



Roll Call Number

Agenda Item Number

41

Date March 25, 2013

WHEREAS, on March 11, 2013 by Roll Call No. 13-0403, the City Council of the City of Des Moines resolved to set a public hearing for March 25, 2013 at 5:00 p.m. in the Council Chambers at City Hall on the proposed amendments to the Zoning Ordinance text in Chapter 134 of the Municipal Code with regard to paving requirements for parking and outdoor storage uses; and

WHEREAS, notice of the hearing was duly published in the Des Moines Register on March 14, 2013, setting forth the time and place for the hearing on the proposed text amendments, a true copy of which is on file in the Office of the City Clerk; and

WHEREAS, pursuant to the published notice both those in favor and those against the proposed text amendments were given the opportunity to be heard and have presented their views to the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that having considered the facts and statements of interested persons and arguments of counsel both for and against the proposed amendments, the hearing is closed, the arguments in favor of the text amendments are upheld, and the proposed text amendments to Chapter 134 of the Municipal Code are hereby approved.

Moved by _____ to adopt and approve the text amendments to Chapter 134 of the Des Moines Municipal Code, subject to final passage of the ordinance.

APPROVED AS TO FORM:

Michael F. Kelley
Assistant City Attorney

Table with columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include 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

March 8, 2013

Agenda Item 41

Call # _____

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held March 7, 2013 the following action was taken regarding a City Council Initiated request to amend the Zoning Ordinance Text in Chapter 134 with regard to paving requirements for parking and outdoor storage uses.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 14-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Dory Briles	X			
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley	X			
Tim Fitzgerald	X			
Dann Flaherty	X			
John "Jack" Hilmes	X			
Ted Irvine	X			
Greg Jones	X			
William Page	X			
Christine Pardee	X			
Mike Simonson				X
CJ Stephens	X			
Vicki Stogdill	X			
Greg Wattier	X			

APPROVAL of the amendment to Chapter 134 with regard to paving requirements for parking and outdoor storage uses. (10-2013-5.02)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the proposed text amendment.

STAFF REPORT

The terms "parking area", "parking lot" and "off-street parking and loading area" are utilized throughout City's Zoning Ordinance. City staff uses these terms interchangeably in the administration of the Zoning Ordinance. To avoid future confusion, City staff proposes the attached zoning text to unify the definitions in Section 134-3 for "parking area", "parking lot" and "off-street



CITY PLAN AND ZONING COMMISSION
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 -1881
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ALL-AMERICA CITY
1949, 1976, 1981
2003

parking and loading area” and to re-write ambiguous language in Section 134-1377(f)(5) regarding paving for a parking area, parking lot or off-street parking and loading area.

On February 13, 2013 the Regulation and Ordinance (R&O) subcommittee of the Plan and Zoning Commission recommended that the attached zoning text be prepared for public hearing by Plan and Zoning Co.mmission.

SUMMARY OF DISCUSSION

There was no discussion

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one to speak in favor or in opposition of the applicant's request.

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION:

Will Page moved staff recommendation to approve the amendment to Chapter 134 with regard to paving requirements for parking and outdoor storage uses.

Motion passed 14-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

cc: File

134-3

Parking area or parking lot means any portion of a property used for parking of employee, customer, or resident vehicles; storage, parking or display of any commercial vehicles, commercial equipment or contractor's equipment; and/or storage or placement of any merchandise.

Off-street parking and loading area means any portion of a property used for parking of employee, customer or resident vehicles; storage, parking and display of any commercial vehicles, commercial equipment or contractor's equipment; and/or storage or placement of any merchandise.

134-1377 (f)

(5) Paving. Any parking area, parking lot or off-street parking and loading area, shall be surfaced and maintained with an asphaltic or Portland cement binder pavement or such other surfaces as shall be approved by the city engineer, so as to provide a durable and dustless surface, shall be so graded and drained as to dispose of all surface water accumulation within the area, and shall be so arranged and marked as to provide for orderly and safe loading, unloading, parking, storage and display of vehicles, equipment or merchandise.

a. One and two family dwellings are exempt from this code section, but are subject to the requirements of Section 134-1377(m) of this Chapter.

b. Contractor's storage and equipment yards located in an M-1 or M-2 zoning district are exempt from this code section, but are subject to the requirements of Section 134-1087(4) of the Zoning Code.