



**North Liberty  
Planning  
Commission  
Meeting Information**

**Tuesday, November 7, 2017**

**6:30 PM**

**City Council Chambers**

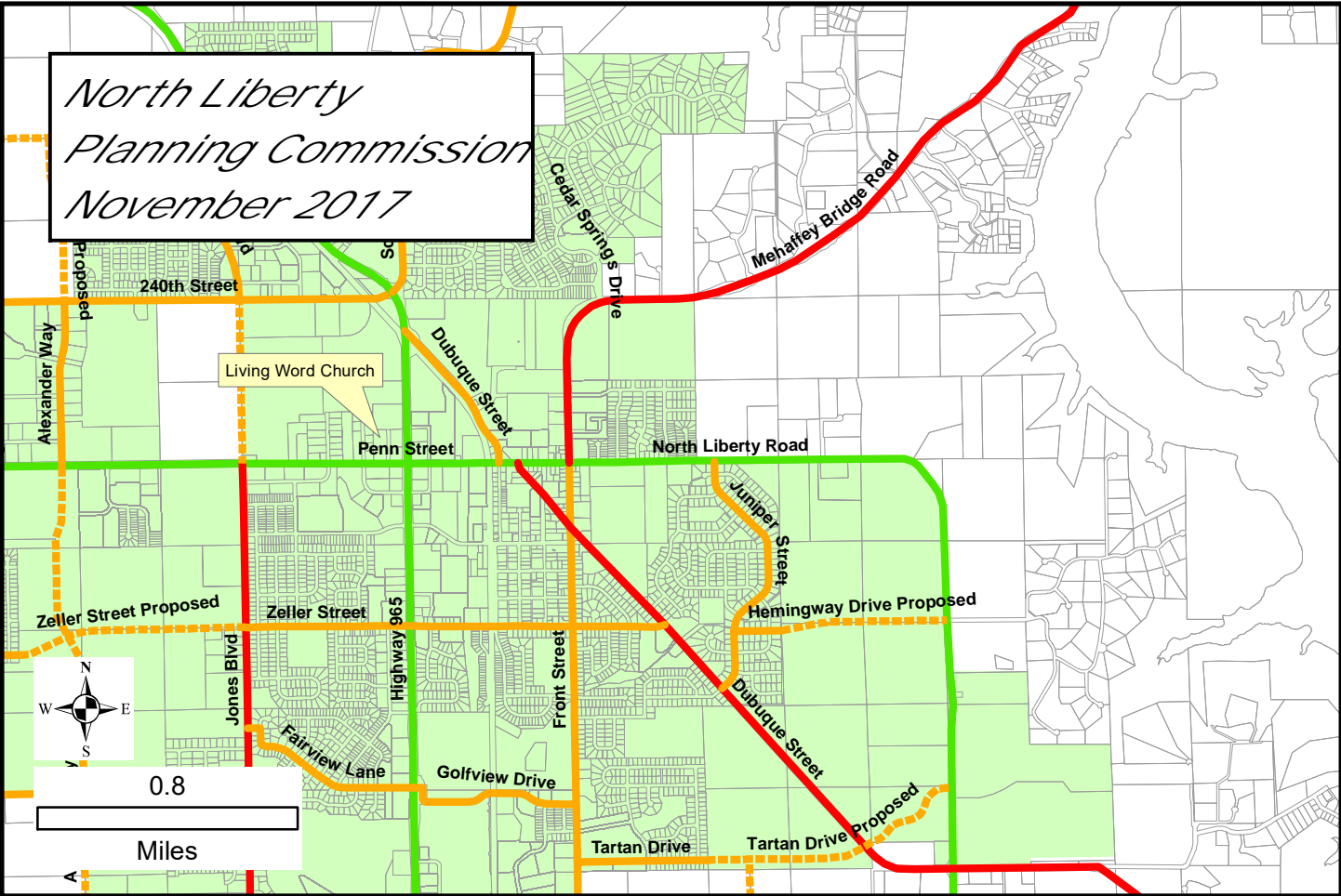
If you would like additional information, larger-scale maps, or other information before the meeting, please contact Dean Wheatley at 626-5747 or at [dwheatley@northlibertyiowa.org](mailto:dwheatley@northlibertyiowa.org)



NORTH LIBERTY PLANNING COMMISSION  
MEETING NOTICE AND AGENDA  
**Tuesday, November 7, 2017, 6:30 PM**  
**North Liberty City Council Chambers, 1 Quail Creek Circle**

1. **ROLL CALL**
2. **AGENDA APPROVAL**
3. **SITE PLAN:** Request from Living Word Community Church is to approve a site plan for an expanded church parking lot located at the northwestern corner of W Penn Street and Meade Drive. (Lots 3 & 4, Inter-City Industrial Park Part 4)
  - a. Staff Presentation
  - b. Applicants Presentation
  - c. Public Comments
  - d. Questions and Comments
  - e. Recommendation to the City Council
4. **REZONING:** Request from Living Word Community Church to approve a rezoning from I-1 to C-2-A for a lot located at the northwestern corner of W Penn Street and Meade Drive. (Lot 3, Inter-City Industrial Park Part 4)
  - a. Staff Presentation
  - b. Applicants Presentation
  - c. Public Comments
  - d. Questions and Comments
  - e. Recommendation to the City Council
5. **CODE AMENDMENT:** Recommendation from City staff to address a State Code change that takes effect January 1 and prohibits cities in Iowa from limiting occupancy of rental housing units through the use of a "family" definition – a standard code provision in probably every city in the state. Without this amendment (or some equivalent), unlimited numbers of unrelated people could rent any housing unit in North Liberty.
  - a. Staff Presentation
  - b. Public Comments
  - c. Questions and Comments

- d. Recommendation to the City Council
- 6. APPROVAL OF PREVIOUS MINUTES**
- 7. OLD BUSINESS**
- 8. NEW BUSINESS**
- 9. ADJOURNMENT**



Living Word Church Site Plan & Rezoning



November 2, 2017

## **Memo**

To: North Liberty Planning Commission  
From: Dean Wheatley, Planning Director  
Subject: Site Plan Approval Request  
(Lots 3 & 4, Inter-City Industrial Park Part 4)

Your North Liberty city staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:

Ryan Heiar, City Administrator  
Tracey Mulcahey, Assistant City Administrator  
Tom Palmer, City Building Official  
Scott Peterson, City Attorney  
Kevin Trom, City Engineer  
Dean Wheatley, Planning Director

This request from Living Word Community Church is to approve a site plan for a church parking lot on property located near the northwestern corner of W Penn Street and Meade Drive.

This total site under one ownership includes existing lot 3 with an existing building that dates to 2009, and the adjacent vacant lot 4. The plan is to combine these lots in the future into a single lot, but the immediate request is for approval of the new parking lot on lot 4 so that construction of that lot may occur before winter. A plan including the existing building and grounds, a future planned building addition, and the parking lot has been submitted for reference; no building elevations or information related to the addition have been submitted, so a full site plan review is required prior to that construction. Lot 3 is zoned I-1 (Industrial), while lot 4 is zoned C-2-A (Commercial), and the plan is to rezone the industrial lot to commercial.

Staff recommends approval of the site plan.

### Notes:

- SWPPP will need to be submitted to the stormwater coordinator for approval.
- A full site plan review is required for the planned building addition.
- A BMP maintenance agreement is required for the new BMP. BMP maintenance requirements will need to be submitted to the City for inclusion into the agreement.
- Rezoning of the property and combination of the two lots via subdivision plat or plat of survey is required prior to the entire site plan consideration including the planned addition.
- The existing storm sewer easement needs to be vacated.
- An easement is required to encompass the proposed new BMP.





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1917 S. GILBERT ST.  
IOWA CITY, IOWA 52240  
(319) 351-8282  
[www.mmsconsultants.net](http://www.mmsconsultants.net)

Date	Revision
9-25-17	CITY REVIEW COMMENTS-MAK
10-13-17	CITY REVIEW COMMENTS-BTM
10-30-17	CITY REVIEW COMMENTS-BTM

# SITE PLAN

## INTER-CITY INDUSTRIAL PARK - PART 4

### LOTS 3 AND 4

#### NORTH LIBERTY, IOWA

PLAT PREPARED BY:  
MMS CONSULTANTS INC.  
1917 S. GILBERT STREET  
IOWA CITY, IA 52240

OWNER:  
FIJC LLC  
PO BOX 5198  
CORALVILLE, IA 52241

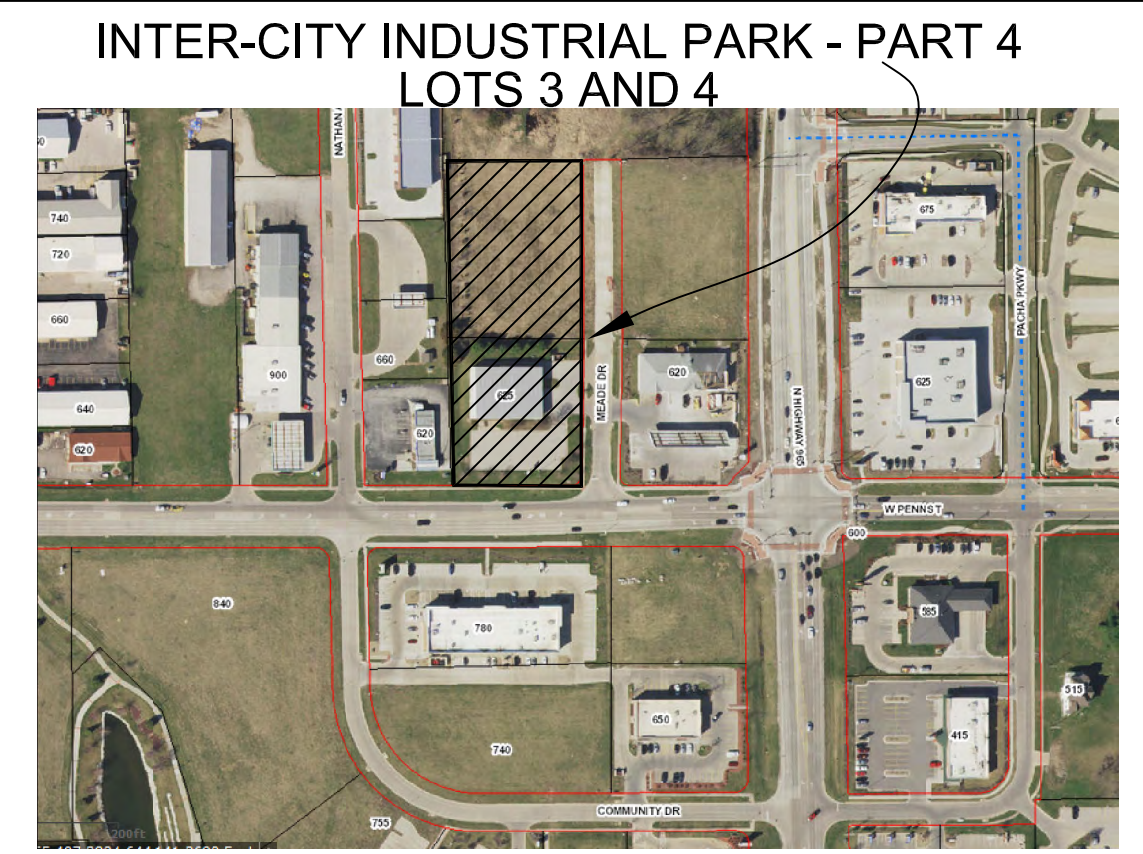
**UTILITIES**  
THE CONTRACTOR SHALL NOTIFY IOWA ONE CALL 800/292-8966 (48 HRS. IN ADVANCE OF ANY DIGGING OR EXCAVATION.)

WHERE PUBLIC UTILITY FIXTURES ARE SHOWN AS EXISTING ON THE PLANS OR ENCOUNTERED WITHIN THE CONSTRUCTION AREA, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE OWNERS OF THOSE UTILITIES PRIOR TO THE BEGINNING OF ANY CONSTRUCTION. THE CONTRACTOR SHALL AFFORD ACCESS TO THESE FACILITIES FOR NECESSARY MODIFICATION OF SERVICES. UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS, AND THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. IT IS POSSIBLE THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN OR SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXISTENCE AND EXACT LOCATION AND TO AVOID DAMAGE THERETO. NO CLAIMS FOR ADDITIONAL COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR FOR ANY INTERFERENCE OR DELAY CAUSED BY SUCH WORK.

**PAVING LEGEND**

	7" PCC ON 4" ROCK BASE (15,000 SF) (DESIGNED FOR 75,000 LBS TRUCK)
	5" PCC ON 4" ROCK BASE (11,430 SF)
	4" PCC (2,820 SF)

\*THESE QUANTITIES INCLUDE ALL SITE IMPROVEMENTS, INCLUDING THOSE IN THE RIGHT-OF-WAY\*



**LOCATION MAP**  
NOT TO SCALE

**UTILITY COMPANY CONTACTS**

SERVICE	SUPPLIER	PHONE NO.
TELEPHONE & CABLE TV	SOUTH SLOPE COOPERATIVE ATTN: BRIAN FRESSE	319-227-7111
NATURAL GAS	MIDAMERICAN ENERGY ATTN: DONALD MASTON	319-341-4461
ELECTRICITY	LIINN COUNTY REC. ATTN: JOHNA NUNEMAKER	319-377-1587
TELEPHONE & CABLE TV	WINDSTREAM ATTN: JOEL SCHROEDER	1-800-289-1901
TELEPHONE & CABLE TV	MEDIACOM ATTN: DARWIN DRISCOLL	319-351-0408
WATER	CITY OF NORTH LIBERTY ATTN: DAN LANGE	319-626-5719
SEWER	CITY OF NORTH LIBERTY ATTN: DAN LANGE	319-626-5719

**LEGAL DESCRIPTION**  
INTER-CITY INDUSTRIAL PARK - PART 4, LOTS 3 AND 4, TO THE CITY OF NORTH LIBERTY, JOHNSON COUNTY, IOWA, IN ACCORDANCE WITH THE RECORDED PLAT THEREOF, IN THE RECORDS OF THE JOHNSON COUNTY RECORDER'S OFFICE, CONTAINING 2.50 ACRES AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**APPLICANT**  
LIVING WORD COMMUNITY CHURCH  
625 MEADE DRIVE

**DEVELOPMENT CHARACTERISTICS**  
CURRENT ZONING: LOT 3: I-1  
LOT 4: C-2-A  
REQUESTED LAND USE: PLACE OF WORSHIP  
LOT AREA: 108,811 SF (2.50 ACRES)

**SETBACK REQUIREMENTS**  
BUILDING SETBACKS:  
FRONT YARD 25 FEET  
SIDE YARD 10 FEET  
REAR YARD 20 FEET

**PARKING SETBACKS:**  
FRONT 10 FEET  
SIDE 5 FEET  
REAR 5 FEET

**MINIMUM LOT REQUIREMENTS**  
LOT FRONTAGE 35 FEET  
LOT WIDTH 35 FEET  
MAXIMUM BUILDING HEIGHT 35 FEET OR 2.5 STORIES

**LOT CHARACTERISTICS**  
LOT AREA 108,811 SF (100%)(2.50 AC)  
BUILDING AREA - EXISTING 8,440 SF (7.8%)  
PAVING AREA - PROPOSED 25,868 SF (23.8%)  
PAVING AREA - EXISTING 12,001 SF (11.0%)  
GREEN SPACE AREA 62,502 SF (57.4%)

**BUILDING CHARACTERISTICS:**  
1 - EXISTING BUILDING (PLACE OF WORSHIP), SEATING (TOTAL 250 SEATS)

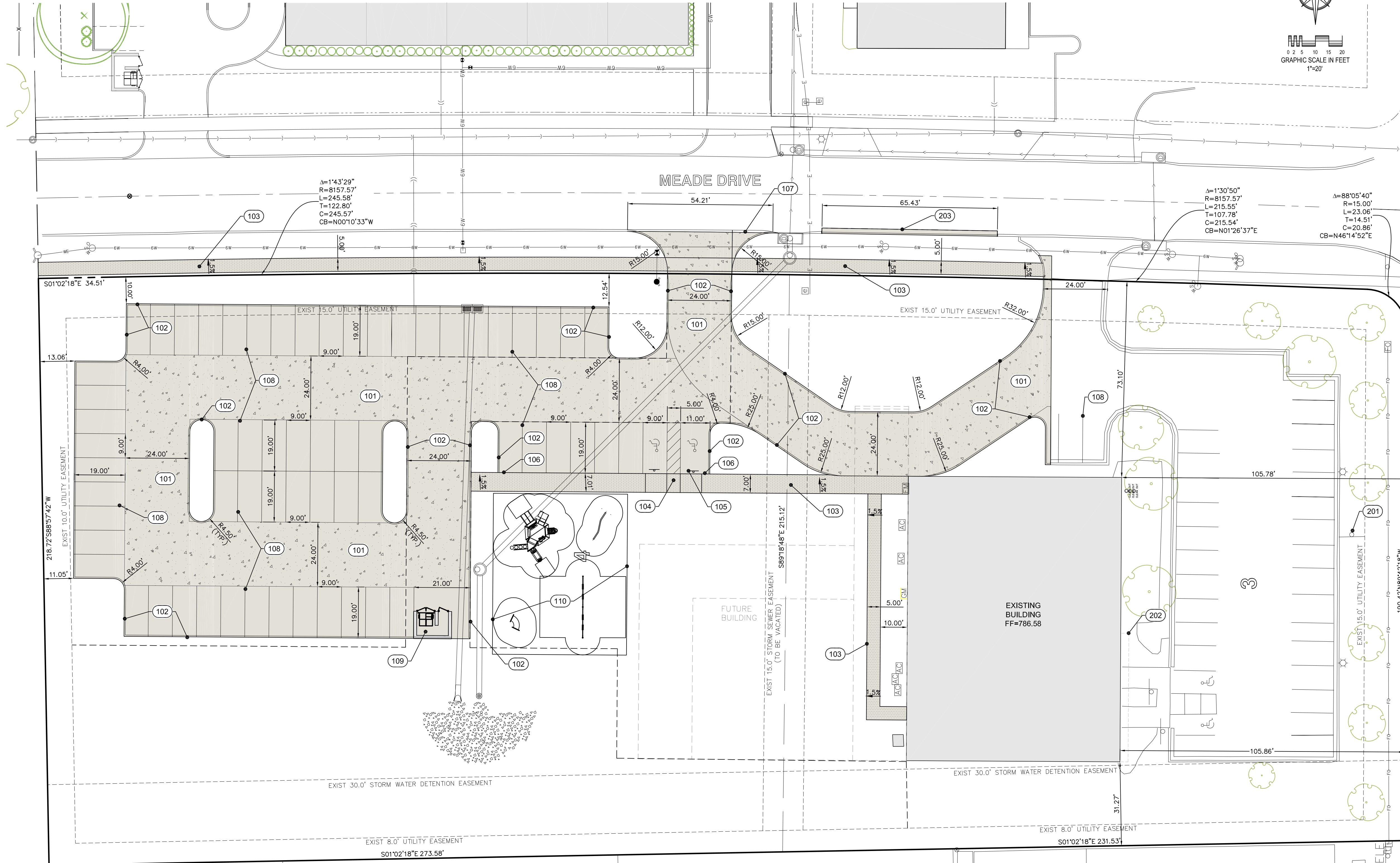
**PARKING REQUIREMENTS:**  
EXISTING  
1 / 100 SEATS  
230/100 = 23 SPACES

TOTAL PARKING REQUIRED = 23 SPACES

EXISTING PARKING LOT SPACES = 35 SPACES (2 ACCESSIBLE)  
PROPOSED PARKING LOT SPACES = 63 (2 ACCESSIBLE)

TOTAL PARKING PROVIDED = 94 SPACES (4 ACCESSIBLE)

ALL GROUND MOUNTED MECHANICAL UNITS, TELEPHONE PEDESTALS AND LIGHT FIXTURES SHALL BE SCREENED WITH LANDSCAPING. (SEE "LANDSCAPING" SHEET).



