (iii) other rehabilitation of an existing building City-wide; and
 - (b) do not include rehabilitation of an existing building located outside of the Targeted Multiple-Family Residential Area identified in Map 5 that increases the number of dwelling units in the building as part of a single primary structure or an unsubdivided parcel of property under unified ownership;
6. Excluding new construction located in the Riverpoint West Area as shown on Map 6; and
7. Meeting the qualification requirements of Article H of this Plan.

Each schedule is more specifically described in Article I.

Type of Improvements	Applicable Schedule
<ul style="list-style-type: none"> ○ Rehabilitation Citywide 	Schedule 10-RF 10-year 100% each year
<ul style="list-style-type: none"> ○ New Construction in Targeted Multiple-Family Residential Area; Rehabilitation that increases the number of dwelling units in Targeted Multiple-Family Residential Area 	Schedule 10-RD 10-year declining 100-100-100-100-100-100-100-60-40%

5. Residential Property – Riverpoint West Area:

The taxable value added by the new construction and rehabilitation of a primary building and/or related accessory structure(s) that meets the following criteria is eligible for a temporary exemption from taxation pursuant to the applicable schedule for each type of improvement identified in the table below:

1. Located within the Riverpoint West Area, as shown on Map 6 attached hereto;
2. Assessed as residential or commercial property;
3. Consisting of (a) an one-household detached dwelling, an one-household semi-detached dwelling, a two-household detached dwelling, or a Row building type containing up to 8 separate dwelling units for residentially assessed property, or (b) primary building type other than one-household, two-household, or Row building type containing up to 8 units, and allowed by Chapter 135 of the Municipal Code for residentially or commercially assessed property with 3 or more separate dwelling units; and/or related accessory structures;
4. Containing at least 75% of the total primary building space used for residential purposes; and
5. Meeting the qualification requirements of Article H of this Plan.

Each schedule is more specifically described in Article I.

Type of Improvements	Applicable Schedule
○ Rehabilitation Citywide	Schedule 10-RF 10-year 100% each year
○ Residential or Commercial Property (Applicable Building Types other than Single-Household, Two-Household, or Row building type containing up to 8 units)	Schedule 10-RD 10-year declining 100-100-100-100-100-100-100-60-40%
○ Single-Household, Two-Household, or Row building types containing up to 8 units	Schedule 06-RD 6-year declining 100-100-100-75-50-25%

6. Residential Property – Accessory Household Units (Missing Middle Housing – Accessory Household Unit (AHU) Building Type)

The taxable value added by the new construction or the rehabilitation of an Accessory Household Unit (AHU) building that meets the following criteria is eligible for a temporary exemption from taxation pursuant to the applicable schedule for the type of improvement identified in the table below:

1. Assessed as residential property;
2. Consisting of missing middle housing in a detached Accessory Household Unit (AHU) building; and
3. Meeting the qualification requirements of Article H of this Plan.

The schedule is more specifically described in Article I.

Type of Improvements	Applicable Schedule
○ New Construction and Rehabilitation Citywide	Schedule 10-RF 10-year 100% each year

7. Commercial and Industrial Property

The taxable value added by the new construction or by rehabilitation of a primary building and/or related accessory structure(s) that meets the following criteria is eligible for a temporary exemption from taxation pursuant to the applicable schedule for each type of improvement identified in the tables below:

1. Assessed as commercial or industrial property;

2. Does not meet the criteria of Sections G(2-6) above for residential or commercial property;
3. Improvements
 - (a) are located in commercially and industrially zoned districts and consist of new construction or rehabilitation; or
 - (b) are located within the Riverpoint West Area as shown on Map 6 attached hereto, and consist of (i) commercial property and (ii) a new building on which construction commenced after June 30, 2019; and
4. Meeting the qualification requirements of Article H of this Plan.

Each schedule is more specifically described in Article I.

Schedule 10-CD 10 year declining 80-70-60-50-40-40-30-30-20-20%
Schedule 03-CF 3-year 100% each year

ARTICLE H. QUALIFICATION FOR ELIGIBILITY

Improvements satisfying the applicability criteria 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 that the property on which they are located has been designated as and included in the revitalization area.
2. Improvements consisting of rehabilitation or additions to existing buildings must have increased the actual value of the qualified real estate by at least 5%.
3. The improvements must be completed in accordance with all applicable planning and design, zoning, building and other regulations of the City of Des Moines and all necessary permits have been obtained.
4. Energy Efficiency and Sustainability:
Improvements must provide a minimum of four of the following sustainable features if they meet all of the following criteria: (1) located outside of that portion of the Riverpoint West Area locally known as “Gray’s Station”, and (2) involving High-Density Residential, commercial, and industrial buildings and related accessory structures, and (3) assessed as residential, commercial, or industrial property, and (4) consisting of new construction, additions exceeding 50% of the existing floor area of an existing building, and renovations exceeding 50% of the assessed value of an existing building:
 - a) Permeable pavement for a minimum of 30% of the paved area.
 - b) Stormwater best management practices shall be implemented by methods of capture, infiltration, evapotranspiration, or re-use to retain 50% of the runoff volume from

