



**North Liberty Planning Commission
Tuesday, August 15, 2023, 6:30 PM
North Liberty City Council Chambers
1 Quail Creek Circle, North Liberty, Iowa 52317**

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Call to Order

- 1. Roll Call**
- 2. Approval of the Agenda**
- 3. Private Street Name:** Request of the City of North Liberty to establish the Steindler Way private street name.
 - a. Staff Presentation
 - b. Public Comments
 - c. Questions and Comments
 - d. Recommendation to the City Council
- 4. Public Hearing on Zoning Map Amendment:** Request of Pratt Real Estate Management, Inc. for a zoning map amendment (rezoning) on approximately 1.59 acres from RS-9 Single-Unit Residence District to RD-10 Two-Unit Residence District. The property is located on the west side of North Jones Boulevard approximately 465 feet south of 240th Street.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Recommendation to the City Council

- 5. Public Hearing on Zoning Map Amendment:** Request of Scanlon Family, LLC. For a zoning map amendment (rezoning) on approximately 5.28 acres from RS-6 Single-Unit Residence District to RD-8 Two-Unit Residence District. The property is located on the north side of Berkshire Lane as extended westerly 85' from its current terminus in Greenbelt Trail, Part 2 Subdivision.

 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Recommendation to the City Council

- 6. Preliminary Subdivision Plat:** Request of Scanlon Family, LLC. to approve a Preliminary Subdivision Plat revision for a 22-lot subdivision on approximately 5.28 acres. The property is located on the north side of Berkshire Lane as extended westerly 85' from its current terminus in Greenbelt Trail, Part 2 Subdivision.

 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments
 - d. Questions and Comments
 - e. Recommendation to the City Council

- 7. Public Hearing on Street Vacation:** Request of the City of North Liberty to vacate North Front Street between Cherry Street and North Dubuque Street.

 - a. Staff Presentation
 - b. Public Comments
 - c. Questions and Comments
 - d. Recommendation to the City Council

- 8. Public Hearing on Ordinance:** Request of the City of North Liberty for an Ordinance amending Chapters 165, 166, 167, 168, 169 and 173 of the North Liberty Zoning Code, amending conditions for construction site plan approval, zoning map amendments, and required comprehensive plan components, adding new and updating definitions, combining the C-2-A and C-2-B Zoning Districts, amending bulk requirements in certain residential and commercial districts, zoning use standards, maximum fence height in residential districts, accessory structure standards, and permitted encroachments in required yards.

 - a. Staff Presentation
 - b. Public Comments
 - c. Questions and Comments
 - d. Recommendation to the City Council

9. Approval of Previous Minutes

10. Old Business

11. New Business

12. Adjournment



Planning Commission
June 6, 2023
Council Chambers, 1 Quail Creek Circle

Call to Order

Chair Josey Bathke called the June 6, 2023 Planning Commission to order at 6:30 p.m. in the Council Chambers at 1 Quail Creek Circle. Commission members present: Barry A'Hearn, Josey Bathke, Sheila Geneser, Jason Heisler, and Dave Willer; absent: Patrick Staber and Brian Vincent.

Others present: Ryan Rusnak, Ryan Heiar, Grant Lientz, Josiah Bilskemper, Tracey Mulcahey, Ryan Vliek, Lacey Stutzman, Ryan Abraham, Carter Kurdire, and other interested parties.

Approval of the Agenda

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

Aldi Preliminary Site Plan

Staff Presentation

Rusnak presented the request of Aldi, Inc. to approve a Preliminary Site Plan for a 20,664 retail good establishment on 4.54 acres. The property is located on the west side of Ranshaw Way approximately 525 feet west of West Penn Street (725 North Ranshaw Way/North Highway 965). Staff recommends the Planning Commission accept the listed finding; the preliminary plat would achieve consistency with the approval standards enumerated in Section 165.05(2)(E) of the Zoning Code, and forward the request to approve a preliminary site plan for a 20,664 retail good establishment on 4.54 acres to the City Council with a recommendation for approval.

Applicant Presentation

Ryan Vliek, IngenAE, 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 a size comparison to the Coralville store, the use of the land, and Ranshaw access.

Recommendation to the City Council

Willer moved, Geneser seconded that the Planning Commission accept the listed finding and forward the preliminary site plan to the City Council with a recommendation for approval. The vote was: ayes – Heisler, Geneser, Willer, A'Hearn, Bathke; nays – none; absent – Staber, Vincent. Motion carried.

Water Tower Place Preliminary Site Plan

Staff Presentation

Rusnak presented the request of Dahnovan Holdings to approve a Preliminary Site Plan for 15 two- and one-unit dwellings on approximately 1.81 acres. The property is located approximately 630'

west of North Kansas Avenue and 300' south of southern terminus of North Madison Avenue (Proposed Lot 2 of Water Tower Place Subdivision). Staff recommends the Planning Commission accept the listed finding, the preliminary site plan would achieve consistency with the approval standards enumerated in Section 165.05(2)(E) of the Zoning Code, and forward the request to approve a preliminary site plan for fifteen two- and one-unit dwellings on approximately 1.81 acres to the City Council with a recommendation for approval.

Applicant Presentation

Ryan Abraham, the applicant, was present, but had no presentation.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including that this is a great creative use.

Recommendation to the City Council

A'Hearn moved, Willer seconded that the Planning Commission accept the listed finding and forward the preliminary site plan to the City Council with a recommendation for approval. The vote was: ayes – Willer, Geneser, Bathke, A'Hearn, Heisler; nays – none; absent – Staber, Vincent. Motion carried.

Warehouse Building Preliminary Site Plan

Staff Presentation

Rusnak presented the request of Diamond Ridge Construction to approve a Preliminary Site Plan for a 9,360 square foot warehouse building on approximately 5.01 acres. The property is located on the south side of Stoner Court approximately 250' east of Herky Street (2905 Stoner Court). Staff recommends the Planning Commission accept the listed finding and forward the request to approve a preliminary site plan for a 9,360 square foot warehouse building on approximately 5.01 acres to the City Council with a recommendation for approval.

Applicant Presentation

Lacey Stutzman, MMS Consultants, was present on behalf of the applicant and offered to answer questions.

Public Comments

No public comments were offered.

Questions and Comments

The Commission discussed the application including that it is straightforward and consistent.

Recommendation to the City Council

Heisler moved, A'Hearn seconded that the Planning Commission accept the listed finding and forward the preliminary site plan to the City Council with a recommendation for approval. The vote was: ayes- Geneser, A'Hearn, Bathke, Willer, Heisler; nays – none; absent – Staber, Vincent. Motion carried.

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of the City of North Liberty for a zoning map amendment (rezoning) on approximately 3.53 acres, from RM-21 Multi-Residence District to RM-12 Multi-Residence District on property located on the west side of North Dubuque Street approximately

175' north of North Main Street (475 N Dubuque Street). Staff recommends the Planning Commission accept the finding, the rezoning request from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code, and forward the request for zoning map amendment (rezoning) from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on 3.53 acres to the City Council with a recommendation for approval.

Public Comments

No public comments were received.

Questions and Comments

The Commission discussed the application including that it is straightforward.

Recommendation to the City Council

A'Hearn moved, Willer seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – Bathke, Willer, A'Hearn, Geneser, Heisler; nays – none; absent – Staber, Vincent. Motion carried.

Public Hearing on Zoning Map Amendment

Staff Presentation

Rusnak presented the request of the City of North Liberty for a zoning map amendment (rezoning) on approximately .33 acres, from RM-21 Multi-Residence District to RM-12 Multi-Residence District on property located on the west side of North Main Street approximately 300' north of West Cherry Street (355, 357, 359 N Main Street). Staff recommends the Planning Commission accept the listed finding, the rezoning request from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code, and forward the request for zoning map amendment (rezoning) from RM-21 Multi-Unit Residence District to RM-12 Multi-Unit Residence District on .33 acres to the City Council with a recommendation for approval.

Public Comments

The owner of the property submitted an objection to the proposed rezoning.

Questions and Comments

The Commission discussed the application including how many additional units could be added if the zoning remained, the proximity of additional RM-21, size of the parcel and acknowledged the landowner input.

Recommendation to the City Council

A'Hearn moved, Heisler seconded that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval. The vote was: ayes – Geneser, Heisler, Bathke, Willer, A'Hearn; nays – none; absent – Staber, Vincent. Motion carried.

Approval of Previous Minutes

Heisler moved, A'Hearn seconded to approve the minutes of the April 18, 2023 meeting. The vote was all ayes. Minutes approved.

Old Business

No old business was presented.

New Business

Rusnak reported that July's Planning Commission meeting would be on July 4. It will be rescheduled to July 18. Heiar shared an update on Centennial Next Stage.

Adjournment

At 6:53 p.m., A'Hearn moved, Willer seconded to adjourn. The vote was all ayes. Meeting adjourned.

Signed:

Tracey Mulcahey, City Clerk



To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **August 11, 2023**
Re **Request of the City of North Liberty for an Ordinance amending the City of North Liberty, Iowa Code of Ordinances, by amending Chapter 165, Zoning Code – Administrative regarding extension of public utilities and moratorium, Chapter 173, Zoning Code – Sign Regulations regarding signs in residential zones and Chapter 180 – Subdivision Ordinance regarding subdivision plat preparation, review and submittal process requirements.**

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
Grant Lientz, City Attorney
Tom Palmer, City Building Official
Kevin Trom, City Engineer
Ryan Rusnak, Planning Director

1. Request Summary:

This is a staff initiated ordinance to implement desired practices and adapt to changing land use trends. A summary of the proposed changes include:

- Strengthens construction site plan review requirements.
- Removes a zoning map amendment (rezoning) approval standard.
- Amends Comprehensive Plan elements, which currently do not align with the recently adopted Plan.
- Amends and reorganizes zoning definitions.
- Combines the C-2-A and C-2-B Zoning Districts into the C-2 District.
- Reduces side yards setbacks for RD-8 and RD-10 zoned properties.
- Amends certain zoning use standards.
- Amends fence regulations to differentiate allowances for a fence on a corner lot vs a reverse corner lot. A diagram of the various types of lots has been added to the zoning definitions.
- Allows for structures besides private garages be larger than 200 square feet. Examples include storage buildings, greenhouses, gazebos, pergolas, and other similar structures.
- Amends permitted encroachments into required yards.

2. Public Input:

No public input has been received.

3. Staff Recommendation:

Finding:

1. The proposed Ordinance would implement desired practices and adapt to changing land use trends.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the Ordinance amendment to the City Council with a recommendation for approval.

Suggested Motion:

I move that the Planning Commission accept the listed finding and forwards the Ordinance amendment to the City Council with a recommendation for approval.

ORDINANCE NO. _____

REQUEST OF THE CITY OF NORTH LIBERTY FOR AN ORDINANCE AMENDING CHAPTERS 165, 166, 167, 168, 169 AND 173 OF THE NORTH LIBERTY ZONING CODE, AMENDING CONDITIONS FOR CONSTRUCTION SITE PLAN APPROVAL, ZONING MAP AMENDMENTS, AND REQUIRED COMPREHENSIVE PLAN COMPONENTS, ADDING NEW AND UPDATING DEFINITIONS, COMBINING THE C-2-A AND C-2-B ZONING DISTRICTS, AMENDING BULK REQUIREMENTS IN CERTAIN RESIDENTIAL AND COMMERCIAL DISTRICTS, ZONING USE STANDARDS, MAXIMUM FENCE HEIGHT IN RESIDENTIAL DISTRICTS, ACCESSORY STRUCTURE STANDARDS, AND PERMITTED ENCROACHMENTS IN REQUIRED YARDS.

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

SECTION 1. AMENDMENT OF ZONING ORDINANCE. Paragraph 3(D) of Chapter 165.05 of the North Liberty Code of Ordinances is amended to read as follows:

- D. Extension of public utilities and services, dedication of right-of-way.
- (1) The petitioner may, as a condition of the construction site plan approval, be required to install public utilities, including (but not limited to) water lines, storm sewer, sanitary sewer, street paving, fire hydrants, and such other utilities as applicable to properly serve the proposed development ~~and allow for the orderly future development of neighboring parcels~~, to provide easements for the ingress and egress of public utility and emergency vehicles, and to dedicate right-of-way to accommodate motorized and nonmotorized transportation, parking, and utility requirements. The City and petitioner may enter into a written site plan agreement governing the installation and establishment of such utilities and accommodations necessary to satisfy public needs. Where required as a condition of a construction site plan approval, utilities shall be constructed in accordance with construction standards as established by resolution of the City Council for those portions within the public right-of-way and to be dedicated to the City, and may be required to be constructed to the same specifications for those undedicated portions where said utilities may have a direct effect on the future safety, proper functioning, and maintenance of those portions to be dedicated.
- (2) To allow orderly development, the water lines and sanitary sewer service installed in a proposed development pursuant to subparagraph 1 above shall extend to the boundary line of the subject property, and beyond as may be determined to be necessary by the City to provide for future service to adjacent properties. The City shall require the installation of water and sewer

service of sufficient size and capacity to serve the full area capable of being served by each such type of improvement, so that the City will not be required to construct parallel or duplicate facilities. If such improvements are greater in size than needed to serve the subject property itself, the City, at its discretion, may share in the expense thereof. Such cost sharing shall be according to the terms of a site plan agreement. Any payment of excess costs by the City shall be pursuant to state law.

SECTION 2. AMENDMENT OF ZONING ORDINANCE. Paragraph 4(D) of Chapter 165.09 of the North Liberty Code of Ordinances is amended to read as follows:

- D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.
- (1) Map Amendments.
 - (a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
 - (b) The compatibility with the zoning of nearby property
 - (c) The compatibility with established neighborhood character.
 - (d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
 - ~~(e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.~~
 - ~~(f)~~(e) The extent to which the proposed amendment creates nonconformities.

