



Roll Call Number

15-0036

Agenda Item Number

23

Date January 12, 2015

RESOLUTION SCHEDULING PUBLIC HEARING ON THE PROPOSED THIRD AMENDMENT TO THE SECOND RESTATED CITY-WIDE URBAN REVITALIZATION PLAN TO ADDRESS THE RECLASSIFICATION OF MULTI-FAMILY COMMERCIAL PROPERTY AS MULTIRESIDENTIAL PROPERTY FOR PROPERTY TAX PURPOSES

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, which plan (the "original City-wide Plan") has been repeatedly amended; and,

WHEREAS, on December 5, 2011, by Roll Call No. 11-2085, the City Council approved and adopted the 2011-1 Omnibus Amendment to the City's Urban Revitalization Plans which consolidated all of the City of Des Moines, as it then existed and as thereafter expanded by future annexations, into the City-wide Urban Revitalization Area and approved the Second Restated Urban Revitalization Plan as a complete and restated urban revitalization plan for the City-wide Urban Revitalization Area; and,

WHEREAS, in 2013, the Iowa legislature amended the Iowa property tax laws to reclassify "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" as multiresidential property for property tax purposes; and,

WHEREAS, an amendment to the City-wide Urban Revitalization Plan is required to continue tax the allowance of abatement for apartment buildings and certain other types of buildings used for human habitation now classified as multiresidential property for property tax purposes; and,

WHEREAS, the purpose of the proposed Third Amendment to the Second Restated Plan for the City-wide Urban Revitalization Area is to update the Plan to reflect the reclassification of apartment buildings and certain other types of buildings used for human habitation as multiresidential property for property tax purposes, without otherwise substantively changing the City-wide tax abatement program.

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-2-

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

1. A public hearing on the proposed Third Amendment to the Second Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area shall be held before this Council at 5:00 p.m. at its meeting on January 26, 2015.
2. The City Clerk is hereby authorized and directed to publish the notice of the public hearing, attached hereto as Exhibit "A", not less than 7 days nor more than 20 days prior to the date of hearing, in the manner provided in Sections 362.3 and 404.2 of the Code of Iowa.

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin
Mayor

CERTIFICATE

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

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

Diane Rauh

City Clerk