

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING SECTION 29.402(2)(c)(viii) AND (xv) AND ENACTING A NEW SUBSECTION 2(c)(xvi) RENUMBERING THE SUBSEQUENT SUBSECTIONS OF 29.402(2)(c) THEREOF, FOR THE PURPOSE OF AMENDING THE STANDARDS FOR LANDSCAPE ACCENTS WITHIN BUILDING SETBACKS AND REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by amending Section 29.402(2)(c)(viii) and (xv) and enacting a new subsection 2(c)(xvi) and renumbering subsequent subsections of 29.402(2)(c) thereof as follows:

“**Sec. 29.402. SETBACKS.**

...

(2) **Extensions into Required Building Setbacks.** Certain building elements and site features are allowed to be located within or project into required setbacks. Extensions of architectural features into nonconforming setbacks may be granted as a minor area modification under Section 29.1506.

...

(c) **Full projections allowed.** In addition to the minor projections listed in the previous section, the following features are allowed to fully project into required setbacks:

...

~~(viii) Landscape accents that include but are not limited to arbors with a coverage area no greater than 15 square feet; fountains and statuary up to four feet in height, and constructed ponds and waterfalls at or below finished grade, and similar incidental landscape accents. The design and location of accent features shall not have the effect of creating a continuous wall that does not meet fence standards.~~

(viii) Landscape accents that include features and structures, arbors less than 15 square feet, fountains and statuary up to four feet in height in front yards and six feet in other yards, and constructed ponds and waterfalls at or below finished grade, and similar incidental landscape accents. Landscape accents are distinct structures separate from fence standards. An exception to the height limit is allowed for up to three structures within a front, rear, and side yard setbacks if each of the structures does not exceed eight feet in either length or width. Examples of the exception include arbors or arches attached to fences, planting bend trellises, garden tables, standalone panels, trellis, poles, statues, arbors.

...

(xv) Mailboxes, little libraries, cluster box units, flagpoles up to three; ~~and lamp poles;~~

(xvi) Outdoor lighting poles for driveways, sidewalks, and parking lots;

...”

Section Two. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Three. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, 2023.

Renee Hall, City Clerk

John A. Haila, Mayor