**KEYNOTES**

NUMBER	KEYNOTE
101	INSTALL DRIVE PER DETAIL (THICKNESS AND MATERIAL AS NOTED)
102	INSTALL 6" STANDARD CURB PER DETAIL
103	INSTALL P.C.C. SIDEWALK PER NORTH LIBERTY MUNICIPAL DESIGN STANDARDS (2,820 SF)
104	INSTALL ACCESSIBLE PARKING AND RAMPS PER DETAIL
105	INSTALL ACCESSIBLE SIGN PER DETAIL (TYP OF 2)
106	INSTALL THICKENED EDGE SIDEWALK PER DETAIL
107	GRIND EXISTING CURB; INSTALL TYPE 'A' CONCRETE DRIVEWAY AND SIDEWALK PER SUDAS DETAIL 7030.101
108	4" WIDE PAVEMENT MARKINGS (TYP.)
109	DUMPSTER ENCLOSURE PER DETAIL
110	"PLAYGROUND" AREA, 60'x50', FINAL LAYOUT AND DESIGN PROVIDED BY MANUFACTURER
201	EXISTING MONUMENT SIGN TO REMAIN
202	EXISTING BUILDING CANOPY LINE
203	INSTALL NEW 6" STANDARD CURB AND GUTTER INFILL, W/16" EPOXY DOWELS AT 24" OC AND 8" EMBED INTO EXIST CONCRETE.

I hereby certify that this engineering document was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

**BENJAMIN T. MITCHELL**  
LICENSED PROFESSIONAL ENGINEER  
IOWA  
23397

BENJAMIN T. MITCHELL  
P.E. Iowa Lic. No. 23397  
I hereby prepared this document on December 31, 2017.

Project No. \_\_\_\_\_  
IOWA CITY  
6385043

1

**DEVELOPMENT PLAN**

**INTER-CITY INDUSTRIAL PARK - PART FOUR, LOTS 3 & 4**  
NORTH LIBERTY, JOHNSON COUNTY, STATE OF IOWA

**MMS CONSULTANTS, INC.**  
Date: 9-5-2017  
Designed By: BTM Field Book No: 1193  
Drawn By: MAK Scale: 1"=20'  
Checked By: BTM Sheet No: 1  
Project No: IOWA CITY 6385043

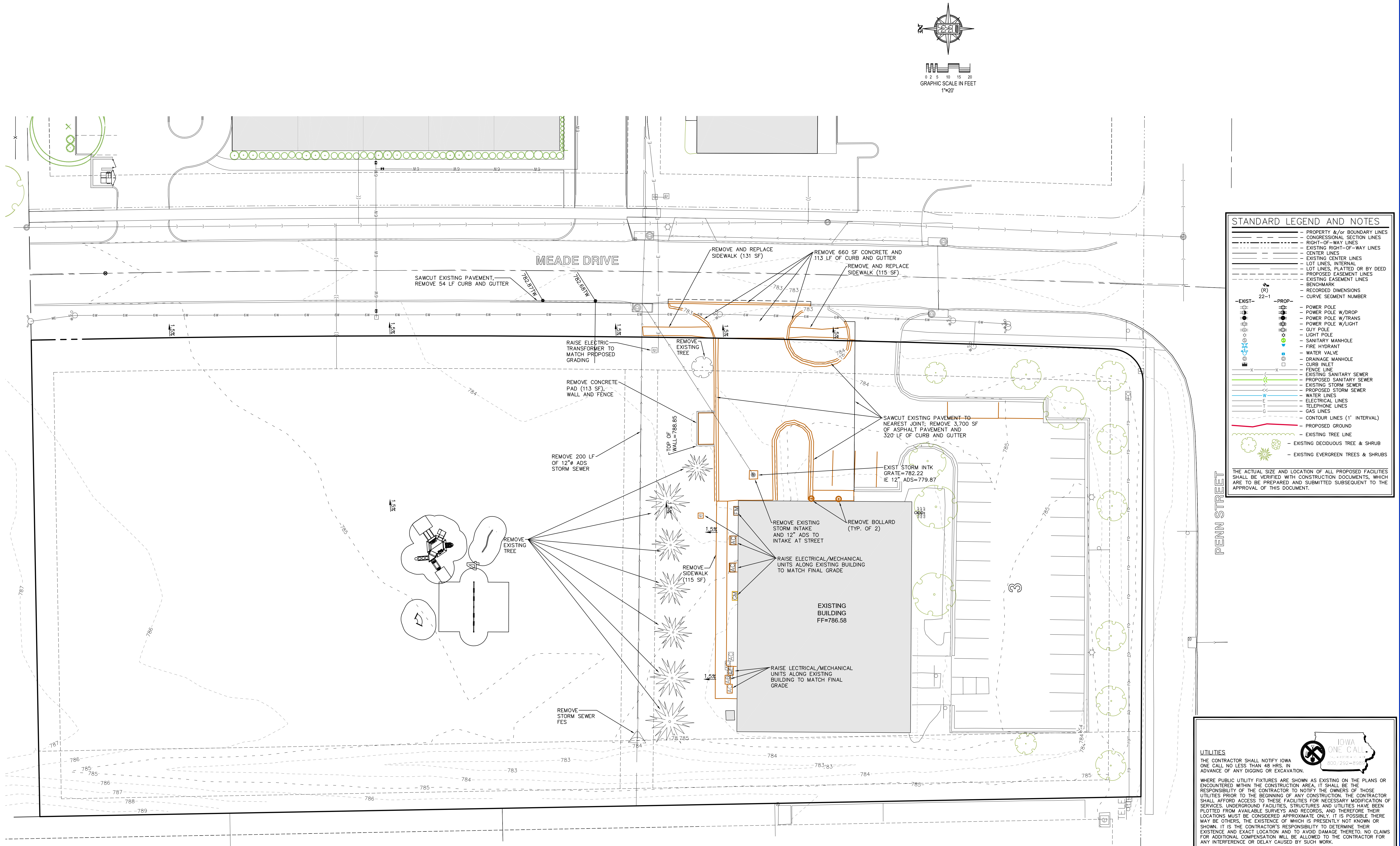




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### DEMOLITION PLAN

### INTER-CITY INDUSTRIAL PARK - PART FOUR, LOTS 3 & 4

NORTH LIBERTY  
JOHNSON COUNTY  
STATE OF IOWA

**MMS CONSULTANTS, INC.**

Date:	9-5-2017
Designed By:	BTM
Drawn By:	MAK
Checked By:	BTM
Project No:	IOWA CITY 6385043

Field Book No: 1193  
Scale: 1"=20'  
Sheet No: 2





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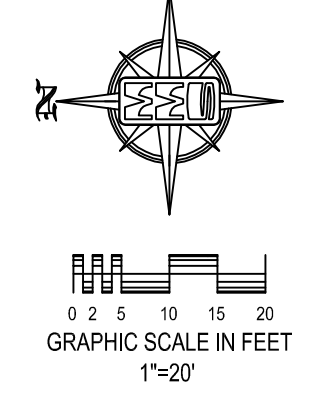
**STABILIZATION SEEDING**  
STABILIZATION SEEDING SHALL BE IN ACCORDANCE WITH I.D.O.T. STANDARD SPECIFICATION SECTION 2601.03 STABILIZING CROP SEEDING AND FERTILIZING.  
SEED MIXTURES SHALL BE ONE OF THE FOLLOWING:  
SPRING - MARCH 1 TO MAY 20  
OAT 2 BUSHEL PER ACRE  
GRAIN RYE 28 LBS. PER ACRE  
RED CLOVER 5 LBS. PER ACRE  
TIMOTHY 5 LBS. PER ACRE  
SUMMER - MAY 21 TO JULY 20  
OAT 3 BUSHEL PER ACRE  
GRAIN RYE 35 LBS PER ACRE  
RED CLOVER 5 LBS PER ACRE  
TIMOTHY 5 LBS PER ACRE  
FALL - JULY 21 TO SEPTEMBER 30  
OAT 2 BUSHEL PER ACRE  
GRAIN RYE 34 LBS PER ACRE  
RED CLOVER 5 LBS PER ACRE  
TIMOTHY 5 LBS PER ACRE  
FERTILIZER SHALL BE APPLIED AT A RATE OF 450 LBS PER ACRE USING CHEMICALLY COMBINED COMMERCIAL 15-15-15

**URBAN AREAS PERMANENT SEED MIXTURE**  
URBAN AREAS SEEDING SHALL BE IN ACCORDANCE WITH I.D.O.T. STANDARD SPECIFICATION SECTION 2601.03 PERMANENT SEED MIXTURE, URBAN AREAS.  
BLUEGRASS, KENTUCKY 70%  
PERENNIAL RYEGRASS 10%  
FESCUE, CREeping RED 20%

**GRADING TOPSOIL NOTE:**  
PRIOR TO FINAL SEEDING, ALL GREEN SPACE SHALL BE TILLED TO A MINIMUM DEPTH OF 6" AND COVERED WITH A MINIMUM OF 6" OF TOPSOIL. REFER TO TOPSOIL EXHIBIT FOR AREAS OF EXCESS TOPSOIL TO EXCAVATE AND STOCKPILE. CONTRACTOR SHALL BE RESPONSIBLE FOR STOCKPILING ADEQUATE TOPSOIL FOR ALL GREEN SPACE.

1. ALL AREAS ADJACENT TO FINISHED BUILDINGS, SIDEWALKS AND PRIVATE DRIVES SHALL BE SEED WITH URBAN PERMANENT GRASS SEED PER SUDAS SPECIFICATION 9010.
2. ALL OTHER DISTURBED AREAS SHALL HAVE TEMPORARY SEEDING PER SUDAS SPEC SECTION 9010 APPLIED. USE RURAL TEMPORARY EROSION CONTROL MIXTURE PER SECTION 9010.2.02.E.

**UTILITIES**  
THE CONTRACTOR SHALL NOTIFY IOWA ONE CALL NO LESS THAN 48 HRS. IN ADVANCE OF ANY DIGGING OR EXCAVATION.  
WHERE PUBLIC UTILITY FIXTURES ARE SHOWN AS EXISTING ON THE PLANS OR ENCOUNTERED WITHIN THE CONSTRUCTION AREA, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE OWNERS OF THOSE UTILITIES PRIOR TO THE BEGINNING OF ANY CONSTRUCTION. THE CONTRACTOR SHALL AFFORD ACCESS TO THESE FACILITIES FOR NECESSARY MODIFICATION SERVICES. UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS, AND THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. IT IS POSSIBLE THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN OR SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXISTENCE AND EXACT LOCATION AND TO AVOID DAMAGE THERETO. NO CLAIMS FOR ADDITIONAL COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR FOR ANY INTERFERENCE OR DELAY CAUSED BY SUCH WORK.



PERMANENT SEEDING PER SUDAS SPEC SECTION 9010. USE PERMANENT SEED MIX FOR SLOPES AND DITCHES PER SECTION 9010.2.02.B.

- GRADING NOTES**
- 1.) MAXIMUM SLOPE ON CUTS AND FILLS SHALL BE 3.5: HORIZONTAL TO 1: VERTICAL.
  - 2.) NO EXCAVATION SHALL BE ALLOWED WITHIN 2' OF PROPERTY LINES.
  - 3.) WHERE HEIGHT OF FILL IS GREATER THAN 30' AN INTERMEDIATE TERRACE OF AT LEAST 6' WIDE SHALL BE ESTABLISHED AT MID HEIGHT. SEE TYPICAL FILL SECTION.
  - 4.) COMPACTION TO BE 95% STANDARD PROCTOR WHERE > 6:1 SLOPE.
  - 5.) ALL TREES OUTSIDE THE LIMITS OF GRADING OPERATIONS SHALL BE SAVED, UNLESS OTHERWISE INDICATED TO BE REMOVED. TREES NEAR THE EDGES OF GRADING LIMITS AND IN THE STORM WATER DETENTION BASIN AREAS SHALL BE SAVED IF POSSIBLE, WITHIN THE REQUIREMENTS OF THE SPECIFICATIONS.
  - 6.) PRIOR TO ANY GRADING A CONSTRUCTION SAFETY FENCE SHALL BE INSTALLED 50 FEET FROM TRUNKS OF TREES TO BE PROTECTED.
  - 7.) STABILIZATION SEEDING SHALL BE COMPLETED AS SOON AS POSSIBLE, BUT NOT MORE THAN 14 DAYS, UPON COMPLETION OF GRADING IN ANY AREA OF GRADING OPERATIONS. DISTURBED AREAS SHALL BE KEPT AS SMALL AS POSSIBLE TO PREVENT LARGE SCALE EROSION PROBLEMS. IF THE GRADING CONTRACTOR STOPS GRADING OPERATIONS FOR MORE THAN 14 DAYS, THEN STABILIZATION SEEDING SHALL BE DONE ON ALL DISTURBED AREAS.
  - 8.) SILT FENCE LOCATIONS AND LENGTHS, AS INDICATED, ARE APPROXIMATE ONLY. FINAL LOCATIONS AND LENGTHS WILL BE DETERMINED, AS NEEDED, UPON COMPLETION OF GRADING.
  - 9.) ALL STREET SUBGRADES SHALL BE CONSTRUCTED AND COMPACTED IN ACCORDANCE WITH DESIGN AND CONSTRUCTION STANDARDS AND PROCEDURES.
  - 10.) PRIOR TO FINAL SEEDING, ALL COMPACTED SOILS SHALL BE TILLED TO A MINIMUM DEPTH OF 12" AND RESPAVED A MINIMUM OF 6" OF TOPSOIL OVER ALL DISTURBED AREAS.
  - 11.) ALL CONSTRUCTION MUST BE COMPLETED ACCORDING TO THE REQUIREMENTS OF THE CURRENT NPDES PERMIT FOR THE PROJECT.

**STANDARD LEGEND AND NOTES**

---	PROPERTY &/or BOUNDARY LINES
---	CONGRESSIONAL SECTION LINES
---	RIGHT-OF-WAY LINES
---	EXISTING RIGHT-OF-WAY LINES
---	CENTER LINES
---	EXISTING CENTER LINES
---	LOT LINES, INTERNAL
---	LOT LINES, PLATTED OR BY DEED
---	PROPOSED EASEMENT LINES
---	EXISTING EASEMENT LINES
---	BENCHMARK (B)
---	RECORDED DIMENSIONS
---	CURVE SEGMENT NUMBER
---	EXIST- 22-1
---	PROP- 22-1
---	POWER POLE W/DROP
---	POWER POLE W/TRANS
---	POWER POLE W/LIGHT
---	GUY POLE
---	LIGHT POLE
---	SANITARY MANHOLE
---	FIRE HYDRANT
---	WATER VALVE
---	DRAINAGE MANHOLE
---	CURB INLET
---	FENCE LINE
---	EXISTING SANITARY SEWER
---	PROPOSED SANITARY SEWER
---	EXISTING STORM SEWER
---	PROPOSED STORM SEWER
---	WATER LINES
---	ELECTRICAL LINES
---	TELEPHONE LINES
---	GAS LINES
---	CONTOUR LINES (1' INTERVAL)
---	PROPOSED GROUND
---	EXISTING TREE LINE
---	EXISTING DECIDUOUS TREE & SHRUB
---	EXISTING EVERGREEN TREES & SHRUBS

THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE VERIFIED WITH CONSTRUCTION DOCUMENTS, WHICH ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE APPROVAL OF THIS DOCUMENT.

