

ORDINANCE NO. 14,419

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by repealing Section 134-1039, Section 134-1040 and Section 134-1043 thereof, and enacting a new Section 134-1039, Section 134-1040 and Section 134-1043, regarding the treatment of signage and allowed building height in the D-R Downtown Riverfront District.

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, as amended by Ordinance No. 14, 293 passed December 8, 2003, and by Ordinance No. 14,326 passed March 22, 2004, be and is hereby amended by repealing Section 134-1039, Section 134-1040 and Section 134-1043 thereof, and enacting a new Section 134-1039, Section 134-1040 and Section 134-1043, regarding the treatment of signage and allowed building height in the D-R Downtown Riverfront District, as follows:

Sec. 134-1039. Special limitations.

In the D-R Downtown Riverfront District the following special limitations shall apply:

- (1) All new or expanded storage of materials and equipment after January 31, 2005, shall take place within completely enclosed buildings, unless specifically authorized by an approved site plan pursuant to chapter 82 of this Code. All open areas shall be paved or landscaped, properly maintained and kept free from refuse and debris. All refuse collection containers and dumpsters shall be enclosed on all sides by the use of a permanent wall of wood, brick or masonry. The enclosure, including any gates for pedestrian and/or disposal truck access, shall be constructed to provide an opaque screen of the receptacle from any street.
- (2) All development on the river-side of the levies shall conform to the flood plain development regulations in chapter 50 of this Code.

Sec. 134-1040. Bulk regulations.

In the D-R downtown riverfront district the following minimum or maximum requirements, as indicated, shall be observed, subject to the modifications contained in section 134-1296:

Maximum height: 75 feet.

In lieu of other specific bulk regulations, new construction and remodeling within the D-R downtown riverfront district are subject to the D-R district design guidelines in the site plan regulations at section 82-214.07.

Sec. 134-1043. Signs.

In the D-R Downtown Riverfront District, signs shall be in accordance with the following:

1. All building or wall signs shall project no more than seven (7) feet from the building, unless such projection is over the street right-of-way, in which case such sign shall project no more than thirty-six (36) inches. Such projecting signs shall be not less than ten (10) feet from the ground in areas in which there is only pedestrian traffic and not less than fifteen (15) feet from the ground in areas in which there is vehicular traffic. Signs shall be not more than twelve (12) square feet in area per occupant and shall not extend more than four (4) feet above the roofline. Projecting signs may be anchored to the roof or building.
2. Any combination of two (2) on-premises Type A, Type B or Type C identification and/or advertising signs per occupant of a building not to exceed 1-1/2 square feet in area per lineal foot of building frontage per occupant, and not to exceed a maximum of one hundred (100) square feet per occupant, shall be permitted. If building frontage consists of twenty-five (25) percent or less of the total lot frontage, the occupant or occupants of that building shall be permitted, in lieu of the above, one (1) foot in area per lineal foot of lot frontage per lot and not to exceed a maximum of one hundred (100) square feet per occupant. Such signs shall be permitted on public or private canopies attached to and supported by a building. The following restrictions shall be met:
 - a. The permitted types of free-standing signs in the D-R District are monumental and sandwich board signs. Pole signs and portable signs other than sandwich board signs are not permitted.
 - b. One sandwich board sign shall be permitted per building tenant for identification and on-premises advertising. Such signs shall comply with ingress and egress requirements outlined in the city building code. Sandwich board signs are permitted upon the sidewalks within the public rights-of-way, subject to the following:
 - i. Such signs are permitted only during the hours the business is open to the public, and must be located adjacent to the premises.
 - ii. Such signs shall be placed no closer than two (2) feet from the back of the street curb.
 - iii. Such signs shall be no more than ten (10) square feet in area on each side, no more than five (5) feet in height, and no more than three (3) feet in width.
 - iv. There shall be no electrical service to such signs.
 - c. One (1) monument sign shall be permitted per building facade and shall consist of no more than two (2) faces, said faces to be parallel and not to exceed sixteen (16) square feet in area per sign face. No dimension of said sign shall exceed four (4) feet.

3. One (1) non-illuminated building or wall identification sign per occupant, not to exceed two (2) square feet in area, shall be permitted on buildings where occupants have no occupant frontage, and shall be located immediately adjacent to the principal entrance to said occupant's premises.
4. Two (2) on-premises Type B attraction panel signs shall be permitted on theatre marquees. The total sign area per marquee shall not exceed one hundred sixty (160) square feet.
5. Off-premises advertising signs are not permitted in the D-R 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:

Roger K. Brown, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, 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. 05-573), passed by the City Council of said City at a meeting held March 7, 2005 signed by the Mayor on March 7, 2005 and published as provided by law in the Business Record on March 21, 2005, Authorized by Publication Order No. 4576.

Diane Rauh, City Clerk