- impervious surfaces on site during a 1-year rainfall event.
 - c) 90% of exterior building elevations constructed from renewable materials.
 - d) Primary entry within ¼ mile of a DART transit stop.
 - e) Redevelopment of a previously-developed site.
 - f) Renovation of an existing building.
 - g) Wind or solar (photovoltaic, PV) electric generation systems, in accordance with Municipal Code Sections 135-2.22.4.E-H, reasonably estimated to annually provide at least 20% of the electric power consumed by the development.
 - h) Ground source (geothermal) heat pumps used as primary source of heating and cooling.
 - i) Provision of a minimum level 2 electric vehicle charging station in accordance with Municipal Code Section 135-2.22.4.B.
 - j) Other energy efficiency and sustainability measures proposed by the property owner and granted written approval by the Development Services Director for tax exemption purposes pursuant to this Plan.
- 5. Additional Energy Efficiency and Sustainability:
Improvements consisting of new construction of Low-Density Residential and Missing Middle Residential buildings located outside of the Riverpoint West Area identified on Map 6, must be sustainable as follows in order to qualify for eligibility under Schedules 06-RD, 10-RD, or 09-RD, as applicable:
 - a) Walls, not including foundation walls, that separate conditioned space from unconditioned space shall have a minimum R-value of 20; and
 - b) Garages, if provided, shall contain a level 2 electric vehicle charging station in accordance with Municipal Code Section 135-2.22.4.B, or an electrical box and raceway for future installation of such level 2 electric vehicle charging station.
- 6. Improvements to property within the boundaries of the Historic Fort Des Moines Area, as shown by Map 9 attached hereto, 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. Accessory structures newly constructed or rehabilitated on the same lot as an existing and related primary building shall be eligible for Schedule 10-RF as residential rehabilitation. Accessory structures constructed in conjunction with new construction of a related primary building shall be eligible with the newly-constructed primary building for the tax exemption schedule applicable to the primary building as described in Articles G and I.
- 8. Within the Riverpoint West Area, the following additional requirements apply:
 - a) *Access.* For commercial or industrial improvements, the improvements must be to property having a primary vehicular access from street frontage.
 - b) *Landscaping.* The improvements must be to property which conforms with the site plan landscape standards applicable to development set forth in Municipal Code Chapter 135-7, as the same may be amended from time to time, or the standards set forth in a Legacy PUD Conceptual Plan if applicable. However, any higher level of landscaping required by any other applicable requirement shall continue to apply.
 - c) *Site/Development Plan and Design Standards.* Improvements consisting of one or more

new structures assessed as commercial property must comply with the following standards:

- (1) The improvements must either conform with an approved Legacy Planned Unit Development Conceptual Plan, or satisfy the following criteria:
 - Be within a building having at least three stories; and,
 - Be part of a development parcel with a minimum building coverage of 50% when viewed from above.
- (2) If located within that portion of the Riverpoint West Area locally known as “Gray’s Station”, the improvements must comply with the Construction and Sustainability Design Standards set forth in the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area, on file in the Development Services Department, in lieu of any conflicting provisions of this Article H.

ARTICLE I. TAX EXEMPTION SCHEDULES

The tax exemption schedules available for each type of qualifying improvement are identified in Article G. The property owner may elect any one of the schedules available for the qualifying improvement. Once the property owner has elected to take one of the applicable schedules and the exemption is granted, the owner is not permitted to change the schedule.

1. **Schedule 10-RF. Ten-Year 100%: Residential Rehabilitation; Residential Property – Accessory Household Units (Missing Middle Housing – Accessory Household Unit (AHU) Building Type).** All improvements eligible to receive a temporary exemption under this schedule shall receive an exemption from taxation for a period of ten years. The amount of the exemption is equal to one hundred percent of the actual value added by the improvements.
2. **Schedule 10-RD. Ten-Year Declining: Residential Property Consisting of One Household Unit (Low-Density Residential); Residential and Commercial Property Consisting of Thirteen or More Household Units (High-Density Residential); Residential Property – Riverpoint West Area.** All improvements eligible to receive a temporary exemption under this schedule shall receive an exemption from taxation 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:
 - a. For the first year, one hundred percent.
 - b. For the second year, one hundred percent.
 - c. For the third year, one hundred percent.
 - d. For the fourth year, one hundred percent.
 - e. For the fifth year, one hundred percent.
 - f. For the sixth year, one hundred percent.
 - g. For the seventh year, one hundred percent.
 - h. For the eighth year, one hundred percent.
 - i. For the ninth year, sixty percent.
 - j. For the tenth year, forty percent.

3. **Schedule 09-RD. Nine-Year Declining: Residential Property Consisting of One Household Unit (Low-Density Residential); Residential Property Consisting of Two to Twelve Household Units (Missing Middle Residential).** All improvements eligible to receive a temporary exemption under this schedule shall receive an exemption from taxation for a period of nine years. The amount of the 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, one hundred percent.
 - c. For the third year, one hundred percent.
 - d. For the fourth year, one hundred percent.
 - e. For the fifth year, one hundred percent.
 - f. For the sixth year, one hundred percent.
 - g. For the seventh year, seventy-five percent.
 - h. For the eighth year, fifty percent.
 - i. For the ninth year, twenty-five percent.
4. **Schedule 08-RD. Eight-Year Declining: Residential Property Consisting of Two to Twelve Household Units (Missing Middle Residential).** All improvements eligible to receive a temporary exemption under this schedule shall receive an exemption from taxation for a period of eight years. The amount of the 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, one hundred percent.
 - c. For the third year, one hundred percent.
 - d. For the fourth year, one hundred percent.
 - e. For the fifth year, one hundred percent.
 - f. For the sixth year, seventy-five percent.
 - g. For the seventh year, fifty percent.
 - h. For the eighth year, twenty-five percent.
5. **Schedule 06-RD. Six-Year Declining: Residential Property Consisting of One Household Unit (Low-Density Residential); Residential Property – Riverpoint West Area.** All improvements eligible to receive a temporary exemption under this schedule shall receive an exemption from taxation for a period of six years. The amount of the 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, one hundred percent.
 - c. For the third year, one hundred percent.
 - d. For the fourth year, seventy-five percent.
 - e. For the fifth year, fifty percent.
 - f. For the sixth year, twenty-five percent.
6. **Schedule 05-RD. Five-Year Declining: Residential Property Consisting of One Household Unit (Low-Density Residential).** All improvements eligible to receive a temporary exemption under this schedule shall receive an exemption from taxation for a

period of five years. The amount of the 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, one hundred percent.
- c. For the third year, seventy-five percent.
- d. For the fourth year, fifty percent.
- e. For the fifth year, twenty-five percent.