SECTION 3. AMENDMENT OF ZONING ORDINANCE. Paragraph 7(A) of Chapter 166.02 of the North Liberty Code of Ordinances is amended to read as follows:

A. ~~Comprehensive Plan. It shall be the duty of the Commission, after holding public hearings, to create and recommend to the Council a comprehensive plan for the physical development of its jurisdiction, which may include areas outside of the City's boundaries which bear consideration to the planning of the jurisdiction. The Commission shall also recommend amendments to the comprehensive plan. The comprehensive plan shall include at least the following elements:~~

B. ~~Official Maps~~

~~Growth and Land Use~~

~~Commercial/Industrial Uses~~

~~Transportation and Utilities~~

~~Community Facilities~~

~~Housing~~

~~Environmental~~

~~Geologic/Natural Hazards~~

~~The Commission may also recommend amendments to the comprehensive plan.~~

SECTION 4. AMENDMENT OF ZONING ORDINANCE. Chapter 167.01 of the North Liberty Code of Ordinances is amended as follows:

1. The existing defined term, "Accessory building," is amended to read as follows:

~~"Accessory building structure" means a subordinate building structure customarily incidental to and located on the same lot occupied by the main use or building, such as a detached garage as the principal building.~~

2. A new defined term, "Gazebo," as set forth below, is inserted between the definitions of "Garage, private" and "Grade":

~~"Gazebo" means a freestanding roofed structure with open sides.~~

3. Delete definitions, "Lot," "Lot, corner," "Lot, flag," "Lot, interior".

~~"Lot" means a parcel of land, adequate for occupancy by a use permitted under this chapter, which provides the yards, area, and off-street parking required under this code and which fronts directly upon a public street or upon an officially approved place.~~

~~"Lot area" means the total area within the boundaries of a lot, excluding any street right-of-way, usually defined in square footage.~~

~~"Lot, corner" means a lot abutting on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees.~~

4. New defined term, "Lot," as set forth below, is inserted between the definitions of "Livestock" and "Lot area":

"Lot" means the basic development unit for determination of lot area, depth, and other dimensional regulations.. The following describes the types of lot configurations:

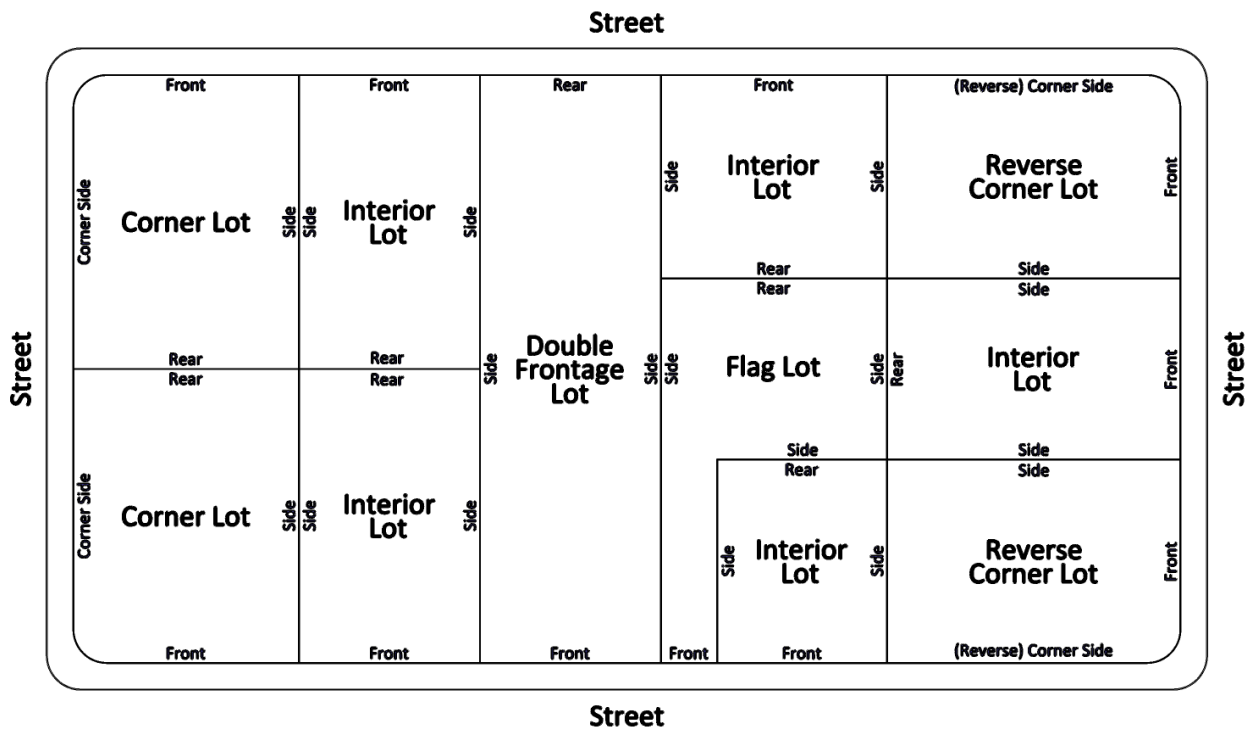
An "interior lot" means a lot other than a corner or through lot, bounded by two interior side lot lines.

A "corner lot" means a lot situated at the junction of, and abutting on, two or more intersecting streets.

A "double frontage lot" means a lot which fronts upon two streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.

A "reverse corner lot" is a corner lot where the side lot line adjoining a street is substantially a continuation of the front lot line of the first lot to its rear.

A "flag lot" means a lot such that the main building site area (the "flag") is set back from the street on which it fronts and includes an access strip (the "pole") connecting the main building site with the street.



5. A new defined term, "Pergola," as set forth below, is inserted between the definitions of "Parking space" and "Person":

"Pergola" means an open structure, which may either be freestanding or attached to a structure, that forms a partially shaded pedestrian walkway, passageway, or seating area.

SECTION 5. AMENDMENT OF ZONING ORDINANCE. Paragraph 1(B) of Chapter 168.01 of the North Liberty Code of Ordinances is amended as follows:

- B. Commercial Districts
- (1) C-1-A Central Commercial District.
 - (2) C-1-B General Commercial District.
 - (3) C-2-A Highway Commercial District.
 - ~~(4) C-2-B Highway Commercial District.~~
 - ~~(5)~~(4) C-3 Higher-Intensity Commercial District.
 - ~~(6)~~(5) O/RP Office and Research Park District

SECTION 6. AMENDMENT OF ZONING ORDINANCE. Paragraph 5(B) of Chapter 168.02 of the North Liberty Code of Ordinances is amended as follows:

168.02 RESIDENTIAL DISTRICTS.

- B. RD and RM Districts.

Table 168.02-B Dimensional Standards SF = Square Feet, DU= Dwelling Unit, ' = Feet					
	RD-8	RD-10	RM-8	RM-12	RM-21
Bulk					
Minimum Lot Area	10,000 SF 5,000 SF/DU	9,000 SF 4,500 SF/DU	21,780 SF 5,000 SF/DU	21,780 SF 3,500 SF/DU	21,780 SF 2,000 SF/DU
Minimum Frontage	40'	35'	75'	50'	50'
Minimum Lot Width	100'	80'	100'	80'	80'
Maximum Building Height	35'	35'	40'	40'	65'*
Setbacks					
Minimum Required Front Yard	25'	25'	25'	25'	25'*
Minimum Required Corner Side Yard	25'	25'	25'	25'	25'*
Minimum Required Side Yard	10-8'	10-5'	15'	15'	10'*
Minimum Required Rear Yard	30'	30'	30'	30'	30'

*An additional foot of setback is required for every foot of building height over 45'

SECTION 7. AMENDMENT OF ZONING ORDINANCE. Chapter 168.03 of the North Liberty Code of Ordinances is amended as follows:

168.03 COMMERCIAL DISTRICTS.

1. Defined.
 - A. C-1-A Central Commercial District. The C-1-A District is intended to provide a traditional central setting oriented toward pedestrians as well as automobiles. It is typified by high-density commercial development with minimal setback requirements.
 - B. C-1-B General Commercial District. The C-1-B District is intended to provide for the uses established under the C-1-A Central Commercial District and other commercial uses which due to space requirements and the nature of operations are not suitable for location within a compact central commercial center. Setback and yard requirements are greater than under the C-1-A Central Commercial District.
 - C. ~~C-2-A~~ Highway Commercial District. The ~~C-2-A~~ District is intended to provide for those commercial uses which may take particular advantage of a highway location and/or due to size or other nuisance constraints may be incompatible with the predominantly retail uses permitted in the C-1-A and C-1-B Commercial Districts, and whose service area is not confined to any one neighborhood or community.
 - ~~D. C-2-B Highway Commercial District. The C-2-B District is intended to provide for those commercial uses which may take advantage of a highway location and are compatible with second-story residential uses. This district will be used sparingly after initial passage of the City zoning map.~~
 - E.D. C-3 Higher-Intensity Commercial District. The C-3 District is intended to accommodate higher-intensity commercial development that serves both local and regional markets. The C-3 District addresses medium and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.
 - F.E. O/RP Office and Research Park District. The O/RP District is intended to accommodate office buildings, similar structures, and complementary uses in a mutually compatible environment. It is designed to provide landscaping and space requirements suitable for an office and research setting. Uses are limited to those compatible with an office setting and those which do not produce noise, air, or other environmental nuisances which might interfere with activities within the district and surrounding residential areas.

2. Dimensional Standards.

Table 168.03 Dimensional Standards SF = Square Feet, ' = Feet						
	C-1-A	C-1-B	C-2-A	C-2-B	C-3	O/RP
Bulk						
Minimum Lot Area	None	None	None	None	20,000 SF	1.5 acres
Minimum Frontage	35'	35'	35'	35'	35	100'
Minimum Lot Width	35'	35'	35'	35'	35'	150'
Maximum Building Height	45'	45'	35'	35'	75' _*	75'
Setbacks						
Minimum Required Front Yard	0'	25'	25'	25'	25'	50'
Minimum Required Corner Side Yard	0'	25'	25'	25'	25'	50'
Minimum Required Side Yard	0'	10'	10'	10'	10' _* unless abutting a residential district then 20'	20'
Minimum Required Rear Yard	10'	20'	20' _{10**}	20'	10' _* unless abutting a residential district then 25'	50'

* One foot of additional setback above the required side or rear yard setback as measured from a lot line of property within a residential district for every one-foot building height above 35 feet.

** Unless abutting a residential district than 20'.

SECTION 8. AMENDMENT OF ZONING ORDINANCE. Table 168.06: Use Matrix, in Chapter 168.06 of the North Liberty Code of Ordinances is amended as follows:

Table 168.06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

Use	ID	RS	RD	RM	R-MH	C-1-A	C-1-B	C-2-A	C-2-B	C-3	OR/P	I-1	I-2	I-P	P
1. Adult Entertainment													C		
2. Agricultural Experience	C														
3. Agriculture	P														
4. Amusement Facility – Indoor						C	P	P	P	P					
5. Amusement Facility – Outdoor										C					
6. Animal Care Facility						P	P	P	P			P			
7. Animal Shelter												C			C
8. Art Gallery						P	P	P	P	P					
9. Arts and Fitness Studio						P	P	P	P	P					
10. Bar						P	P	P	P	P		P		P	
11. Bed and Breakfast Home		C													
12. Body Art Establishment								P	P						
13. Brewery-Micro						P	P	P	P	P				P	
14. Broadcasting Studio								P	P	P				P	P
15. Building Trades and Services								P	P	P		P		P	
16. Car Wash								P	P						
17. Child Care Center						P	P	P	P	P	P			P	P
18. Child Care Home		P			P										
19. Child Development Home		P													
20. Community Center						P	P	P	P	P				P	P
21. Community Pantry	C	C	C	C		C	P	P	P						
22. Cultural Facility						P	P	P	P	P					P
23. Distillery, Micro						P	P	P	P	P				P	
24. Drive-Through Facility						C	P	P	P	P	P			P	
25. Dwelling – Manufactured Home					P										
26. Dwelling – Mixed Use						P	P	P	P	P					
27. Dwelling – Multiple-Unit				P						P					

Table 168.06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

Use	ID	RS	RD	RM	R-MH	C-1-A	C-1-B	C-2-A	C-2-B	C-3	OR/P	I-1	I-2	I-P	P
<u>28. Dwelling – Single-Unit</u>	P	P													
<u>29. Dwelling – Single-Unit Zero Lot Line</u>			P												
<u>30. Dwelling – Townhouse</u>				P											
<u>31. Dwelling – Two Unit</u>			P	P											
<u>32. Educational Facility – Primary</u>	P	P	P	P		P	P	P	P	P					P
<u>33. Educational Facility – Secondary</u>	P	P	P	P		P	P	P	P	P					P
<u>34. Educational Facility – University or College</u>											P			P	P
<u>35. Educational Facility – Vocational</u>						C	P	P	P	P		P		P	
<u>36. Financial Institution</u>						P	P	P	P	P				P	
<u>37. Fireworks, Retail Sales of</u>												P			
<u>38. Food Bank</u>												P			
<u>39. Fueling Station</u>							P	P	P	P		P		P	
<u>40. Fulfillment Center, Micro</u>								C	C	C		P			
<u>41. Funeral Home</u>								P	P						
<u>42. Golf Course/Driving Range</u>							P								P
<u>43. Greenhouse/Nursery - Retail</u>												P			
<u>44. Group Home</u>	P	P	P		P										
<u>45. Healthcare Institution</u>										P				P	P
<u>46. Heavy Rental and Service Establishment</u>												P			
<u>47. Heavy Retail Establishment</u>										P		P			
<u>48. Hotel</u>						C	P	P	P	P	P			P	
<u>49. Industrial - General</u>												P	P		
<u>50. Industrial - Light</u>												P	P	P	
<u>51. Industrial Design</u>							P	P	P	P		P		P	

Table 168:06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

<u>Use</u>	<u>ID</u>	<u>RS</u>	<u>RD</u>	<u>RM</u>	<u>R-MH</u>	<u>C-1-A</u>	<u>C-1-B</u>	<u>C-2-A</u>	<u>C-2-B</u>	<u>C-3</u>	<u>OR/P</u>	<u>I-1</u>	<u>I-2</u>	<u>I-P</u>	<u>P</u>
<u>77. Vehicle Dealership, New and Used</u>								P	P	P					
<u>78. Vehicle Dealership, Used</u>								C	C						
<u>79. Vehicle Operations Facility</u>												P			P
<u>80. Vehicle Rental</u>												P			
<u>81. Vehicle Repair - Major</u>								C	C			P			
<u>82. Vehicle Repair - Minor</u>								P	P			P			
<u>83. Warehouse</u>												P			
<u>84. Wholesale Establishment</u>												P			
<u>85. Winery, Micro</u>						P	P	P	P	P				P	

SECTION 9. AMENDMENT OF ZONING ORDINANCE. Paragraphs 6, 15, 30, 29, 30, 31, 39, and 72 of Chapter 168.07 of the North Liberty Code of Ordinances are each respectively amended as follows:

6. Animal Care Facility.
 - A. Defined. Animal Care Facility means an establishment which provides care for domestic animals, including veterinary offices for the treatment of animals, pet grooming facilities and animal training centers and clubs. The boarding of animals is limited. Animal care facilities do not include animal breeders or animal shelters.
 - B. Use Standards.
 - (1) Animal care facilities must locate exterior exercise areas in the rear yard only. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A fence a minimum of six feet in height is required for all exterior exercise areas.
 - (2) Animal care facilities must locate all overnight boarding facilities indoors. Overnight boarding is not permitted in the C-1-B; and C-2-A Districts ~~and C-2-B Districts~~ unless short-term boarding is incidental to the veterinary treatment of animals.
 - (3) All animal quarters and exterior exercise areas must be kept in a clean, dry, and sanitary condition.

