

AGENDA

Economic Development Committee Meeting
Thursday June 28, 2018
6:00 p.m. – 6:50 p.m.
South Conference Room

- 1. Call to Order**
- 2. Approval of the May 24, 2018 meeting minutes**
- 3. Landmark Institutional Campus (I-C) Zoning Changes, Cont.**
Staff will provide information and draft code revisions as requested by the committee regarding potential code amendments to the I-C Zone.
- 4. Laborers Local 242**
Staff will provide a project timing update.

DRAFT MINUTES

**Economic Development Committee Meeting
Thursday May 24, 2018
5:00 p.m. – 5:50 p.m.
South Conference Room**

<u>Council Members</u>	<u>City Staff</u>
Chair Jeremy Nutting	Michael Matthias – City Manager
Co-Chair Vic Pennington (absent)	Dan Brewer – Chief Operating Officer
Mayor Matt Pina	Susan Cezar – Chief Strategic Officer
	Denise Lathrop – Planning & Development Services Manager
	Tim George – City Attorney
	Matt Hutchins – Assistant City Attorney
	Laura Techico – Principal Planner
	Jodi Grager – Community Development Assistant

Guests – Councilmember Louisa Bangs

1. Call to Order

Chair Jeremy Nutting called the meeting to order at 5:03 p.m.

2. Approval of the April 26, 2018 meeting minutes

Minutes approved as submitted.

5. Development Review Map

City Manager Michael Matthias suggested an agenda change (moving the *Development Activity Map - 1st Quarter of 2018* Agenda Item #5). Brief updates given on a few of the projects shown on the map:

- BeBe Nails - permit was issued this week, the owners want to start ASAP
- Seascapes – waiting on developer/owner
- KPR Hospitality Investments @ 716 S 227th St a mixed use building – permit application is with customer pending a response to staff review comments

3. Update on Landmark Institutional Campus (I-C) Zoning Changes – Cont.

Chief Strategic Officer Susan Cezar explained that at the 04/26/2018 Economic Development Meeting there was a request by the committee for additional information regarding the I-C Zoning changes that are under discussion. Principal Planner, Laura Techico provided a chart *18.52.010B Commercial Use Chart (DMMC)* that included suggested changes to the I-C Zone. The committee discussed the pros and cons of permitted uses with a focus on the I-C Zone. Several questions were posed regarding the categories and whether the description of the activity needs to be more specific and included as permitted in the I-C Zone. It was noted that a few of the categories of the Commercial Use Chart are carryovers from long-standing code adoptions.

(For the Commercial Use Chart used in this discussion, see *Agenda Item #3, Attachment #1*) Additional information provided to the committee (*Agenda Item #3,*

Attachment #2) describes staff comments regarding suggested updates to DMMC Chapter 18.95 I-C Institutional Campus Zone. This topic will be returned to committee with additional updating and recommended changes, which can then be sent to Council for review.

4. Laborers Local 242 Code Amendments

Planning & Development Services Manager Denise Lathrop provided a memo outlining the Laborers Union Local 242 potential development project of low income housing located at their property, 22247 Pacific Highway S (*Agenda Item #4, Attachment #1*). The memo included Pacific Ridge Commercial (PR-C) zoning changes that this project would require. This discussion with the Economic Development Committee is a follow-up to a full Council presentation by the Laborers Union Local 242 representative on April 12, 2018. CSO Cezar stated the proponents of this project are at the feasibility stage. The committee would like additional information regarding the proposed development and also requested staff to research zoning code limitations looking for solutions and implications of any legislative changes that might be necessary should the project move forward.

The next meeting is scheduled for June 28th, at 6:00-6:50 pm in the South Conference room.

Adjourned at 6:05 p.m.
Respectfully submitted by,
Jodi Grager, Community Development Assistant

Memo

Date: June 28, 2018

To: Council Economic Development Committee

From: Laura Techico, AICP – Principal Planner
Denise Lathrop, AICP – Community Development Manager
Susan Cezar, LEG – Chief Strategic Officer

RE: I-C Zoning Changes Update

Purpose

The purpose of this memorandum is to provide the Council Economic Development Committee with an updated version of proposed amendments to chapter 18.95 Des Moines Municipal Code (DMMC) – Institutional Campus Zone in response to discussions at the April 26, 2018 and May 24, 2018 meetings. At the last meeting, the Committee directed that the draft ordinance be revised to incorporate recommended changes and returned to the Committee prior to sending to Council for review.