7. **Schedule 10-CD. Ten-Year Declining: Commercial and Industrial Property.** All improvements eligible to receive a temporary exemption under this schedule shall receive an exemption from taxation 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:

- 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.

8. **Schedule 03-CF. Three-Year 100%: Commercial and Industrial Property.** All improvements eligible to receive a temporary exemption under this schedule shall receive an exemption from taxation for a period of three years. The amount of the exemption is equal to one hundred percent of the actual value added by the improvements.

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 Development Services 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 Development Services Department and shall provide all information requested by that form, and such additional information as may be requested by the Development Services Director or the Director's designee to determine if the improvements qualify for an exemption from taxation.

Application status will be available electronically to property owners pursuant to the City's EnerGov application program. The application shall not be considered filed or accepted by the City until documented by said EnerGov program.

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 Fourth 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 tax abatement by a property owner to the City and verification of eligibility for tax abatement pursuant to said application by the City, qualified tenants 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 that 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. **Fourth Restated Plan.** Except as more specifically described below, a temporary exemption from taxation under this Fourth Restated Plan shall be available for qualified improvements added during the period beginning on the later of:

- a) January 1, 2022; or
- b) The effective date of designation of the affected property as part of the Citywide Urban Revitalization Area,

and continuing through December 31, 2028. Tax abatement under this Fourth Restated Plan shall also be available for qualified improvements added on or before December 31, 2029, 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, 2028.

2. **Third Restated Plan.** The Third Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area, including its eligibility requirements and tax exemption schedules, shall continue to apply to:

- a) All improvements completed by December 31, 2021; and
- b) All improvements for which a building permit application is accepted by the Development Services Department by December 31, 2021, which are part of:
 - i) a single structure; or
 - ii) 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 July 1, 2022, and construction of the improvements is diligently pursued to completion and is completed by December 31, 2022; and

- c) Improvements involving new construction of Low-Density Residential and High-Density Residential buildings, as more fully described by Article G, Sections 2 and 4, respectively, for which a building permit application is accepted by the Development Services Department by December 31, 2022, which are part of:
 - i) a single structure; or
 - ii) 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 July 1, 2023, and construction of the improvements is diligently pursued to completion and is completed by December 31, 2023.²⁴

3. **Termination.** 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 area and terminate the availability of temporary exemptions from taxation pursuant to Iowa Code Chapter 404.

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

- For improvements involving new construction of a primary building or related accessory structure or of an Accessory Household Unit, “project has commenced” 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.
- For improvements involving rehabilitation to an existing building, “project has commenced” means (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.

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 summarized list of the available financial aid programs best known to the City, focusing primarily on residential assistance in accordance with Iowa Code Section 404.2(j). Further information on such programs is available through the City’s Development Services Department and Neighborhood Services Department as well as other public and private housing organizations. The continued availability of these programs is subject to future funding and operation by the entities responsible for the respective programs.

1. City Programs

Homeownership Program. The City provides funding to 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 Construction or Rehabilitation Program. The City provides federal funding for substantial rehabilitation or new construction of residential rental units for low-income renters. Priority areas for rehabilitation projects are those units that have been vacant for a number of years, are located in a visible corridor or street, and provide larger household housing. Priorities for rental new construction are projects that also receive tax credits under one of the State’s programs.

Urban Revitalization 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, multiresidential, commercial, industrial and non-profit projects. The City has developed administrative policies for the application and evaluation of these projects.

Blighted Property Rehabilitation (BPR) Program. The City provides local funding for acquisition, demolition and/or rehabilitation of vacant, abandoned and/or blighted residential properties in the City of Des Moines. The program, to be administered by the Neighborhood Services Department as of spring 2022, is open to for-profit investors, non-profit organizations, and other persons and entities meeting financial capability and housing/redevelopment experience requirements. Funding is provided in the form of forgivable loans, and is subject to compliance with the BPR Program Policy and City Council direction.

Neighborhood Commercial Revitalization (NCR) Program. The City provides local funding for reinvestment in existing commercial, office, and mixed-use buildings, primarily in neighborhood commercial nodes and corridors across the City of Des Moines, to assist with the stabilization of said buildings and improvement of commercial property values and to replace and expand the City's previous commercial facade grant program. The NCR Program is designed to provide financial assistance pursuant to Iowa Code Chapter 15A and urban renewal financing where applicable, to property owners and tenants, investors, private entities, non-profit organizations, and other qualified developers for projects involving facade renovations, exterior site improvements, building stabilization, roof repair, installation of fat, oil, grease (FOG) interceptors, installation of energy-efficient HVAC systems, fire sprinkler systems, electrical updates, and plumbing updates, for commercial, office, and mixed-use properties in the City of Des Moines. Projects will be selected and awarded funding based on scoring criteria used by a selection committee comprised of City staff, in accordance with the NCR Program Policy and City Council direction.

Tax Sale Process. The City participates in the real property tax sale process set forth in Iowa Code Sections 446.19, 446.19A and 446.19B, and related Code provisions. Through this process, the City's Neighborhood Services Department assigns tax sale certificates to non-profit organizations, and acquires vacant or blighted properties to convey to developers, for ultimate use of the properties for housing purposes.

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.

Lead Based Paint Removal Program. The Polk County Health Department 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.

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.