15. Building Trades and Services
 - A. Defined. Building Trades and Services means an establishment that undertakes activities related to building construction projects, as well as those that provide repair and maintenance services to buildings, including building systems, home appliances, and the like. These specialized trade contractors may work on subcontract from a general contractor, performing only part of the work covered by the general contract, or they may work directly for the owner of the building or project. Building and Trade Services uses primarily perform their work at the site of the structure being constructed or serviced, although they also may have shops where they perform work incidental to the job site. Examples of building trades and services include electrical, plumbing, heating, and air conditioning contractors, painting, masons, stone and tile setters, glass and glazing services.
 - B. Use Standards.
 - (1) Building area shall be limited to 7,500 square feet in the C-2-~~A, C-2-B~~ and C-3 Districts.
 - (2) Vehicles such as cars, vans and pickup trucks shall be permitted in designated parking spaces in any location. Box trucks, and other similar vehicles, along with trailers which may be pulled by permitted vehicles, shall also be permitted in designated parking

spaces, but shall not be located within a front or corner side yard. Smaller equipment such as skid loaders, forklifts, etc. may be permitted, provided they are stored indoors or inside enclosed trailers. Heavy vehicles and equipment such as tractor trailers, semi-trucks, construction equipment, and other large specialty vehicles as determined by Code Official shall be prohibited.

- (3) Outdoor storage shall only be permitted in the I-1 District.
 - (a) Outdoor storage or display areas shall be screened with landscaping consisting of shade trees and evergreen trees and shrubs. Such landscaped area shall be of sufficient width and density to provide an effective and aesthetically pleasing screen with trees and shrubs not less than five feet in height when planted. In lieu of planting strips, a six-foot tall solid vertical fence or masonry, heavy wood construction, or other similar material approved by the Code Official may be used as a screen.
 - (b) Outdoor storage or display shall be allowed only on hard-surface areas paved to parking lot specifications with asphalt or concrete.

29. Dwelling – Single-Unit Zero Lot Line.

A. Defined. A Single-Unit Zero Lot Line Dwelling means a structure containing two dwelling units, the interior of which is configured in a manner such that the dwelling units are separated by a party wall and are on separate lots. A single-unit zero lot line dwelling is typically designed so that each unit has a separate exterior entrance and yard areas.

B. Use Standards.

- (1) The interior side yard is not applicable to the side of the unit located on the lot line (shared wall attachment to another unit).
- (2) Each unit must have an approved one-hour fire-resistive wall between them that is built in such a manner as to allow no connections other than the wall itself between the units
- (3) The front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front facade.
- (4) Minimum required masonry on front and corner side yard building elevations is 25%, with the following exceptions:
 - (i) Two, two-inch caliper trees planted in the corner side yard. Existing trees of adequate size in the corner side yard may satisfy this requirement.
 - (ii) Architectural relief on the façade facing the corner side yard, such that the wall contains more than two offsets, which may consist of wall corners, bay or bowed windows, or other means approved by the Code Official.

- (5) A 5% minimum transparency requirement applies to the front facade and is calculated on the basis of the area of the facade below the roofline.

30. Dwelling – Townhouse.

A. Defined. Townhouse Dwelling means structure consisting of three or more dwelling units, the interior of which is configured in a manner such that the dwelling units are separated by a party wall and may or may not be on separate lots. A townhouse is typically designed so that each unit has a separate exterior entrance and yard areas. A townhouse dwelling does not include a multi-family dwelling. To provide for design flexibility, a townhouse dwelling development may include single-unit dwellings.

B. Use Standards.

- (1) The interior side yard is not applicable to the side of the unit located on the lot line (shared wall attachment to another unit).
- (2) Each unit must have an approved one-hour fire-resistive wall between them that is built in such a manner as to allow no connections other than the wall itself between the units
- (3) The front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front facade.
- (4) Minimum required masonry on front and corner side yard building elevations is 25%,
- (5) A 5% minimum transparency requirement applies to the front facade and is calculated on the basis of the area of the facade below the roofline.

31. Dwelling - Two-Unit.

A. Defined. A Two-Unit Dwelling means a structure containing two dwelling units, arranged side-by-side with each unit having an exterior entrance, on a single lot. To provide for design flexibility, a two-unit dwelling development may include single-unit dwellings.

B. Use Standards.

- (1) The front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front facade.
- (2) Minimum required masonry on front and corner side yard building elevations is 25%,
- (3) A 5% minimum transparency requirement applies to the front facade and is calculated on the basis of the area of the facade below the roofline.

39. Fueling Station.
- A. Defined. Fueling Station means an establishment where fuel for vehicles is dispersed from fixed equipment into the fuel tanks or battery cells of said vehicles. A fueling station may also include ancillary car wash bays.
 - B. Use Standards. ~~None.~~
 - (1) Canopy support structures shall be wrapped in masonry materials consistent with the principal building.
72. Self-Storage Facility: Outdoor.
- A. Defined. Outdoor self-storage facility means an establishment for the storage of personal property where individual renters control and access individual storage spaces and where each storage unit has individual access from the outdoors. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.
 - B. Use Standards.
 - (1) Storage units cannot be used for residential occupancy or business.
 - (2) No plumbing connections are permitted in self-storage units.
 - (3) Outdoor self-storage facilities shall be oriented to the best extent possible so that storage unit access doors do not face the public right-of-way, or residential districts as set forth in Section 168.02.
 - (4) Exterior facades not facing the exterior of the property are not subject to the masonry requirements set forth in Section 169.10.
 - (5) Commercial district design standards.
 - (a) Exterior facades that face a right-of-way or adjoining residential district shall include the following:
 - (i) Color, texture and building material changes.
 - (ii) Wall articulation change of no less than two feet in depth or projection every 50 feet.
 - (iii) Wall articulation change no less than two feet in vertical elevation every 50 feet in building width. The change in elevation shall extend a minimum of 20 feet in building width.
 - (iv) Exterior facades that face a right-of-way or adjoining residential district shall include windows or faux windows.

SECTION 10. AMENDMENT OF ZONING ORDINANCE. Paragraph 6 of Chapter 169.04 and table 169.05 of the North Liberty Code of Ordinances are amended as follows:

6. Height.

The height of all fences and/or retaining walls located within a front, corner side yard, side, or rear yard shall not exceed those found in Table ~~169.05~~169.04.

District	Front Yard	Corner Side Yard	Side Yard	Rear Yard
Residential Districts	4'	4'	8' <u>6'</u>	8' <u>6'</u>
All Other Districts	4'	4'	16'	16'

1. Fences shall not be located within the corner visual clearance.
2. Chain ~~link~~ fences shall not be located within the required front or required corner side yard (see exception within number 4 below).
3. Fences shall not exceed 8' in height if the property abuts a residential district.
4. With the exception of a reverse corner lot~~On a corner lot, a 6-foot high privacy fence up to 6' high~~ may be erected on that portion of the corner lot at the rear of the house provided the fence is erected a minimum of 15 feet from any sidewalk, driveway, or right-of-way line. Said fence shall comply in all other respects with the fence requirements.

SECTION 11. AMENDMENT OF ZONING ORDINANCE. Paragraphs 1, 2 and 3 of Chapter 169.05 of the North Liberty Code of Ordinances are amended as follows:

169.05 ACCESSORY STRUCTURES AND USES.

Accessory structures and uses shall occupy the same lot as the main use or building. No lot shall have an accessory structure or use without the principal use. No accessory structure shall be used as a dwelling unit. Accessory structures shall be constructed out of material intended for long-term exposure to the elements. Prohibited materials include, but are not limited to cloth, fabric, canvas, plastic sheets and tarps. Exceptions to the materials prohibition includes plastic for greenhouses and fabric and/or canvas for shade structures. Shipping containers are prohibited as an accessory structure.

1. Yard Encroachment.

No accessory building or use shall be located within any yard unless authorized by this Section and/or Section 169.08.

2. Freestanding ~~Private~~ Garages, Storage Buildings, Greenhouses, Gazebos, Pergolas, and other Similar Structures greater than 200 Square Feet Gross Floor Area.

A. RS, RD and ID districts shall be subject to the following:

(1) A maximum one freestanding garage, garage, storage building, greenhouses, gazebos, pergolas, and other similar structures greater than 200 square feet gross floor area.

(2) Freestanding garages. A maximum gross floor area of 850 square feet. RS district exception: on properties exceeding .5 acres but less than .75 acres, the maximum gross floor area shall be 1,000 square feet. On properties

exceeding .75 acres but less than one acre, the maximum gross floor area shall be 1,200 square feet. On properties exceeding one acre, the maximum gross floor area shall be 1,400 square feet. Notwithstanding the foregoing, the gross floor area shall not exceed the total footprint of the residence.

~~(3)~~ All other structures besides freestanding garages. A maximum gross floor area of 600 square feet.

~~(3)(4)~~ May be located within the rear yard subject to a five foot side and rear setback.

~~(4)(5)~~ May be located within a side yard subject to meeting the required side and rear yard setbacks for the main building.

~~(5)(6)~~ Must be situated a minimum 20 feet from a public or private right-of-way or improved home.

~~(6)(7)~~ May Not be located within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.

~~(7)(8)~~ A maximum height of 15 feet.

B. RM district.

(1) No maximum number ~~of freestanding garages accessory structures,~~ however, the aggregate floor area shall not exceed the aggregate footprint of the main buildings.

(2) May be located within the rear yard subject to a 10-foot side and rear setback.

(3) A minimum 20 feet from a public or private right-of-way or improved alley.

(4) Not within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.

(5) A maximum height of 15 feet.

3. Storage Buildings, ~~and~~ Greenhouses, Gazebos, Pergolas and other Similar Structures 200 Square Feet Gross Floor Area or Less.

A. RS and RD districts shall be subject to the following:

(1) A maximum two storage buildings, greenhouses or structures designed for other similar use, or any combination thereof, may be located within the rear yard.

~~(2)~~ Maximum 200 square feet gross floor area per structure.

~~(3)(2)~~ A minimum of five feet from the side and rear property line.

~~(4)(3)~~ A minimum of 10 feet from a public or private right-of-way alley.

~~(5)(4)~~ Not within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.

~~(6)(5)~~ Maximum building height of 10 feet.

SECTION 12. AMENDMENT OF ZONING ORDINANCE. Paragraph 8(B) of Chapter 169.08 and table 169.08 of the North Liberty Code of Ordinances are amended as follows:

- B. In districts where a maximum height is imposed, such height limitations shall not apply to certain appurtenances and structures and are indicated in Table 169-08: Permitted Encroachments into Required Yards and Exceeding Maximum Building Height.

Table 169-08: Permitted Encroachments Into Required Yards and Exceeding Maximum Building Height Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Required Front/Corner Side Yard	Required Side Yard	Required Rear Yard	Exceed Max. Building Height
Accessibility Ramp	Y	Y	Y	N
Air Conditioner Window Unit Max. projection of 18" from building wall	Y	Y	Y	N
Arbor or Trellis	Y	Y	Y	N
Awning or Sunshade Max. of 2' Does not include awnings used as a sign (See Chapter 173)	Y	Y	Y	N
Bay Window Max. of 2' Min. of 24" above ground	Y	Y	Y	N
Canopy Max. of 2' Does not include canopies used as a sign (See Chapter 17.12)	Y	Y	Y	N
Chimney Max. of 18" into required yard	Y	Y	Y	Y
Elevator and Stairway Bulkheads	N	N	N	Y
Emergency sirens and similar devices.	N	N	N	Y
Deck (uncovered) Min 5' from side lot line Min 10' from rear lot line	N	Y	Y	N
Dog House Min. of 4' from any lot line.	N	N	Y	N
Eaves, Gutters and Downspouts Max. of 4' into required yard	Y	Y	Y	N
Fire Escape Max. of 3' into required yard	N	Y	Y	Y
Fire Training Tower	N	N	N	Y
Gazebo or Pergola Min. of 5' from any lot line.	N	Y	Y	N
Grain Elevator (and necessary mechanical appurtenances)	N	N	N	Y
Landscaping	Y	Y	Y	N
Patio (uncovered) Min. 5' from any lot line	N	Y	Y	N

Table 169-08: Permitted Encroachments Into Required Yards and Exceeding Maximum Building Height Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Required Front/Corner Side Yard	Required Side Yard	Required Rear Yard	Exceed Max. Building Height
<u>Pergola (attached)</u> <u>Min 5' from side lot line</u> <u>Min 10' from rear lot line</u>	N	Y	Y	N
Personal Recreation Game Court Min. of 5' from any lot line	N	N	Y	N
Playground Equipment Min. of 4' from any lot line	N	N	Y	N
Sidewalk Min. of 3' from any lot line except front lot line.	Y	Y	Y	N
Sills, Belt course, Cornices, and Ornamental features Max. of 2' into required yard	Y	Y	Y	N
Silos	N	N	N	Y
Smokestack	N	N	N	Y
Steeple, Spires and Belfries	N	N	N	Y
Steps (providing access to an entryway)	Y	Y	Y	Y
Stoop Max. of 4' into required yard	Y	Y	Y	N
Utility Equipment (Directly Connected to Structure being Served). Max. of ½ into Required Yard	N	Y	Y	Y
Water Towers and Cooling Towers	N	N	N	Y
<u>Window Wells</u>	Y	Y	Y	Y

SECTION 13. AMENDMENT OF ZONING ORDINANCE. Chapter 173.06 of the North Liberty Code of Ordinances is amended as follows:

173.06 SIGNS IN RESIDENTIAL ZONES.

1. Neighborhood or Development Signs. Residential developments or neighborhoods of four or more dwelling units shall be permitted one freestanding monument sign for each public street frontage or each entrance. Such signs may be placed in any location on private property provided the sign complies with the same height limitations specified for fences. Maximum sign area for each sign ~~shall be two square feet, plus one square foot for each dwelling unit or lot, but~~ shall not exceed 50 square feet ~~in area per sign face~~.
2. Non-residential Uses. Each non-residential principal use shall be permitted wall signs and one freestanding monument sign per public street frontage, subject to the following size requirements.