**EROSION CONTROL LEGEND**

---	SILT FENCE	---	PERIMETER SILT FENCE
---	TEMPORARY ROCK CONSTRUCTION ENTRANCE/EXIT	---	TEMPORARY SOIL STOCKPILE AREA
---	TEMPORARY PARKING AND STORAGE	---	DIRECTION OF OVERLAND FLOW
---	CONCRETE TRUCK/EQUIPMENT WASHOUT	---	DUMPSTER FOR CONSTRUCTION WASTE
---	PORTABLE RESTROOM	---	RIP RAP OUTLET PROTECTION
---	DOCUMENT LOCATION (PERMITS, SWPPP, INSPECTION FORMS, ETC.)	---	EROSION CONTROL BLANKET: NORTH AMERICAN GREEN SC150 OR APPROVED EQUIVALENT
---	INLET PROTECTION: 1. PRIOR TO STREET PAVING: INSTALL FABRIC UNDER INTAKE GRATE. 2. FOLLOWING STREET PAVING AND INSTALLATION OF GRATE: INSTALL FILTER SOCK ON ALL UPSLOPE SIDES WITH BLOCKS SURROUNDING SOCK AROUND THE PERIMETER OF THE INLET GRATE.	---	OTHER MEASURE: 01
---	FILTER SOCK BEHIND CURB AT CURB RAMP	---	OTHER MEASURE: 02
---		---	OTHER MEASURE: 03

NOTES:  
ALL SLOPES GREATER THAN 4:1 SHALL HAVE MATTING MEETING OR EXCEEDING SC150 APPLIED OVER SEEDDED SURFACE.  
THE ABOVE LISTED ITEMS ARE SHOWN IN THEIR RECOMMENDED LOCATIONS. IF A CONTROL MEASURE IS ADDED OR MOVED TO A MORE SUITABLE LOCATION, INDICATE THE REVISION ON THIS SHEET. THE BLANKS LEFT FOR OTHER MEASURES SHOULD BE USED IF AN ITEM NOT SHOWN ABOVE IS IMPLEMENTED ON SITE. ADDITIONAL PRACTICES FOR EROSION PREVENTION AND SEDIMENT CONTROL CAN BE FOUND IN APPENDIX D OF THE SWPPP.

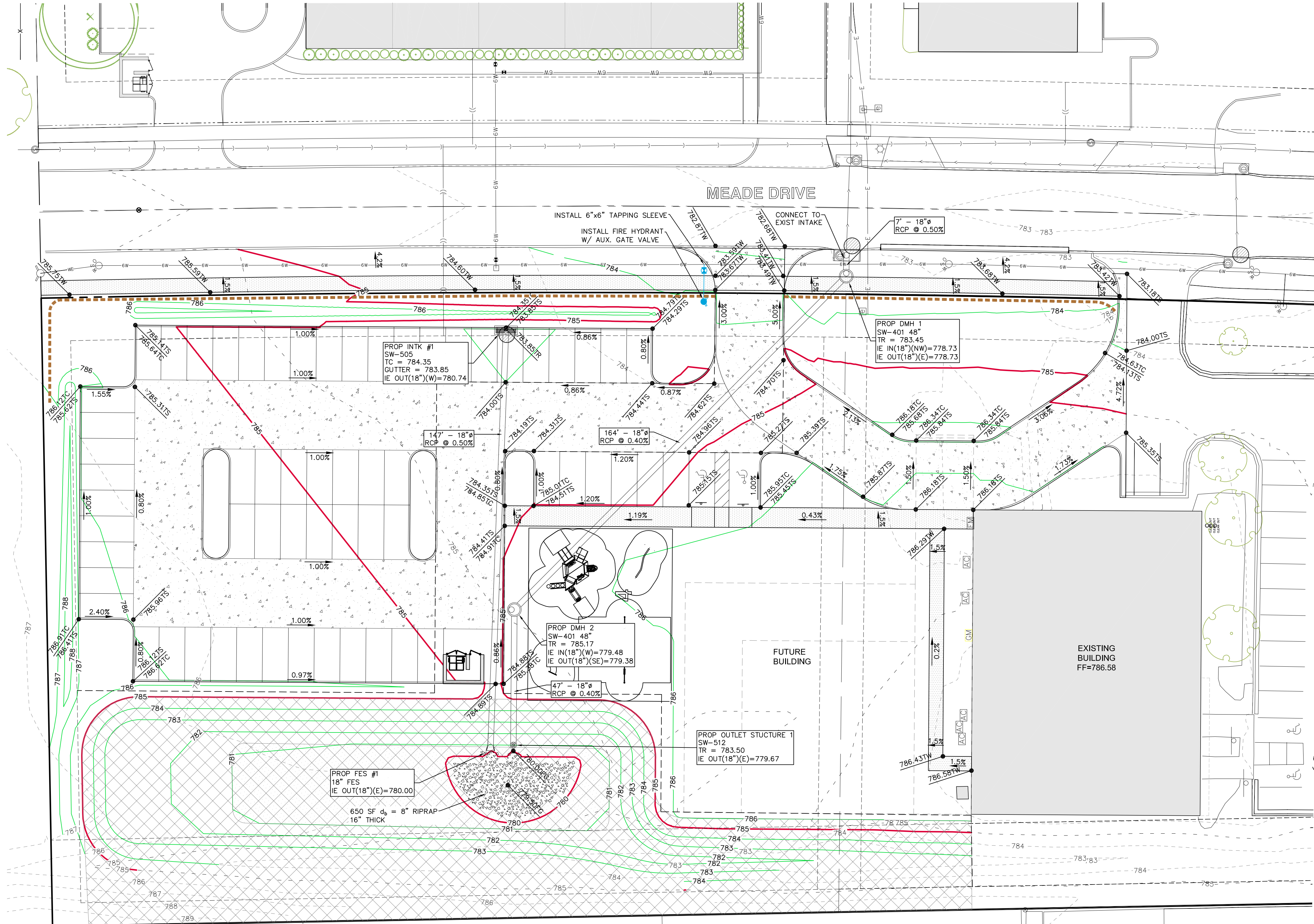
**SILT FENCE DETAIL**

**INSTALLATION**

1. POSTS SHALL BE 1.33 POUNDS PER LINEAL FOOT STEEL WITH A MINIMUM LENGTH OF 5 FEET. STEEL POSTS SHALL HAVE PROJECTIONS FOR FASTENING WIRE TO THEM.
2. SILT FENCE FABRIC SHALL CONFORM TO I.D.O.T. STANDARD SPECIFICATION SECTION 4196.01.A. SILT FENCING SHALL BE A MINIMUM OF 24" AND A MAXIMUM OF 36" HIGH WHEN COMPLETE.
3. THE FILTER FABRIC SHALL BE PURCHASED IN A CONTINUOUS ROLL OUT TO THE LENGTH OF THE FENCE TO AVOID THE USE OF JOINTS. WHEN JOINTS ARE NECESSARY, THE FILTER CLOTH SHALL BE SPICED TOGETHER ONLY AT A SUPPORT POST, WITH A MINIMUM 6" OVERLAP, AND SECURELY SEALED.
4. POSTS SHALL BE SPACED A MAXIMUM OF 8 FEET APART AND DRIVEN SECURELY INTO THE GROUND ALONG THE FENCE ALIGNMENT. POSTS SHALL BE DRIVEN INTO THE GROUND A MINIMUM OF 28".
5. A TRENCH SHALL BE EXCAVATED APPROXIMATELY 4" WIDE BY 12" DEEP ALONG THE UPSLOPE SIDE OF THE POSTS.
6. FILTER FABRIC SHALL BE STAPLED OR WIRED TO THE POSTS SUCH THAT THE FABRIC EXTENDS INTO THE TRENCH AS SHOWN ABOVE. THE FABRIC SHALL BE FASTENED A MINIMUM OF THREE PLACES ON EACH POST.
7. THE TRENCH SHALL BE BACK FILLED WITH EXCAVATED MATERIAL AND THOROUGHLY COMPACTED.

**MAINTENANCE**

1. SILT FENCES SHALL BE INSPECTED WEEKLY AND AFTER EACH RAIN-FALL EVENT OF 0.5 INCHES OR MORE. DURING PERIODS OF PROLONGED RAIN INSPECTIONS SHALL BE AT LEAST DAILY. ANY REPAIRS NEEDED TO MAINTAIN THE SILT FENCE'S EFFECTIVENESS SHALL BE MADE IMMEDIATELY.
2. SHOULD THE FABRIC ON A SILT FENCE DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO STABILIZING THE UPSLOPE AREAS THE FABRIC SHALL BE REPLACED PROMPTLY.
3. SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH STORM EVENT, THEY MUST BE REMOVED WHEN THE DEPOSITS REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE FENCE. SILTS REMOVED SHALL BE PLACED IN A PROTECTED PLACE THAT WILL PREVENT THEIR ESCAPE FROM THE CONSTRUCTION SITE.
4. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE IS NO LONGER NEEDED SHALL BE DRESSED TO CONFORM WITH THE EXISTING GRADE, PREPARED AND SEED.
5. SILT FENCE SHALL REMAIN IN PLACE UNTIL IT IS NO LONGER NEEDED AS DIRECTED BY THE POLLUTION PREVENTION PLAN. GENERALLY SILT FENCES SHALL REMAIN UNTIL THE UPSLOPE AREAS ARE STABILIZED WITH AN ESTABLISHED GRASS COVER AS A MINIMUM.



I hereby certify that this engineering document was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

**BENJAMIN MITCHELL**  
LICENSED PROFESSIONAL ENGINEER  
IOWA  
23397

BENJAMIN T. MITCHELL  
P.E. Iowa Lic. No. 23397  
Date: 9-5-2017  
Project No: 6385043

Designed by: BTM  
Drawn by: MAK  
Checked by: BTM  
Project No: 6385043

Field Book No: 1193  
Scale: 1"=20'  
Sheet No: 3

3 sheets covered by this seal.

**GRADING AND UTILITY PLAN**

**INTER-CITY INDUSTRIAL PARK - PART FOUR, LOTS 3 & 4**

NORTH LIBERTY JOHNSON COUNTY STATE OF IOWA





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LANDSCAPE PLAN

INTER-CITY INDUSTRIAL PARK - PART FOUR, LOTS 3 & 4

NORTH LIBERTY  
JOHNSON COUNTY  
STATE OF IOWA

MMS CONSULTANTS, INC.

Date:	9-5-2017
Designed By:	BTM
Field Book No.:	1193
Drawn By:	MAK
Scale:	1"=20'
Checked By:	BTM
Sheet No.:	4
Project No.:	IOWA CITY 6385043

PLANT LIST - TREES

QTY	KEY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	COMMENT	MATURE SIZE
5	AB	ACER x FREEMANII 'AUTUMN BLAZE'	AUTUMN BLAZE RED MAPLE	2" CAL.	D & D	50' X 30'
1	AC	AMELANCHIER CANADENSIS 'GLENFORM'	RAINBOW PILLAR SERVICEBERRY	15" CAL.	D & D	20' X 10'
4	GS	GLEDISTA TRIACANTHOS INTERMIS 'SKYLINE'	SKYLINE THORNLESS HONEYLOCUST	2" CAL.	D & D	60' X 30'
2	ML	MALUS LANZAN	LANCERLOT CRABAPPLE	15" CAL.	D & D	10' X 8'

PLANT LIST - SHRUBS, PERENNIALS, ORNAMENTAL GRASSES & GROUNDCOVER

QTY	KEY	BOTANICAL NAME	COMMON NAME	INSTALL SIZE	COMMENT	MATURE SIZE
14	EA	EUNYMIUS ALATUS 'COMPACTUS'	COMPACT WINGED EUNYMIUS	24" HT.	CONT.	5' X 5'
22	MJ	JUNIPERUS CHINENSIS 'MINT JULEP'	MINT JULEP JUNIPER	3' HT.	CONT.	4' X 5'
5	PA	PICEA ABIES PUMILA	DWARF NORWAY SPRUCE	15" HT.	CONT.	3' X 3'
19	CA	CORPIS 'ANTHONY WATERER'	ANTHONY WATERER CORPIS	12" HT.	CONT.	3' X 3'

LANDSCAPE REQUIREMENTS

ALL PARKING LOTS SHALL BE SCREENED FROM PUBLIC STREETS UTILIZING PLANTINGS AND BERMS.  
- PROVIDED

PARKING LOTS LESS THAN 49,000 SF SHALL RETAIN 3% OF THEIR INTERIOR FOR LANDSCAPING ISLANDS.  
- EXISTING: 12,001 SF \* .03 = 360 SF REQUIRED  
- PROPOSED: 25,868 SF \* .03 = 776 SF REQUIRED  
- TOTAL = 1,136 SF REQUIRED

2,957 SF PROVIDED

1 TREE WITHIN 40' OF EACH PARKING SPACE.  
- PROVIDED

1 TREE FOR EVERY 2,000 SF OF BUILDING FOOTPRINT.  
- EXISTING: 8,440 SF / 2,000 = 5 TREES REQUIRED  
- FUTURE: 8,520 SF / 2,000 = 5 TREES REQUIRED

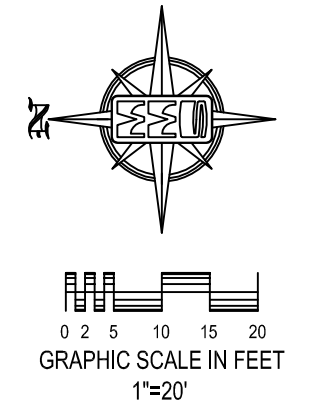
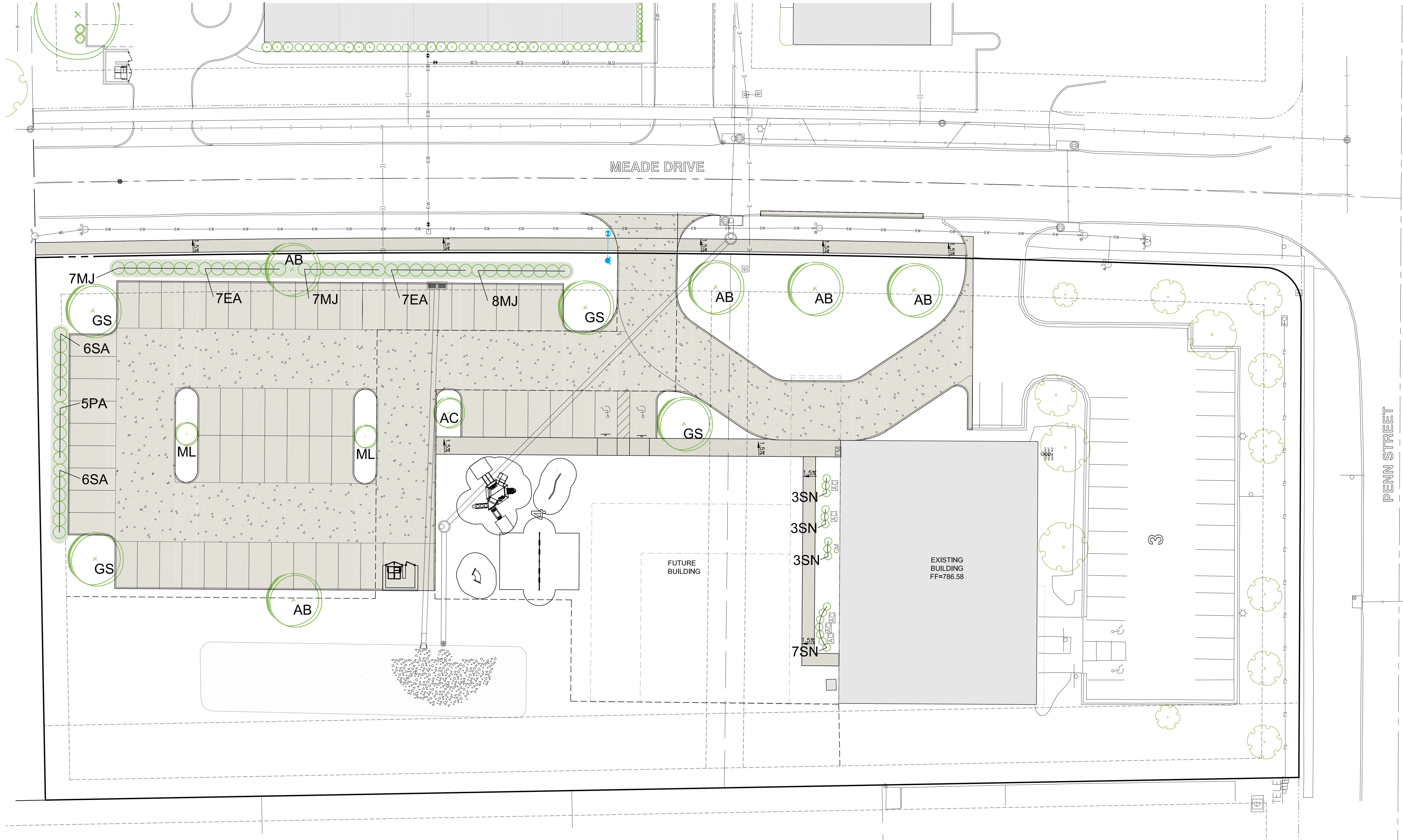
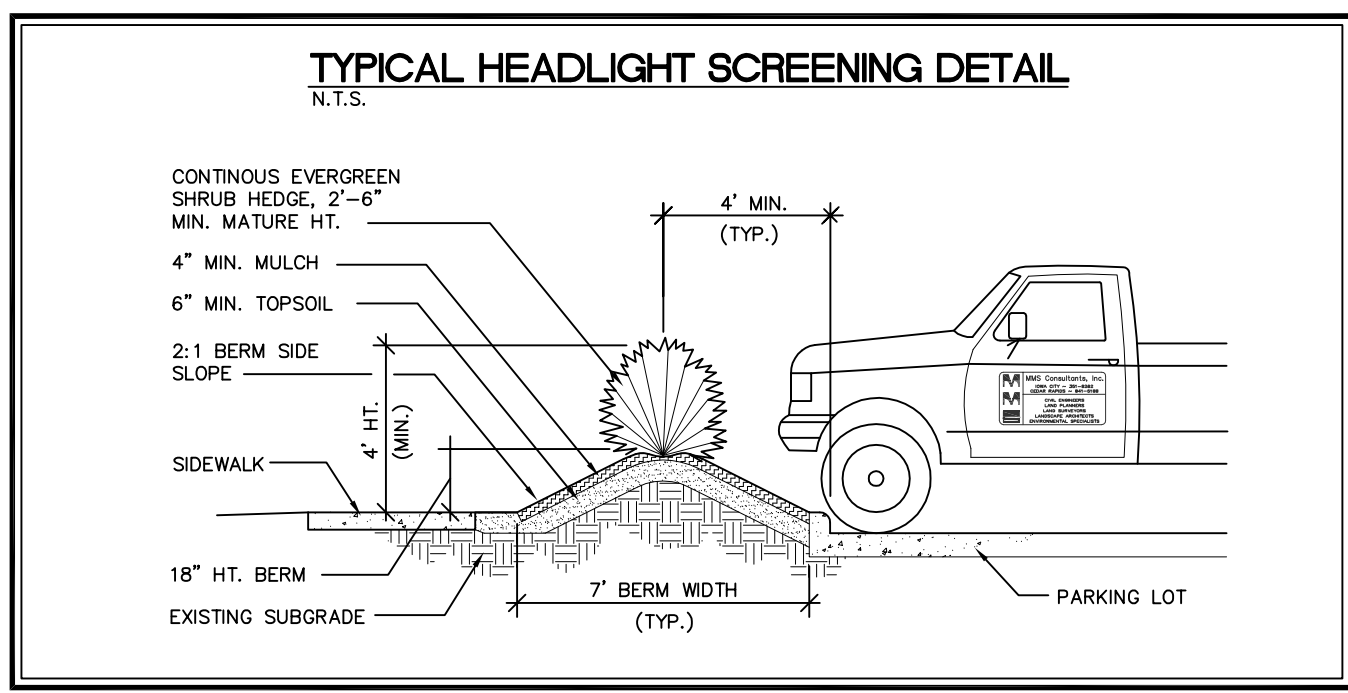
13 TREES EXISTING  
12 TREES PROPOSED  
25 TREES PROVIDED