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 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. InvestDSM Programs

Invest DSM, Inc. is a non-profit corporation funded by the City of Des Moines and Polk County to coordinate implementation of neighborhood revitalization plans, as adopted and delegated by the City of Des Moines, Iowa or other governmental units located within Polk County. The corporation's purposes include participation in and sponsoring of real estate development projects, housing rehabilitation and new construction projects, commercial and rental property rehabilitation and facade projects, and similar projects in the City and Polk County. Invest DSM funds projects in designated Special Investment Districts through programs which may include the Block Challenge Grant Program for neighbors coordinating exterior improvement projects; Homeowner Renovation Program for homeowner renovation projects using forgivable loans and grants; Single Family Developer Program for investor-developers to make above-market investments in properties; Rental Rehab Program to assist rental property owners with larger improvements to their properties and to help them maintain affordable rents through forgivable grants; and Commercial Grant Program to incentivize existing or new commercial property owners to invest in properties and in turn improve the overall commercial area.

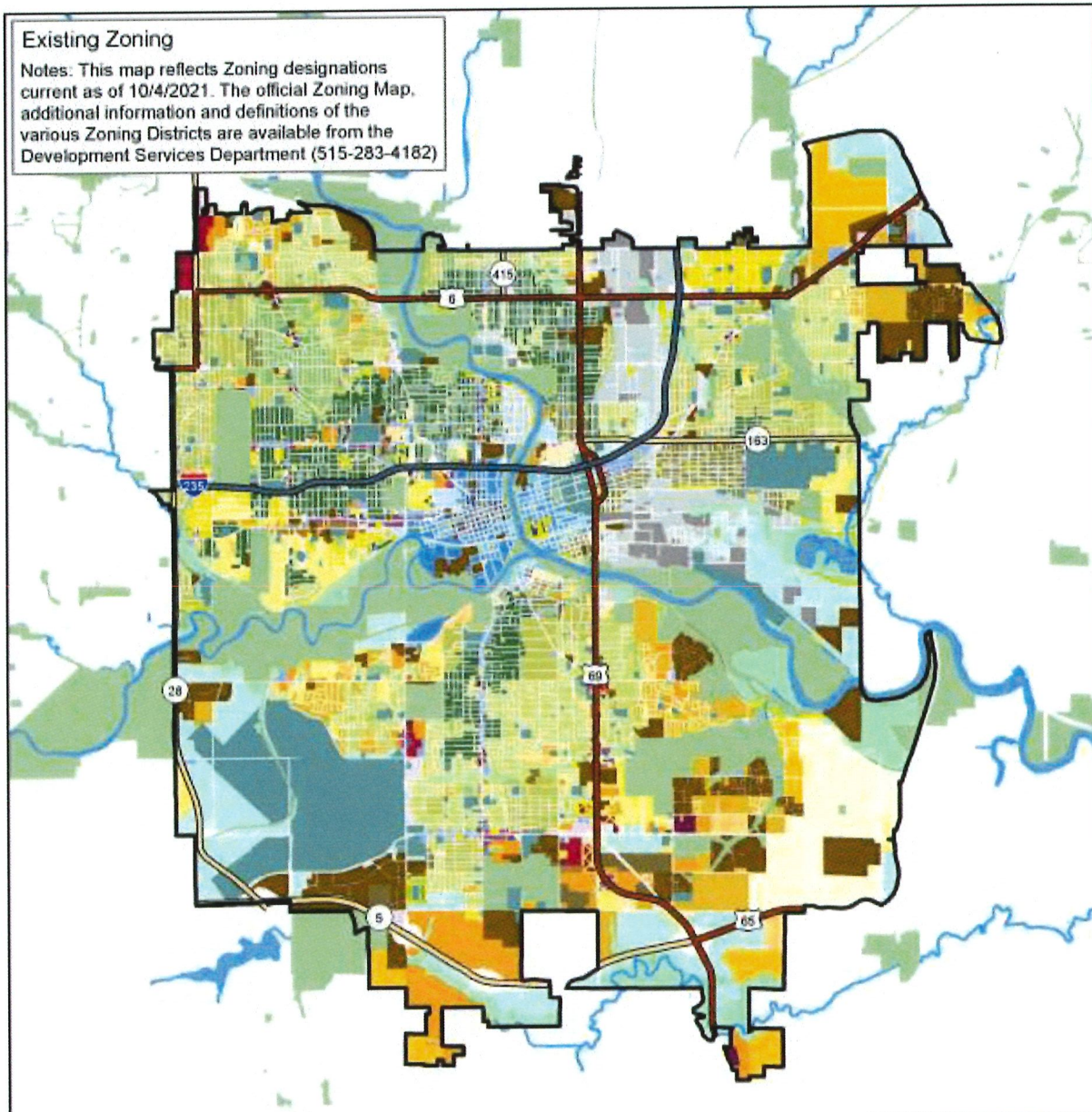
6. Other Resources

Other resources that may be available for residential programs in the Des Moines area include:

- Rebuilding Together
- Aging Resources of Central Iowa
- Central Iowa Center for Independent Living

Map 1. Official Zoning Map and Boundaries of the City-wide Urban Revitalization Area.