- A. Maximum Wall Sign Area. The total area of wall signage shall not exceed one square foot for each lineal foot of building wall when viewed in elevation, not to exceed 50 square feet.
- B. Maximum Freestanding Sign Area. One sign is permitted per public street access. The surface area for each sign shall not exceed 50 square feet and the height shall not exceed 5 feet.

SECTION 14. AMENDMENT OF ZONING ORDINANCE. Paragraph 2 of Chapter 173.07 of the North Liberty Code of Ordinances is amended as follows:

- 2. Business and Public Use Signs. Each enterprise, institution, or business shall be permitted wall signs, one canopy sign per street frontage, and one freestanding monument sign per public street frontage, subject to the following maximum size requirements. Multiple businesses in the same building shall apportion façade length, building wall, and street frontage such that any maximum size requirement is not exceeded for a particular property.
 - A. Maximum Wall Sign Area. The total area of wall signage shall not exceed the following requirements for each building wall to which the signage is attached.
 - (1) In the C-1-A and Public districts, one square foot for each lineal foot of building wall when viewed in elevation, not to exceed the following maximums:
 - (a) 40 square feet for building walls up to 50 feet in length.
 - (b) 80 square feet for building walls over 50 feet in length.
 - (2) In the C-1-B, C-2-A and C-3 zone districts, for buildings fewer than four-story in height, two square feet for each lineal foot of building wall when viewed in elevation, not to exceed 300 square feet. For buildings four-stories in height or greater, the total area of wall signage shall not exceed four square feet for each lineal foot of building wall the sign is attached to when viewed in elevation, not to exceed 400 square feet provided that the wall sign be mounted at or above the fourth-story.
 - B. Maximum Freestanding Sign Area.
 - (1) In the C-1-A and Public districts, one sign is permitted per public street access. The surface area for each sign shall not exceed 50 square feet, except for development complexes as specified in section 173.07(1), and the height shall not exceed 20 feet.
 - (2) In the C-1-B, C-2-A and C-3 zone districts, one sign is permitted per street frontage. The surface area for each sign shall not exceed 100 square feet, except for development complexes as specified in section 173.07(1), and the height shall not exceed 24 feet.

SECTION 15. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended such that each property currently designated as C-2-A Highway Commercial District is redesignated as C-2 Highway Commercial District. Each property currently designated as C-2-B Highway Commercial District is redesignated as C-2 Highway Commercial District. It is hereby authorized and directed that the Zoning Map of the City of North Liberty, Iowa, be changed to conform to this amendment upon final passage, approval and publication of this ordinance as provided by law.

SECTION 16. REPEALER. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 17. SCRIVENER'S ERROR. The correction of typographical errors which do not affect the intent of the Ordinance may be authorized by the City Clerk or the Clerk's designee without further public hearing.

SECTION 18. 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 19. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on _____, 2023.

Second reading on _____, 2023.

Third and final reading on _____, 2023.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, 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 Cedar Rapids Gazette on the ____ day of _____, 2023.

TRACEY MULCAHEY, CITY CLERK

ORDINANCE NO. _____

REQUEST OF THE CITY OF NORTH LIBERTY FOR AN ORDINANCE AMENDING CHAPTERS 165, 166, 167, 168, 169 AND 173 OF THE NORTH LIBERTY ZONING CODE, AMENDING CONDITIONS FOR CONSTRUCTION SITE PLAN APPROVAL, ZONING MAP AMENDMENTS, AND REQUIRED COMPREHENSIVE PLAN COMPONENTS, ADDING NEW AND UPDATING DEFINITIONS, COMBINING THE C-2-A AND C-2-B ZONING DISTRICTS, AMENDING BULK REQUIREMENTS IN CERTAIN RESIDENTIAL AND COMMERCIAL DISTRICTS, ZONING USE STANDARDS, MAXIMUM FENCE HEIGHT IN RESIDENTIAL DISTRICTS, ACCESSORY STRUCTURE STANDARDS, AND PERMITTED ENCROACHMENTS IN REQUIRED YARDS.

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

SECTION 1. AMENDMENT OF ZONING ORDINANCE. Paragraph 3(D) of Chapter 165.05 of the North Liberty Code of Ordinances is amended to read as follows:

- D. Extension of public utilities and services, dedication of right-of-way.
 - (1) The petitioner may, as a condition of the construction site plan approval, be required to install public utilities, including (but not limited to) water lines, storm sewer, sanitary sewer, street paving, fire hydrants, and such other utilities as applicable to properly serve the proposed development, to provide easements for the ingress and egress of public utility and emergency vehicles, and to dedicate right-of-way to accommodate motorized and nonmotorized transportation, parking, and utility requirements. The City and petitioner may enter into a written site plan agreement governing the installation and establishment of such utilities and accommodations necessary to satisfy public needs. Where required as a condition of a construction site plan approval, utilities shall be constructed in accordance with construction standards as established by resolution of the City Council for those portions within the public right-of-way and to be dedicated to the City, and may be required to be constructed to the same specifications for those undedicated portions where said utilities may have a direct effect on the future safety, proper functioning, and maintenance of those portions to be dedicated.
 - (2) To allow orderly development, the water lines and sanitary sewer service installed in a proposed development pursuant to subparagraph 1 above shall extend to the boundary line of the subject property, and beyond as may be determined to be necessary by the City to provide for future service to adjacent properties. The City shall require the installation of water and sewer service of sufficient size and capacity to serve the full area capable

of being served by each such type of improvement, so that the City will not be required to construct parallel or duplicate facilities. If such improvements are greater in size than needed to serve the subject property itself, the City, at its discretion, may share in the expense thereof. Such cost sharing shall be according to the terms of a site plan agreement. Any payment of excess costs by the City shall be pursuant to state law.

SECTION 2. AMENDMENT OF ZONING ORDINANCE. Paragraph 4(D) of Chapter 165.09 of the North Liberty Code of Ordinances is amended to read as follows:

- D. Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards.
 - (1) Map Amendments.
 - (a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
 - (b) The compatibility with the zoning of nearby property
 - (c) The compatibility with established neighborhood character.
 - (d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
 - (e) The extent to which the proposed amendment creates nonconformities.

SECTION 3. AMENDMENT OF ZONING ORDINANCE. Paragraph 7(A) of Chapter 166.02 of the North Liberty Code of Ordinances is amended to read as follows:

Comprehensive Plan. It shall be the duty of the Commission, after holding public hearings, to create and recommend to the Council a comprehensive plan for the physical development of its jurisdiction, which may include areas outside of the City's boundaries which bear consideration to the planning of the jurisdiction. The Commission shall also recommend amendments to the comprehensive plan.

SECTION 4. AMENDMENT OF ZONING ORDINANCE. Chapter 167.01 of the North Liberty Code of Ordinances is amended as follows:

1. The existing defined term, "Accessory building," is amended to read as follows:

"Accessory structure" means a structure incidental to and located on the same lot as the principal building.

2. A new defined term, "Gazebo," as set forth below, is inserted between the definitions of "Garage, private" and "Grade":

"Gazebo" means a freestanding roofed structure with open sides.

3. Delete definitions, "Lot," Lot, corner," "Lot, flag," "Lot, interior".

4. New defined term, "Lot," as set forth below, is inserted between the definitions of "Livestock" and "Lot area":

"Lot" means the basic development unit for determination of lot area, depth, and other dimensional regulations.. The following describes the types of lot configurations:

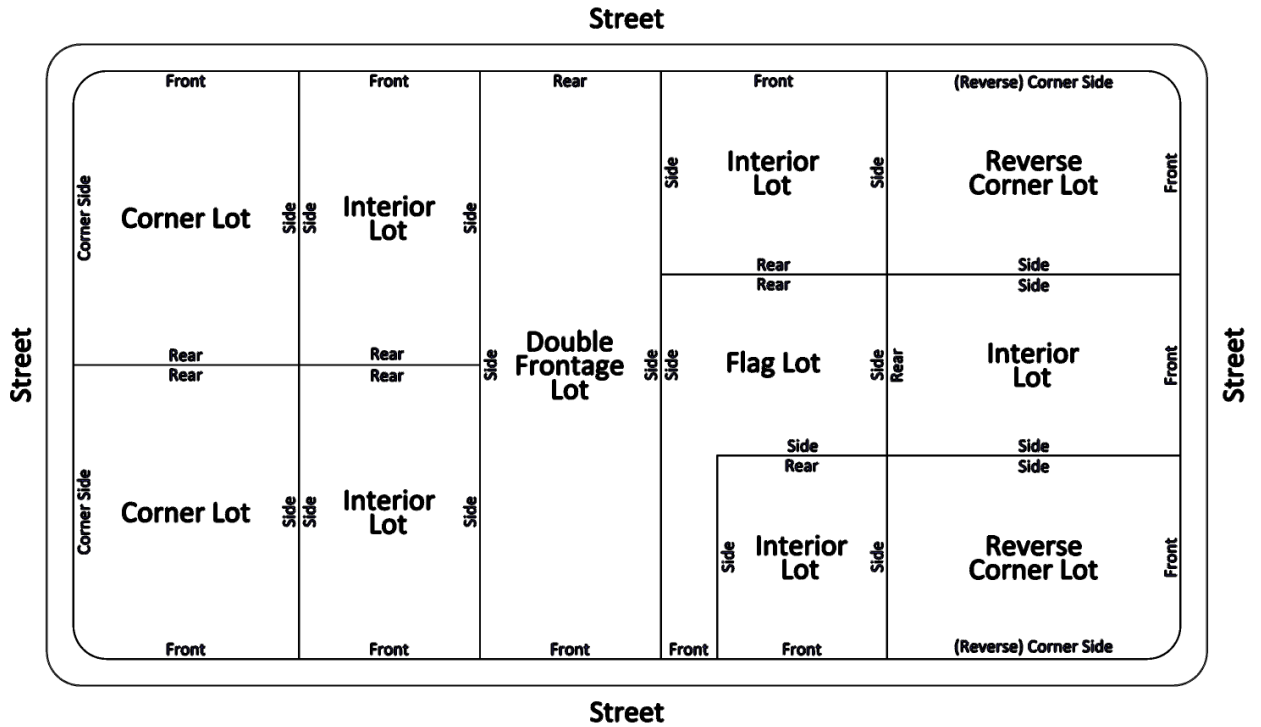
An "interior lot" means a lot other than a corner or through lot, bounded by two interior side lot lines.

A "corner lot" means a lot situated at the junction of, and abutting on, two or more intersecting streets.

A "double frontage lot" means a lot which fronts upon two streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.

A "reverse corner lot" is a corner lot where the side lot line adjoining a street is substantially a continuation of the front lot line of the first lot to its rear.

A "flag lot" means a lot such that the main building site area (the "flag") is set back from the street on which it fronts and includes an access strip (the "pole") connecting the main building site with the street.



5. A new defined term, "Pergola," as set forth below, is inserted between the definitions of "Parking space" and "Person":

"Pergola" means an open structure, which may either be freestanding or attached to a structure, that forms a partially shaded pedestrian walkway, passageway, or seating area.

SECTION 5. AMENDMENT OF ZONING ORDINANCE. Paragraph 1(B) of Chapter 168.01 of the North Liberty Code of Ordinances is amended as follows:

- B. Commercial Districts
 - (1) C-1-A Central Commercial District.
 - (2) C-1-B General Commercial District.
 - (3) C-2 Highway Commercial District.
 - (4) C-3 Higher-Intensity Commercial District.
 - (5) O/RP Office and Research Park District

SECTION 6. AMENDMENT OF ZONING ORDINANCE. Paragraph 5(B) of Chapter 168.02 of the North Liberty Code of Ordinances is amended as follows:

168.02 RESIDENTIAL DISTRICTS.

B. RD and RM Districts.

Table 168.02-B Dimensional Standards SF = Square Feet, DU= Dwelling Unit, ' = Feet					
	RD-8	RD-10	RM-8	RM-12	RM-21
Bulk					
Minimum Lot Area	10,000 SF 5,000 SF/DU	9,000 SF 4,500 SF/DU	21,780 SF 5,000 SF/DU	21,780 SF 3,500 SF/DU	21,780 SF 2,000 SF/DU
Minimum Frontage	40'	35'	75'	50'	50'
Minimum Lot Width	100'	80'	100'	80'	80'
Maximum Building Height	35'	35'	40'	40'	65'*
Setbacks					
Minimum Required Front Yard	25'	25'	25'	25'	25'*
Minimum Required Corner Side Yard	25'	25'	25'	25'	25'*
Minimum Required Side Yard	8'	5'	15'	15'	10'*
Minimum Required Rear Yard	30'	30'	30'	30'	30'
*An additional foot of setback is required for every foot of building height over 45'					

SECTION 7. AMENDMENT OF ZONING ORDINANCE. Chapter 168.03 of the North Liberty Code of Ordinances is amended as follows:

168.03 COMMERCIAL DISTRICTS.

1. Defined.
 - A. C-1-A Central Commercial District. The C-1-A District is intended to provide a traditional central setting oriented toward pedestrians as well as automobiles. It is typified by high-density commercial development with minimal setback requirements.
 - B. C-1-B General Commercial District. The C-1-B District is intended to provide for the uses established under the C-1-A Central Commercial District and other commercial uses which due to space requirements and the nature of operations are not suitable for location within a compact central commercial center. Setback and yard requirements are greater than under the C-1-A Central Commercial District.
 - C. C-2 Highway Commercial District. The C-2 District is intended to provide for those commercial uses which may take particular advantage of a highway location and/or due to size or other nuisance constraints may be incompatible with the predominantly retail uses permitted in the C-1-A and C-1-B Commercial Districts, and whose service area is not confined to any one neighborhood or community.
 - D. C-3 Higher-Intensity Commercial District. The C-3 District is intended to accommodate higher-intensity commercial development that serves both local and regional markets. The C-3 District addresses medium and large-scale development that may generate considerable traffic and typically requires significant off-street parking. Higher density residential uses are also allowed to facilitate a mixed-use orientation where appropriate.
 - E. O/RP Office and Research Park District. The O/RP District is intended to accommodate office buildings, similar structures, and complementary uses in a mutually compatible environment. It is designed to provide landscaping and space requirements suitable for an office and research setting. Uses are limited to those compatible with an office setting and those which do not produce noise, air, or other environmental nuisances which might interfere with activities within the district and surrounding residential areas.

