

**CITY OF DES MOINES PLAN & ZONING COMMISSION**  
**STAFF REPORT AND RECOMMENDATION**  
Thursday, July 18, 2019

**AGENDA ITEMS #6**

**10-2019-5.01**

**Applicant:** City of Des Moines

**Requested Action:** A public hearing regarding the proposed Zoning Ordinance, Planning and Design Ordinance, and Citywide Zoning Map amendment (reference <https://plandsm.dmgov.org>). The hearing will be reopened the August 1, 2019 meeting of the Commission, where a recommendation to the City Council on these items will be considered following the hearing.

**I. GENERAL INFORMATION**

The City's existing zoning ordinance was comprehensively written in 1965. There have been more than 300 amendments to the ordinance since 1965. Revisions and time have resulted in an ordinance that has inefficient processes and conflicting regulations, an ordinance that is not user-friendly, an ordinance that lacks appropriate urban design standards to ensure expected quality for all development and an ordinance that provides ineffective support for the City's sustainability goals.

In 2014, the Des Moines City Council approved funding for creation of a new comprehensive plan and zoning ordinance for the City of Des Moines.

The PlanDSM Creating Our Tomorrow Comprehensive Plan was approved on April 25, 2016 as a local implementation of the Tomorrow Plan Regional Plan for Sustainable Development. The Plan was prepared in-house by City Staff with contractual project management provided by Robert Blanchard, AICP. PlanDSM received a Silver Level recognition for sustainable practices from the American Planning Association and the Daniel Burnham Award for Comprehensive Planning from the Iowa Chapter of the American Planning Association.

In March of 2016, the City entered into an agreement for professional services with a collaborative of Duncan Associates, CodaMetrics and the Lakota Group to prepare a rewrite of the zoning ordinance. The collaborative conducted a series of stakeholder meetings and produced a project direction report and was authorized to proceed by the City Council. The public review draft of the document was released in August of 2017 and the City received over 300 public comments and 350 staff comments on the draft. After nearly 18 months of review and revision by City staff and the consultant, this public hearing draft was released on May 17, 2019.

The proposed Zoning Ordinance, Planning and Design Ordinance, and Citywide Zoning Map amendment are the culmination of five years of work that has included at least 17 steering committee meetings, 19 stakeholder group interviews, a project direction report, 22 additional stakeholder meetings since the release of the public hearing draft,

2 workshops by the Plan and Zoning Commission, 5 workshops by the City Council and will have public hearings by the Plan and Zoning Commission and City Council.

The proposed Zoning Ordinance, Planning and Design Ordinance and Citywide Zoning map are “living documents”. The current form is the City’s best attempt to provide equitable regulation for development that balances the needs of many interest groups. Staff will continue to work with the City Council, Plan and Zoning Commission, and all interested parties now and in the future to adjust the ordinance as priorities and objectives change.

Please refer to [www.PlanDSM.org](http://www.PlanDSM.org) for information regarding the comprehensive plan, the proposed Zoning Ordinance, Planning and Design Ordinance and Citywide Zoning Map amendment.

## **II. CONSISTENCY WITH STATE CODE**

The proposed Zoning Ordinance, Planning and Design Ordinance, and Citywide Zoning Map amendment have been prepared in consideration of Iowa Code Chapter 18B and in accordance with Iowa Code Chapter 414 as applicable.

## **III. CONSISTENCY WITH PlanDSM**

PlanDSM is the City’s Comprehensive Plan. Preparation of the proposed the proposed Zoning Ordinance, Planning and Design Ordinance and Citywide Zoning Map amendment is based upon and consistent with the following Goals and Policies of PlanDSM:

### **Land Use Goal 1**

**Develop new land development regulations consistent with this Comprehensive Plan, include development standards, provide for a mixture of land uses, mandate protection of natural resources, and promote flexible approaches to implementing the Plan.**

LU1: Develop a new Zoning Ordinance and other land development regulations consistent with the goals and policies of PlanDSM.

LU2: Develop regulations sensitive to adjoining development and potential development to promote unique land use objectives including neighborhood centers and transit-oriented development (TOD).

LU3: Ensure new zoning and land use regulations promote development and redevelopment that is compatible with the neighborhood character and reduces negative impacts between incompatible uses.

LU4: Integrate development with the natural environment through green building and site planning practices.