Background

The Institutional Campus (I-C) Zone was established in 2012 by Ordinance No. 1544. Des Moines Comprehensive Plan policy directed that an Institutional Campus land use designation that supported Highline College’s Master Plan be established. In addition to the College, there were other large institutional facilities in the City that serve regional clientele, including Wesley Homes, Judson Park and Highline College that required a land use designation and zone to support existing and anticipated uses, services, operations and future master planned development. There are currently three properties that are zoned I-C: Wesley Homes, Highline College and Judson Park. The Landmark on the Sound site has a Comprehensive Plan preferred land use designation of I-C - Institutional Campus, and a rezone application has been received.

Potential Code Amendments

The proposed code amendments to chapter 18.95 DMMC – Institutional Campus and chapter 18.52 – Permitted Uses include modifying the purpose statement for the zone, adding to the list of permitted uses, modifying the master plan requirements, and clarifying other provisions of these sections of the DMMC.

Attached are the draft ordinance and Council agenda item. Previous input from the May 24, 2018 Economic Development Committee discussion have been incorporated into these mark-ups. Additional information in response to comments is provided below.

- Significant trees: Retention of existing vegetation is currently addressed in the I-C Zone chapter: DMMC 18.95.090 Performance standards.
Every property within the I-C Zone shall conform to the following performance standards:
(4) Landscaping.

(a) All uses shall conform to the landscaping and buffering requirements as set forth in chapter 18.195 DMMC.

(b) Landscaping shall be designed to achieve an aesthetically pleasing park-like setting; integrate landscaping in master plan design; preserve significant trees, particularly tree clusters; reinforce the relationship to its natural setting; soften building masses; provide visual screening from, and provide transition to, adjacent residential areas and noise and wind buffering; define automobile and pedestrian circulation patterns; maintain and strengthen public vistas; provide screening for on-site parking areas, and refuse and recycling receptacles; create functional and accessible active and passive outdoor activity spaces; and create linkages, where feasible, to City and regional parks and trail systems.

- **Building Height and Construction:** Per the City's Building Official, the trigger for high rise construction from the Building Code perspective is 75' at the floor level, which equates to 85' building height from the zoning perspective. It is based in part on the extent fire trucks can access the floor level. In order for high rise construction to be cost effective, typically a height of approximately 120 feet is required. The maximum building height in the I-C Zone is 85' for multi-unit residential buildings and 65' for all other buildings and structures.

Process and Timeline

City I-C Zone code amendments: Draft environmental analysis and a draft traffic study has been received from the consultant team to incorporate into a SEPA Environmental Checklist for the proposed I-C Zone changes. This technical information is anticipated to be finalized shortly. Staff is aiming to have the environmental review completed and a draft ordinance to the City Council on July 26, 2018.

Landmark development process: A rezone application for the Landmark property was submitted on May 23, 2018 to bring the property into compliance with the Comprehensive Plan. The Applicant is in the process of completing the associated project-specific traffic study and expects to submit this information in early July with a potential early September rezone hearing before the City Council. Upon adoption of the code changes and rezone, the Landmark developer would submit an application for a Master Plan approval, which is a Type IV quasi-judicial land use review process with decision by City Council.

Direction

Staff requests the Committee's input and direction related to the proposed I-C Zone amendments prior to presentation to the full Council.

A G E N D A I T E M

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Public Hearing to consider Draft Ordinance No. 18-074 regarding changes in permitted uses and associated regulations in the Institutional Campus (I-C) Zone

ATTACHMENTS:
1. Draft Ordinance No. 18-074

FOR AGENDA OF: July 26, 2018

DEPT. OF ORIGIN: Community Development

DATE SUBMITTED: July 21, 2018

CLEARANCES:

- Community Development _____
- Marina _____
- Parks, Recreation & Senior Services _____
- Public Works _____

CHIEF OPERATIONS OFFICER: _____

- Legal _____
- Finance _____
- Courts _____
- Police _____

APPROVED BY CITY MANAGER
FOR SUBMITTAL: _____

Purpose and Recommendation

The purpose of this agenda item is for City Council to hold a public hearing to consider Draft Ordinance No. 18-074 (Attachment 1) amending the permitted uses and associated development regulations in the I-C Institutional Campus Zone.

