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PATRICK F GILL, AUDITOR AND RECORDER
WOODBURY COUNTY IOWA

STATE OF IOWA

Woodbury County

CITY OF SIOUX CITY


Office of the City Clerk

I, Lisa L. McCardle, City Clerk of the City of Sioux City and City Clerk of the City Council thereof, and as such, having charge of and in my possession all the records and documents pertaining to said office now remaining therein, do hereby certify that it appears from such records that the foregoing is a true and correct copy of Resolution 2012-0088 adopted by the City Council of the City on the 6th day of February, 2012 upon the call of ayes and nays thereof duly had and recorded.

Dated at Sioux City, Iowa this 21st day of February, 2012.



(SEAL)



LISA L. MCCARDLE
CITY CLERK

RESOLUTION NO. 2012 - 000088

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE A BLIGHTED AREA AND ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING THE OUTER DRIVE AMENDMENT TO THE COMBINED FLOYD RIVER URBAN RENEWAL PLAN FOR THE COMBINED FLOYD RIVER URBAN RENEWAL AREA

WHEREAS, the City Council previously has found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and has approved and adopted the Combined Floyd River Urban Renewal Plan and three subsequent amendments to the same (together, the "Amended Plan") for the amended Combined Floyd River Urban Renewal Area described therein (the "Project Area"), which Amended Plan is on file in the office of the Recorder of Woodbury County; and

WHEREAS, City staff has caused there to be prepared a form of Outer Drive Amendment to the Amended Plan, a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to further update certain provisions of the Amended Plan to conform to current City objectives and planning initiatives for the Project Area, and to include additional properties within the Project Area, as hereinafter described;

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by said Amended Plan;

WHEREAS, the Iowa statutes require the City Council to submit the proposed Outer Drive Amendment to the Amended Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole prior to City Council approval of such Outer Drive Amendment to the Amended Plan, and further provides that the Planning and Zoning Commission shall submit its written recommendations thereon to this Council within thirty (30) days of its receipt of such proposed Outer Drive Amendment to the Amended Plan; and

WHEREAS, all persons or organizations desiring to be heard on the proposed Outer Drive Amendment, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1. That the findings and conclusions set forth or contained in Outer Drive Amendment to the Combined Floyd River Urban Renewal Plan concerning the area of the City of Sioux City, Iowa described therein be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

A feasible method exists for the location of families who will be displaced from the Combined Floyd River Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

The Outer Drive Amendment to the Combined Floyd River Urban Renewal Plan of the City of Sioux City, Iowa, conforms to the general plan for the development of the City as a whole; and

As to those areas of open land included within the Outer Drive Amendment to the Combined Floyd River Urban Renewal Area to be acquired by the City:

With reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

- A. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.
- B. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.
- C. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.
- D. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

With reference to those portions thereof which are to be developed for non-residential uses, the City Council hereby determines that such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Outer Drive Sub-Area of the Combined Floyd River Urban Renewal Area is an economic development area within the meaning of Iowa Code Chapter 403; that each of the other sub-areas of the Combined Floyd River Urban Renewal Area is a blighted area and economic development area within the meaning of Iowa Code Chapter 403; that such areas are eligible for designation as an urban renewal area and otherwise meet all requisites under the provisions of Chapter 403 of the Code of Iowa, and that the rehabilitation, conservation, redevelopment, development, or a combination

thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Outer Drive Amendment to the Combined Floyd River Urban Renewal Plan for the Combined Floyd River Urban Renewal Area of the City of Sioux City, Iowa be and the same is hereby approved and adopted as "Outer Drive Amendment to the Combined Floyd River Urban Renewal Plan for the Combined Floyd River Urban Renewal Area"; Outer Drive Amendment to the Combined Floyd River Urban Renewal Plan is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of the same with the proceedings of this meeting.

Section 5. That Outer Drive Amendment to the Combined Floyd River Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the date of termination set forth in the Plan as so amended. Outer Drive Amendment to the Combined Floyd River Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Woodbury County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED: February 6, 2012



Robert E. Scott, Mayor

ATTEST:



Lisa L. McCardle, City Clerk

OUTER DRIVE AMENDMENT
TO THE " COMBINED FLOYD RIVER" Urban Renewal Plan
which is made up of
FLOYD VALLEY SUB-AREA, HOEVEN DRIVE SUB-AREA,
and the OUTER DRIVE SUB-AREA

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Map No. 3 – Outer Drive Sub-area Existing Land Use

Map No. 4 – Outer Drive Sub-area Existing Zoning

Map No. 5 – Outer Drive Sub-area Proposed Land Use

Map No. 6 – Outer Drive Sub-area 28th Street Plan

Maps of the other Sub-Areas are included as part of earlier Plan amendments and are incorporated here by reference.

A. NATURE OF THE AMENDMENT

1. Amendment Objectives.

This Amendment sets out to:

- Create a new Sub-Area that is being called the Outer Drive Sub-Area;

All the provisions of the Floyd Valley Urban Renewal Plan are ratified and confirmed as previously approved.

This Amendment is intended to create a new urban renewal area that is being designated the Outer Drive Urban Renewal Project Sub-Area. This new area will be designated an urban renewal project area and will not be designated a tax increment district.

B. TAX INCREMENT DISTRICT

1. General Description of Tax Increment Financing

Designation of the Combined Floyd River Urban Renewal Area occurred on August 25, 2003. The taxable value within the district was "frozen" at the January 1, 2003 approval date or earlier in cases where the base year has been previously established. When the value of property within the tax increment district increases due to new construction or revaluation, the difference between the "frozen" base value and new property value is referred to as the "increment."

After the City incurs debt to finance improvements within the district or otherwise participates in development projects, property taxes levied by all local jurisdictions (city, county, school district, technical college) against the "increment" are allocated to the City's tax increment fund rather than to each jurisdiction. These new tax dollars are then used to retire the debt. Any additional incremental taxes that are not obligated to funding improvements are returned to the usual taxing agencies. For example, if the City has incurred no project debt, property tax revenues from the entire increment go to each taxing jurisdiction.

