

ORDINANCE NO. 14,880

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, as heretofore amended by amending paragraph (t)(3) of Section 134-1276 of the Zoning Ordinance to revise standards for screening of refuse collection containers.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, amended by Ordinance 13,839 passed July 10, 2000, and Ordinance 13,863 passed September 25, 2000, and Ordinance 13,889 passed November 20, 2000, and Ordinance 14,118 passed July 8, 2002, and Ordinance 14,125 passed July 22, 2002, and Ordinance 14,362 passed July 26, 2004, and Ordinance 14,406 passed January 24, 2005, and Ordinance 14,453 passed May 23, 2005, and Ordinance 14,668 passed July 9, 2007, and Ordinance 14,680 passed July 23, 2007 is hereby amended by amending paragraph (t)(3) of Section 134-1276 of the Zoning Ordinance to revise standards for screening of refuse collection containers, as follows:

Sec. 134-1276. General regulations.

(t) *Screening of refuse collection containers and mechanical equipment, including air conditioning compressor-condenser units.* This subsection does not apply to one-family and two-family dwellings. No such device shall be located in any required front yard setback or R district protection

buffer yard setback. Screening shall comply with the following:

- (1) If any air conditioning compressor-condenser would be visible from any street, R, PUD, or PBP district, the device shall be hidden from view by an opaque screen as follows:
 - a. An opaque screen shall consist of one or any combination of the following:
 1. Wood or masonry walls or fences when constructed of materials which provide openings of less than 25 percent in area of the vertical surface of the wall or fence.
 2. Berms constructed of earthen materials and landscaped.
 3. Plant materials when used as a screen shall consist of a compact arrangement of plants. They shall be of a kind or used in such a manner as to provide their opaque screening function within 18 months after planting.
 - b. The bottom edge of the required screening shall be no more than six inches above the ground, and the upper edge shall extend not less than 12 inches above the top of any such device.
- (2) All rooftop mechanical units shall be screened from streets, R, PUD, and PBP districts by the use of an opaque screening material compatible with the architecture of the building or architecturally designed screening, such as a parapet wall. The screening of the rooftop elements shall be designed to blend with the building and roof materials. Additional screening may be required due to topographic differences in adjoining properties.
- (3) All refuse collection containers and dumpsters that are readily visible from adjoining streets, R, PUD or PBP districts shall be enclosed on all sides by the use of a completely opaque, permanent fence or wall. The enclosure, including any gates for pedestrian and/or disposal truck access, shall be constructed from brick, masonry or other durable materials approved by the planning director and shall be situated on a concrete pad. The enclosure shall completely screen the receptacle from any street, R, PUD or PBP district.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Michael F. Kelley
Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Laura Baumgartner, Chief Deputy City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 09-1489), passed by the City Council of said City at a meeting held August 10, 2009 signed by the Mayor on August 10, 2009 and published as provided by law in the Business Record on August 24, 2009. Authorized by Publication Order No. 6638.

Laura Baumgartner, Chief Deputy City Clerk

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