2. Dimensional Standards.

Table 168.03 Dimensional Standards SF = Square Feet, ' = Feet						
	C-1-A	C-1-B	C-2		C-3	O/RP
Bulk						
Minimum Lot Area	None	None	None		20,000 SF	1.5 acres
Minimum Frontage	35'	35'	35'		35	100'
Minimum Lot Width	35'	35'	35'		35'	150'
Maximum Building Height	45'	45'	35'		75*	75'
Setbacks						
Minimum Required Front Yard	0'	25'	25'		25'	50'
Minimum Required Corner Side Yard	0'	25'	25'		25'	50'
Minimum Required Side Yard	0'	10'	10'		10*	20'
Minimum Required Rear Yard	10'	20'	20'10**		10*	50'

* One foot of additional setback above the required side or rear yard setback as measured from a lot line of property within a residential district for every one-foot building height above 35 feet.

** Unless abutting a residential district than 20'.

SECTION 8. AMENDMENT OF ZONING ORDINANCE. Table 168.06: Use Matrix, in Chapter 168.06 of the North Liberty Code of Ordinances is amended as follows:

Table 168:06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

Use	ID	RS	RD	RM	R-MH	C-1-A	C-1-B	C-2		C-3	OR/P	I-1	I-2	I-P	P
1. Adult Entertainment													C		
2. Agricultural Experience	C														
3. Agriculture	P														
4. Amusement Facility – Indoor						C	P	P		P					
5. Amusement Facility – Outdoor										C					
6. Animal Care Facility						P	P	P				P			
7. Animal Shelter												C			C
8. Art Gallery						P	P	P		P					
9. Arts and Fitness Studio						P	P	P		P					
10. Bar						P	P	P		P		P		P	
11. Bed and Breakfast Home		C													
12. Body Art Establishment								P							
13. Brewery-Micro						P	P	P		P				P	
14. Broadcasting Studio								P		P				P	P
15. Building Trades and Services								P		P		P		P	
16. Car Wash								P							
17. Child Care Center						P	P	P		P	P			P	P
18. Child Care Home		P			P										
19. Child Development Home		P													
20. Community Center						P	P	P		P				P	P
21. Community Pantry	C	C	C	C		C	P	P							
22. Cultural Facility						P	P	P		P					P
23. Distillery, Micro						P	P	P		P				P	
24. Drive-Through Facility						C	P	P		P	P			P	
25. Dwelling – Manufactured Home					P										
26. Dwelling – Mixed Use						P	P	P		P					
27. Dwelling – Multiple-Unit				P						P					

Table 168:06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

Use	ID	RS	RD	RM	R-MH	C-1-A	C-1-B	C-2		C-3	OR/P	I-1	I-2	I-P	P
28. Dwelling – Single-Unit	P	P													
29. Dwelling – Single-Unit Zero Lot Line			P												
30. Dwelling – Townhouse				P											
31. Dwelling – Two Unit			P	P											
32. Educational Facility – Primary	P	P	P	P		P	P	P		P					P
33. Educational Facility – Secondary	P	P	P	P		P	P	P		P					P
34. Educational Facility – University or College											P			P	P
35. Educational Facility – Vocational						C	P	P		P		P		P	
36. Financial Institution						P	P	P		P				P	
37. Fireworks, Retail Sales of												P			
38. Food Bank												P			
39. Fueling Station							P	P		P		P		P	
40. Fulfillment Center, Micro								C		C		P			
41. Funeral Home								P							
42. Golf Course/Driving Range							P								P
43. Greenhouse/Nursery - Retail												P			
44. Group Home	P	P	P		P										
45. Healthcare Institution										P				P	P
46. Heavy Rental and Service Establishment												P			
47. Heavy Retail Establishment										P		P			
48. Hotel						C	P	P		P	P			P	
49. Industrial - General													P		
50. Industrial - Light												P	P	P	
51. Industrial Design							P	P		P		P		P	

Table 168:06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

Use	ID	RS	RD	RM	R-MH	C-1-A	C-1-B	C-2		C-3	OR/P	I-1	I-2	I-P	P
52. Live Performance Venue						P	P	P		P				P	
53. Manufactured Home Park					P										
54. Medical/Dental Office						P	P	P		P					
55. Office						P	P	P		P	P	P		P	P
56. Outdoor Seating						P	P	P		P				P	P
57. Park, Private	P	P	P	P	P	P	P	P		P	P			P	
58. Park, Public															P
59. Parking Lot (Principal Use)						C	P	P		P		P		P	P
60. Parking Structure (Principal Use)						C	P	P		P		P		P	P
61. Personal Services Establishment						P	P	P		P					
62. Place of Worship	P	P	P	P		P	P	P		P					
63. Private Club						P	P	P		P					
64. Public Safety Facility															P
65. Public Works Facility															P
66. Research and Development								P		P	P	P		P	
67. Residential Care Facility				P			P	P		P					
68. Restaurant						P	P	P		P		P		P	P
69. Retail Good Establishment						P	P	P		P		P		P	
70. Salvage Yard													C		
71. Self-Storage – Enclosed								P		P		P			
72. Self-Storage - Outdoor								C		C		P			
73. Specialty Food Service						P	P	P		P		P		P	
74. Storage – Outdoor (Principal Use)												C	P		
75. Truck Stop												C	P		
76. Utility (Sub)Stations	P	P	P	P	P	P	P	P		P	P	P	P	P	P

Table 168:06: Use Matrix
See Section 168.07 for Use Definitions and Use Standards

Use	ID	RS	RD	RM	R-MH	C-1-A	C-1-B	C-2		C-3	OR/P	I-1	I-2	I-P	P
77. <u>Vehicle Dealership, New and Used</u>								P		P					
78. <u>Vehicle Dealership, Used</u>								C							
79. <u>Vehicle Operations Facility</u>												P			P
80. <u>Vehicle Rental</u>												P			
81. <u>Vehicle Repair - Major</u>								C				P			
82. <u>Vehicle Repair - Minor</u>								P				P			
83. <u>Warehouse</u>												P			
84. <u>Wholesale Establishment</u>												P			
85. <u>Winery, Micro</u>						P	P	P		P				P	

SECTION 9. AMENDMENT OF ZONING ORDINANCE. Paragraphs 6, 15, 30, 29, 30, 31, 39, and 72 of Chapter 168.07 of the North Liberty Code of Ordinances are each respectively amended as follows:

6. Animal Care Facility.
 - A. Defined. Animal Care Facility means an establishment which provides care for domestic animals, including veterinary offices for the treatment of animals, pet grooming facilities and animal training centers and clubs. The boarding of animals is limited. Animal care facilities do not include animal breeders or animal shelters.
 - B. Use Standards.
 - (1) Animal care facilities must locate exterior exercise areas in the rear yard only. Exterior exercise areas must provide covered areas over a minimum of 30% of the exterior area to provide shelter against sun/heat and weather. A fence a minimum of six feet in height is required for all exterior exercise areas.
 - (2) Animal care facilities must locate all overnight boarding facilities indoors. Overnight boarding is not permitted in the C-1-B and C-2 Districts unless short-term boarding is incidental to the veterinary treatment of animals.
 - (3) All animal quarters and exterior exercise areas must be kept in a clean, dry, and sanitary condition.

15. Building Trades and Services
 - A. Defined. Building Trades and Services means an establishment that undertakes activities related to building construction projects, as well as those that provide repair and maintenance services to buildings, including building systems, home appliances, and the like. These specialized trade contractors may work on subcontract from a general contractor, performing only part of the work covered by the general contract, or they may work directly for the owner of the building or project. Building and Trade Services uses primarily perform their work at the site of the structure being constructed or serviced, although they also may have shops where they perform work incidental to the job site. Examples of building trades and services include electrical, plumbing, heating, and air conditioning contractors, painting, masons, stone and tile setters, glass and glazing services.
 - B. Use Standards.
 - (1) Building area shall be limited to 7,500 square feet in the C-2 and C-3 Districts.
 - (2) Vehicles such as cars, vans and pickup trucks shall be permitted in designated parking spaces in any location. Box trucks, and other similar vehicles, along with trailers which may be pulled by permitted vehicles, shall also be permitted in designated parking

spaces, but shall not be located within a front or corner side yard. Smaller equipment such as skid loaders, forklifts, etc. may be permitted, provided they are stored indoors or inside enclosed trailers. Heavy vehicles and equipment such as tractor trailers, semi-trucks, construction equipment, and other large specialty vehicles as determined by Code Official shall be prohibited.

- (3) Outdoor storage shall only be permitted in the I-1 District.
 - (a) Outdoor storage or display areas shall be screened with landscaping consisting of shade trees and evergreen trees and shrubs. Such landscaped area shall be of sufficient width and density to provide an effective and aesthetically pleasing screen with trees and shrubs not less than five feet in height when planted. In lieu of planting strips, a six-foot tall solid vertical fence or masonry, heavy wood construction, or other similar material approved by the Code Official may be used as a screen.
 - (b) Outdoor storage or display shall be allowed only on hard-surface areas paved to parking lot specifications with asphalt or concrete.

29. Dwelling – Single-Unit Zero Lot Line.

- A. Defined. A Single-Unit Zero Lot Line Dwelling means a structure containing two dwelling units, the interior of which is configured in a manner such that the dwelling units are separated by a party wall and are on separate lots. A single-unit zero lot line dwelling is typically designed so that each unit has a separate exterior entrance and yard areas.
- B. Use Standards.
 - (1) The interior side yard is not applicable to the side of the unit located on the lot line (shared wall attachment to another unit).
 - (2) Each unit must have an approved one-hour fire-resistive wall between them that is built in such a manner as to allow no connections other than the wall itself between the units
 - (3) The front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front facade.
 - (4) Minimum required masonry on front and corner side yard building elevations is 25%, with the following exceptions:
 - (i) Two, two-inch caliper trees planted in the corner side yard. Existing trees of adequate size in the corner side yard may satisfy this requirement.
 - (ii) Architectural relief on the façade facing the corner side yard, such that the wall contains more than two offsets, which may consist of wall corners, bay or bowed windows, or other means approved by the Code Official.

- (5) A 5% minimum transparency requirement applies to the front facade and is calculated on the basis of the area of the facade below the roofline.

30. Dwelling – Townhouse.

A. Defined. Townhouse Dwelling means structure consisting of three or more dwelling units, the interior of which is configured in a manner such that the dwelling units are separated by a party wall and may or may not be on separate lots. A townhouse is typically designed so that each unit has a separate exterior entrance and yard areas. A townhouse dwelling does not include a multi-family dwelling. To provide for design flexibility, a townhouse dwelling development may include single-unit dwellings.

B. Use Standards.

- (1) The interior side yard is not applicable to the side of the unit located on the lot line (shared wall attachment to another unit).
- (2) Each unit must have an approved one-hour fire-resistive wall between them that is built in such a manner as to allow no connections other than the wall itself between the units
- (3) The front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front facade.
- (4) Minimum required masonry on front and corner side yard building elevations is 25%,
- (5) A 5% minimum transparency requirement applies to the front facade and is calculated on the basis of the area of the facade below the roofline.

31. Dwelling - Two-Unit.

A. Defined. A Two-Unit Dwelling means a structure containing two dwelling units, arranged side-by-side with each unit having an exterior entrance, on a single lot. To provide for design flexibility, a two-unit dwelling development may include single-unit dwellings.

B. Use Standards.

- (1) The front entry must be an integral part of the structure, using features such as porches, raised steps and stoops with roof overhangs, or decorative railings to articulate the front facade.
- (2) Minimum required masonry on front and corner side yard building elevations is 25%,
- (3) A 5% minimum transparency requirement applies to the front facade and is calculated on the basis of the area of the facade below the roofline.

39. Fueling Station.
- A. Defined. Fueling Station means an establishment where fuel for vehicles is dispersed from fixed equipment into the fuel tanks or battery cells of said vehicles. A fueling station may also include ancillary car wash bays.
 - B. Use Standards.
 - (1) Canopy support structures shall be wrapped in masonry materials consistent with the principal building.
72. Self-Storage Facility: Outdoor.
- A. Defined. Outdoor self-storage facility means an establishment for the storage of personal property where individual renters control and access individual storage spaces and where each storage unit has individual access from the outdoors. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included. Rental of vehicles and other equipment for moving is a separate use from self-storage facility. The heavy retail, rental, and service use must be allowed within the district and requires separate approval.
 - B. Use Standards.
 - (1) Storage units cannot be used for residential occupancy or business.
 - (2) No plumbing connections are permitted in self-storage units.
 - (3) Outdoor self-storage facilities shall be oriented to the best extent possible so that storage unit access doors do not face the public right-of-way, or residential districts as set forth in Section 168.02.
 - (4) Exterior facades not facing the exterior of the property are not subject to the masonry requirements set forth in Section 169.10.
 - (5) Commercial district design standards.
 - (a) Exterior facades that face a right-of-way or adjoining residential district shall include the following:
 - (i) Color, texture and building material changes.
 - (ii) Wall articulation change of no less than two feet in depth or projection every 50 feet.
 - (iii) Wall articulation change no less than two feet in vertical elevation every 50 feet in building width. The change in elevation shall extend a minimum of 20 feet in building width.
 - (iv) Exterior facades that face a right-of-way or adjoining residential district shall include windows or faux windows.