The division of taxation authorized by Iowa Code Section 403.19 and the separation of incremental taxes as defined under Subsection 2 of that Section has been implemented in the existing Floyd Valley Urban Renewal Project Area and the Hoeven Valley Urban Renewal Project Sub-Area. For the purposes of this Amendment to the Combined Floyd River Urban Renewal Area, the Outer Drive Urban Renewal Sub-Area is not a part of the Tax Increment Financing designation. The other existing sub-areas will remain unchanged from the August 25, 2003 designation.

2. Estimated Tax Increment Revenues

The use of tax increment revenues will obligate a portion of property tax revenues generated by new development or redevelopment within the Combined Floyd

River Urban Renewal Area. Although the extent of improvements and new development within the Combined Floyd River Urban Renewal Area is only generally defined, it is anticipated that improvements will address various blighting and safety concerns as well as provide various amenities to attract commercial and/or industrial investments.

The amount and duration for public facilities development and/or public improvements can only be estimated at this time; however, the specific use and amount of incremental funds used by the City for Urban Renewal activities will not exceed \$50,000,000 during the life of the Plan. However, the actual amount may be higher or lower depending upon a number of factors such as the extent of development/redevelopment, resources required to help facilitate such development/redevelopment, and the tax levy rates applied by various taxing agencies.

Following adoption of this Plan, the City will be authorized to finance Urban Renewal activities from a number of sources. Sources may include the City of Sioux City, State of Iowa, County of Woodbury, the United States government, any public agency, property tax increment, interest income, City issued debt, or from any other available sources of financing which are legally available and do not conflict with the purpose of this Plan.

3. Extent of Tax Increment Bond Limitations

In the event that bonded indebtedness is necessary to carryout the objectives of the Combined Floyd River Urban Renewal Plan, such bonded indebtedness would be expected to be used for a variety of Urban Renewal activities including the construction of public improvements and facilities, City participation in private development, and repayment of loans or advances for theses activities that are made from other sources such as the City's general fund. Section D.3. of this Plan outlines proposed project activities that are expected to use tax increment revenues to fund all or a portion of City costs. Such increment indebtedness used to fund project activities within the Combined Floyd River Urban Renewal Area, may be secured by tax increment revenues or paid from other sources and reimbursed from tax increment revenues. Total City indebtedness as of January 1, 2012 is \$111,655,417.

Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of debt outstanding at any time of any county, municipality, or other political subdivision to no more than 5% of the value, as shown by the last certified state and county tax list, of all taxable property within such county, municipality or other political subdivision. Based upon the current estimated actual value for fiscal year 2011/2012 (total value, less agricultural value which is not taxed for debt service) on all taxable property in the City of Sioux City, the City is limited to \$192,979,324 of general obligation indebtedness.

4. Guidelines for the Use of Tax Increment Revenue

The Combined Floyd River Urban Renewal Area represents a large geographic area that, over the life of this Urban Renewal Plan, will potentially generate

significant tax increment revenue to implement urban renewal activities. The intent of this section is to provide some general guidelines for the collection, allocation, and use of tax increment revenue within the referenced Area.

- a. Tax increment revenues will be requested through an annual Debt Certification submitted to the County Auditor as provided by State Law. The annual tax increment request will be reviewed and authorized by the City Council for the amount necessary to fund qualified debt. Tax increment revenue not requested to fund qualified debt to the City will be paid by the County Auditor to taxing agencies (including the City) as provided for general property tax revenues.
- b. Tax increment received by the City will be placed within Sub-Area funds to be used primarily for activities within that Sub-Area. Tax increment funds may be used for projects anywhere within the Combined Floyd River Urban Renewal Area if the City Council finds it is necessary and appropriate in implementing the plan objectives.
- c. The City Council will review and reserve appropriate portion of tax increment revenue for public projects and infrastructure requirements, incentives and participation in revitalization and economic development projects, contingency for unexpected reductions in tax increment revenue due to reduced assessments or tax levies, and planning/administrative duties. The tax increment reservations will assist the City in identifying potential resources for individual projects and insure that adequate funding is provided for a wide range of activities.

C. BLIGHTED AREA/ECONOMIC DEVELOPMENT FINDINGS AND DESIGNATION

The subject Outer Drive Urban Renewal Sub-Area is located in Census Tract # 1, Block Group #1 during the 2000 and 2010 Censuses. The area is shown to have a 12% poverty rate, with a median per capita income of \$15,714. The area is also has a 8% vacant housing rate, as well as a 7.7% vacant rental units.

Additionally, the need for downtown rehabilitation was a key component in "My Home, Our Neighborhood, Everybody's Hometown," the City's comprehensive plan that was adopted in 2005. The plan specifically states as a goal to continue to develop the Hoeven Valley as a prime development location in Sioux City and to identify areas for urban renewal designation.

The Combined Floyd River Urban Renewal Project Area/Plan reaffirms that one or more slum, blighted, or economic development areas exist within the community and the rehabilitation, conservation, redevelopment, development or a combination of such activities are necessary to protect the public health, safety and welfare.

D. PROJECT DESCRIPTION – Combined Floyd River

1. Boundaries of the Combined Floyd River Urban Renewal Project Area.

- a. The boundaries of the Combined Floyd River Urban Renewal Project area are shown on Map 1, Boundary and Parcel. A narrative description is as follows.

Beginning at the point of intersection of the south line of 38th Street, extended southeasterly, and the east line of Floyd Boulevard; thence southwesterly along the east line of Floyd Boulevard to the point of intersection with the easterly line of vacated Adams Street; thence southeasterly along the easterly line of vacated Adams Street to the point of intersection with the northerly line of the Illinois Central Railroad right-of-way; thence northeasterly along the northerly line of the railroad right-of-way to the point of intersection with the easterly line of U.S. Highway #75 Business Route, said also being Lewis Boulevard; thence southwesterly along the east line of Lewis Boulevard to a point of intersection with the north line of Smith's River Road; thence east along the north line of Smith's River Road to a point of intersection with the west line of Section 13, Township 89 North, Range 47 West of the 5th Principal Meridian, said point being in the northwest quarter of said Section 13; thence south along the west line of Section 13, to a point of intersection with the northwest corner of the southwest quarter of the northwest quarter of Section 13, Township 89 North, Range 47 West of the 5th Principal Meridian; thence east along the north line of the said Section 13 to the west line of the U.S. HWY 75; thence southerly along the said west line of U.S. HWY 75 to the south line of Outer Drive; thence westerly along the south line of Outer Drive to the south line of 28th Street; thence west along the south line of 28th Street to the east line of U.S. HWY 75 (Lewis Boulevard); thence south along the east line of