Suggested Motion

Motion 1: "I move to suspend Rule 26(a) in order to enact Draft Ordinance No 18-074 on first reading."

Motion 2: "I move to enact Draft Ordinance No. 18-074 amending the permitted uses in DMMC 18.52.010B and associated development regulations in DMMC 18.95.030 and DMMC 18.95.060 in the I-C Institutional Campus Zone."

Background

History of I-C Zone

The Institutional Campus (I-C) Zone was established in 2012 by Ordinance No. 1544. Des Moines Comprehensive Plan policy directed that an Institutional Campus land use designation that supported Highline College's Master Plan be established. In addition to the College, there were other large institutional facilities in the City that serve regional clientele, including Wesley Homes, Judson Park and the Highline School District that required a land use designation and zone that supported their uses, services, operations and facilitated their Master Plan redevelopment plans. There are currently three properties that are zoned I-C: Wesley Homes, Highline College and Judson Park. The Landmark on the Sound site has a Comprehensive Plan preferred land use designation of I-C, but has not been rezoned.

Previous Development

In 2002, a Master Plan was reviewed for the Masonic Retirement Center on the Landmark site. The approved plan included 44 cottages, 190 apartments, 96 units/beds assisted living and 178 independent living units. A model cottage was constructed, but no further construction was performed.

In 2004, Judson Park began review to add two building wings to their existing building. These additions added 64 residential units to the existing 116 residential units, 37 assisted living units and 96 skilled nursing beds.

In 2015, a Master Plan was reviewed for Wesley Homes campus south of S. 216th St. At the proposed build-out of the multi-phased project, it will contain a total of 362 units of independent living units, assisted living units, cottages, and brownstone. Construction of Phases 1A and 1B is underway. A Design Review application for Phase 2 was submitted on April 13, 2018.

In 2017, a Master Plan was reviewed for Highline College. The Master Plan provides a guideline for the continued development of Highline College's Des Moines Campus and a comprehensive perspective of the College's future capital program with a prioritized list of future capital projects.

Note that for market or other reasons, the I-C zoned sites have chosen to develop at a lower overall intensity than is allowed by the current I-C zoning.

Ordinance No. 1697, adopted March 22, 2018, added a new chapter to the DMMC entitled 'Essential Public Facilities' that establishes a process, regulations and criteria for the siting and expansion of essential public facilities. The goal of this ordinance is to ensure timely, efficient and appropriate siting of EPFs while simultaneously acknowledging and mitigating the significant community impacts often created by such facilities. This ordinance amended the permitted use tables in chapter 18.52 DMMC. One of the changes removed mental hospitals as a possible use in the I-C Zone. This use was previously permitted through the Conditional Use Permit process.

Landmark on the Sound Proposal

On January 31, 2018, a pre-application meeting was held with Urban Self Storage, Inc. and Jackson Main Architecture to discuss a proposal for redevelopment of the Landmark on the Sound site and re-zoning of the property from RM-900B to Institutional Campus (I-C) Zone to conform with the Comprehensive Plan preferred land use designation. The proposal includes phased development of approximately 395 worklofts in the existing building, 115 live-work units directly east of the existing building and mixed use buildings further east including 1,506 condominiums/apartments, live-work units, restaurants and amenities.

A public open house was hosted by the potential developer at the Landmark site on February 24, 2018. Approximately 800-1,000 residents were able to tour the property and building and view information related to the proposed redevelopment. Generally, the feedback from the public was positive. In addition to the uses

described above, the potential developer proposes to provide public benefits including the preservation of the area west of the main building, including the existing fountain, gardens and landscaped area for public use and a community center on the southeast portion of the site that contains a conference rooms, social gathering spaces and an outdoor BBQ. The narrative from the open house includes the list of proposed uses.

Possible additional public amenities discussed with the potential developer include:

- Community shuttle
- Police Department Satellite Station
- Community gardens/urban agriculture partnership with Highline College
- Public pathways
- Development integration with Judson Park
- Buffer adjacent to neighborhood to the east

Other I-C Zoned Properties

On March 13, 2018, staff met with representatives from the existing I-C zoned properties (Wesley Homes, Highline College, and Judson Park) without the potential developer of the Landmark site to discuss the proposed zoning changes and to solicit input. Feedback was positive for the zoning changes and additional uses were suggested during the meeting, including coffee shop, small retail, daycare, urgent care and physician's clinic. Including these uses would meet the needs of the existing I-C zoned developments.

Discussion

Council directed staff to prepare a Draft Ordinance for their consideration that would amend the permitted uses and associated development regulations for I-C zoned properties. The draft ordinance modifies the purpose statement, adds to the list of permitted uses, and clarifies other provisions of the chapter with further City Council review and approval through the master plan process.

The proposed text code amendments are to further the vision for the Des Moines 2035 Comprehensive Plan by promoting development and redevelopment in a manner that strengthens community sustainability, livability and business vitality. This realization is further supported by the following goals, policies and implementation strategies in the Land Use Element and Economic Development Element:

- **Goal LU 1** Actively guide and manage growth in a way that:
 - Preserves and enhances the quality of life and the diverse residential neighborhoods of the community, and serves them with vibrant business districts, open space, recreational facilities, affordable housing, and other supportive land uses;
 - Protects environmentally critical areas and shorelines; and
 - Promotes economic development.
 - **Policy LU 1.5** Seek a harmonious blend of living, working, shopping, recreational and cultural land uses.
 - **Implementation strategy LU 1.5.3** Apply development standards and strategies that address land use transitions in order to manage impacts on residents and businesses, including but not limited to the following: site access and circulation; structure height, bulk, and scale; separation of buildings; landscaping; density; and noise buffering.
 - **Policy LU 2.2** Support the revitalization of declining commercial areas and obsolete facilities through redevelopment, rehabilitation and other available means to provide long-term economic vitality.
- **Goal ED 1** Promote economic stability, growth and vitality.

- **Policy ED 1.1** Increase the self-reliance of the City by diversifying revenue streams, reducing dependence on property tax, and increasing revenues generated from retail sales and commercial economic activity.
 - **Implementation Strategy ED 1.1.1** Identify ways the City can designate appropriate entitlements to property to encourage quality development; including land use, zoning, expedited permitting and infrastructure investment where feasible to define development patterns.

On June 28, 2018, City Council set the public hearing date by adopting Resolution No. 18-074. A notice of amendment and request for expedited review was sent to the Washington State Department of Commerce on June XX, 2018 and expedited review was granted on June XX, 2018. A notice of public hearing and SEPA threshold Determination were issued on June XX, 2018 and the associated comment and appeal periods have lapsed. No appeals were filed.

Alternatives

The City Council may:

1. Enact the proposed Draft Ordinance.
2. Enact the proposed Draft Ordinance with amendments.
3. Decline to enact the Draft Ordinance.

Financial Impact

Proposed amendments to the permitted uses and associated development regulations for the I-C Zone will facilitate current and future development efforts. They will encourage the appropriate reuse of surplus institutional buildings and properties to avoid long term vacancies. This in turn will help further the economic vision for the City by promoting development in a manner that strengthens community sustainability, livability, business vitality, and employment and housing capacity.

Recommendation

Staff recommends Council enact Draft Ordinance No. 18-074.

CITY ATTORNEY'S FIRST DRAFT 7/26/2018

DRAFT ORDINANCE NO. 18-074

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to textual code amendments to the permitted uses in the Institutional Campus ("I-C") Zone and associated land use and development regulations, and amending chapters 18.52 and 18.95 DMMC, to facilitate economic development in the City and to encourage the appropriate reuse of surplus institutional buildings.