**UTILITIES**  
THE CONTRACTOR SHALL NOTIFY IOWA ONE CALL NO LESS THAN 48 HRS. IN ADVANCE OF ANY DIGGING OR EXCAVATION.

WHERE PUBLIC UTILITY FIXTURES ARE SHOWN AS EXISTING ON THE PLANS OR ENCOUNTERED WITHIN THE CONSTRUCTION AREA, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE OWNERS OF THOSE UTILITIES PRIOR TO THE BEGINNING OF ANY CONSTRUCTION. THE CONTRACTOR SHALL AFFORD ACCESS TO THESE FACILITIES FOR NECESSARY MODIFICATION OF SERVICES, UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS, AND THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. IT IS POSSIBLE THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN OR SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXISTENCE AND EXACT LOCATION AND TO AVOID DAMAGE THERETO. NO CLAIMS FOR ADDITIONAL COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR FOR ANY INTERFERENCE OR DELAY CAUSED BY SUCH WORK.

**URBAN AREAS PERMANENT SEED MIXTURE**  
URBAN AREAS SEEDING SHALL BE IN ACCORDANCE WITH I.D.O.T. STANDARD SPECIFICATION SECTION 2601.03 PERMANENT SEED MIXTURE, URBAN AREAS.

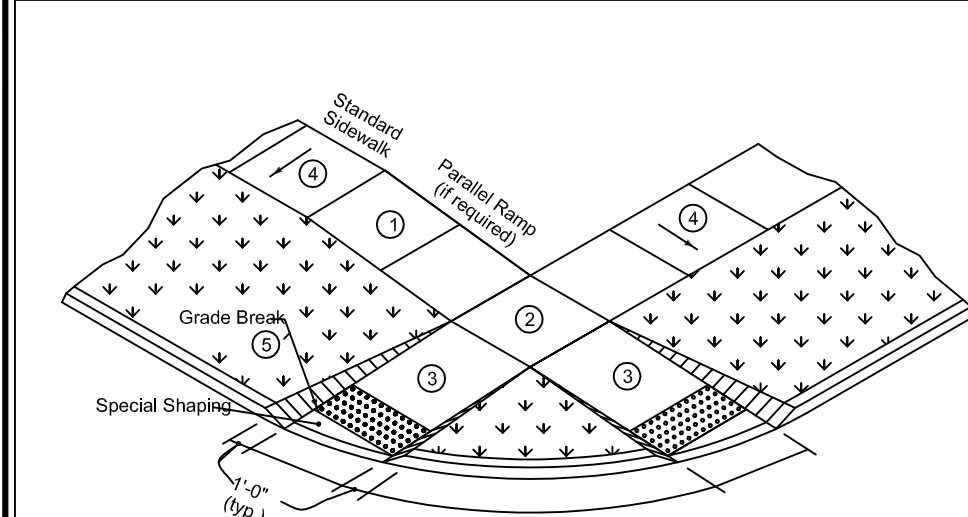
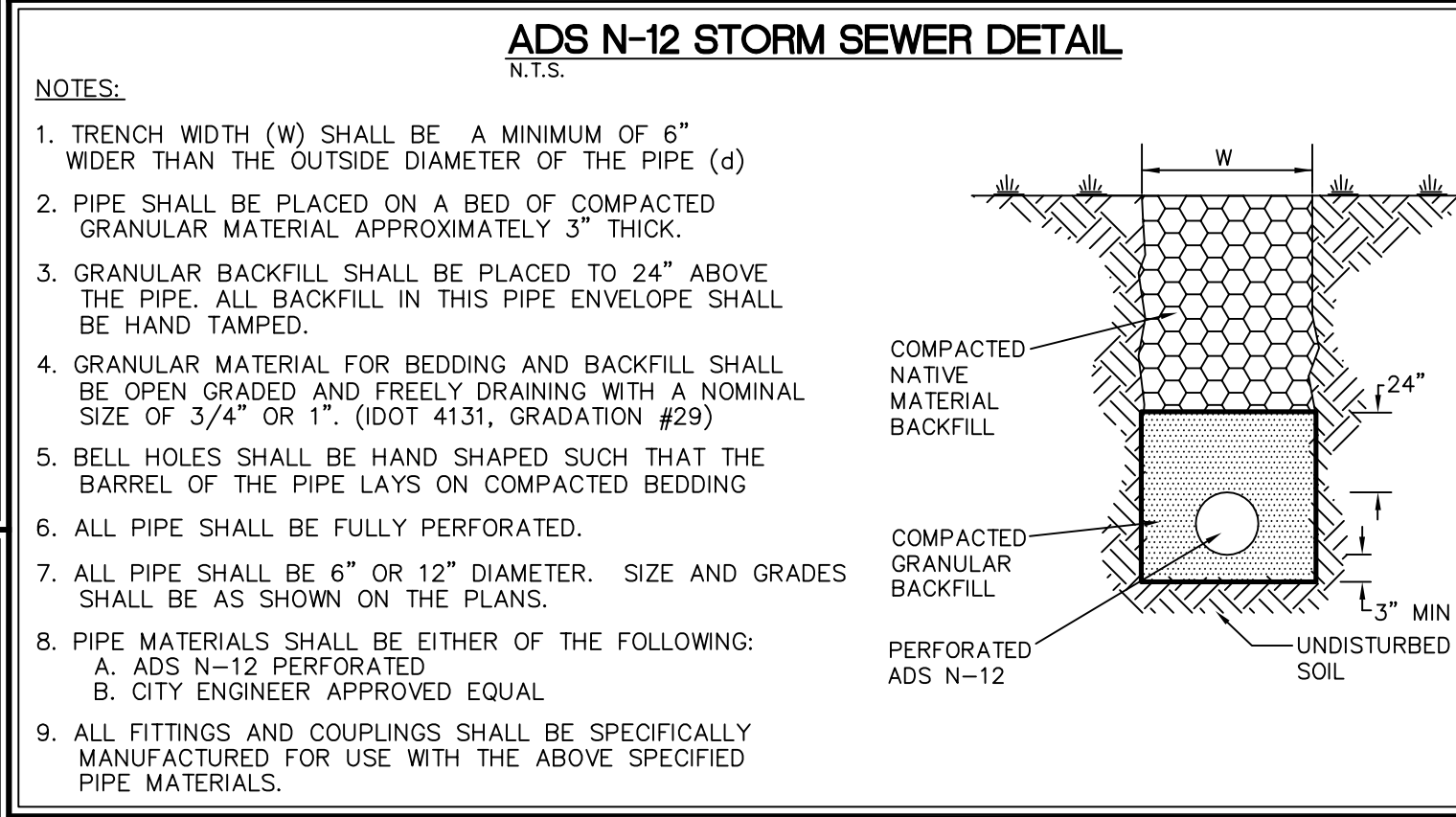
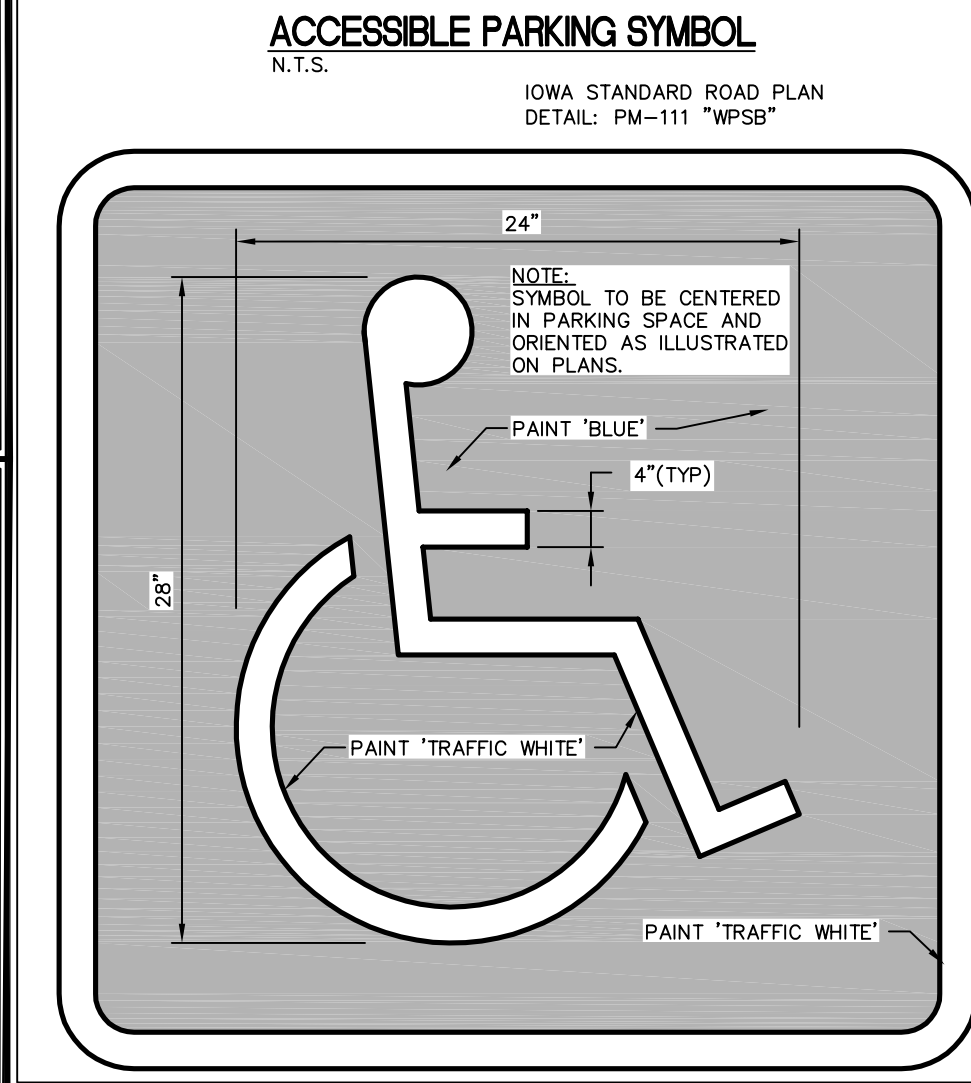
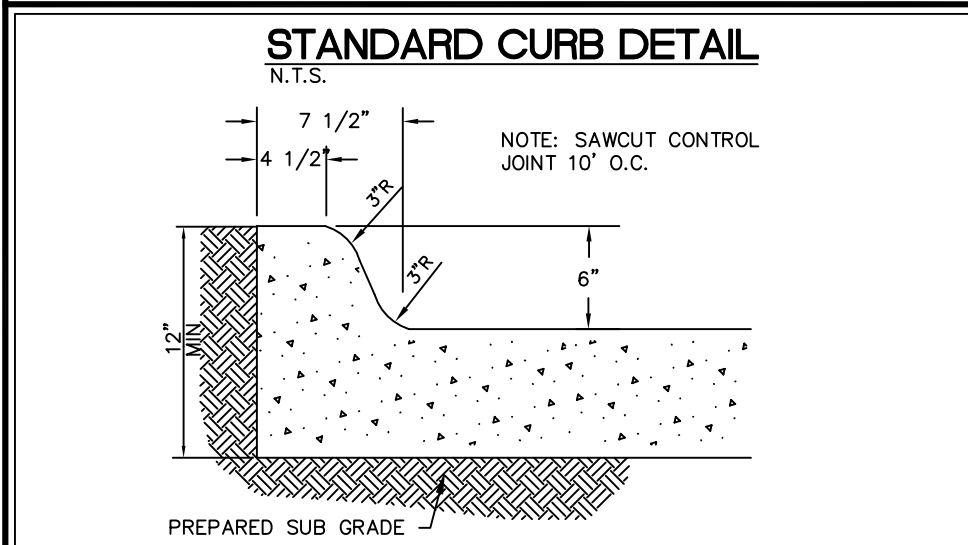
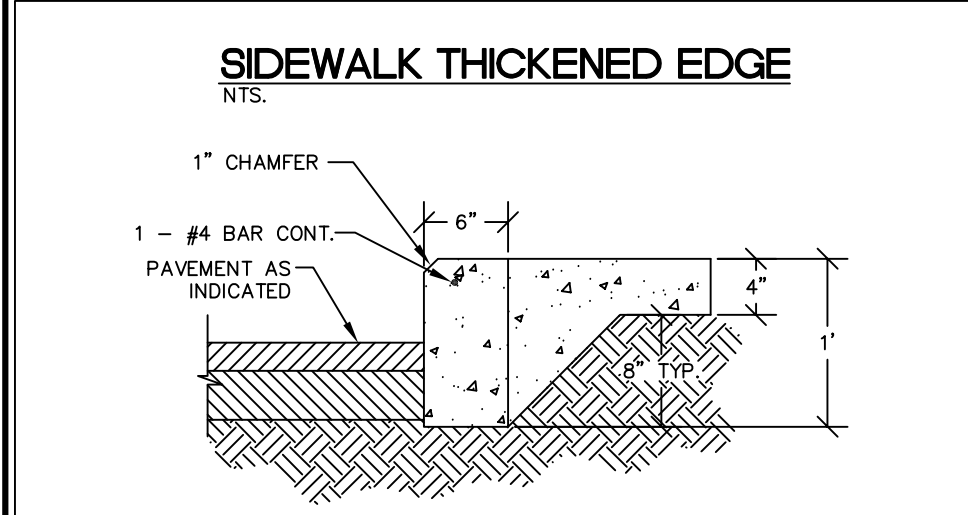
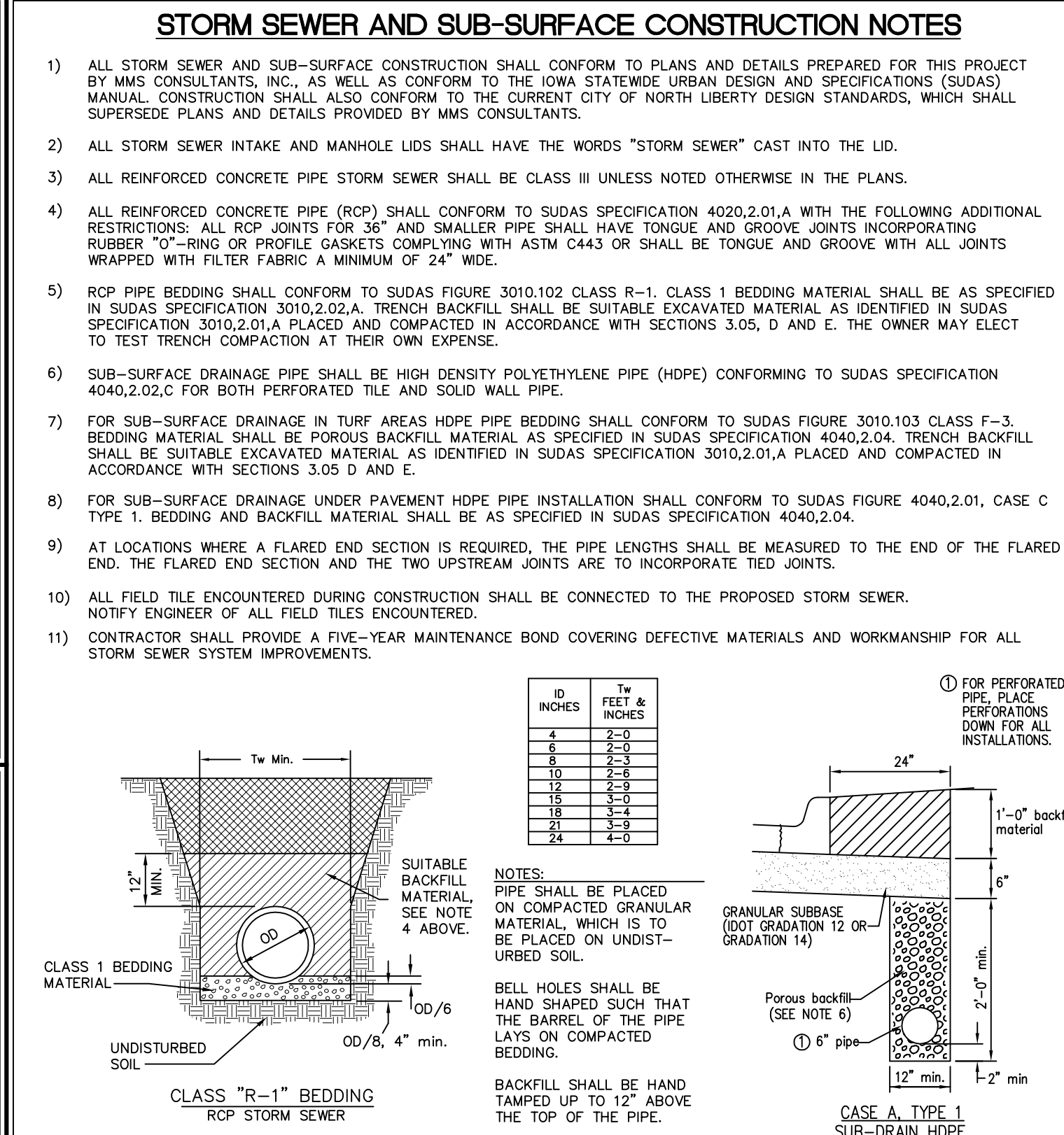
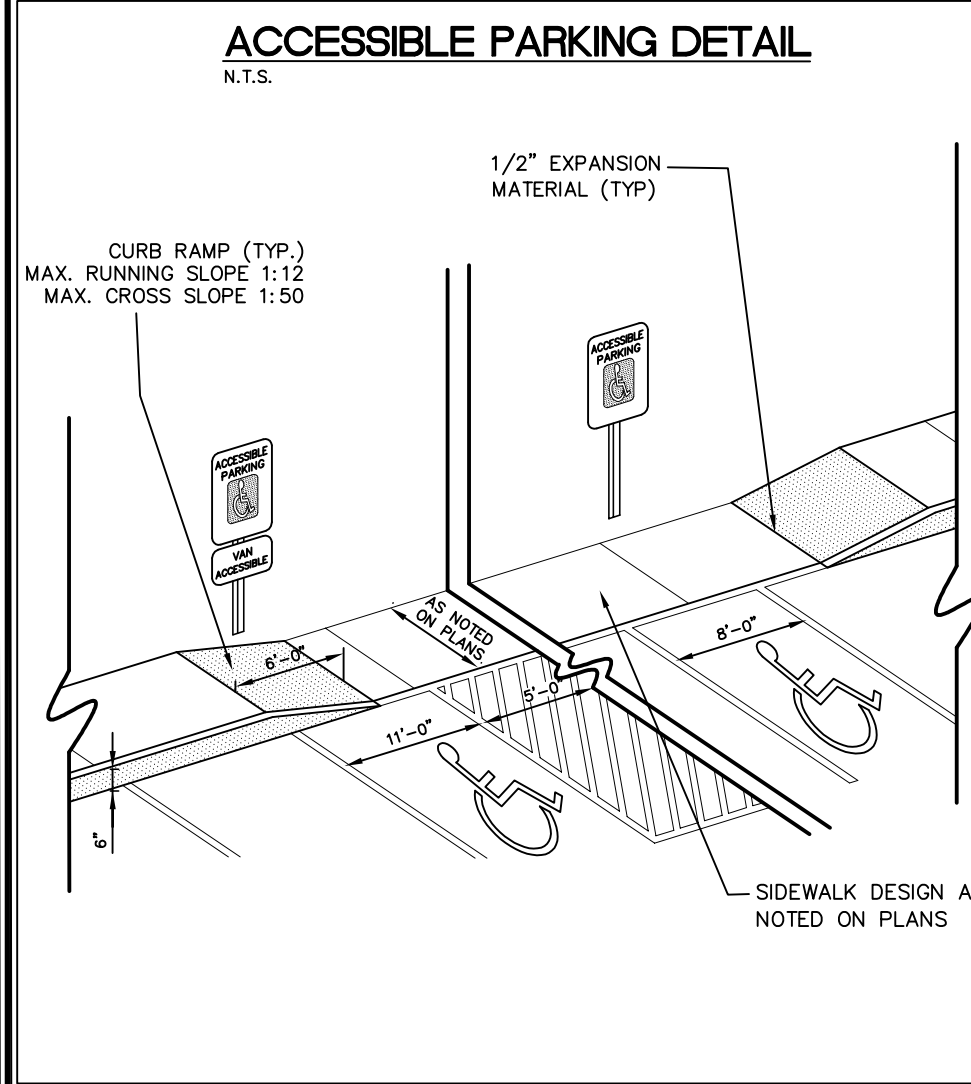
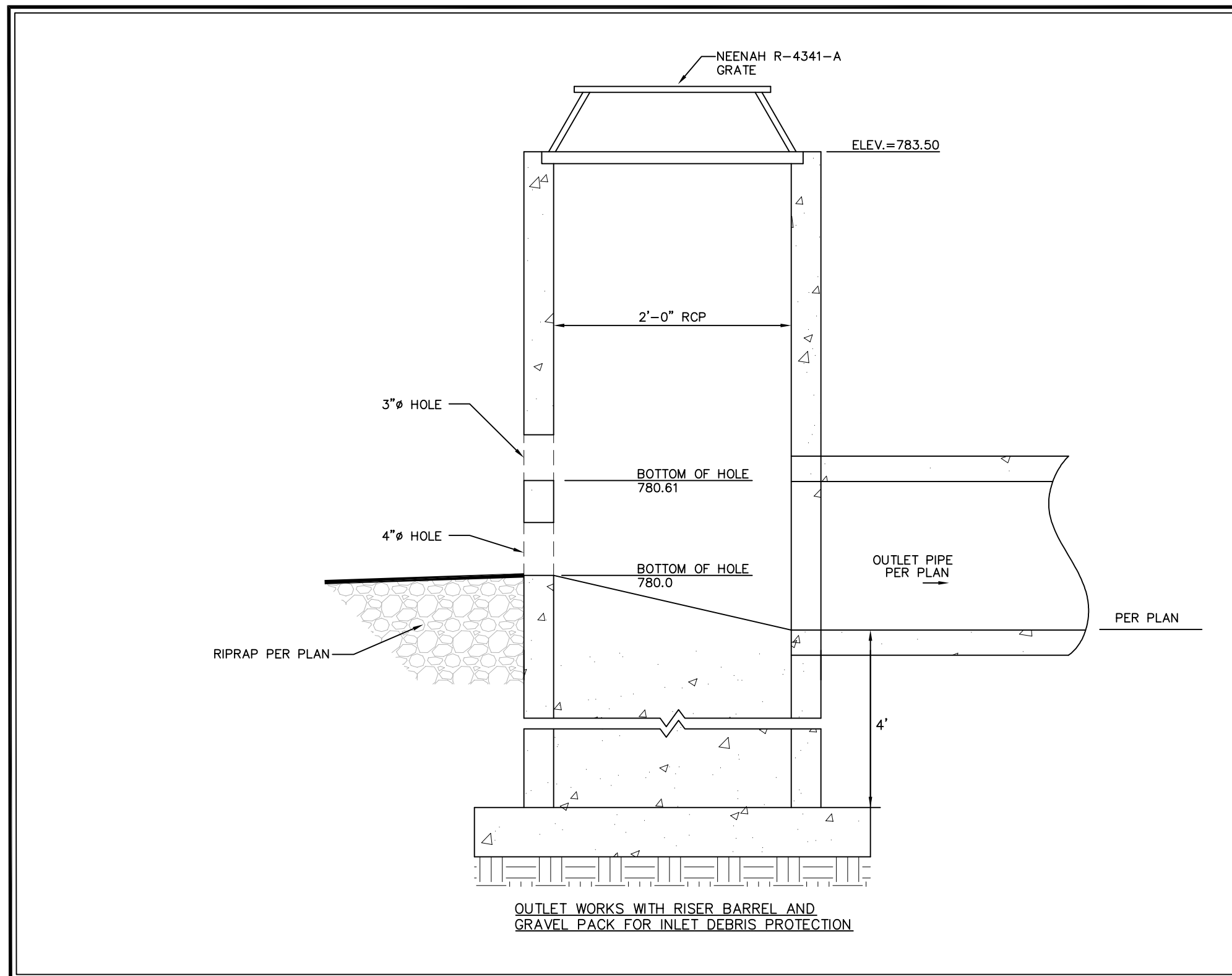
BLUEGRASS, KENTUCKY	70%
PERENNIAL BUEGRASS	10%
FESCUE, CREEPING RED	20%