LU5: Develop regulations to reduce blight and visual clutter including, but not limited to, signage,

overhead power lines, telecommunications equipment, and other utilities. Regulations will be consistent with federal and state code and case law.

LU6: The City of Des Moines will strive to reduce greenhouse gas emissions by encouraging energy efficient buildings, reducing vehicle miles traveled, increasing landscape plantings, and utilizing green infrastructure.

## **Land Use Goal 2**

**Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities.**

LU8: Encourage continued redevelopment and enhancement of regional nodes emphasizing a mix of uses, ease of access by transit, enhanced walkability, and high density residential.

LU10: Prioritize new mixed use development and redevelopment along proposed high capacity transit corridors and nodes.

LU11: Identify nodes appropriate for Transit Oriented Development (TOD). Prioritize nodes identified along high capacity transit corridors.

LU13: Encourage high-density housing in identified nodes and along corridors that provide convenient access to public transit, public amenities and services, schools and open space, and are in close proximity to job centers.

LU15: Prioritize development and redevelopment in areas with existing infrastructure and properties included in adopted Urban Renewal Plans.

LU16: Require new development in recently annexed areas to work with the city to evaluate the cost of providing city infrastructure and services to ensure development has a positive financial return on any city investment.

LU17: Establish requirements for the existence or provision of adequate public facilities prior to allowing new development in recently annexed areas. Consider cost-sharing agreements when development occurs in targeted areas.

## **Land Use Goal 4**

**Continue to embrace the distinct character of Des Moines' neighborhoods while allowing for new development and redevelopment.**

LU23: Create opportunities for a mixture of land uses within neighborhoods including mixed use centers, diverse housing products, recreational opportunities, public spaces, and schools.

LU25: Require new development and redevelopment to be compatible with the existing neighborhood character.

## **Land Use Goal 5**

**Continue to support the development of Downtown as the economic, cultural, and residential core of Des Moines.**

LU27: Refine Downtown Zoning Districts to ensure consistency with the goals and policies of PlanDSM.

LU28: Encourage infill development at strategic downtown development sites and corridors.

LU29: Support downtown development that investigates and incorporates green building techniques and design.

LU32: Ensure a variety of business, employment, and building densities to develop an engaging downtown.

## **Land Use Goal 6**

**Recognize the value of Des Moines' historic building stock and landscapes and ensure their preservation for future residents.**

LU33: Promote preservation, restoration, and reuse of historical structures and landmarks.

LU34: Continue to refine design guidelines and develop standards that protect the historical integrity and architectural character in identified Historic Districts.

## **Land Use Goal 7**

**Maintain the existing industrial designated areas to provide appropriate locations for industrial use.**

LU36: Develop land use regulations for industrial uses that address potential impacts with adjoining non-industrial land uses, particularly residential areas.

LU37: Restrict expansion of existing or development of new non-industrial uses within industrially designated areas.

## **Land Use Goal 8**

**Recognize the value of ecologically sensitive land and natural resources and ensure preservation of these areas for future residents and urban vitality.**

LU42: Permit reasonable development of land that addresses environmental constraints and minimizes disturbance of natural habitats.

LU43: Regulate development in flood prone areas to protect from damage to public health, safety, and property.

## **Transportation Goal 1**

**Develop a complete multi-modal transportation network for pedestrians, bikes, transit, and automobiles.**

T2: Address all forms of transportation including walking, bicycling, transit, and automobile.

T5: Coordinate with the Des Moines Area Regional Transit Authority's planning process to identify streets that may be identified for future high capacity transit corridors and plan for their redesign to accommodate that use.

T6: The City of Des Moines will strive to reduce greenhouse gas emissions by encouraging energy efficient buildings, reducing vehicle miles traveled, increasing landscape plantings, and utilizing green infrastructure.

### **Transportation Goal 3**

**Provide opportunities for healthy lifestyles through walking as a primary mode of transportation.**

T12: Develop guidelines for streets and sidewalks to provide safe, attractive, and accessible pedestrian ways including pedestrian crosswalks.

### **Transportation Goal 4**

**Make transit a more attractive option for all City residents.**

T21: Develop a transit oriented development (TOD) zone district or overlay for proposed nodes and corridors to achieve mixed-use, walkable environments.

T22: Encourage higher densities and mixed-use transit oriented development (TOD) to locate on transit corridors.

