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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

✓ Prepared by: KTragesser Community Development, PO Box 65320, W.D.M., IA 50265-0320, 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. 1932

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2009, AND ORDINANCES #1610, 1633, 1654, and 1754 PERTAINING TO P.U.D. (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES.

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

SECTION 1. AMENDMENT. Ordinance #1610, 1633, 1654, and 1754 **South Maple Grove P.U.D., SECTION 3: Conditions**; Subsection B, **Land Use Design Criteria**; Part 7, **Parcel "G"**; is hereby amended by removing the strikethrough language and adding the highlighted language as follows:

7. Parcel G: All general use regulations and provisions set forth in title 9, "Zoning", of the city code for single-family residential district (~~RS-10~~) (RS-8) with a minimum lot size of ~~ten thousand (10,000)~~ eight thousand (8,000) square feet shall apply to any development proposal for property within parcel G as shown on the sketch plan of the South Maple Grove PUD ordinance, unless noted otherwise in this ordinance.

a. Setbacks: All residential structures shall have a minimum front yard setback of thirty feet (30'). A twenty five foot (25') rear yard building setback shall be allowed for those double frontage lots that have frontage on a public street and a public street bulb as identified on exhibit C on file in the city. A minimum five foot (5') side yard building setback will be required. Any part of the structure, including cantilevers, overhangs, etc., will not be allowed to be any closer than five feet (5') to a property line.

Garage doors facing the public street shall be set back a minimum of thirty five feet (35'). A residence with a side loaded garage may be set back a minimum of twenty five feet (25') measured from the front property line. It is encouraged that the front walls of any garage be set back a minimum of five feet (5') from the front facade of the residential structure.

In those cases where the front wall of the garage extends more than ten feet (10') beyond the front wall of the residence, the width of the residence shall be required to be equal to or greater than the width of the garage unit and the garage elevations will be required to include a window element to lessen its dominance of the residential structure.

- b. Architecture: Architectural design for single-family units shall attempt to express a creative presentation of exterior building materials, exterior details and texture, treatment of windows and doors, use of angles and multiplicity of planes within wall and roof design. Residential units should incorporate the use of brick, natural stone, roof materials that provide a wood shake appearance, decorative moldings, cornices, and trim elements, or combination of design materials that provide variation of architectural styles or elements.

Front porches shall have a usable area that is no less than five feet (5') in width and may be allowed to extend into the front yard building setback, but no closer than twenty feet (20') to the front property line.

- c. Buffers: A thirty foot (30') buffer park easement shall be required to be provided for all lots having more than one frontage on a public street. All required building setbacks shall be measured from the easement line of the required buffer park easement. All side loaded single-family residential lots that abut an arterial street shall be buffered with a thirty foot (30') buffer park.

No fences shall be allowed to be constructed within the thirty foot (30') buffer park easement area.

- d. Landscaping: A minimum of one overstory tree shall be provided by the home builder within the front yard of each residential lot. The use of red maples shall be encouraged. Street trees will be permitted with the obtainment of a street tree permit. Street tree maintenance will be the responsibility of the property owner and shall not be planted any closer than five feet (5') to a curb. No tree shall be planted any closer than five feet (5') to a sidewalk. Trees will be maintained to provide a visual clearance of fourteen feet (14') over vehicle travel lanes, eight feet (8') above pedestrian travel lanes, and will be prohibited from being located within the site triangle of a public street intersection. (Ord. 1754, 5-21-2007)

SECTION 2. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase or part of the 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, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

SECTION 3. VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in 1-4-1 of the City Code of the City of West Des Moines, Iowa.

SECTION 4. 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.

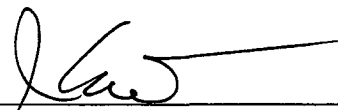
SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council on the 19th day of September, 2011.



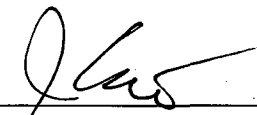
Steven K. Gaer, Mayor

ATTEST:



Jody E. Smith, CMFA, MMC
City Clerk

I certify that the foregoing was published as Ordinance No. 1932 on the 23rd day of September, 2011.



Jody E. Smith, CMFA, MMC
City Clerk

