



Date January 26, 2015

RESOLUTION HOLDING HEARING ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE REGARDING REMEDIAL MEASURES RELATING TO PUD AND PBP DEVELOPMENT PLANS

WHEREAS, on December 22, 2014, by Roll Call No. 14-1933, the City Council received a communication from the City Plan and Zoning Commission stating that its members voted 11-0 in support of a motion to recommend **APPROVAL** of proposed amendments to Section 134-708 and Section 134-741(15) of the Zoning Ordinance of the Des Moines Municipal Code to clarify remedial measures in response to failure to submit a PUD or PBP Development Plan or to commence construction in accordance with a time schedule set forth in a PUD or PBP Development Plan, as proposed by City staff; and

WHEREAS, said amendments are proposed in order to more accurately reflect the City's historical and current practices for administration of PUD and PBP Development Plans in the Zoning Ordinance; and

WHEREAS, on December 22, 2014, by Roll Call No. 14-1933, it was duly resolved by the City Council that the proposed amendments to Section 134-708 and Section 134-741(15) be set down for public hearing on January 12, 2015, at 5:00 p.m. in the City Council Chambers at City Hall; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed amendments to the Zoning Ordinance; and

WHEREAS, on January 12, 2015, by Roll Call No. 15-0068, it was duly resolved by the City Council to continue the public hearing to January 26, 2015; and

WHEREAS, in accordance with the notice and continuance, those interested in the proposed amendments, both for and against, have been given opportunity to be heard with respect thereto 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 upon consideration of the facts, statements of interested persons and arguments of counsel, any and all objections to said proposed amendments to the Zoning Ordinance be and the same are hereby overruled, and the hearing closed.

(Council Communication No. 15-039)



Roll Call Number

Agenda Item Number

46

Date January 26, 2015

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MOVED by _____ to adopt and approve the proposed amendments to Section 134-708 and Section 134-741(15) of the Zoning Ordinance of the Des Moines Municipal Code, subject to final passage of the enacting ordinance.

FORM APPROVED:

Glenna K. Frank Assistant City Attorney

10-2014-5.05

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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