



Roll Call Number

12-1056

Agenda Item Number

64

Date June 25, 2012

RESOLUTION CONTINUING THE TEMPORARY MORATORIUM
ON NEW OR CONVERTED BUSINESSES SELLING LIQUOR FOR OFF-PREMISES
CONSUMPTION FROM A PREMISES OPERATED AS A LIMITED OR GENERAL
FOOD OR RETAIL SALES ESTABLISHMENT, A GAS STATION/CONVENIENCE
STORE OR A LIQUOR STORE

WHEREAS, on April 9, 2012, by Roll Call No. 12-0572, the City Council established a temporary moratorium extending until June 26, 2012, on the commencement of any new business and on the conversion of any existing business to one selling alcoholic liquor for off-premises consumption, from any business premises which is operated as a Limited Food Sales Establishment, Limited Retail Sales Establishment, Gas Station/Convenience Store or Liquor Store, and further directed the Community Development Department and the Plan and Zoning Commission to diligently proceed with consideration of the appropriate amendments to the Zoning Ordinance to address the concerns identified by the City Council in the preamble to such roll call; and,

WHEREAS, on May 21, 2012, by Roll Call No. 12-0843, the City Council expanded the scope of the temporary moratorium to include General Food Sales Establishments and General Retail Sales Establishment (those between 10,000 and 40,000 square feet in size); and,

WHEREAS, the Community Development Department, in coordination with the Regulation and Ordinance Committee of the Plan and Zoning Commission, has prepared a recommendation on appropriate amendments to the Zoning Ordinance to address such concerns, which was received by the City Council at its study session on June 25, 2012; and,

WHEREAS, the continuation of the temporary moratorium is necessary to preserve the status quo while the recommended amendments to the Zoning Ordinance are considered for enactment by the Plan and Zoning Commission and the City Council;

NOW THEREFORE, BE IT RESOLVED by the City Council for the City of Des Moines, Iowa, as follows:

1. The moratorium imposed by on April 9, 2012, by Roll Call No. 12-0572, and as expanded on May 21, 2012, is hereby continued until August 28, 2012 (an additional 63 days).
2. The Community Development Department and Plan and Zoning Commission are hereby directed to diligently proceed with consideration of the recommended amendments to the Zoning Ordinance as identified above. The Community Development Department and Plan and Zoning Commission shall endeavor to complete their report and recommendation for receipt by the City Council no later than at its meeting on August 13, 2012.



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MOVED by Moore to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS				✓
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	6			1

MOTION CARRIED

APPROVED

T. M. Franklin 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.

Diane Rauh City Clerk

(continued)