



Roll Call Number

17-0921

Agenda Item Number

3

Date June 2, 2017

RESOLUTION HOLDING HEARING ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE REGARDING SALE OF CONSUMER FIREWORKS

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 1, 2017, its members voted 12-0 in support of a motion to recommend **APPROVAL** of the proposed adoption of Section 134-1281 and amendments to Sections 134-1087, 134-1122 and 134-1267 of the Zoning Ordinance of the Des Moines Municipal Code to allow the sale of consumer fireworks as a principal permitted use, and not as a permitted accessory use, only in industrial zoning districts ("M-1" Light Industrial District and "M-2" Heavy Industrial District) and outside of the Downtown Overlay District, in accordance with recently adopted Iowa legislation; and

WHEREAS, the proposed text amendments are attached hereto and on file in the office of the City Clerk; and

WHEREAS, on May 22, 2017, by Roll Call No. 17-0896, it was duly resolved by the City Council that the proposed adoption of Section 134-1281 and amendments to Sections 134-1087, 134-1122 and 134-1267 be set down for public hearing on June 2, 2017 at 11:00 a.m. in the City Council Chambers at the Municipal Service Center; 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, in accordance with the notice, 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 is closed.

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MOVED by Hensley to approve the proposed adoption of Section 134-1281 and amendments to Sections 134-1087, 134-1122 and 134-1267 of the Zoning Ordinance of the Des Moines Municipal Code, subject to final passage of the enacting ordinance.

FORM APPROVED:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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.

T. M. Franklin Mayor

Diane Rauh City Clerk