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(319) 351-8282  
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**Key**

- Curb Ramp
- Turning Space
- Detectable warning
- Grass

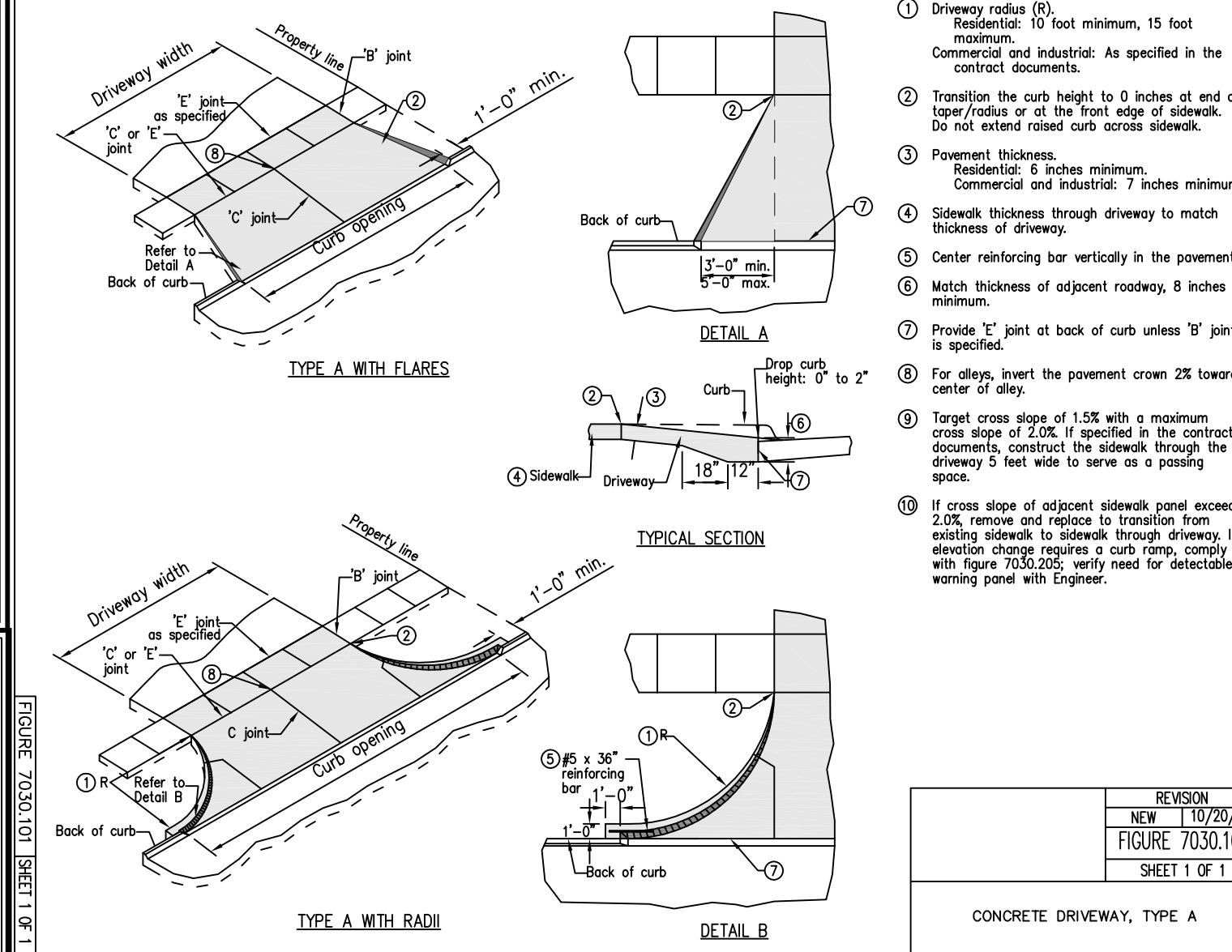
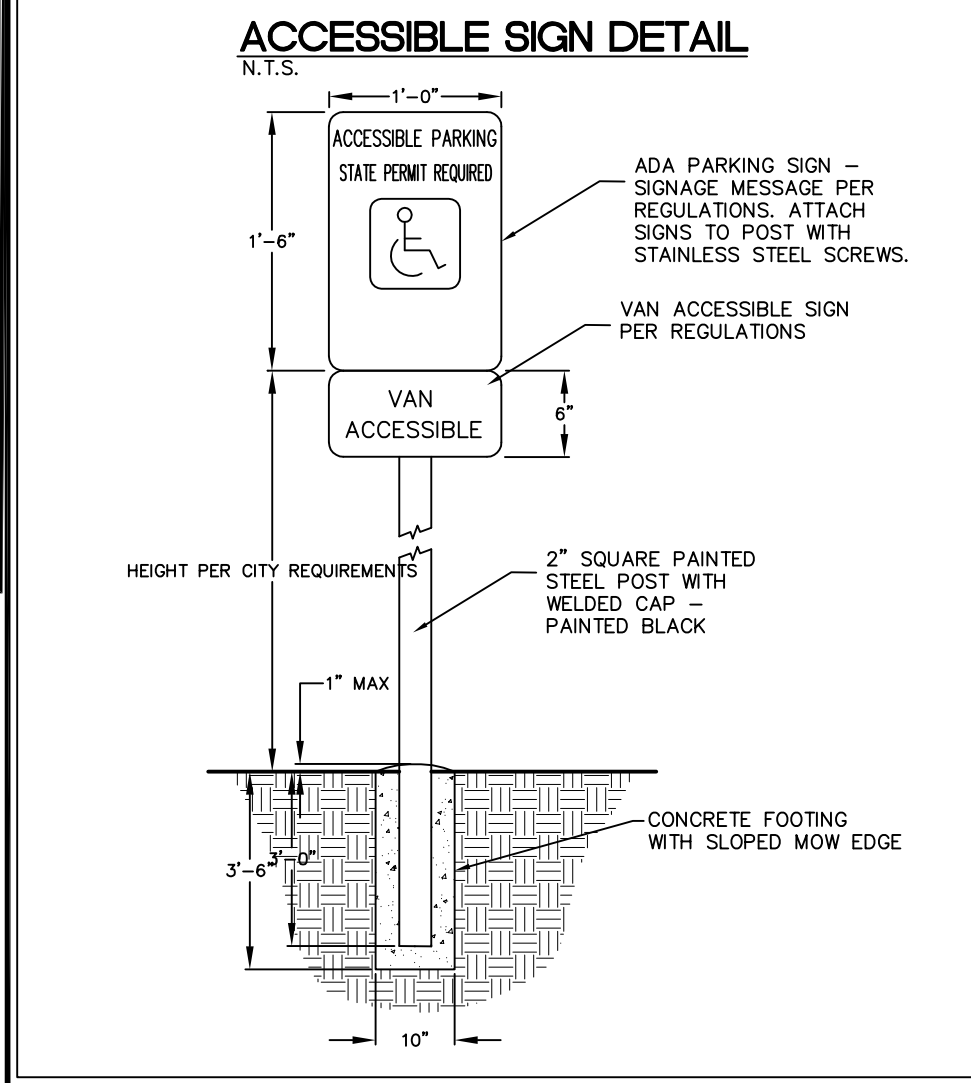
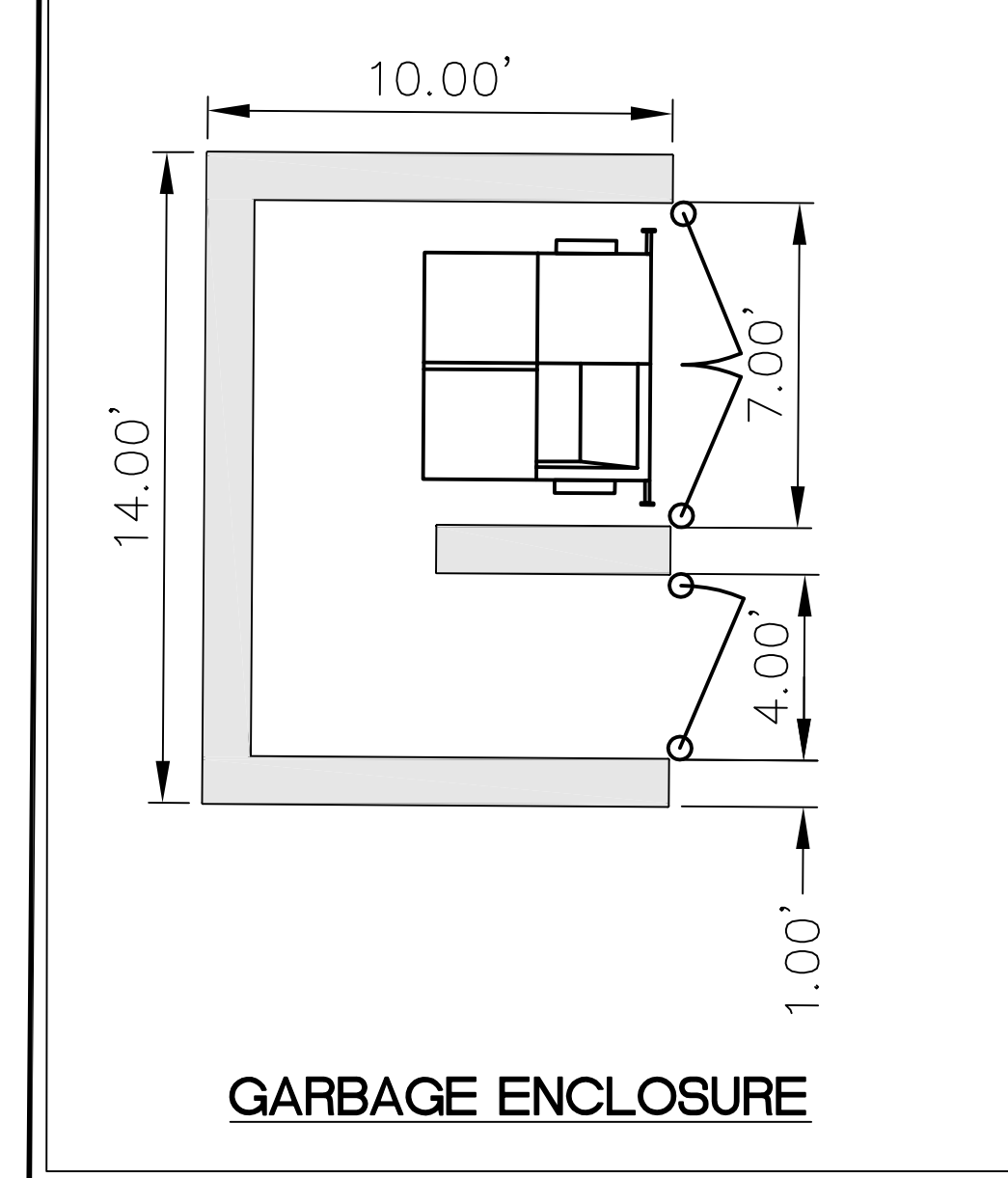
1) Parallel Curb Ramp: If normal sidewalk elevation cannot be achieved with the perpendicular ramp between the street and landing due to limited ramp length, provide a parallel ramp to make up the elevation difference between the landing and the standard sidewalk. The length of the parallel ramp is not required to exceed 15 feet, regardless of the resulting slope. Do not exceed 8.3% slope for parallel ramps shorter than 15 feet.

