



Roll Call Number

25-0786

Agenda Item Number

53

Date May 19, 2025

**RESOLUTION HOLDING HEARING ON PROPOSED AMENDMENTS TO ZONING
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16, 2019, by Roll Call No. 19-1683, the City Council approved Ordinance No. 15,816 adopting the Zoning Ordinance, which repealed and replaced previous Chapter 134 of the Des Moines Municipal Code and Article 5 of which repealed and replaced the City's Wireless Telecommunications Facility Policy adopted on April 8, 2019 by Roll Call No. 19-0580, and certain ordinances amending the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, the Neighborhood Services Department and staff have prepared further amendments to Sections 134-3.10.6 and 134-3.10.7 of the Zoning Ordinance, which such amendments are intended to allow Place of Worship uses to accommodate unhoused populations under temporary accessory uses; and

WHEREAS, on April 3, 2025, the City Plan and Zoning Commission voted 10-0 to **APPROVE** the above proposed amendments to the Zoning Ordinance amendments with the recommendation that the temporary unhoused provisions be expanded to include all non-profit or benefit corporations with social interest in addition to places of worship; and

WHEREAS, on April 21, 2025, by Roll Call No. 25-0585, it was duly resolved by the City Council that the proposed amendments to the Zoning Ordinance be set down for public hearing on May 19, 2025 at 5:00 p.m. in the City Council Chambers at City Hall; and

WHEREAS, the proposed amendments to the Zoning 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 amendment to the Zoning Ordinance; and

WHEREAS, in accordance with said notice, those interested in said proposed amendment, 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 consideration of the facts, statements of interested persons and arguments of counsel, any and all objections to said proposed amendments to Sections 134-3.10.6 and 134-3.10.7 of the Zoning Ordinance, be and the same are hereby overruled, and the hearing is closed.



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2. The City Council hereby makes the following findings in support of the proposed amendments to Sections 134-3.10.6 and 134-3.10.7 of the Zoning Ordinance:
 - 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 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.
3. The proposed amendment to Sections 134-3.10.6 and 134-3.10.7 of the Zoning Ordinance, in form on file in the office of the City Clerk, is hereby approved, subject to final passage of the enacting ordinance.

(Council Communication No. 25-206)

Moved by Gatto to adopt. Second by Simonson

APPROVED AS TO FORM:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney

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

Connie Boesen

Mayor

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.

Laura Baumgartner

City Clerk