SECTION 10. AMENDMENT OF ZONING ORDINANCE. Paragraph 6 of Chapter 169.04 and table 169.05 of the North Liberty Code of Ordinances are amended as follows:

6. Height.
The height of all fences and/or retaining walls located within a front, corner side yard, side, or rear yard shall not exceed those found in Table 169.04.

Table 169.04 Maximum Fence and Wall Height				
District	Front Yard	Corner Side Yard	Side Yard	Rear Yard
Residential Districts	4'	4'	6'	6'
All Other Districts	4'	4'	16'	16'
<ol style="list-style-type: none"> 1. Fences shall not be located within the corner visual clearance. 2. Chain link fences shall not be located within the required front or required corner side yard (see exception within number 4 below). 3. Fences shall not exceed 8' in height if the property abuts a residential district. 4. With the exception of a reverse corner lot, a fence up to 6' high may be erected on that portion of the corner lot at the rear of the house provided the fence is erected a minimum of 15 feet from any sidewalk, driveway, or right-of-way line. Said fence shall comply in all other respects with the fence requirements. 				

SECTION 11. AMENDMENT OF ZONING ORDINANCE. Paragraphs 1, 2 and 3 of Chapter 169.05 of the North Liberty Code of Ordinances are amended as follows:

169.05 ACCESSORY STRUCTURES AND USES.

Accessory structures and uses shall occupy the same lot as the main use or building. No lot shall have an accessory structure or use without the principal use. No accessory structure shall be used as a dwelling unit. Accessory structures shall be constructed out of material intended for long-term exposure to the elements. Prohibited materials include, but are not limited to cloth, fabric, canvas, plastic sheets and tarps. Exceptions to the materials prohibition includes plastic for greenhouses and fabric and/or canvas for shade structures. Shipping containers are prohibited as an accessory structure.

1. Yard Encroachment.
No accessory building or use shall be located within any yard unless authorized by this Section and/or Section 169.08.
2. Freestanding Garages, Storage Buildings, Greenhouses, Gazebos, Pergolas, and other Similar Structures greater than 200 Square Feet Gross Floor Area.
 - A. RS, RD and ID districts shall be subject to the following:
 - (1) A maximum one garage, storage building, greenhouses, gazebos, pergolas, and other similar structures greater than 200 square feet gross floor area.
 - (2) Freestanding garages. A maximum gross floor area of 850 square feet. RS district exception: on properties exceeding .5 acres but less than .75 acres, the maximum gross floor area shall be 1,000 square feet. On properties

exceeding .75 acres but less than one acre, the maximum gross floor area shall be 1,200 square feet. On properties exceeding one acre, the maximum gross floor area shall be 1,400 square feet. Notwithstanding the foregoing, the gross floor area shall not exceed the total footprint of the residence.

- (3) All other structures besides freestanding garages. A maximum gross floor area of 600 square feet.
- (4) May be located within the rear yard subject to a five foot side and rear setback.
- (5) May be located within a side yard subject to meeting the required side and rear yard setbacks for the main building.
- (6) Must be situated a minimum 20 feet from a public or private right-of-way or improved home.
- (7) May not be located within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.
- (8) A maximum height of 15 feet.

B. RM district.

- (1) No maximum number accessory structures, however, the aggregate floor area shall not exceed the aggregate footprint of the main buildings.
- (2) May be located within the rear yard subject to a 10-foot side and rear setback.
- (3) A minimum 20 feet from a public or private right-of-way or improved alley.
- (4) Not within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.
- (5) A maximum height of 15 feet.

3. Storage Buildings, Greenhouses, Gazebos, Pergolas and other Similar Structures 200 Square Feet Gross Floor Area or Less.

A. RS and RD districts shall be subject to the following:

- (1) A maximum two storage buildings, greenhouses or structures designed for other similar use, or any combination thereof, may be located within the rear yard.
- (2) A minimum of five feet from the side and rear property line.
- (3) A minimum of 10 feet from a public or private right-of-way alley.
- (4) Not within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.
- (5) Maximum building height of 10 feet.

SECTION 12. AMENDMENT OF ZONING ORDINANCE. Paragraph 8(B) of Chapter 169.08 and table 169.08 of the North Liberty Code of Ordinances are amended as follows:

- B. In districts where a maximum height is imposed, such height limitations shall not apply to certain appurtenances and structures and are indicated in Table 169-08: Permitted Encroachments into Required Yards and Exceeding Maximum Building Height.

Table 169-08: Permitted Encroachments Into Required Yards and Exceeding Maximum Building Height Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Required Front/Corner Side Yard	Required Side Yard	Required Rear Yard	Exceed Max. Building Height
Accessibility Ramp	Y	Y	Y	N
Air Conditioner Window Unit Max. projection of 18" from building wall	Y	Y	Y	N
Arbor or Trellis	Y	Y	Y	N
Awning or Sunshade Max. of 2' Does not include awnings used as a sign (See Chapter 173)	Y	Y	Y	N
Bay Window Max. of 2' Min. of 24" above ground	Y	Y	Y	N
Canopy Max. of 2' Does not include canopies used as a sign (See Chapter 17.12)	Y	Y	Y	N
Chimney Max. of 18" into required yard	Y	Y	Y	Y
Elevator and Stairway Bulkheads	N	N	N	Y
Emergency sirens and similar devices.	N	N	N	Y
Deck (uncovered) Min 5' from side lot line Min 10' from rear lot line	N	Y	Y	N
Dog House Min. of 4' from any lot line.	N	N	Y	N
Eaves, Gutters and Downspouts Max. of 4' into required yard	Y	Y	Y	N
Fire Escape Max. of 3' into required yard	N	Y	Y	Y
Fire Training Tower	N	N	N	Y
Grain Elevator (and necessary mechanical appurtenances)	N	N	N	Y
Landscaping	Y	Y	Y	N
Patio (uncovered) Min. 5' from any lot line	N	Y	Y	N
Pergola (attached)	N	Y	Y	N

Table 169-08: Permitted Encroachments Into Required Yards and Exceeding Maximum Building Height Y= Permitted // N= Prohibited Max. = Maximum // Min. = Minimum				
	Required Front/Corner Side Yard	Required Side Yard	Required Rear Yard	Exceed Max. Building Height
Min 5' from side lot line Min 10' from rear lot line				
Personal Recreation Game Court Min. of 5' from any lot line	N	N	Y	N
Playground Equipment Min. of 4' from any lot line	N	N	Y	N
Sidewalk Min. of 3' from any lot line except front lot line.	Y	Y	Y	N
Sills, Belt course, Cornices, and Ornamental features Max. of 2' into required yard	Y	Y	Y	N
Silos	N	N	N	Y
Smokestack	N	N	N	Y
Steeple, Spires and Belfries	N	N	N	Y
Steps (providing access to an entryway)	Y	Y	Y	Y
Stoop Max. of 4' into required yard	Y	Y	Y	N
Utility Equipment (Directly Connected to Structure being Served). Max. of ½ into Required Yard	N	Y	Y	Y
Water Towers and Cooling Towers	N	N	N	Y
Window Wells	Y	Y	Y	Y

SECTION 13. AMENDMENT OF ZONING ORDINANCE. Chapter 173.06 of the North Liberty Code of Ordinances is amended as follows:

173.06 SIGNS IN RESIDENTIAL ZONES.

1. Neighborhood or Development Signs. Residential developments or neighborhoods of four or more dwelling units shall be permitted one freestanding monument sign for each public street frontage or each entrance. Such signs may be placed in any location on private property provided the sign complies with the same height limitations specified for fences. Maximum sign area for each sign shall not exceed 50 square feet.
2. Non-residential Uses. Each non-residential principal use shall be permitted wall signs and one freestanding monument sign per public street frontage, subject to the following size requirements.
 - A. Maximum Wall Sign Area. The total area of wall signage shall not exceed one square foot for each lineal foot of building wall when viewed in elevation, not to exceed 50 square feet.

- B. Maximum Freestanding Sign Area. One sign is permitted per public street access. The surface area for each sign shall not exceed 50 square feet and the height shall not exceed 5 feet.

SECTION 14. AMENDMENT OF ZONING ORDINANCE. Paragraph 2 of Chapter 173.07 of the North Liberty Code of Ordinances is amended as follows:

- 2. Business and Public Use Signs. Each enterprise, institution, or business shall be permitted wall signs, one canopy sign per street frontage, and one freestanding monument sign per public street frontage, subject to the following maximum size requirements. Multiple businesses in the same building shall apportion façade length, building wall, and street frontage such that any maximum size requirement is not exceeded for a particular property.
 - A. Maximum Wall Sign Area. The total area of wall signage shall not exceed the following requirements for each building wall to which the signage is attached.
 - (1) In the C-1-A and Public districts, one square foot for each lineal foot of building wall when viewed in elevation, not to exceed the following maximums:
 - (a) 40 square feet for building walls up to 50 feet in length.
 - (b) 80 square feet for building walls over 50 feet in length.
 - (2) In the C-1-B, C-2 and C-3 zone districts, for buildings fewer than four-story in height, two square feet for each lineal foot of building wall when viewed in elevation, not to exceed 300 square feet. For buildings four-stories in height or greater, the total area of wall signage shall not exceed four square feet for each lineal foot of building wall the sign is attached to when viewed in elevation, not to exceed 400 square feet provided that the wall sign be mounted at or above the fourth-story.
 - B. Maximum Freestanding Sign Area.
 - (1) In the C-1-A and Public districts, one sign is permitted per public street access. The surface area for each sign shall not exceed 50 square feet, except for development complexes as specified in section 173.07(1), and the height shall not exceed 20 feet.
 - (2) In the C-1-B, C-2 and C-3 zone districts, one sign is permitted per street frontage. The surface area for each sign shall not exceed 100 square feet, except for development complexes as specified in section 173.07(1), and the height shall not exceed 24 feet.

SECTION 15. AMENDMENT. The Official Zoning Map incorporated in Chapter 168.01(2) of the North Liberty Code of Ordinances is hereby amended such that each property currently designated as C-2-A Highway Commercial District is redesignated as C-2 Highway Commercial District. Each property currently designated as C-2-B Highway Commercial District is redesignated as C-2 Highway Commercial District. It is hereby authorized and directed that the Zoning Map of the City of North Liberty, Iowa, be changed to conform to this amendment upon final passage, approval and publication of this ordinance as provided by law.

SECTION 16. REPEALER. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 17. SCRIVENER'S ERROR. The correction of typographical errors which do not affect the intent of the Ordinance may be authorized by the City Clerk or the Clerk's designee without further public hearing.

SECTION 18. 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 19. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on _____, 2023.

Second reading on _____, 2023.

Third and final reading on _____, 2023.

CITY OF NORTH LIBERTY:

CHRIS HOFFMAN, 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 Cedar Rapids Gazette on the ____ day of _____, 2023.

TRACEY MULCAHEY, CITY CLERK



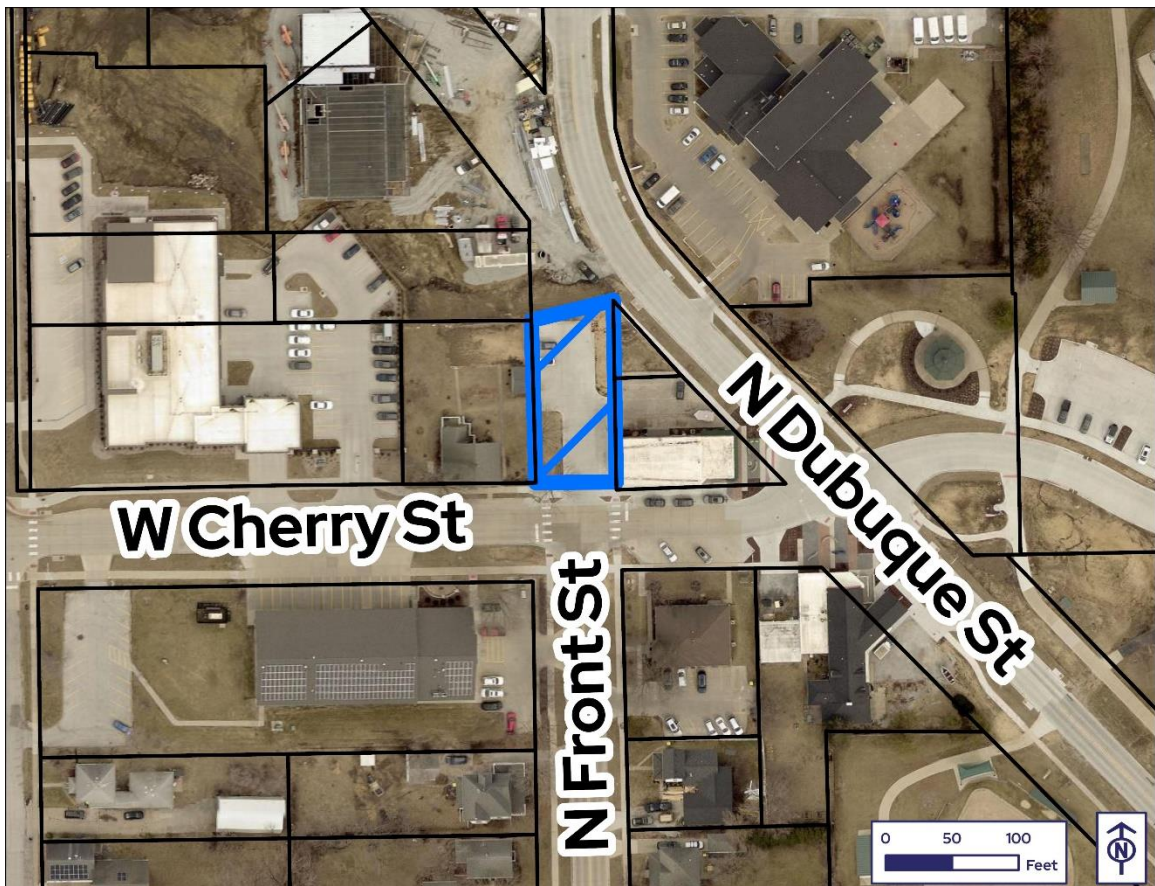
To **City of North Liberty Planning Commission**
From **Ryan Rusnak, AICP**
Date **August 11, 2023**
Re **Request of the City of North Liberty to vacate North Front Street between Cherry Street and North Dubuque Street.**

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
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

1. Request Summary:

With the North Dubuque Street realignment, the section of North Front Street between the realigned North Dubuque Street and Cherry Street was no longer needed as a public street. It is anticipated that the right-of-way would be divided between the property at 10 West Cherry Street, 325 North Dubuque Street and the new Civic Campus.