City of Des Moines Urban Revitalization Plan



Map 1 - Existing Zoning Map

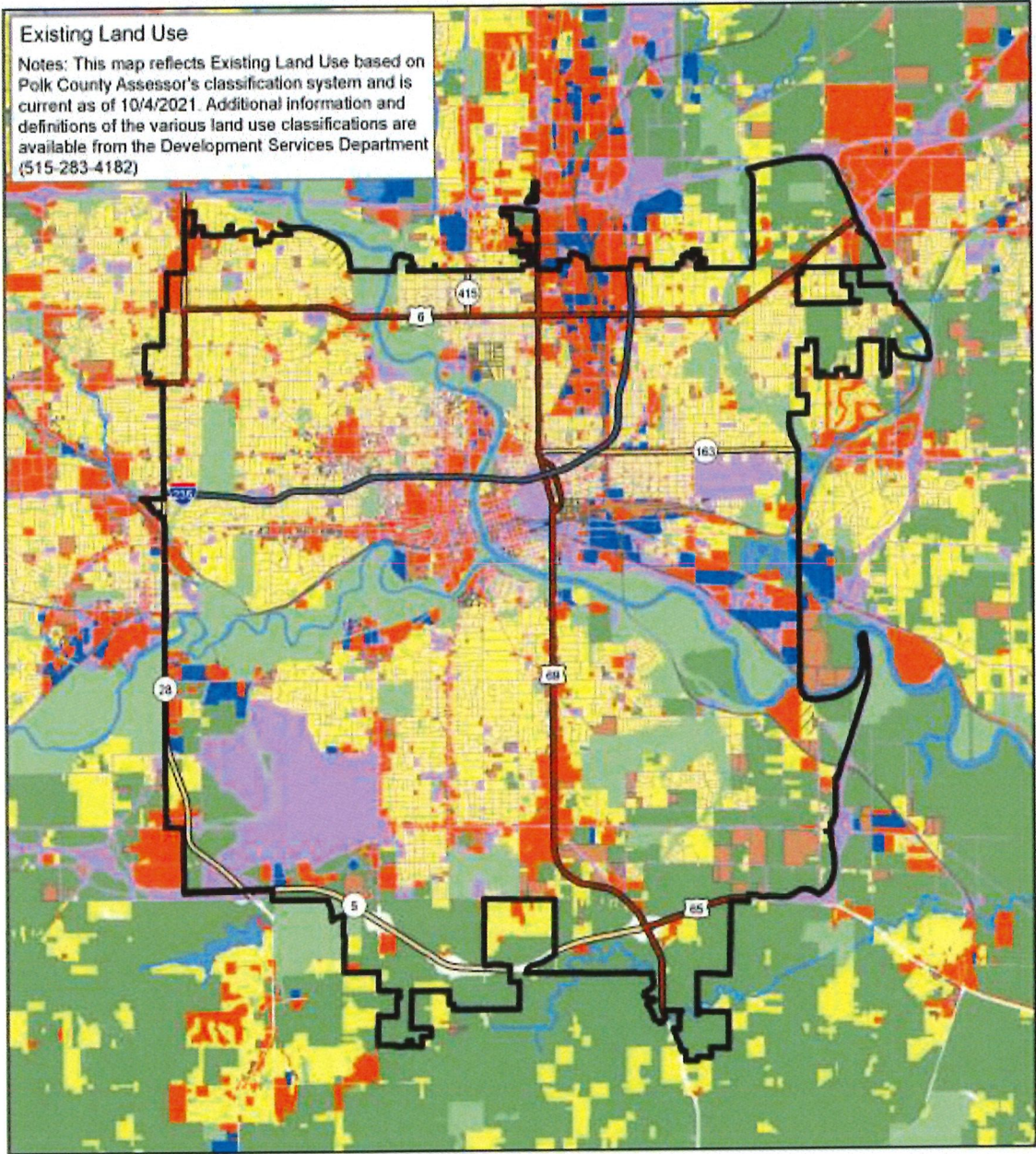
Des Moines	I2	MX1	N1b-4	N2b-2	N3c	N5-4	EX
ROW	I2-V	PUD	N2	N2b-4	N3c-2	NM	EX-V
F	CX	A	N2-2	N3a	N3c-4	NX1	P1
DX1	CX-V	N1a	N2-4	N3a-2	N4	NX2	P2
DX2	MX3	N1a-2	N2a	N3a-4	N4-2	NX2a	
DXR	MX3-V	N1a-4	N2a-2	N3b	N4-4	NX3	
I1	MX2	N1b	N2a-4	N3b-2	N5	RX1	
I1-V	MX2-V	N1b-2	N2b	N3b-4	N5-2	RX2	



Date: 10/4/2021
 Map prepared by:
 Development Services Department
 City of Des Moines

Map 2. Existing Land Use Map.