WHEREAS, the Institutional Campus Zone was established to support institutional facilities that serve a regional clientele by allowing for the needed uses, services and operations, and facilitating the redevelopment plans as established in agency Master Plans, and

WHEREAS, allowing for additional permitted uses reviewed in conjunction with a master plan will facilitate the incorporation of appropriate uses to support the City's large institutional uses, and

WHEREAS, allowing for additional permitted uses reviewed in conjunction with a master plan will enable organizations that need to surplus buildings/properties to respond to market or demographic changes, encourage the appropriate reuse of surplus buildings and avoid long term vacancies, and

WHEREAS, there are benefits to the City including increased direct and indirect City revenues from added employment, commercial and residential activity, and encouraging economic development in Des Moines, and

WHEREAS, these reasons for the proposed changes, benefits of such a change and other considerations were discussed with the Council Economic Development Committee as a noticed agenda item at its April 26, 2018, May 24, 2018 and June 28, 2018 meetings, and

WHEREAS, the City Council directed City staff to prepare an ordinance for its consideration which would amend the permitted uses in the I-C Zone, and

1/12/2017

Draft Ordinance No. 16-184

WHEREAS, pursuant to DMMC 18.20.080A, amendment of the Zoning Code (Title 18 DMMC) is a legislative (Type VI) land use decision, and

WHEREAS, pursuant to DMMC 18.20.210 amendments to the Zoning Code require the City Council to conduct a public hearing to receive public comment on the proposed textual code amendments, and

WHEREAS, the City Council set the date for the public hearing by Resolution No. 18-074, fixing the public hearing for July 26, 2018 as required by DMMC 18.30.070, and

WHEREAS, the textual code amendments proposed in this Draft Ordinance were provided to the Department of Commerce as required by RCW 36.70A.106, and

WHEREAS, the City's Chief Strategic Officer, acting as the SEPA responsible official, reviewed this proposed non-project action and determined that the changes proposed by this Ordinance have been processed in accordance with the requirements of the State Environmental Policy Act (SEPA), and a determination of non-significance was issued on XXXXXX, and the appeal period concluded on XXXXXXXX, and

WHEREAS, a public hearing was held on July 26, 2018 where all persons wishing to be heard were heard, and

WHEREAS, the City Council finds that the Title 18 DMMC amendments contained in this Ordinance comply with the requirements of chapter 36.70A RCW and are appropriate and necessary; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. DMMC 18.52.010B, and those parts of the Commercial Use Chart and section 133 of Ordinance No. 1591 as amended by section 12 of Ordinance 1601 as amended by section 8 of Ordinance 1618-A as amended by section 2 of Ordinance 1644 as amended by section 1 of Ordinance No. 1645 as amended by section 8 of Ordinance 1655 as amended by section 4 of Ordinance 1656 as amended by section 2 of Ordinance 1661 as amended by section 2 of Ordinance 1669 as amended by section 1 of Ordinance 1672 as amended by section 3 of Ordinance 1697, shall be amended to read as follows:

COMMERCIAL ZONE PRIMARY USES (Changes to Full Table)

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C	W-C
...									
Admin, support services	P/L _[3]	<u>P/L_[6.1]</u>	P	P/L _[16]	P/L _[22]		P	P	P
...									
Art galleries	P	<u>P/L_[6.1]</u>		P	P		P	P	P
Art, glassware manufacturing		<u>P/L_[6.1]</u>	P	P	P		P/L _[52.5]		P
...									

COMMERCIAL ZONE PRIMARY USES (Changes to Full Table)

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C	W-C
Arts, entertainment, and recreation facilities		<u>P/L</u> _[6.1, 6.2]		P/L _[16]	P/L _[22]		P	P	P
...									
Barber, beauty and hairstyling shops	P/L _[3]	<u>P/L</u> _[6.1]		P	P		P	P	P
...									
Brewery/winery/distillery		<u>P/L</u> _[6.1]			P/L _[21]				
...									
Columbariums, crematories, mausoleums	CUP	<u>CUP</u>	CUP	CUP		CUP	CUP		CUP
...									
Community gardens		<u>P/L</u> _[6.1]		P	P				P
...									

