



Roll Call Number

21-1057

Agenda Item Number

72

Date June 28, 2021

**RESOLUTION HOLDING 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19-1684, and 19-1685, respectively, the City Council approved Ordinance No. 15,816 adopting the Zoning Ordinance, which repealed and replaced previous Chapter 134 of the Des Moines Municipal Code and Article 5 of which repealed and replaced the City's Wireless Telecommunications Facility Policy adopted on April 8, 2019 by Roll Call No. 19-0580; Ordinance No. 15,817 adopting the Planning and Design Ordinance, which repealed and replaced portions of Chapter 82 and the City's Site Plan Ordinance and Site Plan/Landscape Policies adopted March 22, 2004 with a new Chapter 135 of the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 comprehensive 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, on June 14, 2021, by Roll Call No. 21-0865, the City Council received a communication from the City Plan and Zoning Commission advising 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; and

WHEREAS, on June 14, 2021, by Roll Call No. 21-0865, it was duly resolved by the City Council that the proposed amendments to the Zoning Ordinance and Planning and Design Ordinance be set down for public hearing on June 28, 2021 at 5:00 p.m. in the Council Chambers 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 Zoning Ordinance and Planning and Design 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, as follows:



Roll Call Number

21-1057

Agenda Item Number

72

Date June 28, 2021

1. 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 and Planning and Design Ordinance be and the same are hereby overruled, and the hearing is closed.
2. The City Council hereby makes the following findings in support of the proposed amendments to the Zoning Ordinance and Planning and Design Ordinance, as set forth in the lists of additional revisions attached hereto (collectively “amendments”):
 - a. Said amendments are necessary to protect and preserve the rights, privileges, and property of the city and of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents, for the reasons stated herein.
 - b. The amendments to the Zoning Ordinance are further necessary to promote the health, safety, morals, and general welfare of the community and to preserve historically significant areas of the community.
 - c. Said amendments are consistent with PlanDSM: Creating Our Tomorrow Plan, the comprehensive plan for the City of Des Moines, and meet the multiple goals thereof including but not limited to the following:
 - i. Land Use (LU) Goal 1: Develop new land development regulations consistent with this Comprehensive Plan, include development standards, provide for a mixture of land uses, mandate protection of natural resources, and promote flexible approaches to implementing the Plan.
 - LU1.3: Ensure new zoning and land use regulations promote development and redevelopment that is compatible with the neighborhood character and reduces negative impacts between incompatible uses.
 - ii. Land Use (LU) Goal 2: Direct new growth and redevelopment to areas with existing infrastructure and nodes and corridors based on proximity to transit, shopping, services, and public amenities.
 - LU2.8: Encourage continued redevelopment and enhancement of regional nodes emphasizing a mix of uses, ease of access by transit, enhanced walkability, and high density residential.
 - LU2.10: Prioritize new mixed-use development and redevelopment along proposed high capacity transit corridors and nodes.
 - LU2.13: Encourage high-density housing in identified nodes and along corridors that provide convenient access to public transit, public amenities and services, schools and open space, and are in close proximity to job centers.
 - LU2.15: Prioritize development and redevelopment in areas with existing infrastructure and properties included in adopted Urban Renewal Plans.
 - LU2.16: Require new development in recently annexed areas to work with the City to evaluate the cost of providing City infrastructure and services to ensure development has a positive financial return on any city investment.
 - iii. Land Use (LU) Goal 4: Continue to embrace the distinct character of Des Moines’ neighborhoods while allowing for new development and redevelopment.
 - LU 4.25: Require new development and redevelopment to be compatible with the existing neighborhood character.
 - iv. Transportation Goal 4: Make transit a more attractive option for all City residents.
 - T4.22: Encourage higher densities and mixed-use transit oriented development (TOD) to locate on transit corridors.



Roll Call Number

21-1057

Agenda Item Number

72

Date June 28, 2021

- v. Housing (H) Goal 1: Provide a diversity of housing options to accommodate residents of all ages, income levels, household sizes, and cultural backgrounds.
 - H1: Ensure an adequate supply of housing through a mix of new development, infill development, and redevelopment of existing properties.
 - H4: Promote accessible, affordable, and age-friendly housing alternatives in all neighborhoods to accommodate persons with disabilities and allow seniors to age in place, in proximity to known services, and with easily accessible quality open space.
 - H5: Address availability and affordability of housing options for all families.
 - vi. Housing (H) Goal 2: Preserve, maintain, and improve the existing inventory of single-family and multi-family housing.
 - H16: Streamline permit and development processes to encourage development in accordance with applicable regulations.
 - vii. Housing (H) Goal 3: Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bikeable neighborhoods.
 - H17: Encourage the use of existing public infrastructure by focusing housing development on infill, vacant, and under-developed land.
 - H19: Encourage mixed use development that incorporates affordable and market rate housing along transit corridors and in neighborhood nodes.
 - H20: Prioritize housing development at an increased density in locations that are close to public transit, shopping, public amenities, schools, and open spaces.
 - viii. Housing (H) Goal 4: Support development of and access to quality housing affordable to all income level households.
 - H23: Support and promote a regional approach to provision of affordable housing.
 - ix. Community Character and Neighborhoods (CCN) Goal 1: Embrace the distinct character offered in each of Des Moines' neighborhoods.
 - CCN2: Ensure a diverse mix of housing types, styles, scales, density, and affordability that complement existing neighborhood character.
 - CCN4: Adopt high quality development standards, such as zoning district and site plan regulations, and design guidelines related to form, massing, and materials that lead to the development of attractive, walkable neighborhoods.
 - CCN5: Ensure infill development is sensitive to the existing character of the neighborhood.
 - x. Community Character and Neighborhoods (CCN) Goal 2: Further Des Moines' revitalization efforts to improve the strength, stability, and vitality of all neighborhoods.
 - xi. Community Character and Neighborhoods (CCN) Goal 3: Promote the redevelopment and revitalization of neighborhood nodes and corridors.
3. The proposed amendments to the Zoning Ordinance and Planning and Design Ordinance, as set forth in the lists of additional revisions attached hereto and in form on file in the office of the City Clerk, are hereby approved, subject to final passage of each respective enacting ordinance.



Roll Call Number

21-1057

Agenda Item Number

72

Date June 28, 2021

MOVED by Mandelbaum to adopt.

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

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.

P. Kay Cmelik

City Clerk