2) Turning Space: Target slope of 1.0% with maximum slope perpendicular to the travel directions of 2.0%. Minimum 4 feet by 4 feet.

3) Perpendicular Curb Ramp: Target running slope of 6.25% with maximum running slope of 8.3%.

4) Target cross slope of 1.5% with a maximum cross slope of 2.0%.

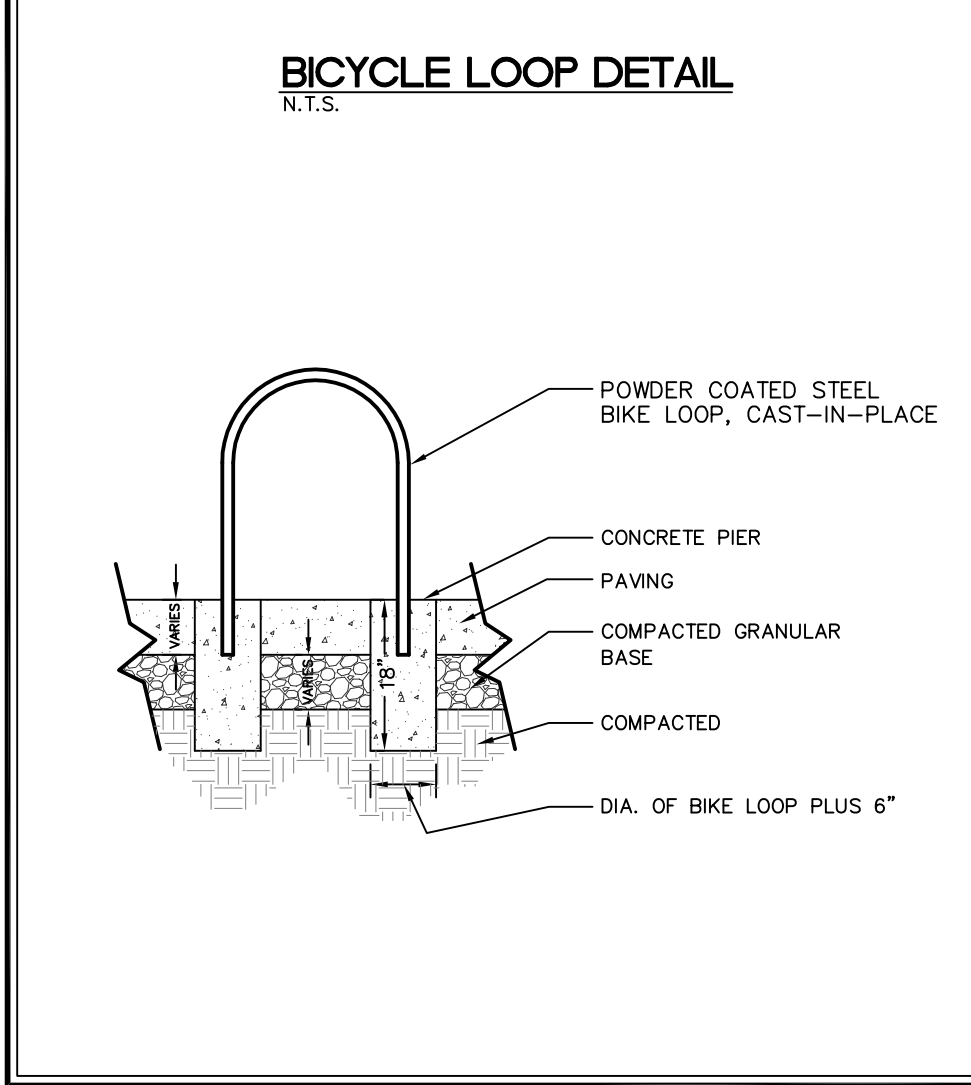
5) Match pedestrian street crossing cross slope or flatter.



**PAVING CONSTRUCTION NOTES**

- PAVEMENT CONSTRUCTION SHALL BE IN ACCORDANCE WITH SUDAS SPECIFICATION SECTION 7010-PCC PAVEMENT
- A MINIMUM 6" THICK GRANULAR SUBBASE OF I.D.O.T. GRADATION 12 OR 14 SHALL BE PROVIDED FOR ALL PUBLIC AND PRIVATE STREETS. SUBBASE SHALL BE IN ACCORDANCE WITH SUDAS SPECIFICATION SECTION 2010.
- PCC MIX SHALL COMPLY WITH I.D.O.T. CLASS C OR CLASS M MEETING THE REQUIREMENTS OF MATERIALS I.M. 529.
- PAVEMENT JOINTS SHALL CONFORM TO SUDAS SPECIFICATION SECTION 7010.3.02, J AND K.
  - INSTALL LONGITUDINAL JOINTS AT THE THIRD POINTS OF THE STREET. INSTALL TRANSVERSE JOINTS AT 15 FOOT MAXIMUM SPACING AND EVENLY SPACED BETWEEN OBJECTS IN THE PAVEMENT AND INTERSECTIONS.
- SAW JOINTS TO BE COMPLETED WITHIN 24 HOURS OF THE CONCRETE BEING PLACED.
- CONTRACTOR SHALL PROVIDE A FIVE-YEAR MAINTENANCE BOND COVERING DEFECTIVE MATERIALS AND WORKMANSHIP FOR ALL STREET IMPROVEMENTS.
- NO NEW CONCRETE PAVING SHALL BE OPENED TO VEHICULAR TRAFFIC UNTIL APPROVED BY THE CITY OF NORTH LIBERTY.

SUDAS	7030.207
SUDAS Standard Specifications	
CURB RAMP FOR CLASS B OR C SIDEWALK	



Date	Revision
9-25-17	CITY REVIEW COMMENTS-MAK
10-13-17	CITY REVIEW COMMENTS-BTM
10-30-17	CITY REVIEW COMMENTS-BTM

**GENERAL NOTES AND DETAILS**

**INTER-CITY INDUSTRIAL PARK - PART FOUR, LOTS 3 & 4**

NORTH LIBERTY JOHNSON COUNTY STATE OF IOWA

MMS CONSULTANTS, INC.

Date:	9-5-2017
Designed By:	BTM
Drawn By:	MAK
Checked By:	BTM
Project No:	IOWA CITY 6385043

Field Book No: 1193  
Scale: AS SHOWN  
Sheet No: 5





November 2, 2017

## **Memo**

To: North Liberty Planning Commission  
From: Dean Wheatley, Planning Director  
Subject: Rezoning Approval Request  
(Lot 3, Inter-City Industrial Park Part 4)

Your North Liberty city staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:

Ryan Heiar, City Administrator  
Tracey Mulcahey, Assistant City Administrator  
Tom Palmer, City Building Official  
Scott Peterson, City Attorney  
Kevin Trom, City Engineer  
Dean Wheatley, Planning Director

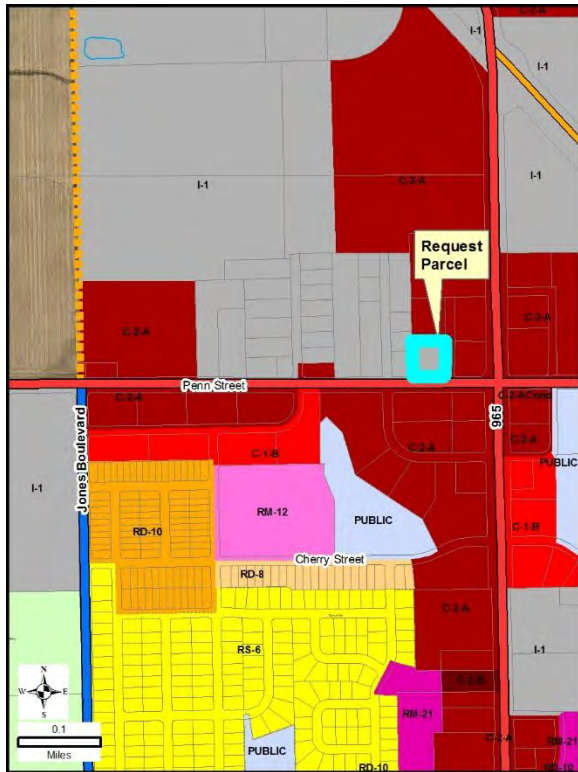
This is a request from Living Word Community Church to approve a rezoning from I-1 to C-2-A for a lot located at the northwestern corner of W Penn Street and Meade Drive. A Good Neighbor meeting was held on September 28 to allow any interested party an opportunity to comment on this rezoning prior to submission, and no one attended.

This rezoning would a wide variety of commercial uses on the 1.11 acre lot, which currently contains the Living Word Church in a building constructed in 2001. The property is being rezoned consistent with that of the vacant lot immediately to the north, so that the two can be further developed as one zoning lot.

The Land Use Plan for this area indicates a preference for commercial development.

Existing surrounding land uses include the Station convenience store to the east across Meade Drive, a multi-tenant commercial building to the south across Penn Street, and a car wash adjacent to the west.

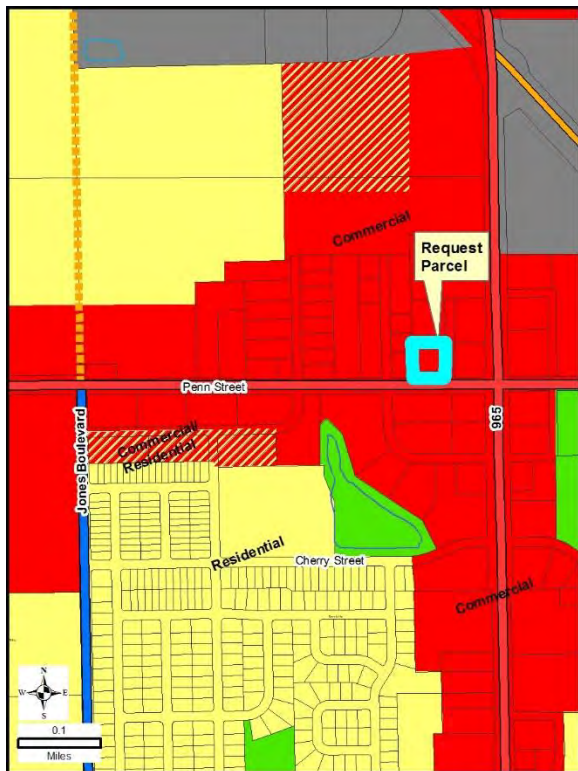




**Zoning in Area**



**Aerial Photo**



**Land Use Plan in Area**

Land Use Plan policies related to this request include the following sections, which address the nature of the proposal for multi-family expansion, and are generally contrary to the proposal.

- In order to maintain a strong economic and social base for North Liberty, growth and diversification are viewed as positive; however, this growth and diversification needs to be accomplished in an orderly, organized and coordinated fashion in order to preserve North Liberty's reputation for having a "small-town" family-friendly atmosphere. The City should pursue projects and guide growth in ways that will preserve and encourage the small city character while accommodating additional, orderly development.
- Develop and implement a cohesive, efficient land use pattern that ensures compatibility, functional relationships, and complementary adjacent activities among land uses.
- Protect property values through logical placement of land uses and streets, through protection of natural features and through strong property maintenance regulations.
- Provide safe, convenient, attractive and accessible commercial and industrial development that is viable and responsive to the needs of the

- community and surrounding market area.
- Locate highway commercial development in areas of high traffic counts.
- Appropriately plan for the development of commercial properties in the critical I-380, Highway 965, and Penn Street corridors.

In rezoning considerations, *suitability* and *compatibility* are key issues in addition to land use policy, while specifics of proposed development are managed through site plan and plat review. Addressing those decision points:

Suitability of Property:

The property is flat and rectangular, utilities are available and connected to the existing building, and there are no known impediments to commercial development.

Compatibility with Existing and Planned Uses:

The proposal straightens a currently-irregular zoning district line and provides for commercial zoning in an area zoned and developed for commercial uses. It is more compatible with existing uses and with surrounding zoning than the current zoning.

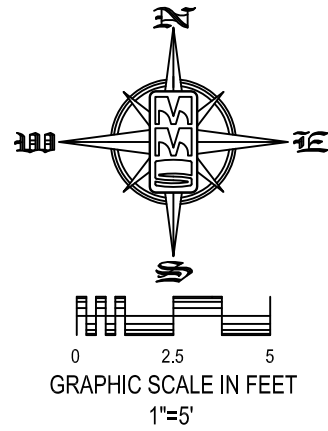
Staff recommends approval of the rezoning request.