COMMERCIAL ZONE PRIMARY USES (Changes to Full Table)

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C	W-C
Convention facilities		<u>P/L</u> _[6.1]	P	P	P	P		P	P
...									
Day care centers and mini-day care providers	CUP/ L _[89]	<u>P/L</u> _[6.1, 89]	CUP/ L _[89]	CUP/ L _[89]	CUP/ L _[89]		CUP/ L _[89]	CUP/ L _[89]	CUP/ L _[89]
...									
Fairgrounds and rodeos	CUP	<u>CUP</u>	CUP	CUP		CUP	CUP		CUP
...									
Financial and insurance services		<u>P/L</u> _[6.1]	P	P	P		P	P	P
...									
Fraternal organizations/societies		<u>P/L</u> _[6.1]	P/L _[7]	P	P		P	P	P
...									

COMMERCIAL ZONE PRIMARY USES (Changes to Full Table)

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C	W-C
Glass, stained glass studios	P	<u>P/L[6.1]</u>				P			
...									
Hotels		<u>P/L[6.1]</u>		P	P	P/L _[40] 1	P/L _[47]	P	P
...									
Labor camps (transient)	UUP/L [84,85]	<u>UUP/L</u> [84,85]	UUP/ L _[84,85]	UUP/ L _[84,85]		UUP/ L _[84,85]	UUP/L _[84,85]		UUP/ L _[84,85]
...									
Legal Services	P/L _[3]	<u>P/L[6.1]</u>	P	P	P	P	P	P	P
...									
Management of companies and enterprises	P/L _[3]	<u>P/L[6.1]</u>	P	P	P		P	P	P
...									

COMMERCIAL ZONE PRIMARY USES (Changes to Full Table)

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C	W-C
Mixed use	UUP	<u>P/L[6.1, 6.3]</u>		UUP	P/L[26]	UUP	P/L[50]	P/L[58]	P/L[58]
...									
Motion pictures services	P/L[3]	<u>P/L[6.1]</u>		P	P		P	P	P
...									
Museums	P	<u>P/L[6.1]</u>	P/L[7]	P	P		P	P	P
...									
Nursing homes (PR-R-Nursing care facility; IC-Nursing and residential care facility)		<u>P</u>		P	P		P		
...									
Offices, business and professional	P/L[3]	<u>P/L[6.1]</u>	P		P/L[26]	P	P	P	P
...									

COMMERCIAL ZONE PRIMARY USES (Changes to Full Table)

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C	W-C
Personal and business services	P/L _[3]	<u>P/L_[6.1]</u>	P/L _[7]	P/L _[16]	P/L _[22]		P	P	P/L _[68]
...									
Professional, scientific, technical services	P/L _[3]	<u>P/L_[6.1]</u>	P	P	P		P	P	P
Professional offices, medical, dental	P/L _[3]	<u>P/L_[6.1]</u>	P	P	P		P	P	P
Public administration facilities	P	<u>P/L_[6.1]</u>	P	P/L _[17]	P/L _[23]		P/L _[49]	P/L _[60]	P/L _[69]
Public facilities _[68]	P	<u>P/L_[6.1]</u>	P/L _[10] I	P	P		P	P	P
...									
Publishing, telecommunications, Internet service providers, data processing services	P/L _[3]	<u>P/L_[6.1]</u> <u>[6.4]</u>	P	P	P	P	P	P	P
Race tracks, drag strips, motorcycle hills and Go-Kart tracks	CUP	<u>CUP</u>	CUP	CUP		CUP	CUP		CUP

COMMERCIAL ZONE PRIMARY USES (Changes to Full Table)

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C	W-C
Real estate renting and leasing	P/L _[3]	<u>P/L_[6.1]</u>	P	P	P	P	P	P	P
...									
Religious, grant writing, civic and professional organizations	P/L _[3]	<u>P/L_[6.1]</u>	P/L _[7]	P	P	P	P	P	P
...									
Restaurants	P	<u>P/L_[6.1]</u>	P/L _[9]	P	P	P	P	P	P
Retail services and trade	P/L _[1]	<u>P/L_[6.1]</u>	P/L _[7]	P/L _[15] [19]	P/L _[21]	P	P/L _[43]	P	P/L _[67]
...									
Sewage treatment plants	UUP/L _[84,85]	<u>UUP/L_[84,85,6.4]</u>	UUP/L _[84,85]	UUP/L _[84,85]		UUP/L _[84,85]	UUP/L _[84,85]		UUP/L _[84,85]
...									