City of Des Moines Urban Revitalization Plan



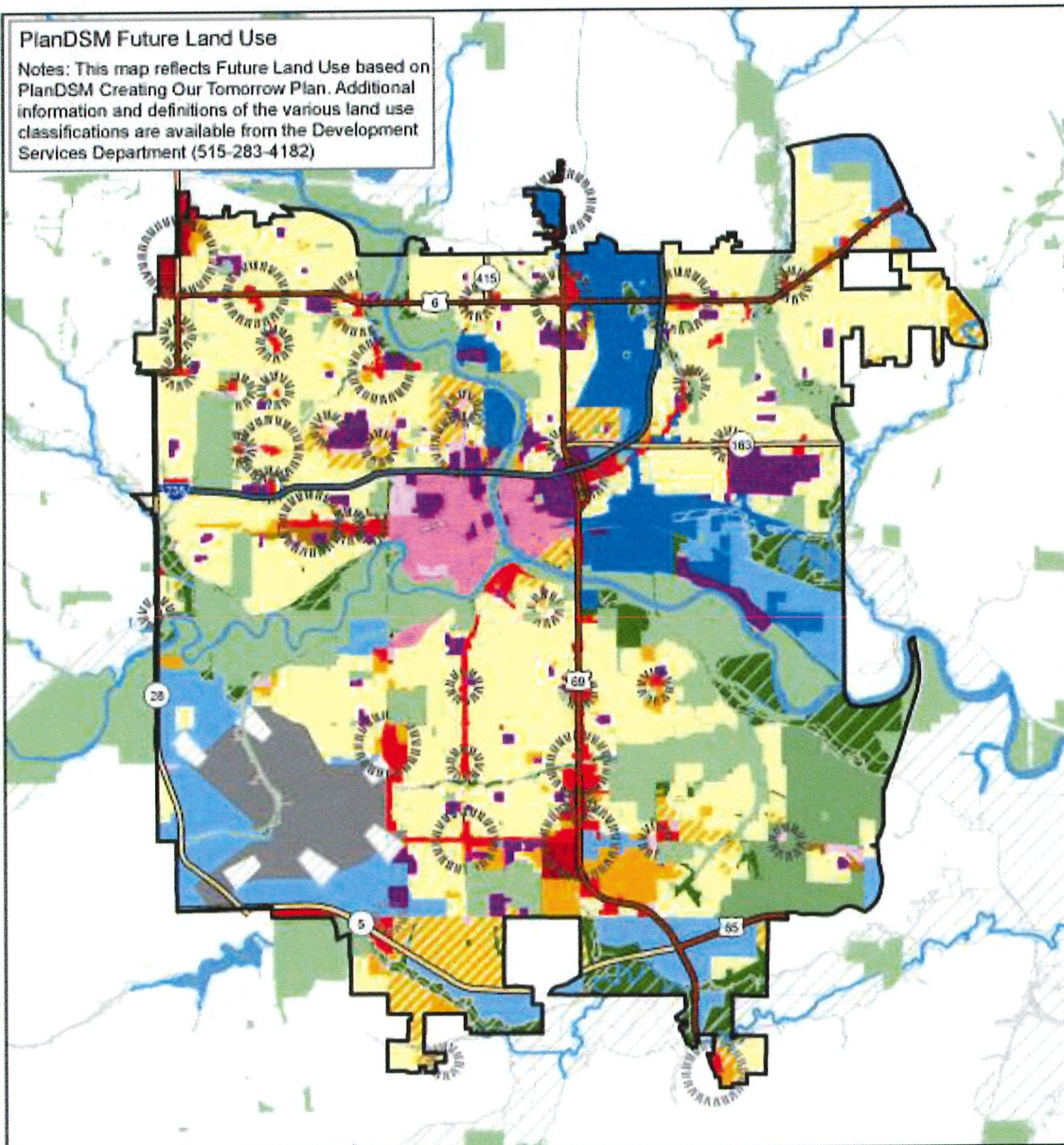
Map 2 - Existing Land Use Map

- | | |
|---------------------------|--------------------|
| Des Moines | Multi-Family |
| Existing Land Uses | Commercial |
| Not Classified | Public/Semi-Public |
| Residential | Agriculture |
| Exempt Residential | Industrial |

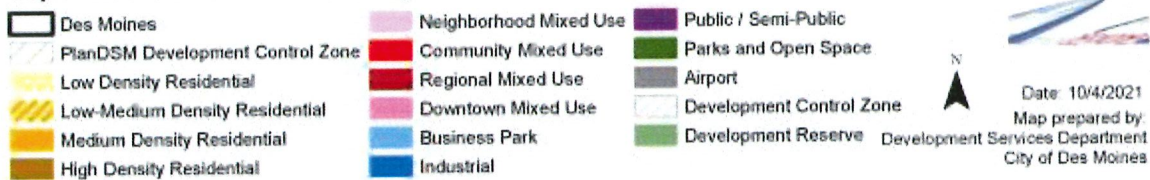
Date: 10/4/2021
Map prepared by:
Development Services Department
City of Des Moines

Map 3. PlanDSM Future Land Use Map.

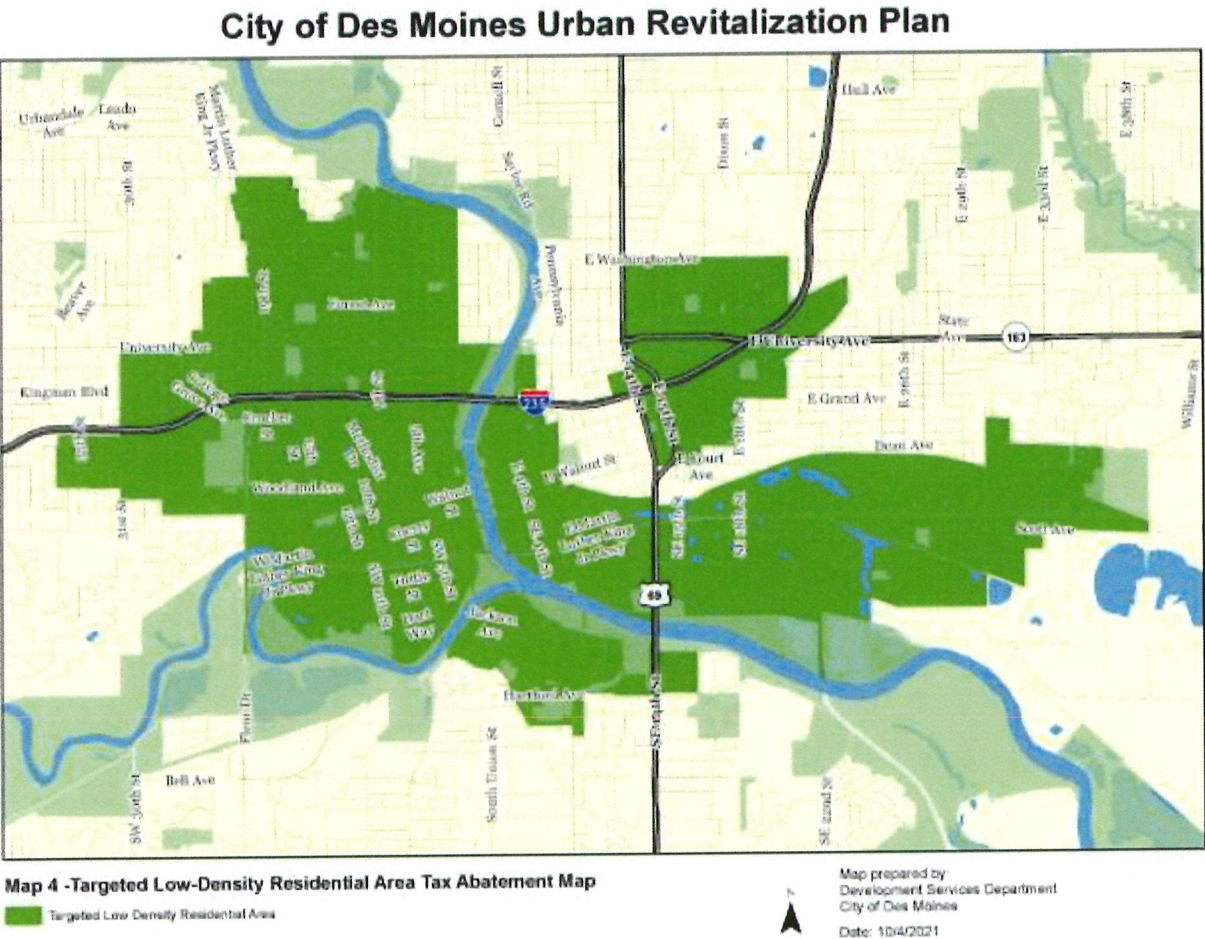
City of Des Moines Urban Revitalization Plan