Lewis Boulevard to a point of intersection with the west line of Section 23, Township 89 North, Range 47 West of the 5th Principal Meridian, said point of intersection being in the southwest quarter of the northwest quarter of said Section 23; thence north along the west line of Section 23 to the point of intersection with the center line of Lewis Boulevard; thence southerly along the center line of Lewis Boulevard to the point of intersection with the southerly line of Lot 8, Kendon Addition to Sioux City, extended northwest; thence southeasterly along the southerly line of Lot 8 to the southeast corner of Lot 8; thence south from the southeast corner of Lot 8 to the northeast corner of Lot 69; thence southwest along the westerly lines of Lots 68 and 69 to the point of intersection with the northerly line of Lot 13 extended southeast; thence northwest along the northerly line of said Lot 13 to the northwest corner of said Lot 13; thence southwest along the westerly line of Lot 13 to the southwest corner of Lot 13; thence southeast along the southerly line of Lot 13 to the southeast corner of Lot 13; thence south along the east line of the north/south alley abutting on the west line of Lots 64 through 67 and extended to the southeast corner of Lot 13; thence east along the north line of Lots 44 and 45 to the northwest corner of Lot 44; thence south along the west line of Lot 44 to the point of intersection with the center line of Nineteenth Street; thence west along the center line of Nineteenth Street to the point of intersection with the center line of Irene Street; thence south along the center line of Irene Street to the point of intersection with the north line of Lot 41 extended east; thence west along the north line of Lot 41 to the northwest corner of Lot 41; thence southwest along the northwest line of Lots 39 and 41; thence south along the east line of the north/south alley abutting Lots 35 through 38 and fourteen feet, four inches (14' 4") abutting Lot 39; and continuing south along the east line of the north/south alley abutting the west line of Lots 196 through 202 to the point of intersection with the center line of Seventeenth Street; thence west along the center line of Seventeenth Street to the point of intersection of the east line of the north/south alley abutting Lots 237 through 251; thence south along the east line of the north/south alley abutting Lots 237 through 251 to the northwest corner of Lot 236; thence west along a line extended westward from the northwest corner of Lot 236 to a point of intersection with the northeast corner of Lot 277; thence west along the north line of Lot 277, all aforesaid Lots being in the Kendon Addition to Sioux City, to the point of intersection with the center line of Pacific Street; thence south along the center line of Pacific Street to the point of intersection with the center line of Fourteenth Street; thence west along the center line of Fourteenth Street to the point of intersection with the center line of Dubuque Street; thence south along the center line of Dubuque Street to the point of intersection with the center line of Seventh Street; thence west along the center line of Seventh Street to the point of intersection with the center line of Lewis Boulevard; thence south along the center line of Lewis Boulevard to the south line of Lot 13, Block 9, Chase's Addition, extended west; thence east along said extension and the south line of Lots 1 through 13, Block 9, Chase's Addition to the southeast corner of Lot 1; thence south from the southeast corner of Lot 1 along the east line of Lot 26, Block 9, Chase's Addition and the east line of Lot 17, Block 8,

Chase's Addition extended south to the point of intersection with the center line of Fairmount Street; thence westerly along the center line of Fairmount Street to the point of intersection with the center line of Lewis Boulevard; thence southerly along the center line of Lewis Boulevard and South Lewis Boulevard to the point of intersection with the north line of Leech Avenue; thence east along said north line of Leech Avenue to a point 158 feet east of the east line of South Lewis Boulevard; thence south along a line 158 feet east of and parallel to the east line of South Lewis Boulevard to the south line of vacated Washington Avenue; thence west along said south line of Washington Avenue for a distance of 8 feet; thence south along a line 150 feet east of and parallel to the east line of South Lewis Boulevard to the north line of vacated Chicago Avenue; thence east along the north line of vacated Chicago Avenue to the west line of S. College Street; thence south along the west line of S. College Street to the north line of vacated Dodge Avenue; thence west along the said north line to a point 150 feet east of the east line of South Lewis Boulevard; thence south along a line 150 feet east of the east line of South Lewis Boulevard to the point of intersection with the south line of Block 48, C.B. Rustin & Co. Addition to Sioux City, Iowa; thence west along the south line of Block 48, and its extension west to the center line of South Lewis Boulevard; thence south along the center line of South Lewis Boulevard to the point of intersection with the center line of Cunningham Drive; thence west along the center line of Cunningham Drive to the point of intersection with the westerly line of the Burlington Northern, Inc. railroad right-of-way; thence southerly along said westerly line to the point of intersection with the northerly line of Interstate Highway 29; thence northwesterly along the northerly line of Interstate Highway 29 to the point of intersection with the westerly line of the Floyd River Channel; thence southwesterly along the westerly line of the Floyd River Channel to the northerly harbor line of the Missouri River; thence northwesterly along the northerly harbor line of the Missouri River to the point of intersection with the east line of vacated South Floyd Boulevard; thence north along the east line of vacated South Floyd Boulevard to the point of intersection with the southerly line of Interstate Highway 29; thence northwesterly along the southerly line of Interstate Highway 29 to the point of intersection with the center line of South Floyd Boulevard; thence northeasterly and north along the center line of South Floyd Boulevard to the point of intersection with the center line of Dace Avenue; thence east along the center line of Dace Avenue to the point of intersection with the westerly line of the Floyd River Channel; thence northeasterly along the westerly line of the Floyd River Channel to the point of intersection with the south line of Fourth Street, said westerly line of the Floyd River Channel being also the easterly line of Hoeven Drive; thence west along the south line of Fourth Street to the point of intersection with the west line of vacated Clark Street; thence north along the west line of vacated Clark Street to the point of intersection with the center line of Fifth Street extended east; thence west along the center line of Fifth Street and the extension thereof to the point of intersection with the center line of Floyd Boulevard; thence northeasterly along the center line of Floyd Boulevard to the point of intersection with the center line of Chambers Street,

extended south; thence south along said center line and its southerly extension, to the point of intersection with the east line of Floyd Boulevard; thence northeasterly along the east line of Floyd Boulevard to the point of beginning.

