



**Roll Call Number**

**Agenda Item Number**

48

**Date** March 18, 2024

An Ordinance entitled, "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 Sections 82-336, 82-338, and 82-339, relating to the urban design review board",

presented. **(Council Communication No. 24-125)**

Moved by \_\_\_\_\_ that this ordinance be considered and given first vote for passage. Second by \_\_\_\_\_.

FORM APPROVED:

(First of three required readings)

/s/ Lisa A. Wieland  
Lisa A. Wieland  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

**CERTIFICATE**

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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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 Sections 82-336, 82-338, and 82-339, relating to the urban design review board.

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, by amending Sections 82-336, 82-338, and 82-339, relating to the urban development board, as follows:

**Sec. 82-336. Created; composition; appointments.**

- (a) There is created in and for the city an urban design review board, which shall be an advisory board composed of eleven members. The membership of the urban design review board shall consist of: four Iowa registered architects, one of whom must have significant experience in the restoration of historic buildings; two Iowa registered landscape architects; one developer, realtor or real estate broker; and four at large citizen representatives, one of whom must have a demonstrated interest in historical renovation and restoration.
- (b) Each ward councilmember may recommend candidates for appointment to two positions on the urban design review board. The mayor and the two at large council members may each recommend candidates for appointment to one position on the urban design review board.
- (c) The term of each member shall be three years expiring on June 30th, except that the terms of three of the initial members shall be for one year, and the terms of four of the initial members shall be for two years.
- (d) The Economic Development Administrator, or their designee, shall serve as an ex officio member of the board.

**Sec. 82-338. Duties.**

- (a) The urban design review board shall advise the city council regarding:
  - (1) The design of public improvements pursuant to section 82-42 and the exterior design of major projects pursuant to sections 82-339.
  - (2) Whether a proposed urban renewal project's design qualifies for funding from tax increment revenues under the applicable urban renewal plan.
  - (3) Recommended approval of Urban renewal plans and plan amendments. Whether the level of financial assistance funded from tax increment revenues proposed for a specific individual project are reasonable and appropriate.
  - (4) The selection of urban renewal sites for clearance or rehabilitation, and problems relating to acquisition, clearance or rehabilitation of property, relocation of displaced persons, and disposition of acquired property.
  - (5) The operation of the skywalk system pursuant to section 102-321.
- (b) ~~The board shall sit with the historic district commission as the landmarks review board pursuant to section 58-55.~~



- (eb) The board shall recommend one of its members to serve on the strategic planning commission pursuant to section 82-278.

**Sec. 82-339. Architectural review.**

- (a) The urban design review board shall review, evaluate, and make recommendations to the city council concerning architectural plans and concepts of:
- (1) The exterior design of major projects involving new construction or installation of buildings, parking facilities, and landscaping improvements to be owned or leased by the city and used for civic or municipal purposes. Major projects shall not include exterior repairs or maintenance where the design is not substantially altered. Major projects are defined as those for which construction costs, excluding land costs, are in excess of ~~\$51,000,000.00 for projects in nonresidential areas, and \$250,000.00 for projects in residential areas as defined by the city's adopted land use plan.~~
  - (2) ~~The interior design of all major renovation and remodeling projects for public areas owned or leased by the city which are intended to be used primarily by the general public. Those areas intended to be used primarily by city employees such as office areas, work areas, fire stations, and storage areas are not public areas. Major interior renovation and remodeling projects shall be those projects with an estimated construction cost in excess of \$250,000.00 and any interior project for a public area in city hall or main library with an estimated construction cost in excess of \$100,000.00.~~
- (b) The urban design review board ~~shall~~ may undertake a preliminary review of all major projects as defined in this section during the schematic design phase. The materials submitted for the preliminary review of a building project ~~shall~~ may include a site plan, building plan and elevations, and a perspective, model or other three-dimensional representation sufficient to convey the project in its context. ~~Such preliminary review shall occur at the first scheduled meeting of the urban design review board after all required review materials have been submitted to staff. The recommendation of the urban design review board shall be forwarded to the city manager and the city council. The city council shall act to approve, approve with modification, or disapprove such recommendation.~~
- ~~At the time of the preliminary review, the urban design review board may request that the city council authorize~~ The urban design board shall undertake a final design review during the construction document phase. If such final review is authorized by the city council, based on the submittal of the following materials: site plan, building plan and elevations submitted for the final review shall include working drawings, a landscaping plan, a perspective, model or other three-dimensional representation of the project in its surroundings, and materials samples to show finishes, textures and colors. The timeframes and procedures for final reviews shall be the same as those established for preliminary review. Such review shall occur at the first scheduled meeting of the urban design review board that is scheduled 12 calendar days after all required review materials have been submitted to staff.
- The city manager shall be responsible for conducting a design review of all nonmajor construction, installation, remodeling, and renovation projects. ~~However, the city manager shall notify the chair of the urban design review board of all projects where construction costs are estimated to be \$250,000.00 to \$500,000.00 for new~~



~~construction/installation projects located in nonresidential areas, \$125,000.00 to \$250,000.00 for new construction/installation projects in residential areas, and \$125,000.00 to \$250,000.00 for remodeling and renovation projects. Upon receipt of such notification, the chair of the urban design review board may ask the city manager to provide the board an opportunity to review these projects. If such review is undertaken, the board shall complete its review and forward its recommendation to the city manager within one week from the date adequate review materials are provided to the board.~~

- (c) The urban design review board shall review, evaluate and make recommendations to the city council regarding the exterior design of buildings, site plans, and open space plans for property which the city intends to convey or lease through the urban renewal process and for all real estate development projects proposed to receive tax increment financing incentives.

All proposed urban renewal projects shall be presented by the developer or city staff to the board at a public meeting. The board shall complete its review and submit its recommendation to the city council as soon as possible, but in any event within thirty days of the initial presentation of the project to the board. The city council shall then act to approve, modify, or disapprove the recommendations regarding design of the proposed urban renewal project. ~~The urban design review board shall complete its review of the final plans for the urban renewal project at the first scheduled meeting of the board more than three business days after materials are submitted.~~ The stated time requirements are dependent upon complete and adequate materials having been submitted by the developer at the time of ~~original and~~ final submittals. Complete and adequate materials shall be defined by the specific urban renewal offering requirements for the property. The review, evaluation and recommendation shall be guided by the applicable urban renewal plan requirements and associated urban renewal documents.

- ~~(d) The city manager shall periodically review and may recommend to the city council such increases in the dollar amounts for review and notification set forth in subsection (a) of this section as may be warranted by inflation.~~

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/ Lisa A. Wieland  
Lisa A. Wieland  
Assistant City Attorney