Map 3 - PlanDSM Future Land Use Map

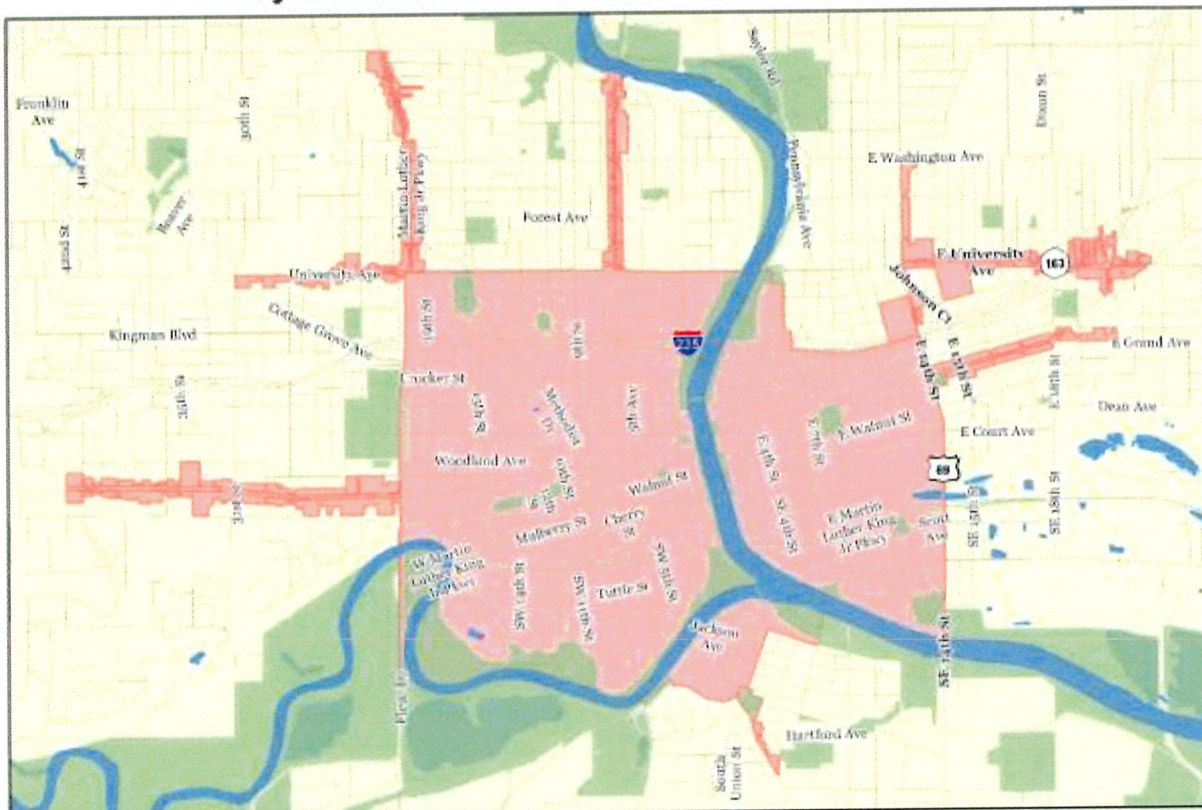


Map 4. Targeted Low-Density Residential Area.



Map 5. Targeted Multiple-Family Residential Area.

City of Des Moines Urban Revitalization Plan



Map 5 -Targeted Multi-Family Residential Area Tax Abatement Map

 Targeted Multi-Family Area



Map prepared by:
Development Services Department
City of Des Moines
Date: 10/4/2021

Map 6. Downtown Area.

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Map 6 - Downtown Area Map

- Downtown Des Moines Area
- Riverpoint West



Map prepared by
Development Services Department
City of Des Moines
Date: 10/5/2021