- b. Floyd Valley Urban Renewal Sub-Area Boundary Description, as referenced in City Council Resolution Number 86/T-4985 and revised in Resolution Number 88/T-6349.
- c. Hoeven Valley Urban Renewal Sub-Area Boundary Description, as referenced in City Council Resolution Number 2003-0777.
- d. Outer Drive Urban Renewal Sub-Area Boundary Description;

Beginning at the northwest corner of the southwest quarter of the northwest quarter of Section 13, Township 89 North, Range 47 West of the 5th Principal Meridian; thence east along the north line of the said Section 13 to the west line of the U.S. HWY 75; thence southerly along the said west line of U.S. HWY 75 to the south line of Outer Drive; thence westerly along the south line of Outer Drive to the south line of 28th Street; thence west along the south line of 28th Street to the east line of U.S. HWY 75 (Lewis Boulevard); thence north easterly along the east line of U.S. HWY 75 (Lewis Boulevard) to the centerline of 33rd Street; thence south easterly along the centerline of 33rd Street to the west line of Martha Street; thence southerly along the west line of Martha Street to a point of intersection with the north line of the southeast quarter of Section 14, Township 89 North, Range 47 West of the 5th Principal Meridian; thence east along the north line of the southeast quarter of said Section 14 to the west line Section 13, Township 89 North, Range 47; thence north along the west line of said Section 13 to the northwest corner of the southwest quarter of the northwest quarter of Section 13 and the point of beginning.

1. Statement of Development Objectives:

The plan is intended to strengthen the economy, alleviate and prevent conditions of unemployment, stimulate the development of Sioux City, by the encouragement and assistance commercial and industrial enterprises within the renewal area and to encourage development activities consistent with the needs of the project area and the City as a whole. Since residential development in the area is an integral part of the economic vitality of the City, the plan encourages utilization of this element of the economy to meet these objectives.

In accordance with the above primary purposes, the Plan is intended to accomplish the following objectives:

- a. Provide a comprehensive framework for the development of the Combined Floyd River Urban Renewal Project Area of Sioux City in a manner consistent with sound planning principles and the overall public good.

- b. Increase employment in the area through commercial development.
- c. Foster economically sound development consistent with the needs of the City as a whole.
- d. Provide for the installation of an efficient street and utility system designed to serve the specific needs of the area.
- e. Provide for the modification of traffic patterns and the construction of public improvements necessary to support the proposed renewal program.
- f. Improve the livability of the residential environment through development and expansion of parks, open space, and shopping areas.
- g. Provide for the orderly expansion of public and semi-public uses that necessarily reinforce the viability of the residential neighborhood.
- h. Encourage the use of good architectural and landscape design in the project area.

3. Types of Proposed Renewal Actions.

Proposed renewal actions in the Combined Floyd River Urban Renewal Project area may consist of a combination of the following activities:

- a. Acquisition.
- b. Demolition and related site clearance.
- c. Disposition and redevelopment/development of property.
- d. Relocation of families, individuals and businesses.
- e. Rehabilitation and conservation of existing industrial and commercial enterprises.
- f. Redevelopment and/or development of commercial facilities through the location or expansion of these enterprises within the project area.
- g. Vacation and dedication of public rights-of-way and easements.
- h. Construction or reconstruction of public improvements.
- i. Construction of a Consolidated Operations Facility.

The above actions are necessary to implement the objectives of this Urban Renewal Plan.

C. LAND USE PLAN

1. Proposed Land Use.

The proposed land uses for the Combined Floyd River Urban Renewal Project Area are commercial, industrial, public, and semi-public uses. The Floyd Valley sub area land use was changed by council action under Resolution No: 2002-000025 January 7, 2002.

2. Land Use Provisions.

a. Statement of Permitted Uses:

The land use provisions of this Plan are established in order to:

- 1) Guide and regulate the orderly development of the Combined Floyd River Urban Renewal Project Area in accordance with the objectives and standards deemed beneficial to the interest and welfare of the people;
- 2) Promote, in the public interest, the use of land for the purposes for which it is best adapted;
- 3) Regulate and limit the height, bulk and density of buildings; and
- 4) Regulate and limit the intensity of use of the land area.
- 5) Encourage patterns of development and the supporting infrastructure consistent with the General Plan of the community.

To achieve these ends, the Sioux City Zoning Ordinance as it is amended from time to time, is adopted by this Plan as the full and complete compilation of land use provisions, parking requirements and space limitations for the Combined Floyd River Urban Renewal Project area. These land use provisions may be amended or varied as set out in the Zoning Ordinance.

b. Regulations, Controls and Restrictions.

The following regulations and controls pertaining to the utilization of the land and buildings within redevelopment areas are established as minimum requirements necessary to protect the intent of this Plan and the general welfare of the community. The regulations and controls are intended to form the framework by which high standards of design and development can be assured and are not present as limitations on the flexibility or imaginative use or architectural, landscaping or planning concepts.

- 1) Compliance with the applicable provisions of all prevailing codes and ordinances of the City of Sioux City and the State of Iowa,

relating to the use and occupancy of property, as amended, include but are not limited to:

Zoning Ordinance, Title 25, as amended, Municipal Code of Sioux City.

Building Code, Chapter 20.04, as amended, Municipal Code of Sioux City.

Electrical Code, Chapter 20.08, as amended, Municipal Code of Sioux City.

Plumbing Code, Chapter 20.14, as amended, Municipal Code of Sioux City.

Housing Maintenance Code, Chapter 20.05, as amended, Municipal Code of Sioux City.

Subdivision Regulations, Title 24, as amended, Municipal Code of Sioux City.

Fire Prevention Code, Chapter 19.04, as amended, Municipal Code of Sioux City.

Sign Regulations, Chapter 4.36, as amended, Municipal Code of Sioux City.