2. Public Input:

No public input has been received.

3. Additional Considerations:

Pursuant to Section 137.01 of the City Code:

Any proposal to vacate a street, alley, portion thereof, or any public grounds shall be referred by the Council to the Planning and Zoning Commission for its study and recommendation prior to further consideration by the Council. The Commission shall submit a written report including recommendations to the Council within thirty (30) days after the date the proposed vacation is referred to the Commission..

4. Staff Recommendation:**Findings:**

1. North Front Street right-of-way between the North Dubuque Street and Cherry Street rights-of-way is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified; and
2. The proposed vacation will not deny owners of property abutting on the street or alley reasonable access to their property.

Recommendation:

Staff recommends the Planning Commission accept the two listed findings and forward the request to vacate North Front Street between Cherry Street and North Dubuque Street to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the request to vacate North Front Street between Cherry Street and North Dubuque Street to the City Council with a recommendation for approval.

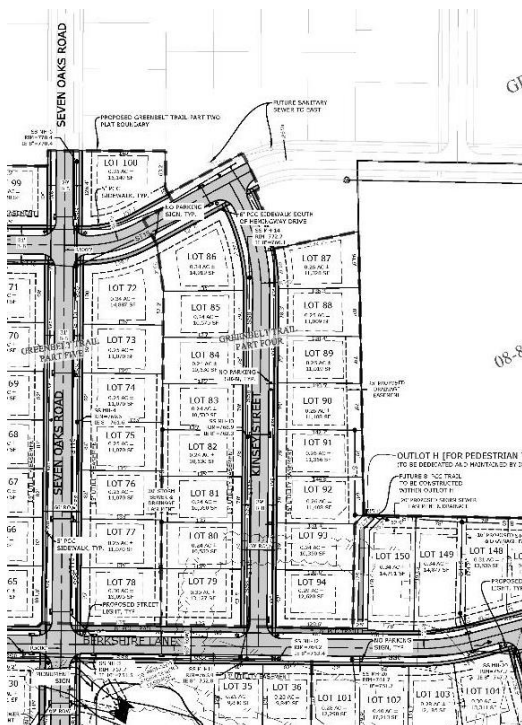


To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **August 11, 2023**
 Re **Request of Scanlon Family, LLC. to approve a Preliminary Subdivision Plat revision for a 22-lot subdivision on approximately 5.28 acres. The property is located on the north side of Berkshire Lane as extended westerly 85' from its current terminus in Greenbelt Trail, Part 2 Subdivision.**

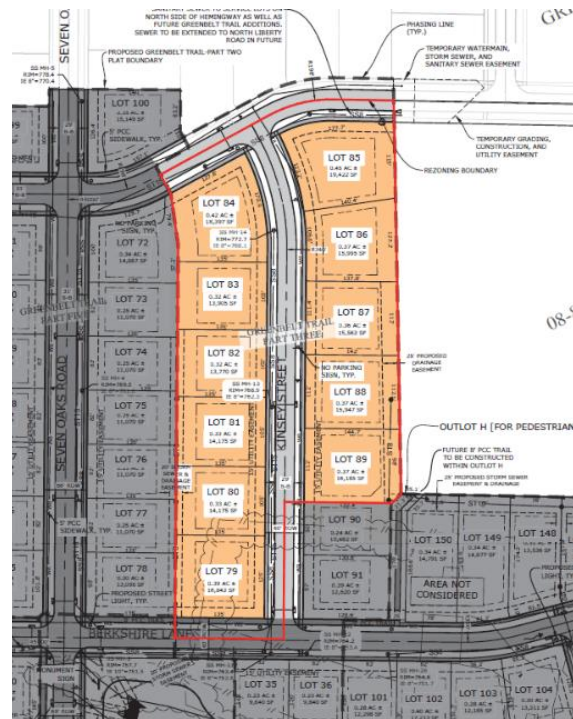
North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:
 Ryan Heiar, City Administrator
 Tracey Mulcahey, Assistant City Administrator
 Grant Lientz, City Attorney
 Tom Palmer, City Building Official
 Kevin Trom, City Engineer
 Ryan Rusnak, Planning Director

1. Request Summary:

The Preliminary Plat proposes 22 lots and related infrastructure approximately 5.28 acres (and adds an additional lot and extends the street). Previously, this portion of the development was approved for 14 lots.



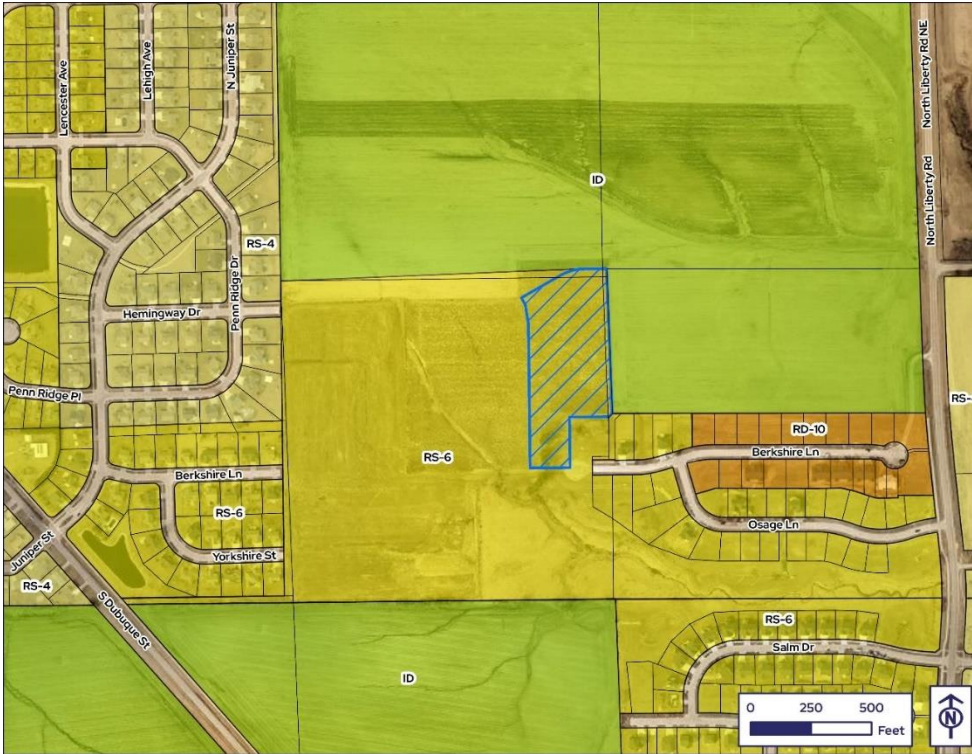
Approved Preliminary Plat



Proposed Preliminary Plat
Shown as 11 lots – Would be Subdivided into 22 lots

2. Current Zoning:

The property is currently zoned RS-6 Single-Unit Residence District. There is a related request to rezone the property to RD-8 Two-Unit Residence District.



3. Comprehensive Plan Future Land Use Map Designation:

Land Use Plan designation: Urban Low Intensity.

The proposed preliminary plat would achieve consistency with the Future Land Use Map.

4. Public Input:

A virtual good neighbor meeting was held on July 18, 2023. City staff, one member of the Planning Commission and the applicant attended the meeting. There are no objections to the request.

5. Approval Standards:

Section 180.11(3)(A) of the North Liberty Code of Ordinances sets forth the preliminary subdivision plat submittal requirements and review (Ordinance language in *italics* and staff analysis in **bold**).

Preliminary Subdivision Plat Submittal Requirements and Review. The preliminary plat, in general, contains more information than the final plat, so that the subdivider and the City can ensure conformance with codes, master facility plans, and good planning and engineering practices. Though the preliminary plat is not recorded, it is approved by resolution of the City Council, and conditions for approval of the plat shall be addressed on any final plats of the same area.

- A. *Preliminary Plat Contents. The application shall include a preliminary plat of the subdivision drawn to a scale of one inch to one hundred feet minimum, and shall show:*
- (1) *A location map to provide spatial reference, showing the outline of the area to be subdivided, existing streets and corporate limits in the vicinity, a north arrow and scale or note stating "not to scale," and other information that might help clarify where the plat is located as well as its surroundings and size relative to other City features;*

This has been provided on the Preliminary Plat.

- (2) *Name of proposed subdivision and date;*

This has been provided on the Preliminary Plat.

- (3) *Legal description and acreage;*

This has been provided on the Preliminary Plat.

- (4) *Name and address of owner;*

This has been provided on the Preliminary Plat.

- (5) *Names of the persons preparing the plat, owner's attorney, representative or agent, if any;*

This has been provided on the Preliminary Plat.

- (6) *Existing and proposed zoning district classification of all land within the proposed subdivision and within about 200 feet of the subdivision;*

Staff is not requiring this information on the Preliminary Plat.

- (7) *North point and graphic scale;*

This has been provided on the Preliminary Plat.

- (8) *Contours at two-foot intervals or less, both existing and as generally proposed (subject to more refinement in subsequent construction plans);*

This has been provided on the Preliminary Plat.

- (9) *Building setback lines as required by the current or proposed zoning district classifications;*

This has been provided on the Preliminary Plat.

- (10) *The approximate boundaries of areas of known flood levels or floodplains, areas covered by water, wooded areas, floodways, and all open channel drainage ways;*

This has been provided on the Preliminary Plat.

(11) Locations, names, and dimensions of existing lot lines, streets, public utilities, water mains, sewers, drainpipes, culverts, watercourses, bridges, railroads and buildings within in the proposed subdivision and within about 200 feet of the subdivision;

This has been provided on the Preliminary Plat.

(12) Layout of proposed blocks, if used, and lots, including the dimension of each lot, and the lot and block number in numerical order;

This has been provided on the Preliminary Plat.

(13) Layout and dimensions of proposed streets, sidewalks, trails, alleys, utility and other easements, parks and other open spaces or reserved areas;

This has been provided on the Preliminary Plat.

(14) Grades of proposed streets and alleys;

This has been provided on the Preliminary Plat.

(15) A cross-section of the proposed streets showing the roadway locations, the type of curb and gutter, the paving, and sidewalks to be installed;

This has been provided on the Preliminary Plat.

(16) The layout of proposed water mains and sanitary sewer systems;

This has been provided on the Preliminary Plat.

(17) The drainage of the land, including proposed storm sewers, ditches, culverts, bridges and other structures;

This has been provided on the Preliminary Plat.

(18) Stormwater management facilities when applicable;

This has been provided on the Preliminary Plat.

(19) A signed certificate of the Johnson County Auditor for the subdivision name;

This information has been provided.

(20) Other special details or features that may be proposed or required.

None required.

6. Additional information:

None.

7. Staff Recommendation:

Findings:

1. The preliminary plat, which proposes low density residential development, would achieve consistency with the Comprehensive Plan Future Land Map designation of Urban Low Intensity; and
2. The preliminary plat would achieve consistency with Section 180.11(3)(A) and 180.12 of the North Liberty Code of Ordinances, which sets forth the preliminary subdivision plat submittal requirements and design standards, respectively.

Recommendation:

Staff recommends the Planning Commission accept the two listed findings and forward the request of Scanlon Family, LLC. to approve a Preliminary Subdivision Plat for a 22-lot subdivision on approximately 5.28 acres to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the two listed findings and forward the Preliminary Subdivision Plat to the City Council with a recommendation for approval.



To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **August 11, 2023**
 Re **Request of Pratt Real Estate Management, Inc. for a zoning map amendment (rezoning) on approximately 1.59 acres from RS-9 Single-Unit Residence District to RD-10 Two-Unit Residence District. The property is located on the west side of North Jones Boulevard approximately 465 feet south of 240th Street.**

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
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

1. Request Summary:

The request proposes to rezone a portion of the proposed Solomon’s Landing development to allow Single-Unit Zero Lot Line Dwellings.