### **Transportation Goal 5**

**Enhance the bicycle network by expanding bicycle facilities that are safe, comfortable, and easily accessible.**

T28: Provide bicycle parking downtown and establish bicycle parking requirements for new development.

### **Transportation Goal 7**

**Ensure the Des Moines International Airport continues to meet the needs of the local economy.**

T39: Continue working with the Des Moines International Airport regarding airport/land use compatibility areas considering the recommendations of the Iowa Airport Land Use Guidebook.

### **Housing Goal 1**

**Provide a diversity of housing options to accommodate residents of all ages, income levels, household sizes, and cultural backgrounds.**

H1: Ensure an adequate supply of housing through a mix of new development, infill development, and redevelopment of existing properties.

H2: Identify and explore the applicability of creative and innovative housing solutions such as Accessory Dwelling Units (ADUs), Single Room Occupancy (SRO), and smaller housing units through flexible zoning to meet the demand for smaller and affordable housing.

H3: Achieve a balanced mix of subsidized rental housing, income restricted, and market rate rentals in all neighborhoods and across the city.

H4: Promote accessible, affordable, and age friendly housing alternatives in all neighborhoods to accommodate persons with disabilities and allow seniors to age in place, in proximity to known services, and with easily accessible quality open space.

H5: Address availability and affordability of housing options for all families.

## **Housing Goal 2**

**Preserve, maintain, and improve the existing inventory of single-family and multi-family housing.**

H6: Maintain sufficient residentially designated land to accommodate growth over the life of PlanDSM.

H15: Evaluate existing occupancy standards, zoning codes, and design standards to remove barriers that impact access, development, and maintenance of safe and affordable housing for all residents.

H16: Streamline permit and development processes to encourage development in accordance with applicable regulations.

## **Housing Goal 3**

**Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bikeable neighborhoods.**

H17: Encourage the use of existing public infrastructure by focusing housing development on infill, vacant, and under-developed land.

H19: Encourage mixed use development that incorporates affordable and market rate housing along transit corridors and in neighborhood nodes.

H20: Prioritize housing development at an increased density in locations that are close to public transit, shopping, public amenities, schools, and open spaces.

## **Housing Goal 4**

**Support development of and access to quality housing affordable to all income level households.**

H21: Ensure availability of rental and owner-occupied housing that meets the needs of households with all income levels in the city.

H22: Distribute affordable housing broadly throughout the City to avoid concentrations in neighborhoods or one sector of the City.

H23: Support and promote a regional approach to provision of affordable housing.

H29: Continue to pursue and efficiently distribute financial resources to provide subsidized and affordable housing to low-income residents.

## **Economic Development Goal 1**

**Foster economic prosperity and stability by retaining existing businesses and recruiting new businesses.**

ED2: Utilize tax incentives, including tax abatement and tax increment financing (TIF), to retain, recruit businesses, and encourage higher quality design.

## **Economic Development Goal 3**

**Recognize livability as a key aspect to economic development.**

ED15: Expect quality in the creation of public places and private development.

## **Economic Development Goal 4**

**Foster a sustainable economy.**

ED17: Encourage businesses that diversify the economy; use locally produced materials and market their products locally; practice energy efficiency, provide a living wage; utilize green building practices; employ exemplary stormwater management practices; and/or utilize sustainable transportation and distribution systems.

ED18: Assist redevelopment and infill development on sites with adequate infrastructure through incentives, intergovernmental coordination, and facilitated processes.

## **Public Infrastructure and Utilities Goal 1**

**Provide safe and reliable public infrastructure and utilities for current residents as well as future development needs.**

PIU2: Require new development to provide adequate public infrastructure to serve the needs of the development and ensure facilities are sized and staged to provide for additional development beyond its boundaries.

PIU10: The City of Des Moines will strive to reduce greenhouse gas emissions by encouraging energy efficient buildings, reducing vehicle miles traveled, increasing landscape plantings, and utilizing green infrastructure.

## **Public Infrastructure and Utilities Goal 2**

**Evaluate capacity for implementation of and adaptation to green infrastructure in the city.**

PIU11: Encourage the use of local renewable energy resources, technology, and design, and consider code and process amendments that encourage or do not inhibit sustainable development practices.

PIU14: Expand and maintain the city's green infrastructure network to include such elements as preserves and parks, trails, stream corridors, green streets, greenways, and agricultural lands.

PIU15: Identify and mitigate barriers to implementation of green infrastructure in public and private development and rehabilitation/repairs.

