

37A

Date March 14, 2011

An Ordinance entitled, "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, by amending Sections 134-982 and 134-1017, relating to principal permitted uses in Zoning Districts C-3A Central Business District Support Commercial and C-3 Central Business District Commercial",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)


 Michael F. Kelley
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

MOTION CARRIED

APPROVED

 Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk

37A

ORDINANCE NO. _____

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, by amending Sections 134-982 and 134-1017, relating to principal permitted uses in Zoning Districts C-3A Central Business District Support Commercial and C-3 Central Business District Commercial.

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 Sections 134-982 and 134-1017 relating to principal permitted uses in Zoning Districts C-3A Central Business District Support Commercial and C-3 Central Business District Commercial, as follows:

Sec. 134-982. Principal permitted uses.

Only the uses of structures or land similar to those that follow shall be permitted in the C-3A central business district support commercial district:

- (1) Any use permitted in and as limited in the C-2 district, except gas stations and retail fuel sales businesses.
- (2) Assembly and packaging of small components from the following previously prepared materials: metal, wood, plastic, paper or rubber.
- (3) Automobile body and fender repair shop, but not including wrecking or used parts yards or outside storage of automobile component parts.
- (4) Lumberyards and building material sales yards.
- (5) Manufacturing, packaging and storage of dairy products.
- (6) Manufacture or treatment of products incidental to the conduct of a retail business carried out on the premises.
- (7) Printing and publishing houses.

- (8) Storage of nonflammable and nonexplosive goods.
- (9) Transportation passenger terminals, including bus stations, railroad passenger stations or other passenger terminals.
- (10) Truck rental establishments.
- (11) Warehousing, retail or wholesale.
- (12) Combinations of the uses in subsections (1) through (11) of this section.
- (13) Off-premises advertising signs.
- (14) Machine shops.

Sec. 134-1017. Principal permitted uses.


Only the use of structures or land similar to those that follow shall be permitted in the C-3 central business district commercial district:

- (1) Any use permitted in and as limited in the C-2 district, except that no off-premises advertising signs, gas stations or retail fuel sales businesses shall be permitted in the C-3 district.
- (2) Manufacture or treatment of products incidental to the conduct of a retail business carried out on the premises, provided all activities shall take place within completely enclosed buildings.
- (3) Printing or publishing houses.
- (4) Storage of nonflammable, nonexplosive, and nonperishable goods.
- (5) Transportation passenger terminals, including bus stations, railroad passenger stations, or other passenger terminals.
- (6) Combinations of the uses in subsections (1) through (5) of this section.
- (7) Shelter for homeless, subject to the following conditions:

- a. Each such facility shall contain a minimum of 70 square feet of usable floor space per occupant. For purposes of computation of usable floor space, that part of the room having no less than seven feet of ceiling height shall be used. Usable floor space shall not include bathrooms.
- b. Each such facility shall contain at least one lavatory and one toilet per each ten or fewer residents and one tub or shower per each 15 or fewer residents. There shall be a minimum of one bathroom with tub or shower, toilet and lavatory on each floor which has resident bedrooms.
- c. Each such facility shall comply with all applicable health, safety and welfare regulations.
- d. No such facility shall be operated until a permit has been issued by the zoning enforcement officer, based upon a finding that the proposed facility complies with all applicable zoning regulations.

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

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney