


COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	24-123	Meeting:	March 18, 2024
	Agenda Item:	50	Roll Call:	24-0456
	Submitted by:	Cody Christensen, Development Services Director		

AGENDA HEADING:

Hearing on proposed amendments to Chapter 134 and Chapter 135 of the Municipal Code.

SYNOPSIS:

The Development Services Department is recommending amendments to the Zoning Ordinance and the Planning and Design Ordinance to streamline development review processes.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- The proposed amendments are based on feedback from the development and design community and will improve the efficiency of development review processes. Summaries of the amendments are outlined below:
 - Amendments to Section 135-9.3.1 and Section 135-9.3.3 will allow the Development Services Director to permit the consideration of a Type 2 Design Alternative for “deal breaking” requirements before formal site plan submittal. Although it is expected that most Type 2 design alternatives will continue to be heard during the formal review process, this amendment will allow design determinations to be made earlier in the process for projects that would otherwise not move forward.
 - Amendments to Section 135-7.1.2, Section 135-9.1.3, and Section 135-10.3.4 modify the benchmark value that determines when a project must comply fully with site plan requirements. Currently, assessed building value is utilized as the benchmark. The proposed amendments change this to total assessed property value. Total assessed property value consists of the combined land and building values.
 - Amendments to Section 135-9.2.3 and Section 135-9.2.4 increase the amount of relief that can be granted administratively through the Type 1 Design Alternative process.
 - The amendment to Section 135-5.1.4 will allow the Development Services Director to waive the Large-Scale Development Plan requirement should it be determined by staff that compliance would be impractical or infeasible.

- The proposed amendment to Table 134-3.1-1 will allow ground floor dwelling units in the “MX1” and “MX2” Districts for buildings with five (5) or more units. Currently, buildings in these zoning districts are required to have ground floor commercial space or lobbies for upper floor units. Chapter 135 will continue to have building types that limit ground floor dwelling units. These requirements are eligible for waiver by the Plan and Zoning Commission. The proposed amendment eliminates the step of having to rezone the property and allows the Commission to directly consider the issue through the site plan review process.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: February 15, 2024

Resolution Number: ZONG-2024-000003

Action: Recommend approval of the proposed amendments to Chapters 134 and 135 of the Municipal Code. Vote: 11-0-2. (Chris Draper and Justyn Lewis passed)

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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