



**Roll Call Number**

21-0865

**Agenda Item Number**

35

**Date** June 14, 2021

**RESOLUTION SCHEDULING HEARING ON PROPOSED AMENDMENTS TO ZONING ORDINANCE AND PLANNING AND DESIGN ORDINANCE**

**WHEREAS**, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan as the comprehensive plan for the City of Des Moines; and

**WHEREAS**, on October 16, 2019, by Roll Call Nos. 19-1683, 19-1684, and 19-1685, respectively, the City Council approved Ordinance No. 15,816 adopting the Zoning Ordinance, which repealed and replaced previous Chapter 134 of the Des Moines Municipal Code and Article 5 of which repealed and replaced the City’s Wireless Telecommunications Facility Policy adopted on April 8, 2019 by Roll Call No. 19-0580; Ordinance No. 15,817 adopting the Planning and Design Ordinance, which repealed and replaced portions of Chapter 82 and the City’s Site Plan Ordinance and Site Plan/Landscape Policies adopted March 22, 2004 with a new Chapter 135 of the Des Moines Municipal Code; and Ordinance No. 15,818 adopting the updated Citywide Zoning Map rezoning all real property within the City limits of the City of Des Moines to reflect the newly designated zoning districts as defined in the proposed Zoning Ordinance; and

**WHEREAS**, thereafter Council has approved certain amendments to the Zoning Ordinance and the Planning and Design Ordinance; and

**WHEREAS**, in accordance with Council direction, City staff have prepared further amendments to the Zoning Ordinance and the Planning and Design Ordinance to address substantive and non-substantive revisions deemed necessary by the City Manager, Department Directors, and staff; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on June 3, 2021, its members voted 10-0 in support of a motion to recommend **APPROVAL** of the proposed amendments to the Zoning Ordinance and the Planning and Design Ordinance; and

**WHEREAS**, the proposed amendments to the Zoning Ordinance and Planning and Design Ordinance are on file and available to the public for viewing in the office of the City Clerk.

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

1. The attached communication from the Plan and Zoning Commission is hereby received and filed.
2. The City Council shall consider the proposed amendments to the Zoning Ordinance and Planning and Design Ordinance at a public hearing to be held in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on June 28, 2021, at which time the City Council will hear both those who oppose and those who favor the proposals.
3. That the City Clerk is hereby authorized and directed to cause notice of said hearing in the accompanying form to be given by publication once, not less than seven (7) days and not more



Roll Call Number

21-0865

Agenda Item Number

35

Date June 14, 2021

than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED by Gatto to adopt.

FORM APPROVED:

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

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL (7 yeas).

MOTION CARRIED APPROVED
J. M. Franklin Cownie Mayor

CERTIFICATE

I, P. Kay Cmelik, 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.

[Signature of P. Kay Cmelik]

City Clerk