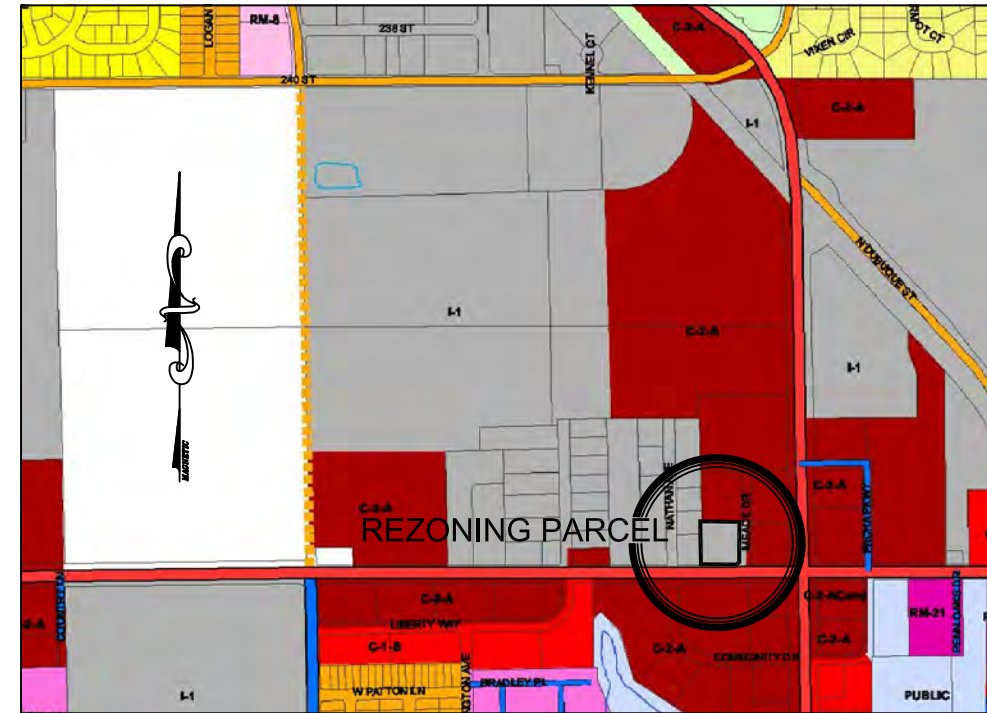
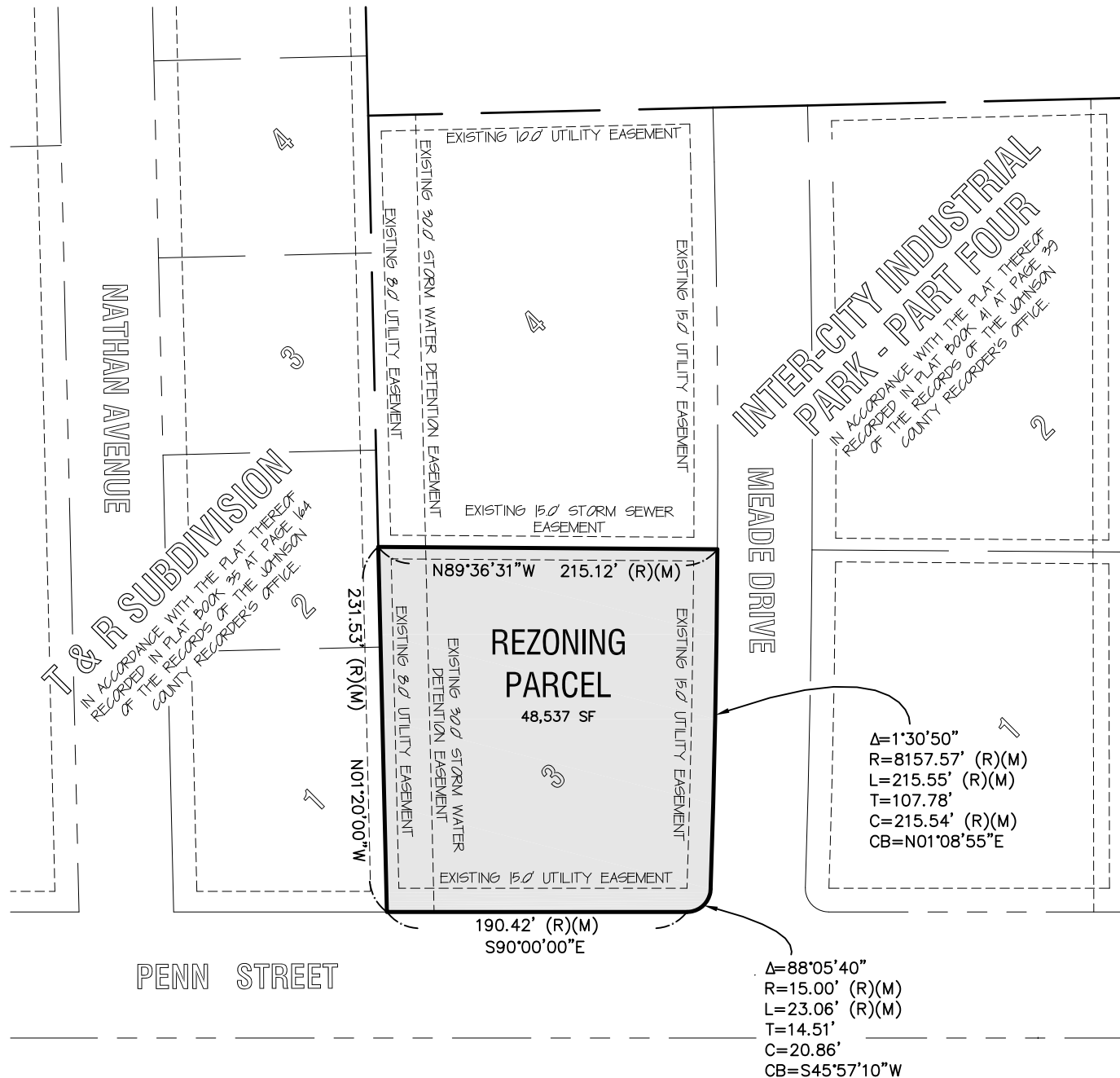
# REZONING EXHIBIT

## LOT 3 OF INTER-CITY INDUSTRIAL PARK - PART FOUR

### NORTH LIBERTY, JOHNSON COUNTY IOWA



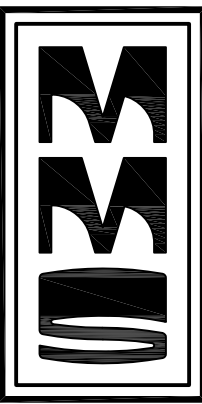
LEGEND AND NOTES	
	PROPERTY &/or BOUNDARY LINES
	CONGRESSIONAL SECTION LINES
	RIGHT-OF-WAY LINES
	CENTER LINES
	LOT LINES, INTERNAL
	LOT LINES, PLATTED OR BY DEED
	EASEMENT LINES, WIDTH & PURPOSE NOTED
	EXISTING EASEMENT LINES, PURPOSE NOTED
	RECORDED DIMENSIONS
	MEASURED DIMENSIONS
	CURVE SEGMENT NUMBER
(R)	RECORDED DIMENSIONS
(M)	MEASURED DIMENSIONS
C22-1	CURVE SEGMENT NUMBER
UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS	



LOCATION MAP NOT TO SCALE

#### REZONING DESCRIPTION - I-1 TO C-2-A

LOT 3 OF INTER-CITY INDUSTRIAL PARK - PART FOUR TO NORTH LIBERTY, IOWA, IN ACCORDANCE WITH THE PLAT THEREOF RECORDED IN PLAT BOOK 41 AT 39 OF THE RECORDS OF THE JOHNSON COUNTY RECORDER' OFFICE. SAID REZONING PARCEL CONTAINS 48,537 SQUARE FEET, AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD



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ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.  
IOWA CITY, IOWA 52240  
(319) 351-8282

[www.mmsconsultants.net](http://www.mmsconsultants.net)

Date	Revision

#### REZONING EXHIBIT

LOT 3 OF INTER-CITY INDUSTRIAL PARK - PART FOUR  
NORTH LIBERTY  
JOHNSON COUNTY  
IOWA

MMS CONSULTANTS, INC.

Date:	10-02-2017
Designed by:	KJB
Field Book No:	227
Drawn by:	RLW
Scale:	1"=100'
Checked by:	GDM
Sheet No:	1
Project No:	IC 6385-043
of:	1

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTERS 167, 168, AND 169 OF  
THE NORTH LIBERTY CODE OF ORDINANCES BY  
AMENDING DEFINITIONS IN THE ZONING CODE FOR  
CONSISTENCY WITH STATE LAW REGARDING RENTAL  
PROPERTIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY,  
IOWA:

**SECTION 1. AMENDMENT.** Chapter 167, " Zoning Code - Definitions," of the North Liberty Code of Ordinances (2016) is hereby amended by amending or repealing specific definitions in Section 167.01 as follows:

~~“Apartment house” means a living unit in a multiple dwelling.~~

“Family” means one person or two or more persons related by blood, marriage, adoption, or placement by a governmental social service agency, occupying a ~~living dwelling~~ unit as an individual housekeeping organization. A family may also be two (but not more than two) persons not related by blood, marriage, or adoption.

“Dwelling, duplex” means a building designed or arranged to be occupied ~~by two families living independently, the structure having as~~ only two dwelling units.

“Dwelling, multiple-unit” means a building or portion thereof designed for occupancy ~~by as~~ three or more ~~families living independently independent units~~ in which ~~they units~~ may or may not share common entrances and/or other spaces. Individual dwelling units may be owned as condominiums; or offered for rent.

~~“Dwelling, planned group” means two or more detached buildings used as dwelling units located on a lot that is in single ownership having yards, courts, or facilities in common. (this term is nowhere else in the ordinance)~~

“Dwelling, single-family unit” means a detached dwelling unit with kitchen and sleeping facilities, designed for occupancy ~~by one family as one dwelling unit.~~

“Dwelling unit” means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, as required by this code, for not more than one family, or a congregate residence for six or fewer persons. A dwelling unit shall have a minimum width of 20 feet over 75 percent of its length and a minimum roof pitch of 4:12. Also see definition of “Dwelling Unit, Rental” and occupancy limitations of rental housing units in Chapter 169.

“Dwelling Unit, Rental” means any “Dwelling Unit” as defined herein for which the owner permits, provides or offers possession or occupancy by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land. Occupancy requirements for Rental Dwelling Units are different from non-rental Dwelling Units, and those requirements are found in Chapter 169.1501.



“Living unit” means the room or rooms occupied by a family. A living unit must include a kitchen.

“Occupancy” means the fact or condition of holding, possessing, or residing in or on a property.

“Owner” means any person, agent, operator, firm or corporation having legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**SECTION 2. AMENDMENT.** Chapter 168, "Zoning Code – Zoning District Regulations," of the North Liberty Code of Ordinances (2015) is hereby amended by amending Table 168.01-A, Section 168.02 (including tables); Section 168.03 (including tables); Section 168.04 (including tables); and Section 168.06 (including tables) to read as follows:

**TABLE 168.01-A – ID ZONE USES**

P = Permitted, C = Conditional, A = Accessory, N/A = Not Allowed

Land Use		Notes
Single <del>Family Dwellings</del> Dwelling Unit Buildings	P	<u>Owner occupied</u>
<u>Single Rental Dwelling Unit Buildings</u>	<u>P</u>	<u>See Chapter 169.150+ for restrictions</u>

**168.02 RS ZONES – SINGLE-FAMILY-UNIT RESIDENCE DISTRICTS.**

1. Defined. Allowable RS Zone uses are:

A. RS-3 Single-Family-Unit Residence District. The RS-3 Single-Family-Unit Residence District is intended to provide and maintain low-density single-familyunit residential neighborhoods with a minimum lot size of 15,000 square feet. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.

B. RS-4 Single-Family-Unit Residence District. The RS-4 Single-FamilyUnit Residence District is intended to provide and maintain low-density single-familyunit residential neighborhoods with a minimum lot size of 10,000 square feet. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.

C. RS-6 Single-Family-Unit Residence District. The RS-6 Single-FamilyUnit Residence District is intended to provide for and maintain moderate density single-familyunit residential neighborhoods with a minimum lot size of 7,000 square feet. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.

D. RS-7 Single-Family-Unit Residence District. The RS-7 Single-FamilyUnit Residence District is intended to provide for and maintain moderate to high-density single-familyunit residential neighborhoods with a minimum lot size of 6,000 square feet. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these

residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.....

E. RS-8 Single-FamilyUnit Residence District. The RS-8 Single-FamilyUnit Residence District is intended to provide for and maintain moderate to high-density single-familyunit residential neighborhoods with a minimum lot size of 5,000 square feet. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations. The use of the RS-8, Single-FamilyUnit Residence District shall be limited to the existing RS-8 Zones within the City, primarily designated as the original town of North Liberty bounded by Zeller Street, Dubuque Street, Penn Street, and Stewart Street. The use of the RS-8 Zoning District for any new development within the City is discouraged as being incompatible with the desired design standards for the City.

F. RS-9 Single-FamilyUnit Residence District. The RS-9 Single-FamilyUnit Residence District is intended to provide for and maintain high-density single-familyunit residential neighborhoods with a minimum size of 4,500 square feet. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.

G. RS-O, Single-FamilyUnit Residential Special Use District. The RS-O, Single-FamilyUnit Residential Special Use District is intended to be limited in use and will only be used for those special situations where the establishment of this district will not alter the essential character of any residential district in which it could be placed, and will, in addition, require that any land owner desiring to establish this district shall enter into a written agreement with the City to abide by such terms and conditions as required by the City.

- (1) Use Regulations. An existing single-familyUnit dwelling in the RS-O District will be permitted to be used as a professional office in said dwelling.....

**TABLE 168.02-A – RS ZONES USES**

P = Permitted, C = Conditional, A = Accessory, N = Not Allowed

Land Uses		Notes
Community Buildings	P	Owned or operated by public or private agencies or organizations. Not commercial.
Country Clubs	P	Except miniature golf courses and commercial driving ranges. No parking allowed in required front yard.
Dog Runs, Keeping of Small Animals	A	See Section 169.06
Emergency Shelters	A	
Family Homes	P	Minimum separation of ¼ mile between family homes.
Food Pantry	C	Only if accessory to places of worship. See Section 169.06 of this code.
Garden Houses	A	See Section 169.06
Golf Courses	P	Except miniature golf courses and commercial driving ranges. No parking allowed in required front yard.
Group Daycare Homes	P	Subject to annual licensing. See specific code section.
Home Occupations	A	
Home Occupation Daycares	P	Subject to issuance of a zoning certificate. See specific code section.
Parks	P	Owned or operated by public or private agencies or organizations. Not Commercial.



Parochial or Private Schools	P	Curricula similar to public schools; no boarding
Places of Worship	P	
Playgrounds	P	Owned or operated by public or private agencies or organizations. Not commercial.
Pre-School	C	Must provide a minimum of 100 square feet of open play space per child.
Private Garages	A	See Section 169.06
Private Greenhouses / Plant Nurseries	A	See Section 169.01
Private Swimming Pools	A	
Public Schools	P	
Single-Family Dwelling Unit Dwellings Buildings	P	<a href="#">Minimum structure width 20 feet; minimum roof pitch 4:12 Owner occupied.</a>
<a href="#">Single Rental Dwelling Unit Buildings</a>	<a href="#">P</a>	<a href="#">See Chapter 169.1504 for restrictions</a>
Storage Shed	A	See Section 169.06
Temporary Construction Buildings	A	
Tennis Courts	P	
Utility and Service Uses	P	

**TABLE 168.02-B – RS-3 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
<a href="#">Single-Family Dwelling Unit Buildings Dwellings</a> , Family Homes	50 feet	100 feet	15,000 square feet	25 feet	10 feet	30 feet	35 feet or 2½ stories
Community Buildings, Country Clubs, Public, Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School	100 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories
Tennis Courts, Parks	50 feet	100 feet	15,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	

**TABLE 168.02-C – RS-4 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
<a href="#">Single-Family Dwelling Unit Buildings Dwellings</a> , Family Homes	40 feet	80 feet	10,000 square feet	25 feet	10 feet	30 feet	35 feet or 2½ stories
Community Buildings, Country Clubs, Public, Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School	50 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories
Tennis Courts, Parks	50 feet	100 feet	10,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories

Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	
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**TABLE 168.02-D – RS-6 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
Single-Family <del>SD</del> Dwelling Unit Buildings-Dwellings, Family Homes	35 feet	70 feet	7,000 square feet	25 feet	8 feet	30 feet	35 feet or 2½ stories
Community Buildings, Country Clubs, Public, Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School	50 feet	100 feet	20,000 square feet	50 feet	30 feet	50 feet	35 feet or 2½ stories
Tennis Courts, Parks	40 feet	100 feet	10,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	

**TABLE 168.02-E – RS-7 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
Single-Family Dwelling Unit Buildings-Dwellings, Family Homes	35 feet	60 feet	6,000 square feet	20 feet	5 feet	25 feet	35 feet or 2½ stories
Community Buildings, Country Clubs, Public, Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School	50 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories
Tennis Courts, Parks	40 feet	100 feet	10,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	

**TABLE 168.02-F – RS-8 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
Single-Family Dwelling Unit Buildings-Dwellings, Family Homes	35 feet	60 feet	5,000 square feet	20 feet	5 feet	25 feet	35 feet or 2½ stories
Community Buildings, Country Clubs, Public, Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School	50 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories
Tennis Courts, Parks	40 feet	100 feet	10,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	



**TABLE 168.02-G – RS-9 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
Single-Family Dwelling Unit Buildings-Dwellings, Family Homes	35 feet	40 feet	4,500 square feet	25 feet	5 feet	25 feet	35 feet or 2½ stories
Community Buildings, Country Clubs, Public, Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School	50 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories
Tennis Courts, Parks	40 feet	100 feet	10,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	

**168.03 RD ZONES – TWO-UNIT RESIDENCE DISTRICTS.**

1. Defined. Allowable RD Zone uses are:

A. RD-8 Two-Unit Family-Residence District. The RD-8 Two-Unit Family-Residence district is intended to allow for attached single-family-unit dwellings joined together on a common boundary line with a common wall between the units. Minimum lot size is 10,000 square feet with a minimum of 5,000 square feet per unit. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.

B. RD-10 Two-Unit Family-Residence District. The RD-10 Two-Unit Family-District is intended to allow for attached single-family-unit dwellings joined together on a common boundary line with a common wall between the units. Minimum lot size is 9,000 square feet with a minimum of 4,500 square feet per unit. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses. Commercial uses are limited to allowable home occupations.

2. Use Regulations. Principal and accessory uses permitted in the RD Zone – Two-Family-Unit Residence Districts are prescribed in Table 168.03-A.