2) General Controls

a) Automatic Fire Extinguishing Systems

- i) All non-residential buildings or structures erected or moved within or into the Combined Floyd River Urban Renewal Project area shall be equipped throughout with an automatic fire extinguishing system complying with current building codes and as approved by the City. The City may waive or modify these requirements when there shall be a separate building or structure not greater than 300 square feet in area and its use is an accessory use to the principal permitted use of the structure or that property or property immediately adjacent thereto.

- ii) Types of Construction. – Non-residential buildings or structures to be erected, constructed, moved within or into the Combined Floyd River Urban Renewal Project area shall be only of Type I, II, II-One-Hour, III-One-Hour, IV-H.T., or V

construction and shall meet the requirements of the current Building Code unless otherwise approved by the City.

b) Parking Lots:

- i) Surface parking lots should be well maintained with all-weather paving surfaces such as bituminous or concrete paving. Use of dirt, gravel, cinder or other loose materials is prohibited.
- ii) Parking lots and approaches shall be lighted at night to provide traffic safety, security, convenience and comfort to the user. Illumination shall be uniform over the parking area at a minimum of 0.5 footcandle for an elevation of 3 feet 6 inches above grade. Spill light and glare on adjacent properties shall not be permitted.

D. PROGRAM ACTIVITIES

1. Conservation and Rehabilitation

a. Method to be employed in achieving rehabilitation or conservation:

- 1) A continuing and vigilant enforcement within the Combined Floyd River Urban Renewal Project Area of the applicable laws, codes, ordinances, and regulations of the City of Sioux City and the State of Iowa.
- 2) Properties not presently designated for clearance may be rehabilitated.
- 3) Owners will be required to maintain, improve, or demolish their properties in accordance with the applicable laws and regulations.

b. Rehabilitation Goals.

All non-acquired structures in the project area must:

- 1) Comply with the Minimum Housing Standards, Building Code, Zoning Ordinance and all other pertinent codes of the City of Sioux City and the State of Iowa relating to the use and occupancy of existing property and structures.
- 2) Upon completion of rehabilitation, each activity must be safe and sound in all physical respects and be refurbished and altered so as to bring the property to a desirable market condition. Although the precise rehabilitation specifications will be determined in each

instance so as to meet these recited goals, the following factors will govern the scale and scope of the rehabilitation activity:

- a) Characteristics of the arrangement, design, finish, equipment, and other building features.
- b) Improving elements of the functional adequacy and occupancy of the individual properties.
- c) The economic feasibility of rehabilitating the property.

c. Rehabilitation Standards.

- 1) Compliance with the applicable provisions of all prevailing codes and ordinances of the City of Sioux City and the State of Iowa, relating to the use and occupancy of property as amended, including but not limited to:

Zoning Ordinance, Title 25, as amended, Municipal Code of Sioux City.

Building Code, Chapter 20.04, as amended, Municipal Code of Sioux City.

Electrical Code, Chapter 20.08, as amended, Municipal Code of Sioux City.

Plumbing Code, Chapter 20.14, as amended, Municipal Code of Sioux City.

Housing Maintenance Code, Chapter 20.05, as amended, Municipal Code of Sioux City.

Subdivision Regulations, Title 24, as amended, Municipal Code of Sioux City.

Fire Prevention Code, Chapter 19.04, as amended, Municipal Code of Sioux City.

Sign Regulations, Chapter 4.36, as amended, Municipal Code of Sioux City.

The following are additional standards or represent a clarification of items within the codes and ordinances indicated above:

- 2) Maintenance of Exterior of Premises.

The exterior of the premises and of all structures thereon shall be kept free of all nuisances, and any hazards to the safety of occupants, pedestrians and other persons utilizing the premises,

and free of unsanitary conditions and any of the foregoing shall be promptly removed and abated by the owner or operator. The premises shall be kept free of all hazards.

2. Redevelopment/Development by the City

a. Acquisition of Real Property by Private Interests.

It is generally expected that real property is to be acquired by private interests for industrial and commercial enterprises within this area.

Although the City has the right to acquire any interest in real property, including fee simple title, deemed necessary for or in connection with an Urban Renewal Project, the City does not expect to do so unless the financial viability of a project with such Project Area would be threatened without such assistance.

b. Property may be acquired in the event:

- 1) The property is necessary to achieve the desired land use objectives of this Plan; or
- 2) The property is necessary to secure the financial viability of an economic development project; or
- 3) The private retention of such property does not meet the objectives of this Plan; or
- 4) The deterioration, damage, or lack of maintenance of the property makes such property a blighting influence; or
- 5) The use of property brings such property out of conformance with this Plan. Non-conforming uses acquired will be disposed of free of the non-conforming use and subject to existing zoning.

c. Development Proposals.

1) Review of Proposals.

In order to insure consistency among development plans the City has the right to review and approve or reject proposals as provided for in existing ordinances.

2) Developer's Obligations.

The following controls on development are hereby imposed and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulation now, or hereinafter in force, and shall be implemented by appropriate covenants or other provisions in disposition instruments.

- a) The developer and his heirs, successors or assigns shall devote such land to the uses specified in this Plan for such area and shall not devote such land to any other uses.
- b) Developers shall begin and complete the development of such land for the uses required in this Plan within a reasonable time, to be specified in disposition documents.
- c) No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the City of Sioux City or by the purchasers or lessees from it (or lessees), by which land or improvements in the project area is restricted as to sale, lease, rental, or use or occupancy upon the basis or race, color, religion, sex, national origin, creed, sexual orientation, gender identity or disability. Neither the City of Sioux City nor any of its assigns nor any purchasers or lessees from it nor any successors in interest to such purchasers, or lessees shall discriminate on the basis of race, color, religion, sex, national origin, creed, sexual orientation, gender identity or disability in the sale, lease, or rental or in any use and occupancy of land or improvements erected or to be created thereon or any part thereof, in the project area.
- d) Redevelopers shall be responsible for all finished grading; all on-site improvements and utilities service installations as necessary for proper site development as determined by the City of Sioux City.
- e) Disposition shall include prohibitions against land speculation and require compliance with all state and local laws in effect from time to time.

3. Relocation – Federally Assisted Activities.

- a. The City of Sioux City is required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, to make relocation payments to eligible persons and businesses.
- b. Persons or businesses displaced in accordance with the applicable rules and regulations by federally assisted activities may be eligible for relocation payments under this act.

