



Document 2010 2838

Book 2010 Page 2838 Type 06 024 Pages 2

Date 11/10/2010 Time 2:19 PM

Rec Amt \$14.00

INDX ✓
ANNO
SCAN
CHEK

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Prepared by: L. Twedt Development Services, PO Box 65320, West Des Moines, IA 50265, 515-222-3620

✓ When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO. 1883

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2009 BY AMENDING TITLE 9 (ZONING), CHAPTER 6 (COMMERCIAL, OFFICE, AND INDUSTRIAL ZONING DISTRICT), SECTION 6 (COMMERCIAL, OFFICE AND INDUSTRIAL USE REGULATIONS), SUBSECTION C (TABLE 6.1 USE MATRIX)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

Section 1. Amendment. Title 9, Zoning; Chapter 6, Commercial, Office and Industrial Zoning District; Section 6, Commercial, Office and Industrial Use Regulations; Subsection C, Table 6.1 – Use Matrix; Division G (Retail Trade), is hereby amended inserting the highlighted bolded language as follows:

SIC Codes	RC	CMC	NC	CVC	SC	VJC	VJHB	WR	BP	VJLI	LI	GI	OF	PCP	OS
52 Building materials, hardware, garden supply and mobile home dealers															
521 (a) Lumber and other building material dealers (no outside storage in BP, VJLI, and VJC zones)						p		P	P	P	P	P			
521 (b) Showrooms/display rooms and associated offices (sales displays only, no distribution or warehousing or materials and no outside storage)						P	P	P	P	P	P	P			
523 Paint, glass and wallpaper stores	P	P				P	P	P							
525 Hardware stores	P	P				P	P	P			P	P			
526 Retail nurseries and garden stores	Pc	Pc	Pc			Pc					P	P			Pc
527 Mobile home dealers															

Section 2. Amendment. Title 9, Zoning; Chapter 6, Commercial, Office and Industrial Zoning District; Section 6, Commercial, Office and Industrial Use Regulations; Subsection C, Table 6.1 – Use Matrix; Division I (Services), is

CITY OF WEST DES MOINES, IOWA
CERTIFIED COPY
 November 2, 2010
Jean E Stewart
 Deputy
 CITY CLERK

hereby amended by deleting the struck-through, italicized text and inserting the highlighted bolded language as follows:

SIC Codes	RC	CMC	NC	CVC	SC	VJC	VJHB	WR	BP	VJLI	LI	GI	OF	PCP	OS
82 Educational services															
821 Elementary and secondary schools	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc
822 Colleges and universities	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	P	Pc
823 Libraries	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc
824 Vocational Schools	Pc P	Pc P	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc P	Pc
829 Schools and Educational Services, Not Elsewhere Classified (Tutoring)	Pc P	Pc P	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc	Pc P	Pc

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 4. Savings Clause. If any section, provision, sentences, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any provision, section, subsection, sentences, clause, phrase or part hereof not adjudged invalid or unconstitutional.

Section 5. Violations and Penalties. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.


Section 6. Other Remedies. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

Section 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the 1st day of November, 2010, and approved this 1st day of November, 2010.


 Steven K. Gaer, Mayor

ATTEST:


 Jody E. Smith, CMFA, MMC
 City Clerk

Published in the Des Moines Register on the 5th day of November, 2010.

