

ORDINANCE NO. 16,422

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended, by amending Chapter 134-5.7.1, 134-5.7.3, 134-5.7.7, 134-6.7.3 and Chapter 135-9.2.3, relating to electronic and multi-vision displays, zoning variances and Type 1 design alternatives.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended, by amending Chapter 134-5.7.1, 134-5.7.3, 134-5.7.7, 134-6.7.3 and Chapter 135-9.2.3, relating to electronic and multi-vision displays, zoning variances and Type 1 design alternatives, as follows:

134-5.7 Electronic and Multi-Vision Displays

5.7.1 APPLICABILITY

The regulations of this section apply to all electronic displays and multi-vision displays; the regulations of this section may be waived or modified for a sign located on a lot occupied by an events center and the sign has been approved in accordance with the Type 2 zoning exception procedures.

.....

5.7.3 DISPLAY TYPE

Signs may not display full-motion video or otherwise use multiple pictures or graphics in a series of frames to give the illusion of motion or video. This provision is intended to prohibit television screens, plasma screens, LED screens, holographic displays and other technology used to display video images.

.....

5.7.7 SEPARATION FROM RESIDENTIAL

- A.** Monument signs with electronic displays and multi-vision displays are prohibited within 100 feet of:
 1. Any lot in an N or NX district that is used for residential purposes or is vacant, or
 2. Any lot in a non-N or non-NX district that is occupied by a one-household or two-household use.
 3. These separation distance requirements do not apply for monument signs on lots in a P district that are separated from an N or NX district by a public right-of-way.
- B.** General advertising signs with electronic displays and multi-vision displays are prohibited within 200 feet of:
 1. Any lot in an N or NX district that is used for residential purposes or is vacant, or
 2. Any lot in a non-N or non-NX district that is occupied by a one-household or two-household use.

- C. These separation distance requirements do not apply if the electronic or multi-vision display is not visible from the referenced district, area or lot.
- D. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign face to the nearest point of the protected district or lot.

.....

134-6.7 Zoning Variances

.....

6.7.3 APPLICATION FILING

- A. Complete applications for zoning variances must be filed with the neighborhood services director.
- B. An application for a zoning use variance may not be filed or accepted for processing unless a proposed amendment to rezone the subject property to a district that would allow the subject use has been considered and denied by the city council within the preceding 12 months, except this requirement does not apply to requests to vary use separation requirements or to requests to allow use of existing buildings and associated site improvements in a F district.

.....

Planning and Design Chapter 135

135-9.2.3 TYPE 1 DESIGN ALTERNATIVES

.....

B. Other Type 1 Design Alternatives

.....

- 16. Waive the requirement in sections 135-2.21.2.K and 135-8.2.4 of this chapter of this chapter to place utility transmission system(s) underground when all of the following criteria are met:

.....

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED: Chas M. Cahill, Assistant City Attorney

Connie Boesen, Mayor

Attest: I, Laura Baumgartner, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an Ordinance (Roll Call No. 25-0074), passed by the City Council of said City at the meeting held on January 13, 2025 and signed by the Mayor on January 13, 2025 and published and provided by law in the Business Record on January 31, 2025. Authorized by Publication Order No. 12898.

Laura Baumgartner, City Clerk