E. OTHER PROVISIONS

1. Zoning

Zoning changes, if required, shall be timed and carried out to achieve the optimum support and protection of project development and rehabilitation consistent with City land use policies.

2. Other Actions Necessary

Street vacations and dedications shall be accomplished by separate actions in accordance with state law and local ordinances.

3. Duration of Incremental Tax Division

The division of incremental taxes authorized by Section 403.19, Code of Iowa, shall continue for such period as shall be required to permit the City of Sioux City to be reimbursed in full for the principal of and interest on all loans, monies advanced to, indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9 of the Code of Iowa and Section 403.12 of the Code of Iowa incurred by the City of Sioux City, Iowa, to finance or refinance in whole or in part the Combined Floyd River Urban Renewal Plan and projects undertaken pursuant thereto. The Urban Renewal Plan shall be terminated only by action of the City Council upon public notice and hearing in the manner and form required for the adoption of an Urban Renewal Plan, and only at such time as no bonds or other obligation which, by their terms, are payable from incremental taxes with respect to the Urban Renewal Project, whether separately or combined, remain outstanding.

4. Applicability of Plan Controls

The regulations and controls of this plan shall be directly applicable to all property that is not acquired when the owner thereof acquired adjacent project land.

Properties within the conservation section of the Combined Floyd River Urban Renewal Area, which are not to be acquired, must comply with the applicable rehabilitation property requirements of the Plan. Such requirements shall be imposed by one or more, but not limited to, the following methods:

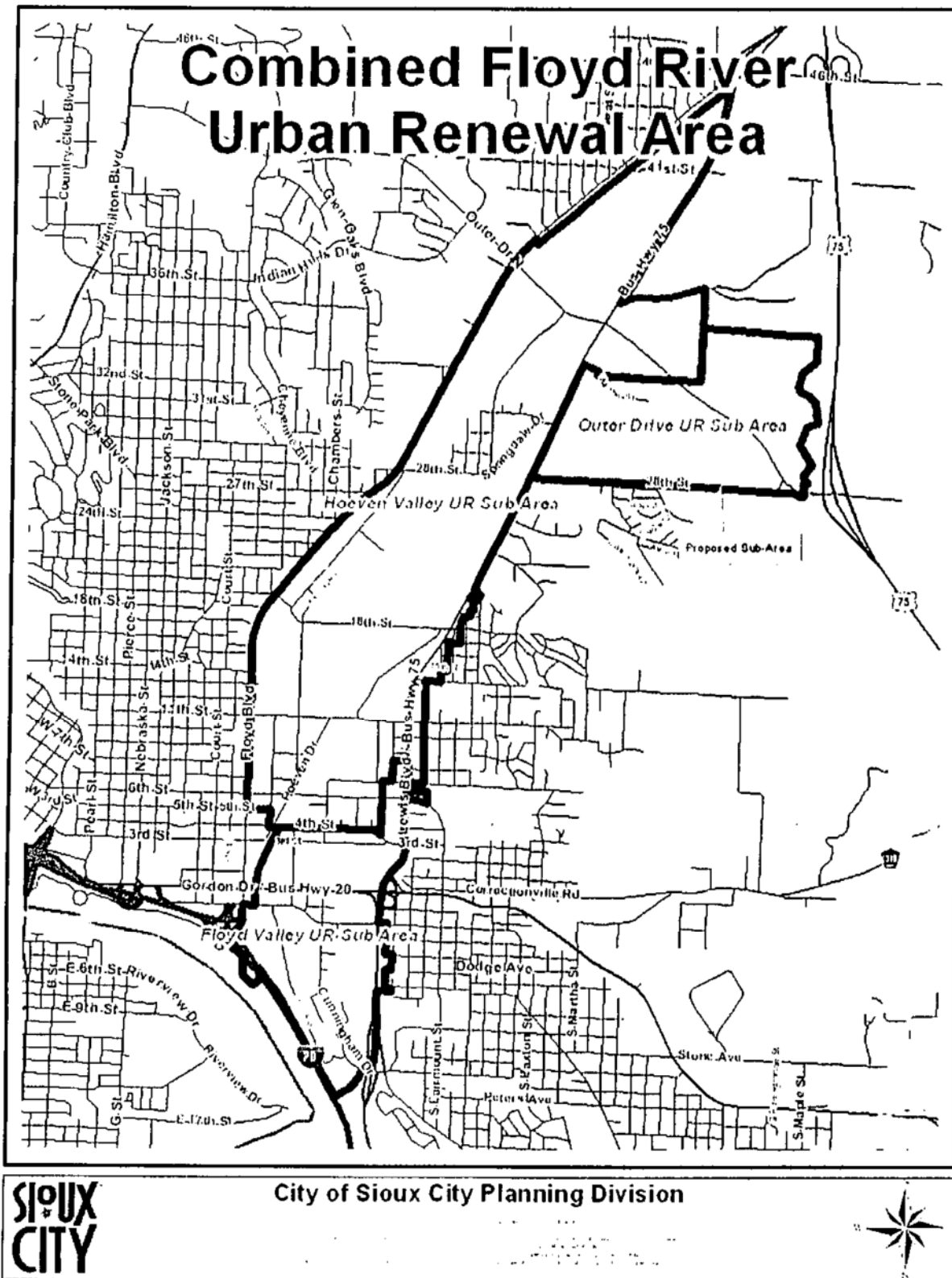
- a. By enforcement and application of the laws and regulations of the City of Sioux City and the State of Iowa.
- b. By separate written agreements.
- c. By the exercise of the power of Eminent Domain.