COMMERCIAL ZONE PRIMARY USES (Changes to Full Table)

Use is: P: Permitted P/L: Permitted, but with special limitations CUP: Conditional use review required UUP: Unclassified use review required	N-C	I-C	B-P	C-C	D-C	H-C	PR-C	T-C	W-C
Solid waste handling facilities ^[85,86]	UUP/L _[84]	UUP/L _[84]	UUP/L _[84]	UUP/L _[84]		UUP/L _[84]	UUP/L _[84]		UUP/L _[84]
...									
Stadiums	CUP	CUP _[6,5]	CUP	CUP		CUP	CUP		CUP
...									
Taverns and cocktail lounges	P/L _[1]	P/L _[6,1]	P	P	P	P/L _[38] 1	P	P/L _[64]	P/L _[75]
...									
Theaters		P/L _[6,1]		P	P	P	P	P/L _[65]	P/L _[76]

...

Institutional Campus Zone

7/26/2018
 Draft Ordinance No. 18-074

Every use locating in the I-C Zone is subject to the standards of chapter 18.95 DMMC.

6.1. This regulation applies to all parts of Table 18.52.010B that have a [6.1]. These uses shall be permitted only in conjunction with a mixed use development reviewed under a master plan pursuant to chapter 18.95 DMMC.

6.2. NAICS Sector 71 - Arts, Entertainment, and Recreation uses are permitted in the I-C Zone, with the exception of Amusement Parks and Arcades (7131) and Gambling Industries (7132).

6.3. Mixed use. In the I-C Zone, mixed use developments reviewed under a master plan pursuant to chapter 18.95 DMMC may incorporate structures containing single-purpose multifamily residential buildings or single-purpose commercial buildings.

6.4 Small scale to serve site development.

6.5 To serve colleges, universities or educational facilities.

Sec. 2. DMMC 18.95.030, Purpose, and section 239 of Ordinance No. 1591, shall be amended to read as follows:

- (1) To provide a zoning district for colleges, universities, educational facilities, and retirement facilities.
- (2) To ensure that colleges, universities, educational facilities, and retirement facilities that occupy large sites are planned, designed, and managed in a way that minimizes impacts on adjacent areas.
- (3) To ensure that the expansion of existing institutional uses does not significantly

adversely impact quality of life in adjacent residential areas.

- (4) To provide flexibility to allow for appropriate reuse of surplus institutional buildings and properties.

Sec. 3. DMMC 18.95.060, Master plan decision criteria, and section 242 of Ordinance No. 1591, shall be amended to read as follows:

Master plan decision criteria. A master plan approval shall be granted by the City only if the applicant demonstrates that:

- (1) The master development plan includes a general phasing timeline of development and associated mitigation.
- (2) The master development plan meets or exceeds the current regulations for critical areas if critical areas are present.
- (3) There is either sufficient capacity and infrastructure (e.g., roads, sidewalks, bike lanes) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity and infrastructure by the time each phase of development is completed. If capacity or infrastructure must be increased to support the proposed master development plan, then the applicant must identify a plan for funding their proportionate share of the improvements.
- (4) There is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed master development plan,

then the applicant must identify a plan for funding their proportionate share of the improvements.

- (5) The master development plan proposal contains architectural design (including but not limited to building setbacks, insets, façade breaks, roofline variations) and site design standards, landscaping, provisions for open space and/or recreation areas, retention of significant trees, parking/traffic management and multimodal transportation standards consistent with this Title that minimize conflicts and create transitions between the proposal site and adjacent neighborhoods and between institutional uses and residential uses.
- (6) The master plan development proposal incorporates the principles of Crime Prevention through Environmental Design (CPTED).
- (7) The applicant shall demonstrate that proposed commercial or laboratory uses will be safe for the surrounding neighborhood and for other uses on the campus.

Sec. 4. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

Sec. 5. Effective date. This Ordinance shall take effect and be in full force thirty (30) days after its final approval by the Des Moines City Council in accordance with law.

Ordinance No. _____
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PASSED BY the City Council of the City of Des Moines this
_____ day of _____ and signed in authentication thereof this
_____ day of _____, 2018.

M A Y O R

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

Published: _____

7/26/2018
Draft Ordinance No. 18-074