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Date..... February 12, 2007

RESOLUTION ESTABLISHING A TEMPORARY MORATORIUM
ON NEW OFF-PREMISES ADVERTISING SIGNS
WITH ELECTRONIC DISPLAYS

WHEREAS, the Zoning Ordinance of the City of Des Moines did not anticipate the recent changes in technology which make it economically feasible to construct large electronic digital signs with changing messages and full motion video signs; and,

WHEREAS, nothing in the current language of the Zoning Ordinance prevents most lawful on-premises or off-premises advertising sign in the "C-2" and less restricted districts from being converted to an electronic digital sign with a changing message or to a full motion video sign, with no reduction in the sign area or increase in the setback or separation; and,

WHEREAS, the impact of electronic digital and video signs on aesthetics, land use values and highway safety was not considered in the adoption of the current language of the Zoning Ordinance; and,

WHEREAS, a temporary moratorium on new electronic digital and video signs is necessary and appropriate to prevent the construction of new electronic digital and video signs, and the conversion of existing signs to use an electronic display, at locations and with a size, setback and separation that are incompatible with the existing and planned uses of adjoining property, and that may pose an unreasonable distraction to drivers; and,

WHEREAS, to be useful, the moratorium must extend through the City Council meeting of April 9, 2007, to permit the City staff and Plan and Zoning Commission to review the current sign regulations and to make a report and recommendation to the City Council on appropriate regulatory changes to address digital and video signs; NOW THEREFORE,

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

1. No sign over four square feet in area using an electronic display capable of displaying multiple messages in sequence or capable of displaying a video message shall be constructed or placed for advertising purposes at any location in the City of Des Moines where visible from a public street, and no existing sign in the City of Des Moines visible from a public street may be converted to use such an electronic display over four square feet in area.
2. This moratorium shall take effect immediately upon the adoption of this resolution and shall remain in effect until April 10, 2007.

(continued)

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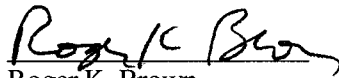
3. Any party may by written application to the City Clerk request relief from the effect of this moratorium where necessary to avoid unnecessary hardship. The application shall identify the basis for the applicant's contention that the moratorium is causing unnecessary hardship. The application shall be considered by the City Council at the first regularly scheduled Council meeting more than ten days following the date such application is filed with the City Clerk. If the City Council determines that the application of this moratorium is causing the applicant unnecessary hardship, the City Council shall allow such relief from this moratorium as is necessary to remedy such unnecessary hardship.

4. The Community Development Department and Plan and Zoning Commission are hereby directed to diligently proceed with a review of the sign regulations as applied to electronic displays and off-premises advertising in general. The Community Development Department and Plan and Zoning Commission shall endeavor to make a report and recommendation to the City Council on or before April 9, 2007, on the appropriate changes to the sign regulations and a schedule for the implementation of those changes.

MOVED by _____ to adopt.

Sponsored by Council Member Vlassis.

FORM APPROVED:



Roger K. Brown
Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		

CERTIFICATE

I, DIANE RAUH, 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.

_____ Mayor

_____ City Clerk