5. Land Disposition Supplement

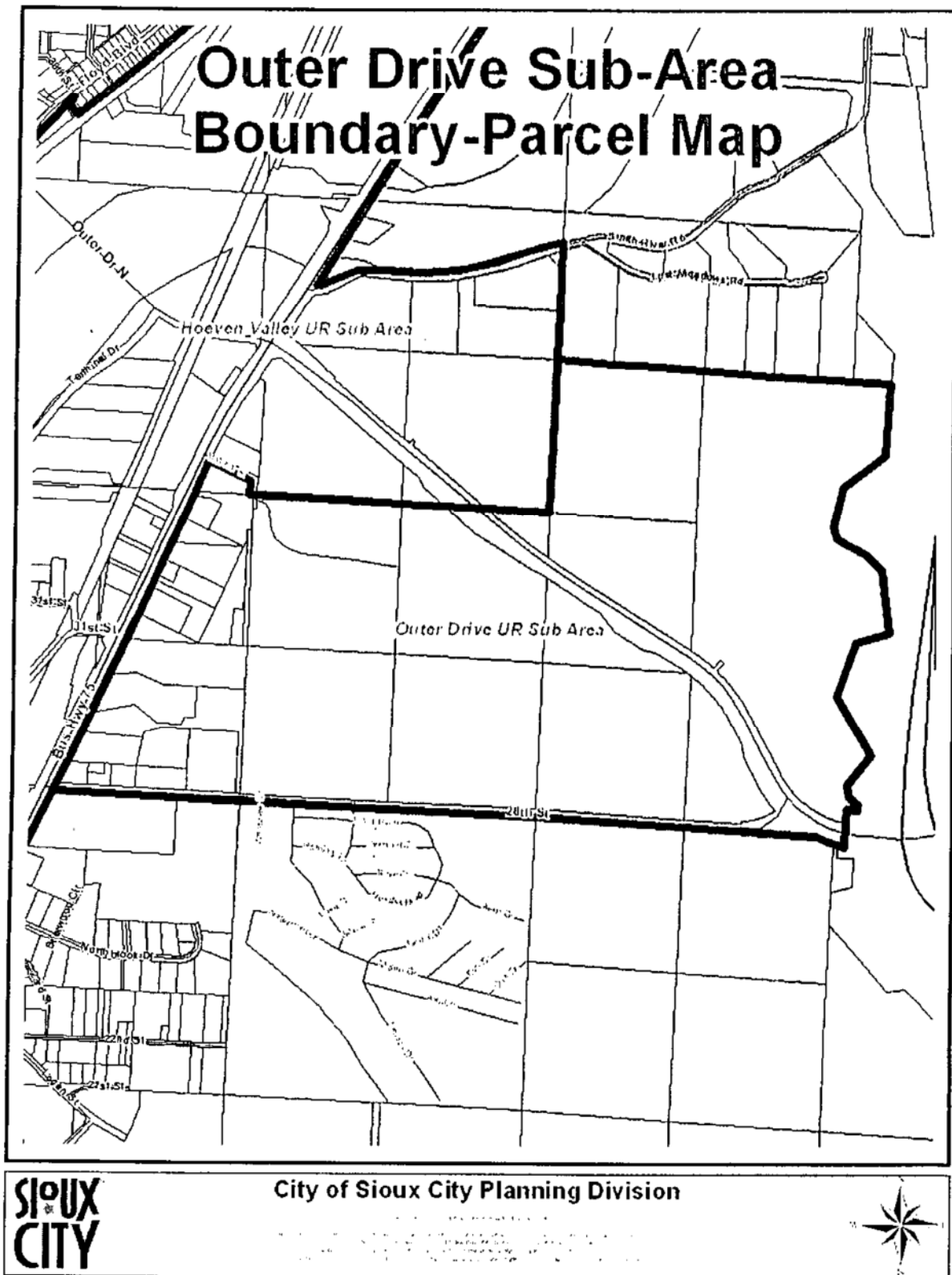
Land Disposition Supplements will be added to the Plan by amendment in accordance with the Iowa Urban Renewal Law as parcels are scheduled to be available for sale.

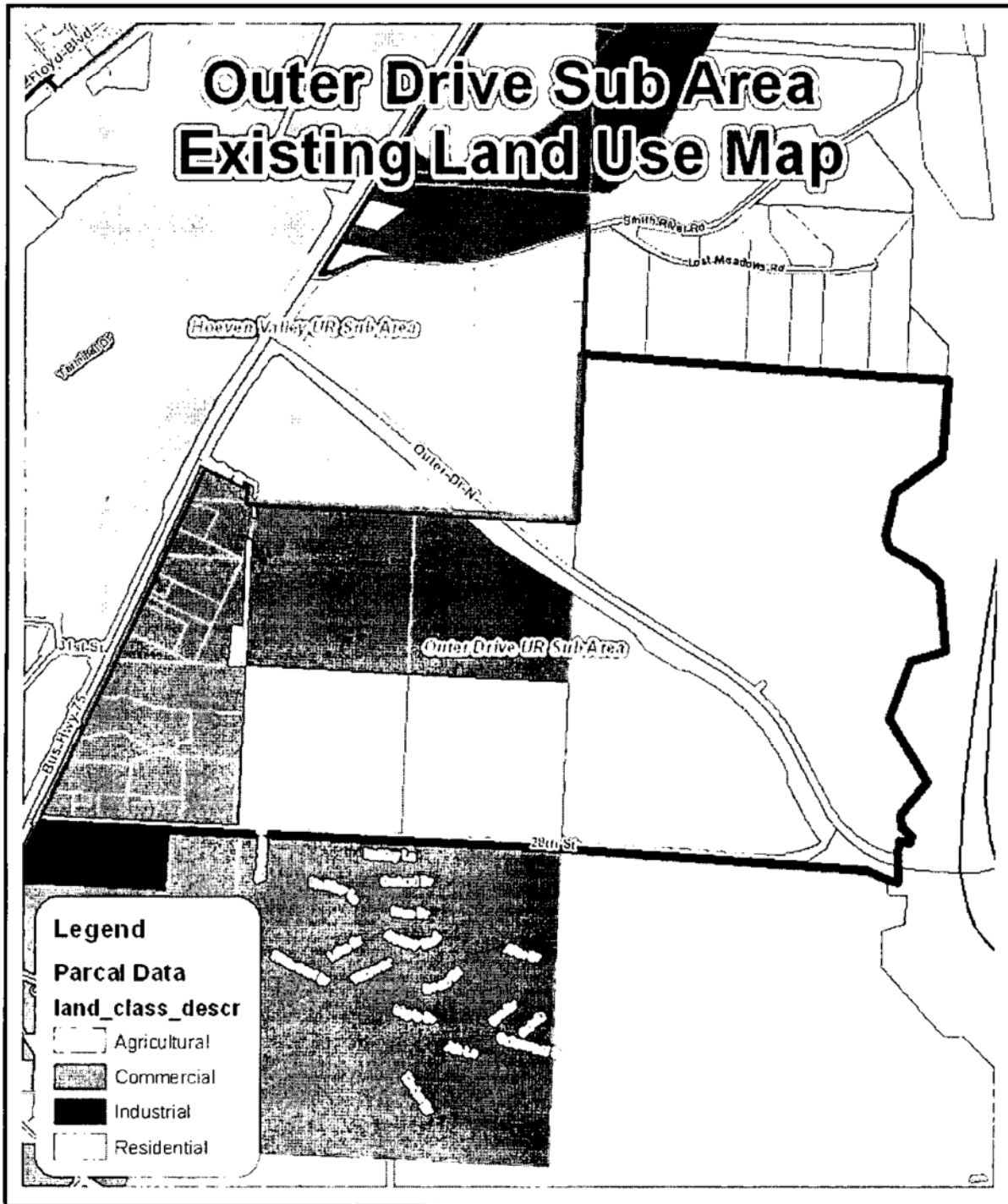
6. Procedure for Changes in Approved Plan