PIU16: Update zoning standards to support the installation and maintenance of solar access.

PIU18: Balance the regulation of wind and solar access with preservation of the urban canopy.

PIU21: Increase landscape requirements in public and private parking lots to reduce heat island effects.

PIU22: Allow the use of permeable pavement in parking lots and driveways when soil types are suitable.

## **Public Infrastructure and Utilities Goal 4**

**In conjunction with local utility providers, ensure lighting standards and policies provide all residents with safe urban environments day and night while protecting views of the night sky.**

PIU28: Provide high quality lighting fixture designs that are appropriate to street types and adjoining land uses, provide pedestrian friendly illumination, preserve dark sky conditions, and minimize glare and other unnecessary light pollution.

PIU29: Require full cutoff, down-directional lighting in all new developments to minimize both upward and sideways light pollution.

PIU30: Provide sufficient lighting for better wayfinding and safe circulation within and around developments.

## **Public Infrastructure and Utilities Goal 6**

**Ensure clean, safe water resources are equitably available to all current and future residents.**

PIU34: Protect and improve the water quality of the city's rivers, creeks, lakes, and aquifers for the use and support of aquatic life and resident enjoyment.

PIU35: Minimize sources of water pollutants in urban runoff through stormwater retention, on-site water treatment technologies including green infrastructure, and the implementation of pollution prevention programs.

PIU36: Enhance the protection of creeks and floodplains to preserve environmentally sensitive areas and improve the quality of water.

PIU37: Prohibit development in the 100 year floodplain

## **Parks and Recreation Goal 4**

**Preserve, restore, and enhance natural systems in identified natural areas.**

PR27: Protect and preserve the park and open space system's natural areas.

PR28: Identify and acquire land to ensure protection of stream banks, natural greenways, and other areas that could be converted to park or open spaces. Such possible acquisitions could include old gravel mining areas and floodplains.

## **Community Character and Neighborhoods Goal 1**

**Embrace the distinct character offered in each of Des Moines' neighborhoods.**

CCN2: Ensure a diverse mix of housing types, styles, scales, density, and affordability that complement existing neighborhood character

CCN4: Adopt high quality development standards, such as zoning district and site plan regulations, and design guidelines related to form, massing, and materials that lead to the development of attractive, walkable neighborhoods.

CCN5: Ensure infill development is sensitive to the existing character of the neighborhood.

## **Community Character and Neighborhoods Goal 2**

**Further Des Moines' revitalization efforts to improve the strength, stability, and vitality of all neighborhoods.**

CCN14: Ensure neighborhood edges and corridors are attractive and inviting through effective planning and revitalization strategies.

## **Community Character and Neighborhoods Goal 3**

**Promote the redevelopment and revitalization of neighborhood nodes and corridors.**

CCN17: Encourage commercial development that meets the service, retail, and entertainment needs of area residents.

CCN18: Promote compact, mixed-use development to provide adequate density to support neighborhood commercial viability.

CCN22: Encourage neighborhood nodes that are accessible by pedestrians, bicyclists, and transit users, as well as motorists.

CCN23: Support DART's plans for high capacity transit corridors through infrastructure design, as well as appropriate transit-oriented development (TOD) land use and zoning.

## **Community Character and Neighborhoods Goal 4**

**Protect Des Moines' historic and cultural assets that contribute to neighborhood and community identity.**

CCN26: Partner with the historic preservation community to identify historic districts also ensuring context sensitive infill and redevelopment.

## Community Character and Neighborhoods Goal 6

**Strengthen the walkability and connectivity within and between neighborhoods.**

CCN35: Emphasize transit usage in street design and land use on corridors with bus routes.

## Community Facilities Goal 2

**Provide a safe and secure environment for all City residents, workers, and visitors.**

CF4: Combine design standards that promote quality and sustainable development with those that address public safety.

## Community Facilities Goal 4

**Support all residents' right to quality education through collaboration and cooperation with all school districts operating within city boundaries.**

CF24: Continue to notify and consult with school districts concerning housing developments within their respective districts.

## Social Equity Goal 1

**Ensure high quality human services programs are available, accessible, and utilized to guarantee basic human needs so all residents lead lives of dignity.**

SE3: Investigate and develop housing, such as permanent supportive housing units, for the chronically homeless, those experiencing episodic homelessness, and those at risk of homelessness.

