

**Date** September 29, 2025

**RESOLUTION SCHEDULING HEARING ON PROPOSED AMENDMENT TO  
ZONING 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16, 2019, by Roll Call No. 19-1683, the City Council approved Ordinance No. 15,816 adopting the Zoning Ordinance, which repealed and replaced previous Chapter 134 of the Des Moines Municipal Code and Article 5 of which repealed and replaced the City's Wireless Telecommunications Facility Policy adopted on April 8, 2019 by Roll Call No. 19-0580, and certain ordinances amending the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 the Development Services Department and staff have prepared further amendment to Section 134-3.9.2 of the Zoning Ordinance, which such amendment is intended to clarify and align accessory dwelling units with recent state code changes; and

**WHEREAS**, the Neighborhood Services Department and the Development Services Department and staff have prepared further amendments to Sections 134-3.5.16, 134-3.9.9, 134-9.15, 134-9.19, 134-9.23, Table 134-3.1-1 and Table 134-3.9-1 of the Zoning Ordinance, which such amendments are intended to clarify the liquor store and tobacco store language; to clarify tobacco product to align with state code; and clarify tobacco store requirements; and

**WHEREAS**, the Neighborhood Services Department and the Development Services Department and staff have prepared further amendments to Sections 134-6.7.6 and 134-6.7.7 of the Zoning Ordinance, which such amendments are intended to clarify and align variance test for numerical standards with recent state code changes; and

**WHEREAS**, the Neighborhood Services Department and the Development Services Department and staff have prepared further amendments to Sections 134-7.3.3 and 134-7.3.6 of the Zoning Ordinance, which such amendments are intended to define legal non-conforming pole sign components that are allowed to be replaced or rehabilitated; and

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

**WHEREAS**, the proposed amendment to the Zoning Ordinance is on file and available to the public for viewing in the office of the City Clerk.



Roll Call Number

25-1290

Agenda Item Number

28

Date September 29, 2025

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 amendment to the Zoning Ordinance at a public hearing to be held at 5:00 p.m. on October 20, 2025, in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at which time the City Council will hear both those who oppose and those who favor the proposed amendment.
3. The City Clerk is hereby authorized and directed to publish notice of said hearing in the form hereto attached, in accordance with §362.3 of the Iowa Code.

Moved by Gatto to adopt. Second by Voss

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