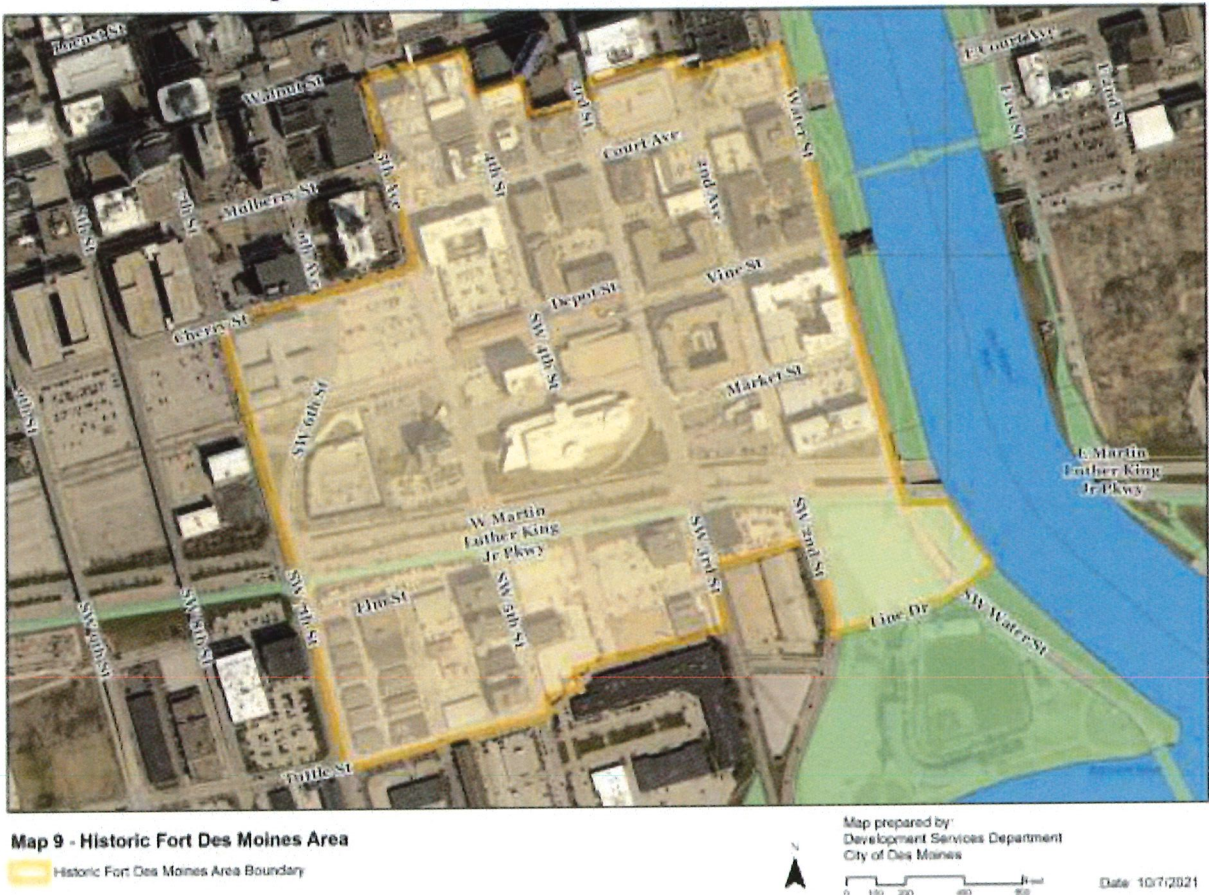
Map 8. Court Avenue Historic Area.

City of Des Moines Urban Revitalization Plan



Map 9. Historic Fort Des Moines II Area.

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Appendix A

Court Avenue Design Standards

Applicable within the Court Avenue Historic Area

Intent:

The Court Avenue Historic Area is identified in Map 8. 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 Principal Riverwalk, 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 Development Services Director or the Director’s designee.

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 on 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 ensure new construction does not overwhelm adjacent historic buildings.

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

Intent

The Historic Fort Des Moines Area is identified in Map 9. 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 9, 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 Development Services 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.

Appendix D

Plan Notes and Citations

- ¹ PlanDSM, Housing Goal 2, H8.
- ² PlanDSM, Community Character and Neighborhoods Goal 3, CCN19.
- ³ PlanDSM, Housing Goal 3.
- ⁴ PlanDSM, Housing Goal 3, H19.
- ⁵ PlanDSM, Housing Goal 3, H20.
- ⁶ PlanDSM, Housing Goal 4.
- ⁷ PlanDSM, Housing Goal 4, H22.
- ⁸ PlanDSM, Housing Goal 4, H23.
- ⁹ Congress for the New Urbanism is a non-profit urban planning organization.
- ¹⁰ “Missing Middle Housing”, Congress for the New Urbanism, <https://www.cnu.org/our-projects/missing-middle-housing>.
- ¹¹ “Housing Tomorrow Executive Summary”, Polk County Housing Trust Fund, <https://www.pchtf.org/upl/downloads/landing-page/documents-document1.pdf>; see also “Housing Tomorrow”, <https://www.pchtf.org/rahp/>.
- ¹² “Des Moines Regional Workforce Housing Strategy”, Polk County Housing Trust Fund, <https://www.pchtf.org/upl/downloads/landing-page/here-we-grow-achieving-housing-equity-affordability-and-accessibility-in-metro-des-moines-document2.pdf> (pchtf.org)
- ¹³ PlanDSM, Economic Development Goal 1, ED2
- ¹⁴ PlanDSM, Community Character and Neighborhoods Goal 3, CCN19
- ¹⁵ PlanDSM, Housing Goal 3.
- ¹⁶ PlanDSM, Public Infrastructure and Utilities Goal 1, PIU10.
- ¹⁷ PlanDSM, Land Use Goal 5, LU29.
- ¹⁸ PlanDSM, Housing Goal 2, H11.
- ¹⁹ PlanDSM, Economic Development Goal 4, ED17.
- ²⁰ PlanDSM, Public Infrastructure and Utilities Goal 2, PIU13.
- ²¹ PlanDSM, Public Infrastructure and Utilities Goal 2, PIU15.
- ²² “GuideDSM Strategic Plan 2016-2031”, <https://guidedsm.dsm.city/>.
- ²³ “Sustainability Program”, https://www.dsm.city/initiatives/sustainability_efforts.php; “Building Benchmarking”, <https://www.dsm.city/initiatives/buildingbenchmarking.php>; City of Des Moines Ordinance No. 15,779 (Municipal Code Chapter 26, Article IX).
- ²⁴ Said residential or commercial new-construction improvements are allowed the additional time set forth in subsection M(2)(c) due to the City’s acknowledgment of longer duration in planning, financing, and construction for residential subdivision and large-scale residential projects.