## Social Equity Goal 2

**Ensure that all residents have convenient access to healthy food, health care, safe environments, and choices for an active lifestyle.**

SE9: Ensure healthy, safe, and sanitary housing for all residents.

SE10: Prohibit new residential development in vulnerable areas such as floodplains.

SE15: Establish community gardens and farmers' markets as a by-right use in residential neighborhoods.

SE18: Enable residential care facilities and other housing for aging persons to be located close to services and amenities.

## Social Equity Goal 3

**Ensure all city services, projects, programs, and events represent and encourage participation of a cross section of the city's cultural diversity and geography.**

SE20: Provide access to major city documents in multiple languages and/or provide translation services. Improve the City's website to provide information in both Spanish and English.

SE22: Effectively engage the public and city partners/organizations/entities when making decisions that create, remove, or change a city service, project, or policy.

## **Social Equity Goal 4**

**Continue to celebrate the diversity of Des Moines provided by the many cultural communities that have chosen to live here.**

SE26: Provide a liaison at the City to assist non-English speaking residents.

Preparation of the proposed the proposed Zoning Ordinance, Planning and Design Ordinance and Citywide Zoning Map amendment is based upon and consistent with the following Goals and Policies of GuideDSM:

### **IV. CONSISTENCY WITH GuideDSM**

The current GuideDSM Strategic Plan was approved by City Council in August of 2016. The Council's stated vision for Des Moines in 2031 is as follows:

**DES MOINES 2031 is a *VIBRANT CAPITAL CITY – the PRIDE of IOWA* (1)  
with  
*GREAT NEIGHBORHOODS*(2),  
*ALIVE DOWNTOWN*(3),  
and  
*THRIVING REGIONAL ECONOMY*(4),  
and is a  
*RECOGNIZED LEADER IN COMMUNITY SUSTAINABILITY*(5).**

**DES MOINES 2031 has  
*ABUNDANT OPPORTUNITIES FOR LEISURE*(6),  
and an  
*EFFECTIVE TRANSPORTATION SYSTEM CONNECTING THE REGION*(7).**

**In 2031, residents and businesses take tremendous *PRIDE IN THE DES MOINES COMMUNITY* (8)!**

The Council's stated mission for Des Moines City Government is to be

***FINANCIALLY STRONG*(1)  
and to provide  
*EXCEPTIONAL MUNICIPAL SERVICES*(2)  
in a  
*CUSTOMER FRIENDLY MANNER*(3)  
with an  
*INVOLVED COMMUNITY – RESIDENTS AND BUSINESSES*(4).**

Under Goal #3 “Sustainable Community: Our Neighborhoods, Our Downtown”, the first/top priority of the City Council’s Action Agenda is adoption of the new zoning ordinance.

## **V. PLAN DSM STEERING COMMITTEE**

The PlanDSM Steering Committee was appointed by Mayor Cownie with authorization by the City Council to guide preparation of the PlanDSM Comprehensive Plan and ordinance projects.

Current members of the PlanDSM Steering Committee are as follows:

T. M. Franklin Cownie, *Mayor*  
Joe Gatto, *City Council*  
Dr. Tom Ahart, *Des Moines Schools Superintendent*  
Todd Ashby, *Des Moines Area Metropolitan Planning Organization*  
Pam Carmichael, *Home Inc.*  
George Davis, *Park and Recreation Board*  
Vacant, *Transportation Safety Committee*  
Larry James, Jr., *ULI Iowa*  
Greg Jones, *Plan and Zoning Commission*  
Jeremy Lewis, *Street Collective*  
Colleen MacRae, *Urban Design Review Board*  
Frank Owens, *Neighborhood Revitalization Board*  
Mel Pins, *Zoning Board of Adjustment*  
Elizabeth Presutti, *General Manager DART*  
Scott Sanders, *City Manager*  
Meg Schneider, *Greater Des Moines Partnership*  
Rick Tollakson, *Hubbell Realty Company*

## **VI. ADDITIONAL APPLICABLE INFORMATION**

Staff will provide an up to date list of staff recommended minor and major revisions to the public hearing draft immediately prior to the July 18, 2019 Plan and Zoning Commission meeting for review.

## **VII. STAFF RECOMMENDATION**

Staff recommends that the Plan and Zoning Commission listen to all public comments that are offered at the July 18, 2019 hearing and continue the public hearing to August 1, 2019.