

★ Roll Call Number

16-0903

Agenda Item Number ✓

60

Date May 23, 2016

RESOLUTION HOLDING PUBLIC HEARING ON PROPOSED AMENDMENTS TO SUBDIVISION ORDINANCE (CHAPTER 106) RELATING TO SUBDIVISION PLAT APPROVAL AND APPEALS

WHEREAS, Des Moines Municipal Code Section 106-7 provides that amendments to the Subdivision Ordinance (Chapter 106) shall not become effective until after public hearing before the Plan and Zoning Commission and the City Council; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 19, 2016, its members voted 10-0 in support of a motion to recommend APPROVAL to amend Sections 106-72 and 106-73 of the Subdivision Ordinance, in the form attached hereto, relating to subdivision plat approval and appeals thereof; and

WHEREAS, on May 9, 2016, by Roll Call No. 16-0765, it was duly resolved by the City Council that the proposed amendments to the Subdivision Ordinance be set down for hearing on May 23, 2016 at 5:00 P.M., in the Council Chamber 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 Subdivision Ordinance; and

WHEREAS, in accordance with said notice, those interested in said 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, as follows:

- 1. Upon due consideration of the facts and any statements of interested persons and arguments of counsel, any and all objections to the proposed amendments to Sections 106-72 and 106-73 of the Subdivision Ordinance, Chapter 106 of the Des Moines Municipal Code, are hereby overruled, and the hearing is closed.
2. The proposed amendments to Sections 106-72 and 106-73 of the Subdivision Ordinance relating to subdivision plat approval and appeals are hereby approved, subject to final passage of an ordinance amending said Sections as set forth herein.

FORM APPROVED:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

MOVED by Gatto to adopt.

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL. Includes MOTION CARRIED and APPROVED checkboxes.

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

T. M. Franklin Council Mayor