3. Bulk Regulations. The minimum area, setback, density, and maximum height restrictions are as prescribed in the following Tables:

- RD-8 – Table 168.03-B
- RD-10 – Table 168.03-C

4. Accessory Uses. Accessory uses are permitted subject to the provisions of Section 169.06.

5. Home Occupations. Home occupations are permitted subject to the provisions of Section 170.01.

6. Off-Street Parking. Off-street parking shall be provided according to the provisions of Section 169.01.

7. Signs. Signs shall be permitted according to the provisions of Chapter 173.

**TABLE 168.03-A – RD ZONE USES**

P = Permitted, C = Conditional, A = Accessory, N = Not Allowed

Land Use	Notes
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Community Buildings	P	Owned or operated by public or private agencies or organizations. Not commercial.
Country Clubs	P	Except miniature golf courses and commercial driving ranges. No parking allowed in required front yard.
Dog Runs, Keeping of Small Animals	A	See Section 169.06
Duplex	P	
Emergency Shelters	A	See Section 169.06
Family Homes	P	Minimum separation of ¼ mile between family homes
Food Pantry	C	Only if accessory to places of worship. See Section 169.06 of this code.
Garden Houses	A	See Section 169.06
Golf Courses	P	Except miniature golf courses and commercial driving ranges. No parking allowed in required front yard.
Group Daycare Homes	P	Subject to annual licensing. See specific code section.
Home Occupations	A	See Section 170.01
Home Occupation Daycares	P	Subject to issuance of a zoning certificate. See specific code section.
Parks	P	Owned or operated by public or private agencies or organizations. Not commercial.
Parochial or Private Schools	P	Curricula similar to public schools; no boarding
Places of Worship	P	
Playgrounds	P	Owned or operated by public or private agencies or organizations. Not commercial.
Pre-School	C	Must provide a minimum of 100 square feet of open play space per child
Private Garages	A	See Section 169.06
Private Greenhouses / Plant Nurseries	A	See Section 169.06
Public Schools	P	
Storage Shed	A	See Section 169.06
Temporary Construction Buildings	A	See Section 169.06
Tennis Courts	A	See Section 169.06
<del>Two-Family Dwelling Unit Dwellings Buildings</del>	P	<del>Minimum structure width 20 feet; minimum roof pitch 4:12 Owner occupied.</del>
<del>Two Rental Dwelling Unit Buildings</del>	P	<del>See Chapter 169.1504 for restrictions pertaining to each unit.</del>
Utility and Service Uses	P	

**TABLE 168.03-B – RD-8 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
<del>Two-Family Dwellings Dwelling Unit Buildings</del>	40 feet	100 feet	10,000 square feet; 5,000 per dwelling unit	25 feet	10 feet	30 feet	35 feet or 2½ stories
Community Buildings, Country Clubs, Public,	50 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories



Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School							
Tennis Courts, Parks	35 feet	100 feet	10,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	

**TABLE 168.03-C – RD-10 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
Two-Family Dwellings Dwelling Unit Buildings	35 feet	80 feet	9,000 square feet; 4,500 per dwelling unit	25 feet	10 feet	30 feet	35 feet or 2½ stories
Community Buildings, Country Clubs, Public, Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School	50 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories
Tennis Courts, Parks	40 feet	80 feet	10,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	

**168.04 RM ZONES – MULTI-FAMILY-UNIT RESIDENCE DISTRICTS.**

1. Defined. Allowable RM Zone uses are:

A. RM-4 Multi-Family-Unit Residence District. The RM-4 Multi-Family-Unit Residence District is intended to provide and maintain low-density, multiple-family-unit housing residential neighborhoods with a maximum density of approximately four (4) units per acre. The minimum lot size is 21,780 square feet and the minimum lot area per dwelling unit is 10,000 square feet. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses.

B. RM-6 Multi-Family-Unit Residence District. The RM-6 Multi-Family-Unit Residence District is intended to provide and maintain low-density, multiple-family-unit housing residential neighborhoods with a maximum density of approximately six (6) units per acre. The minimum lot size is 21,780 square feet and the minimum lot area per dwelling unit is 7,000 square feet. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses.

C. RM-8 Multi-Family-Unit Residence District. The RM-8 Multi-Family-Unit Residence District is intended to provide and maintain medium-density, multiple-family-unit housing residential neighborhoods with a maximum density of eight (8) units per acre. The minimum lot size is 21,780 square feet and the minimum lot area per dwelling unit is 5,000 square feet. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses.

D. RM-12 Multi-Family-Unit Residence District. The RM-12 Multi-Family-Unit Residence District is intended to provide and maintain medium-density, multiple-family-unit housing residential neighborhoods with a maximum density of twelve (12) units per acre. The minimum lot size is 21,780 square feet and the minimum lot area per dwelling unit is 3,500 square feet. The district shall include appropriate neighborhood

facilities such as public parks, libraries, schools, churches, and recreational facilities, and is to protect these residential areas from encroachment of incompatible uses.

E. RM-21 Multi-FamilyUnit Residence District. The RM-21 Multi-FamilyUnit Residence District is intended to provide and maintain high-density, multiple-familyunit housing residential neighborhoods with a maximum density of twenty-one (21) units per acre. The minimum lot size is 21,780 square feet and the minimum lot area per dwelling unit is 2,000 square feet. The district shall include appropriate neighborhood facilities such as public parks, libraries, schools, churches, and recreational facilities, and is intended to protect these residential areas from encroachment of incompatible uses.

2. Use Regulations. Principal and accessory uses permitted in the RM Zone – Multi-FamilyUnit Residence Districts are prescribed in Table 168.04-A.

**TABLE 168.04-A – RM ZONE USES**

P = Permitted, C = Conditional, A = Accessory, N = Not Allowed

Land Use		Notes
Community Buildings	P	Owned or operated by public or private agencies or organizations. Not commercial.
Country Clubs	P	Except miniature golf courses and commercial driving ranges. No parking allowed in required front yard.
Daycare, Group	P	Must provide a minimum of 100 square feet of open play space per child.
Emergency Shelters	A	
Food Pantry	C	Only if accessory to places of worship. See Section 169.06 of this code.
Golf Courses	P	Except miniature golf courses and commercial driving ranges. No parking allowed in required front yard.
Multiple-Family Dwelling Unit Buildings	P	<a href="#">Owner occupied units</a>
<a href="#">Multiple Rental Dwelling Unit Buildings</a>	<a href="#">P</a>	<a href="#">See Chapter 169.1504 for restrictions pertaining to each unit.</a>
Nursing Homes	P	
Parks	P	Owned or operated by public or private agencies or organizations. Not commercial.
Parochial or Private Schools	P	Curricula similar to public schools; no boarding.
Places of Worship	P	
Playgrounds	P	Owned or operated by public or private agencies or organizations. Not commercial.
Pre-School	P	Must provide a minimum of 100 square feet of open play space per child.
Private Garages	A	See Section 169.06
Private Swimming pools	A	See Section 169.06
Public Schools	P	
Public Swimming Pool	P	Owned or operated by public or private agencies or organizations. Not commercial.
Recreation Buildings	A	
Storage Shed	A	See Section 169.06
Temporary Construction Buildings	A	

Tennis Courts	P	Owned or operated by public or private agencies or organizations. Not commercial.
Utility and Service Uses	P	

**TABLE 168.04-B – RM-4 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
Multiple <del>Family Dwellings</del> <a href="#">Dwelling Unit Buildings</a>	75 feet	100 feet	21,780 square feet; 10,000 per dwelling unit	45 feet	20 feet	35 feet	40 feet or 3 stories
Community Buildings, Country Clubs, Public, Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School	50 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories
Tennis Courts, Parks	100 feet	100 feet	20,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	

**TABLE 168.04-C – RM-6 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
Multiple <del>Family Dwellings</del> <a href="#">Dwelling Unit Buildings</a>	75 feet	100 feet	21,780 square feet; 7,000 per dwelling unit	45 feet	20 feet	35 feet	40 feet or 3 stories
Community Buildings, Country Clubs, Public, Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School	50 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories
Tennis Courts, Parks	100 feet	100 feet	20,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	

**TABLE 168.04-D – RM-8 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
Multiple <del>Family Dwellings</del> <a href="#">Dwelling Unit Buildings</a>	75 feet	100 feet	21,780 square feet; 5,000 per dwelling unit	45 feet	20 feet	35 feet	40 feet or 3 stories
Community Buildings, Country Clubs, Public,	50 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories



Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School							
Tennis Courts, Parks	100 feet	100 feet	20,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	

**TABLE 168.04-E – RM-12 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
Multiple-Family Dwellings Dwelling Unit Buildings	50 feet	80 feet	21,780 square feet; 3,500 per dwelling unit	35 feet	15 feet	35 feet	40 feet or 3 stories
Community Buildings, Country Clubs, Public, Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School	50 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories
Tennis Courts, Parks	100 feet	100 feet	14,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	

**TABLE 168.04-F – RM-21 BULK REGULATIONS**

Principal Permitted Uses	Minimum Lot Size Requirement			Minimum Yard Requirement			
	Frontage	Width	Area	Front Yard Depth	Each Side Yard Width	Rear Yard Depth	Maximum Height
Multiple-Family Dwellings Dwelling Unit Buildings	50 feet	80 feet	21,780 square feet; 2,000 per dwelling unit	25 feet*	10 feet*	30 feet	65 feet or 5 stories*
Community Buildings, Country Clubs, Public, Parochial or Private Schools, Places of Worship, Nurseries, Daycare, Pre-School	50 feet	100 feet	20,000 square feet	50 feet	20 feet	50 feet	35 feet or 2½ stories
Tennis Courts, Parks	100 feet	100 feet	14,000 square feet	30 feet	20 feet	30 feet	35 feet or 2½ stories
Golf Courses	300 feet	300 feet	65 acres	NA	NA	NA	

\* An additional foot of front yard depth and side yard width is required for every foot of building height over 45 feet.

**TABLE 168.06-A – C-1-A ZONE USES**

P = Permitted, C = Conditional, A = Accessory, N = Not Allowed

Land Use		Notes
Appliance Stores	P	Sales, repair and service

Bakery Goods Shops	P	
Banks	P	
Barbershops or Beauty Parlors	P	
Bicycle Shops	P	Sales, repair and service
Boardinghouses	C	
Book or Stationery Stores	P	
Cabinetry Sales, kitchen, bath, etc.	P	
Cafés	P	
Clinics	P	
Clothing or Wearing Apparel and Accessory Stores	P	
Coffee Houses	P	
Coin Operated Laundries	P	
Community Buildings	P	
Confectionery/Candy Stores	P	
Craft Stores	P	
Custodial Homes	P	
Daycare, Group	P	Must provide a minimum of 100 square feet of open play space per child
Department Stores	P	
Dressmaking, Tailoring, Alterations	P	
Drugstores	P	
Dry Cleaning and Laundry Collection	P	
Dry Cleaning and Laundry Processing	C	
Dry Goods / Notions Stores	P	
Dwelling <u>Unit</u> Above Commercial (Exception: One handicapped accessible dwelling unit is permitted on the ground floor in a commercial building containing more than 4 and less than 13 dwelling units above the commercial units.)	P	<a href="#">Owner occupied.</a> 600 square foot minimum per unit
<a href="#">Rental Dwelling Unit Above Commercial (Exception: One handicapped accessible dwelling unit is permitted on the ground floor in a commercial building containing more than 4 and less than 13 dwelling units above the commercial units.)</a>	<u>P</u>	<a href="#">See Chapter 169.1504 for restrictions.</a> <a href="#">600 square foot minimum per unit</a>

**TABLE 168.06-B – C-1-B ZONE USES**

P = Permitted, C = Conditional, A = Accessory, N = Not Allowed

Land Use		Notes
Appliance Stores	P	Sales, repair and service
Bakery Goods Shops	P	
Banks	P	
Barbershops	P	
Bed and Breakfast	P	
Bicycle Shops	P	Sales, repair and service

Boardinghouses	P	
Book or Stationery Stores	P	
Bowling Alleys	P	
Cabinetry Sales, kitchen, bath, etc.	P	
Cable Communication Stations	P	
Cafes	P	
Clinics, Health	P	
Clothing or Wearing Apparel and Accessory Stores	P	
Coffee Houses	P	
Coin Operated Laundries	P	
Community Buildings	P	
Confectionery/Candy Stores	P	
Contractor Sales and Service	P	
Convenience Stores with Gas Pumps	P	
Country Clubs	P	
Craft and Hobby Stores	P	
Custodial Homes	P	
Daycare, Group	P	
Department Stores	P	
Dressmaking, Tailoring, Alterations	P	
Drugstores	P	
Dry Cleaning and Laundry Collection	P	
Dry Cleaning and Laundry Processing	P	
Dwelling <u>Unit</u> Above Commercial (Exception: One handicapped accessible dwelling unit is permitted on the ground floor in a commercial building containing more than 4 and less than 13 dwelling units above the commercial units.)	P	<a href="#">Owner occupied.</a> 600 square foot minimum per dwelling unit
<a href="#">Rental Dwelling Unit Above Commercial (Exception: One handicapped accessible dwelling unit is permitted on the ground floor in a commercial building containing more than 4 and less than 13 dwelling units above the commercial units.)</a>	<u>P</u>	<a href="#">See Chapter 169.1501 for restrictions.</a> <a href="#">600 square foot minimum per unit</a>

**TABLE 168.06-E – C-3 ZONE USES**

P = Permitted, C = Conditional, A = Accessory

Land Use		Notes
Bakery Goods Shops	P	
Banks, Credit Unions and other financial institutions	P	
Barbershops, Beauty Salons, Hairstyling Establishments	P	
Bicycle Shops	P	
Book and Stationery Stores	P	
Cafés	P	



Clinics, Health	P	
Clothing or Wearing Apparel and Accessory Stores	P	
Coffee Houses	P	
Community Buildings	P	
Confectionery and Candy Stores	P	
Craft and Hobby Stores	P	
Day Care, Group	C	
Department Stores	P	
Dressmaking, Tailoring, Alterations Shops	P	
Drug Stores	P	
Dry Cleaning and Laundry Establishments	P	
Dwelling Above Commercial	C	<u>Owner occupied.</u> 1,000 square foot minimum per dwelling unit
<u>Rental Dwelling Unit Above Commercial (Exception: One handicapped accessible dwelling unit is permitted on the ground floor in a commercial building containing more than 4 and less than 13 dwelling units above the commercial units.)</u>	<u>C</u>	<u>See Chapter 169.1504 for restrictions.</u> <u>600 square foot minimum per unit</u>

**SECTION 3. AMENDMENT.** Chapter 169, "Zoning Code – Development Regulations," of the North Liberty Code of Ordinances (2015) is hereby amended by adding new Section 169.15 to read as follows:

**169.1504 RENTAL HOUSING UNIT OCCUPANCY LIMITS**

While cities’ ability nationwide to control resident density has traditionally been accomplished through limitations on the number of non-family members living together, contemplated and utilized to address a traditional familial living situation,; However, effective January 1, 2018, state law prohibits in 2017 the Iowa Legislature disallowed the use of family definitions to control rental unit occupancy. If left unaddressed by this ordinance, that change would likely lead to fundamental negative impacts to residential areas in the City caused by overpopulation of existing units and uncontrolled density of persons in new units. Potential impacts include increased noise, increased traffic and parking congestion, and stress on sanitary sewer and garbage collection systems that are designed and operated to serve defined population densities. To address these impacts, the definition of “Dwelling unit,” only when applied to rental housing units, means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, as required by this code, and additionally meets the following requirements:

1. Includes a minimum of 400 square feet of gross floor area, finished or unfinished, per person; and
2. Includes a minimum of 100 square feet per bedroom; and;
3. Includes a minimum of one dedicated closet with each bedroom; and;
4. Is occupied by no more than two persons over the age of 18 per bedroom, applied across the entire unit and not applied to each bedroom individually; and;

5. Has no more than one ~~resident~~ parked vehicle per resident per 900 gross square feet, finished and/or unfinished, but in no case more than ~~4~~four total resident vehicles, ~~and~~;
6. Incorporates enough parking spaces on the property to park all vehicles used by occupants, in spaces that meet code requirements for required parking spaces, ~~and~~;
7. Has no more than ~~six~~6 persons over the age of 18 in residence over any ~~three~~3 consecutive months; ~~and~~
8. ~~—~~ Holds a valid rental permit. See ~~Housing Code~~ Chapter 146, “~~Housing Code~~,” and ~~Building Code~~ Chapter 157, “~~Building Code~~.”

**SECTION 4. REPEALER.** All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 5. SEVERABILITY.** If any section, provision 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 section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 6. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on \_\_\_\_\_, 2017.

Second reading on \_\_\_\_\_, 2017.

Third and final reading on \_\_\_\_\_, 2017.

CITY OF NORTH LIBERTY:

\_\_\_\_\_  
TERRY L. DONAHUE, MAYOR

ATTEST:

I, Tracey Mulcahey, City Clerk of the City of North Liberty, hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings, the above was adopted.

\_\_\_\_\_  
TRACEY MULCAHEY, CITY CLERK

I certify that the forgoing was published as Ordinance No. \_\_\_\_\_ in the North Liberty *Leader* on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
TRACEY MULCAHEY, CITY CLERK





## **PLANNING COMMISSION**

Minutes

October 3, 2017

### **Roll Call**

Vice-chair Jennifer Bleil called the October 3, 2017 Planning Commission to order. Commissioners present: Jennifer Bleil, Jason Heisler, Becky Keogh, and Pat Staber; absent: Kylie Pentecost, Ronda Detlefsen and Adam Gebhart.

Others present: Dean Wheatley, Tracey Mulcahey, Scott Peterson, Kevin Trom, Megan Benischek, Jeff Mekota, Carter Kurdlre and other interested parties.

### **Agenda Approval**

Heisler moved, Keogh seconded to approve the agenda. The vote was all ayes. Agenda approved.

### **Lot 20, Dahnovan Estates Site Plan**

#### *Staff Presentation*

Wheatley presented the request from Dahnovan Builders to approve a site plan for multi-family property located at the northwest corner of Tartan Drive and North Liberty Road, west of Scanlon Farms – North Ridge single family neighborhood. Staff recommends approval of the application.

#### *Applicants Presentation*

Jeff Mekota was present on behalf of the applicant and offered additional information on the project.

#### *Public Comments*

No public comments were offered.

#### *Questions and Comments*

The Commission discussed the application including parking, the revisions.

#### *Recommendation to the City Council*

Staber moved, Heisler seconded to recommend approval of the site plan application to the City Council with no conditions. The vote was: ayes - Keogh, Staber, Bleil, Heisler; nays - none. Motion carried.

### **Approval of Previous Minutes**

Heisler moved, Staber seconded to approve the minutes of the September meeting. The vote was all ayes. Minutes approved.

### **Old Business**

No old business was presented.

**New Business**

Wheatley reported that two rezoning applications are on the November agenda.

**Adjournment**

Keogh moved, Staber seconded to adjourn at 6:39 p.m. The vote was all ayes. Meeting adjourned.