

★ Roll Call Number

08-1533

Agenda Item Number

42

Date

August 25, 2008

RESOLUTION EXTENDING THE TEMPORARY MORATORIUM  
ON THE CREATION OR EXPANSION OF VEHICLE DISPLAY LOTS PENDING A  
COMPREHENSIVE REVIEW OF THE APPLICABLE REGULATIONS AND GUIDELINES

WHEREAS, on March 24, 2008, by Roll Call No. 08-510A, the City Council imposed a temporary moratorium through June 23, 2008, on the creation or expansion of vehicle display lots at any location within the City of Des Moines that is zoned to the "C-2" General Retail and Highway Oriented Commercial District, to maintain the status quo until additional regulations and guidelines are established to better regulate how vehicle display lots are designed and operated in the "C-2" District; and,

WHEREAS, on June 22, 2008, by Roll Call No. 08-1145, the City Council continued the moratorium until August 26, 2008, in response to the flooding that occurred in the City of Des Moines and the need for the City Staff to focus upon the recovery efforts which delayed the review of the existing regulations and guidelines, and the consideration of new regulations and guidelines applicable to the review and approval of site plans for vehicle display lots; and,

WHEREAS, the City Staff are working with the Regulations and Ordinances Committee of the Plan and Zoning Commission to review and upgrade the design standards for new vehicle display lots and expansions of existing vehicle display lots and expect to have proposed amendments to those standards presented to the City Council for adoption by the meeting on November 10, 2008; and,

WHEREAS, the continuance of the temporary moratorium on the approval of site plans for the construction or expansion of vehicle display lots is necessary and appropriate to prevent new development from occurring at locations and with a design, screening and setbacks that are incompatible with the existing and planned uses of adjoining property; and,

WHEREAS, any aggrieved party may apply to the City Council to be released from the application of this moratorium where necessary to avoid undue hardship by filing a written application with the City Clerk in accordance with the procedures established in Roll Call No. 08-510A; NOW THEREFORE,

BE IT RESOLVED by the City Council for the City of Des Moines, Iowa, that the temporary moratorium on the creation and expansion of vehicle display lots imposed by Roll Call No. 08-510A, and previously extended by Roll Call No. 08-1145, is hereby extended through November 11, 2008.

( Council Communication No. 08- **518** )

( continued )

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(Council Communication No. 08-518)

MOVED by Meyer to adopt and continue the moratorium through November 11, 2008.

FORM APPROVED:

Roger K. Brown

Roger K. Brown  
Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLAŠSIS	✓			
TOTAL	7			

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.

MOTION CARRIED

APPROVED

Christina L. Hooley

Mayor

MAYOR PRO TEM

Diane Rauh City Clerk