



Roll Call Number

25-1631

Agenda Item Number

48

Date December 8, 2025

**RESOLUTION HOLDING HEARING ON PROPOSED AMENDMENT TO
ZONING ORDINANCE AND PLANNING ORDINANCE AND APPROVING SAME**

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16, 2019, by Roll Call No. 19-1683, the City Council approved Ordinance No. 15,816 adopting the Zoning Ordinance, which repealed and replaced previous Chapter 134 of the Des Moines Municipal Code and Article 5 of which repealed and replaced the City's Wireless Telecommunications Facility Policy adopted on April 8, 2019 by Roll Call No. 19-0580, and certain ordinances amending the City's Zoning Ordinance have been approved by City Council thereafter; and

WHEREAS, on October 20, 2025, by Roll Call No. 25-1439, the City Council approved Ordinance No. 16,510, which amended Chapter 134 and 135; and

WHEREAS, the Neighborhood Services Department and the Development Services Department and staff have prepared further amendments to Table 134-3.1-1, Table 134-3.9-1, and 135-2.22-1 of the Zoning Ordinance and Planning Ordinance, accordingly, which such amendments are intended to further clarify the provisions in the ordinance relating liquor and tobacco stores and accessory dwelling units; and

WHEREAS, on September 4, 2025, the City Plan and Zoning Commission voted 10-0 to **APPROVE** the proposed amendments to the Zoning Ordinance and Planning Ordinance; and

WHEREAS, on November 17, 2025, by Roll Call No. 25-1536, it was duly resolved by the City Council that the proposed amendments to the Zoning Ordinance and Planning Ordinance be set down for public hearing on December 8, 2025 at 5:00 p.m. in the City Council Chambers at City Hall; and

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



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

1. Upon consideration of the facts, statements of interested persons and arguments of counsel, any and all objections to said proposed amendment to Table 134-3.1-1, Table 134-3.9-1, and 135-2.22-1 of the Zoning Ordinance and Planning Ordinance, accordingly, 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 amendment to Table 134-3.1-1, Table 134-3.9-1, and 135-2.22-1 of the Zoning Ordinance and Planning Ordinance:
 - a. Said amendment is 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 amendment is further necessary to promote the health, safety, morals, and general welfare of the community.
 - c. Said amendment is consistent with PlanDSM: Creating Our Tomorrow Plan, the comprehensive plan for the City of Des Moines, and meets the multiple goals thereof including but not limited to the following:
 - *Land Use 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.
 - *Land Use 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.
 - *Land Use Goal 4* – Continue to embrace the district character of Des Moines' neighborhoods while allowing for new development and redevelopment.
 - *Housing Goal 1* – provide a diversity of housing options to accommodate residents of all ages, income levels, household sizes, and cultural backgrounds.
 - *Housing Goal 3* – Promote sustainable housing development that utilizes existing resources and supports compact, walkable, and bikeable neighborhoods.
 - *Community Character and Neighborhood Goal 2* – Further Des Moines' revitalization efforts to improve the strength, stability, and vitality of all neighborhoods.
3. The proposed amendment to Table 134-3.1-1, Table 134-3.9-1, and 135-2.22-1 of the Zoning Ordinance and Planning Ordinance, in form on file in the office of the City Clerk, is hereby approved, subject to final passage of the enacting ordinance.



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Moved by Coleman to adopt. Second by Gatto

APPROVED AS TO FORM:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

CERTIFICATE

I, Laura Baumgartner, 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.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
MANDELBAUM	✓			
SIMONSON	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Connie Boesen

Mayor

Laura Baumgartner

City Clerk