


COUNCIL COMMUNICATION

	Number:	25-206	Meeting:	May 19, 2025
	Agenda Item:	53	Roll Call:	25-0786
	Submitted by:	Chris Johansen, Neighborhood Services Department Director		

AGENDA HEADING:

Amendments to Chapter 134 of the Des Moines Municipal Code defining camping and emergency shelter as temporary accessory uses to a place of worship use.

SYNOPSIS:

These proposed changes to the Chapter 134 Zoning Ordinance would enable consideration of camping as an allowed accessory use activity on the site of legally established Assembly, Place of Worship uses when approved by Neighborhood Services through a temporary use process. It would also enable Assembly, Place of Worship uses to shelter individuals experiencing homelessness within the principal building during extreme heat/cold weather conditions as a matter of right.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- The intent of the proposed Ordinance amendment is continued implementation of the September 2024 directives from the City Council to the City Manager to better manage the problem of illegal camping and encroachment activity. Specifically, the ninth and tenth directives, which are to research and explore options related to non-congregate shelter and to amend the City's Ordinances to allow additional uses for Assembly, Place of Worship owners to provide services.
- With the proposed text amendment, owners of Assembly, Place of Worship uses will be able to make online application in accordance with Section 134-3.10 of the City Code for a Temporary Use, to allow on site accessory camping for approval by Neighborhood Services. The Neighborhood Services Director will be able to approve and require conditions for each location as necessary to meet the criteria in the Ordinance, which is designed to protect the unhoused individuals and surrounding properties.
- The criteria for consideration of approval which are in the proposed amendment are what is necessary to mitigate any adverse impacts of the proposed camping activity and to protect the health, safety and welfare of the campers, adjoining property owners and the general public. The Director may impose conditions related to the following:

- Necessary sanitation.
- Areas where tents may be located on the site along with spacing appropriate for site conditions.
- Size and occupancy limits for tents.
- Appropriate length of time the camping activity may be permitted on the property.
- The amendment indicates that these are neither mandatory conditions for the Neighborhood Services Director to make, nor is the list exhaustive as to the conditions which may be imposed.
- The other use activity that the Code amendment would enable by right is Emergency Sheltering within Assembly, Place of Worship principal buildings when there is either a declared emergency by the Governor or Mayor; or when sustained temperatures would be projected to exceed 90 degrees Fahrenheit or drop to 32 degrees Fahrenheit. This activity may occur as a matter of right under this provision without any application or approval process.
- Neighborhood Services would monitor Emergency Sheltering activities where impacts may arise and ensure the activity is in compliance with the limitations in the Code. The amendment would allow the Director to impose further conditions when necessary. These conditions would be provided to the Assembly, Place of Worship owner in writing to advise them of additional required conditions determined necessary to protect the health, safety and welfare of the occupant(s), structures or the general public.

PREVIOUS COUNCIL ACTION(S):

Date: April 21, 2025

Roll Call Number: [25-0585](#)

Action: [On](#) amendments to Chapter 134 of the Des Moines Municipal Code defining camping and emergency shelter as temporary accessory uses to a place of worship use, (5-19-25). Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: April 3, 2025

Resolution Number: N/A

Action: Recommended approval of the proposed Zoning Ordinance and Planning and Design Ordinance amendments with the recommendation that the temporary unhoused provisions be expanded to include all non-profit or benefit corporation with social interest in addition to Assembly, Places of Worship.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Approval and implementation of the Ordinance amendments.

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