Adjustments or modifications resulting from experience during project execution are authorized in the administration of this project, provided that the intent of this approved Urban Renewal Plan is not changed. Any modification or adjustment which substantially changed the approved Urban Renewal Plan will be subject to the same requirements and procedures by which this Plan was originally approved.



COMBINED FLOYD RIVER URBAN RENEWAL PROJECT AREA



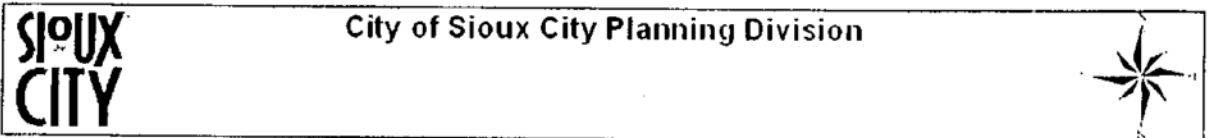


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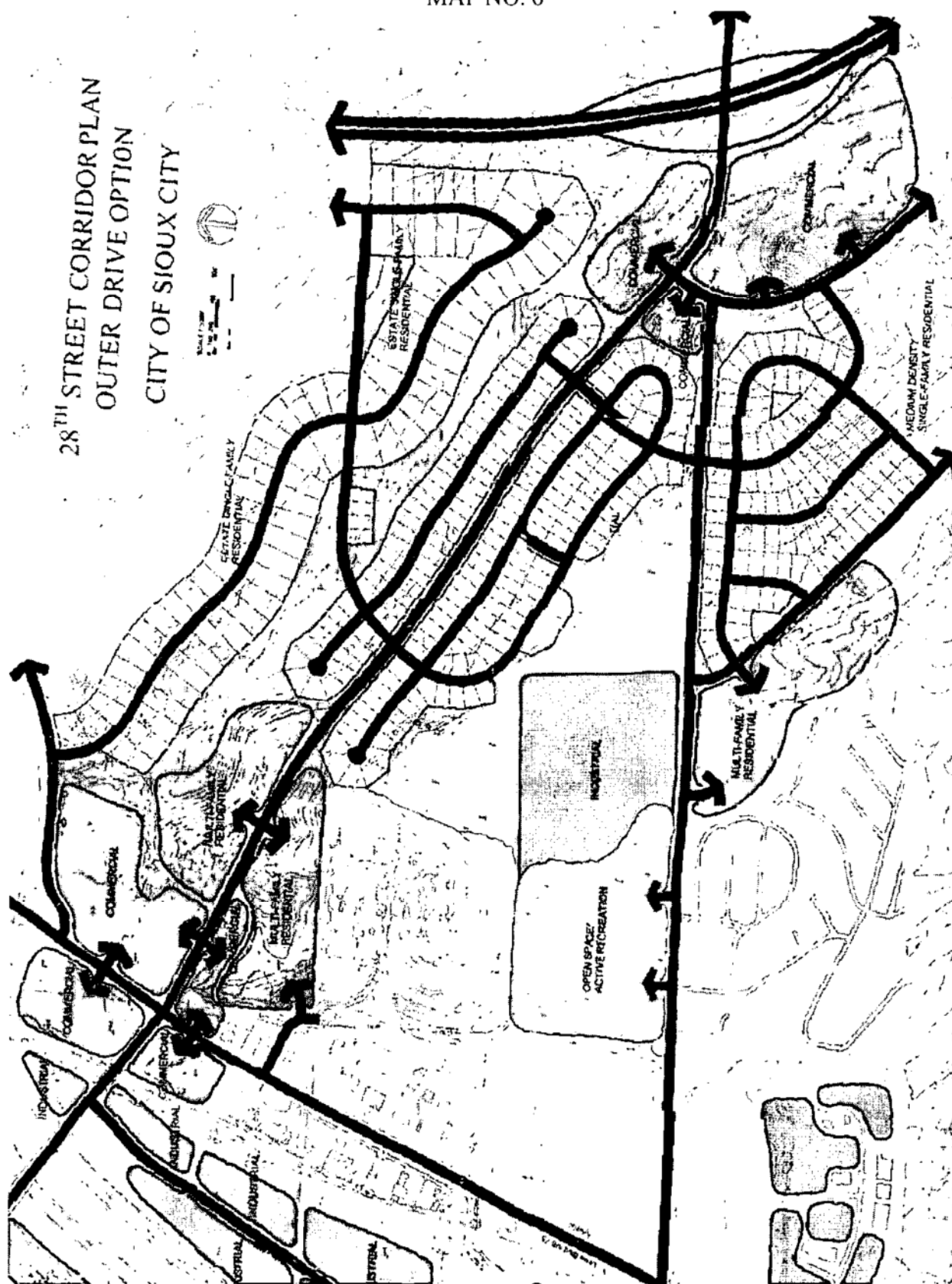


EXISTING LAND USE



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28TH STREET PLAN