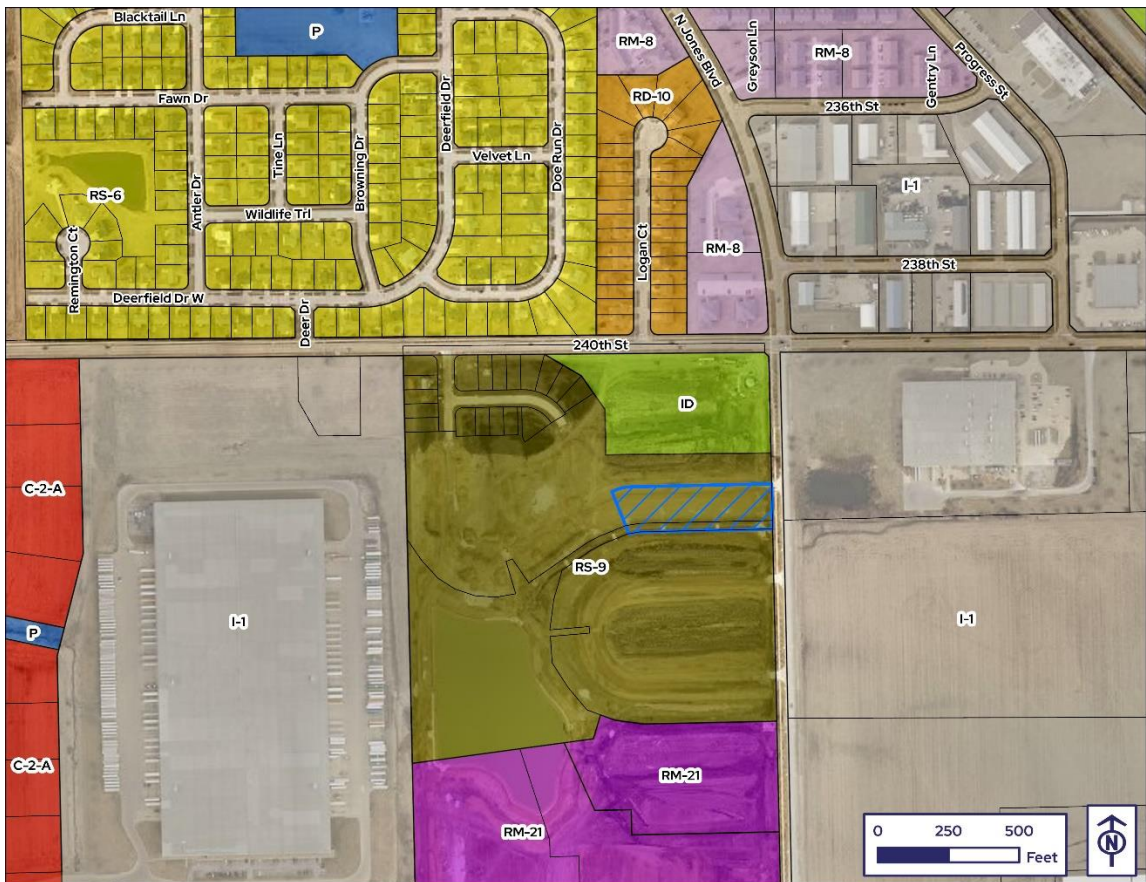
2. Current and Proposed Zoning:

Current Zoning

RS-9 Single-Unit Residence District. The RS-9 District is intended to provide for and maintain high-density single-unit residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RS-9 District.

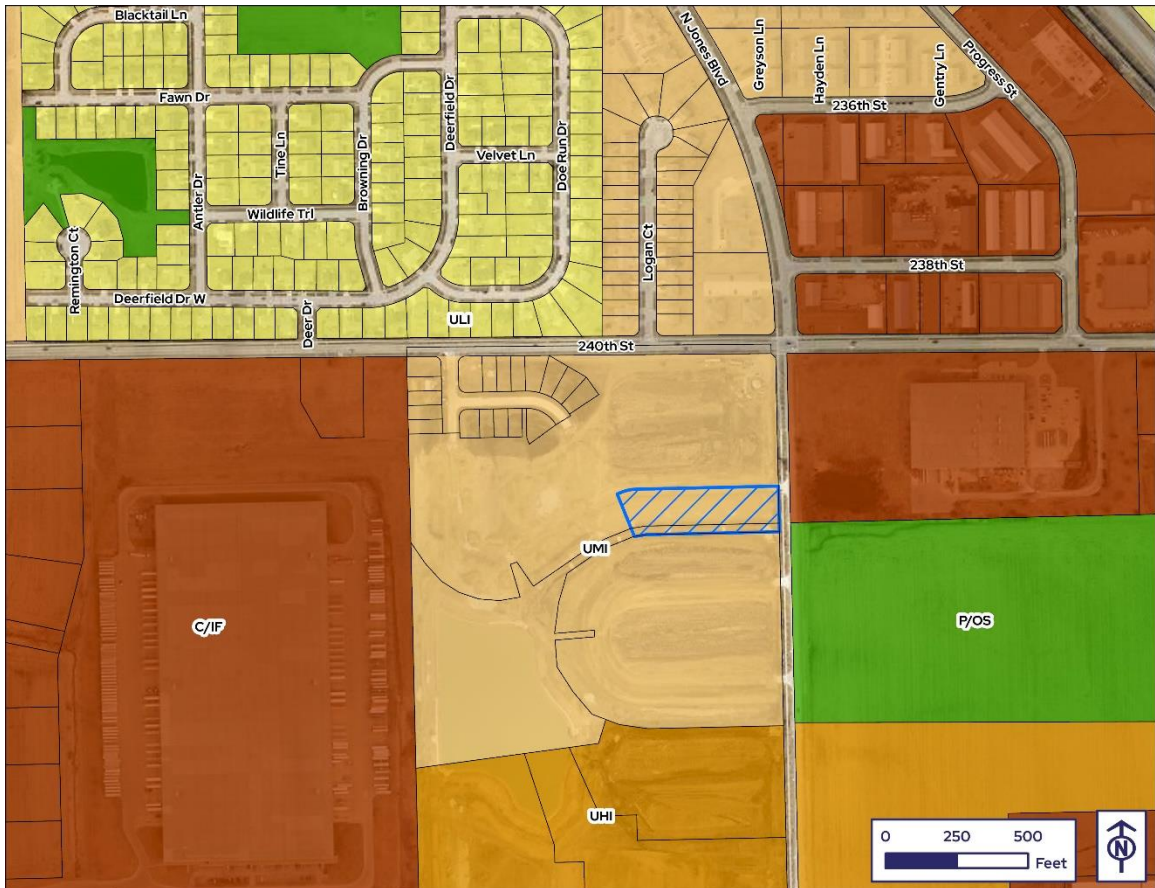
Proposed Zoning

RD-10 Two-Unit Residence District. The RD-10 District is intended to allow for attached single-unit dwellings joined together on a common boundary line with a common wall between the units. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RD-10 District.



3. Consistency with Comprehensive Plan:

Land Use Plan designation: Urban Medium Intensity.



Urban Medium Intensity Description

An efficient, walkable pattern of lower-density development. Compared to denser areas, ULI has more space and separation of uses, with farther distances between destinations and fewer shared amenities. Low-intensity areas can include a horizontal mix of primarily residential and limited non-residential uses at compatible lower densities and scales.

Residential

Emphasis on single-family detached and attached residential developments. Attached housing projects may primarily be at transition areas between arterial or collector streets, small scale commercial uses, and higher intensity districts.

Form and Features

- » General aggregate development density of 3 to 8 units per acre. Lot sizes can vary within developments to provide different housing types.
- » A framework of streets and open space should create neighborhoods and multiple access points for all types of transportation.
- » Open spaces, streets, and trail connections integrate with the larger community.

Relevant Connected to Tomorrow Sections

Section 2 Vision & Goals

Relevant Land Use Tomorrow Guiding Development Principles:

- Promote diverse housing options for all life stages and abilities.
Support high density and medium density housing in close proximity to commercial and service centers to provide intensity-of-use buffers for low density residential uses.

Relevant Mobility for Tomorrow Goals and Guiding Development Principles:

- Coordinate transportation and land use plans, focusing on critical connections illustrated in the land use plan.

Relevant Inclusive Tomorrow Goals and Guiding Development Principles:

- Encourage a variety of dwelling unit types, styles, sizes, and price points to satisfy the needs, desires, and income levels of all people and household sizes.
- Regulate the transitions of site intensity rather than the type of use to grow neighborhoods.

Section 3 Plan for Tomorrow

Relevant Development Principles:

- Connect the city, neighborhoods, and sites with accessible mobility choices.
- Use urban services efficiently to proactively plan for growth and market demands.
- Promote diverse housing options for all life stages and abilities.

4. Public Input:

A virtual good neighbor meeting was held on July 18, 2023. City staff, one member of the Planning Commission and the applicant attended the meeting. There are no objections to the request.

5. Analysis of the Request

Section 165.09(4)(D)(1) of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

Map Amendments.

- (a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

Figure 3.4 within *Connected to Tomorrow* was utilized to determine which zoning district would be compatible with the Future Land Use Map.

Figure 3.4: Land Use Compatibility

TRADITIONAL LAND USES	AGRICULTURE (AG)	URBAN RESERVE (UR)	URBAN LOW INTENSITY (ULI)	URBAN MEDIUM INTENSITY (UMI)	URBAN HIGH INTENSITY (UHI)	COMMERCIAL/ INDUSTRIAL FLEX (FLX)	PUBLIC AND SEMI PUBLIC (PUB)	PARK AND OPEN SPACE (P, OS)
Agriculture	●	●						○
Rural residential		●						
Low-density residential			●	○				
Medium-density residential			●	●	○			
High-density residential				●	●	○		
Rural commercial		●						
Neighborhood commercial			○	●	●	●		
Community commercial				○	●	●		
Regional commercial					○	●		
Low/medium intensity office			○	●	●	●		
High-intensity office				○	●	●		
Limited industrial		○				●		
Heavy industrial						○		
Parks and civic uses	●	●	●	●	●	○	●	●
Major public/civic facilities					○	○	●	○
Residential density range (du/A*)	≤40	≤40	3-8	7-14	14+	14+	NA	NA

● Permitted ○ Permitted with special review
*Dwelling Units per Acre

The RM-10 zoning allows a lot size of 4,500 square feet per dwelling unit (9.68 units/acre). It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.

- (b) The compatibility with the zoning of nearby property.
The surrounding properties within the Solomon's Landing development are zoned RS-9, which allows a lot size of 4,500 square feet per dwelling unit. It is staff's opinion that the proposed zoning would be compatible with the area.

- (c) The compatibility with established neighborhood character.
It is staff's opinion that the proposed zoning would be compatible with established neighborhood character.

- (d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
It is staff's opinion that the proposed zoning would promote the public health, safety, and welfare of the City.

- (e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

The ID District is intended to preserve existing agriculture and other non-intensive uses to prevent premature development and non-orderly encroachment of higher intensity urban uses, and to help guide urban growth into suitable areas. Staff is unaware of any active agricultural use on the property.

(f) The extent to which the proposed amendment creates nonconformities.
It is staff's opinion that the proposed zoning would not create any nonconformities.

6. Additional Considerations:

A similar zoning map amendment to RD-10 has been submitted for the portion of the development north of the subject property. It is anticipated that this request will be considered by the Planning Commission on September 5, 2023.

7. Staff Recommendation:

Finding:

1. The rezoning request from RS-9 Single-Unit Residence District to RD-10 Two-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from RS-9 Single-Unit Residence District to RD-10 Two-Unit Residence District on approximately 1.59 acres to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval.



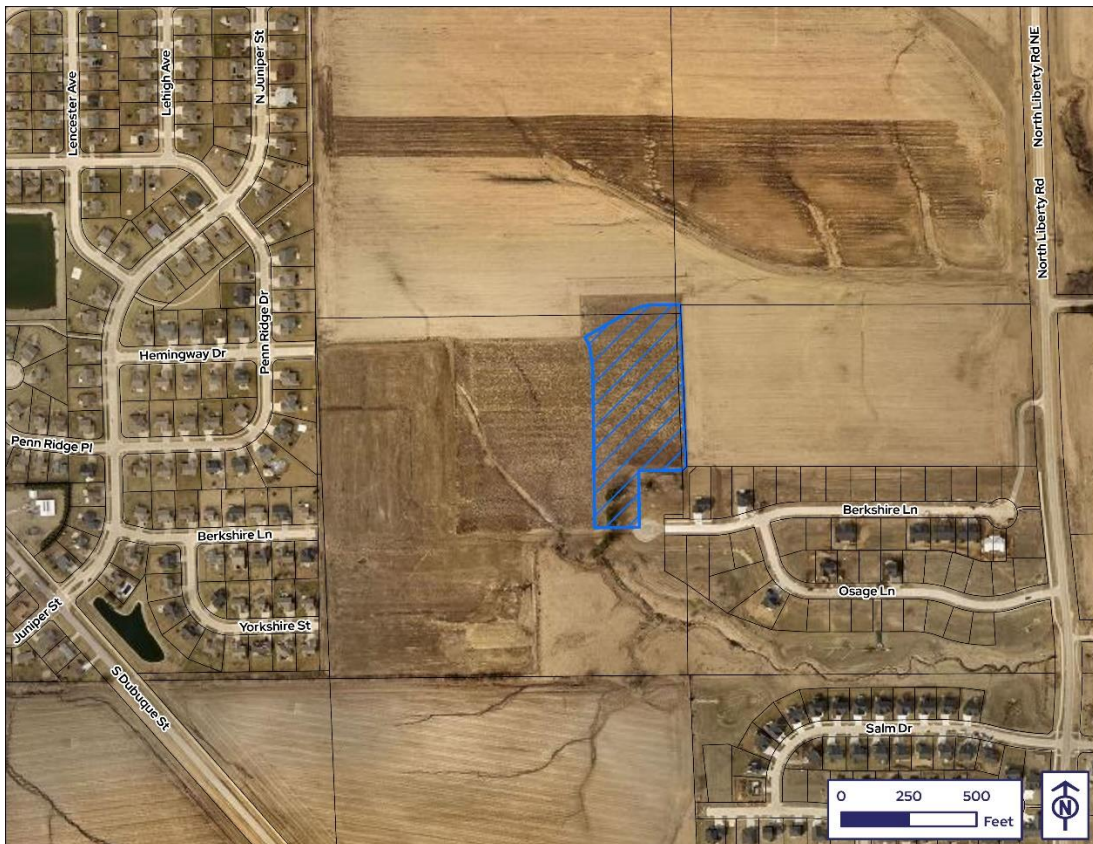
To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **August 11, 2023**
 Re **Request of Scanlon Family, LLC. For a zoning map amendment (rezoning) on approximately 5.28 acres from RS-6 Single-Unit Residence District to RD-8 Two-Unit Residence District. The property is located on the north side of Berkshire Lane as extended westerly 85' from its current terminus in Greenbelt Trail, Part 2 Subdivision.**

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
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

1. Request Summary:

The request proposes to rezone a portion of the proposed Greenbelt Trail development to allow Single-Unit Zero Lot Line Dwellings.



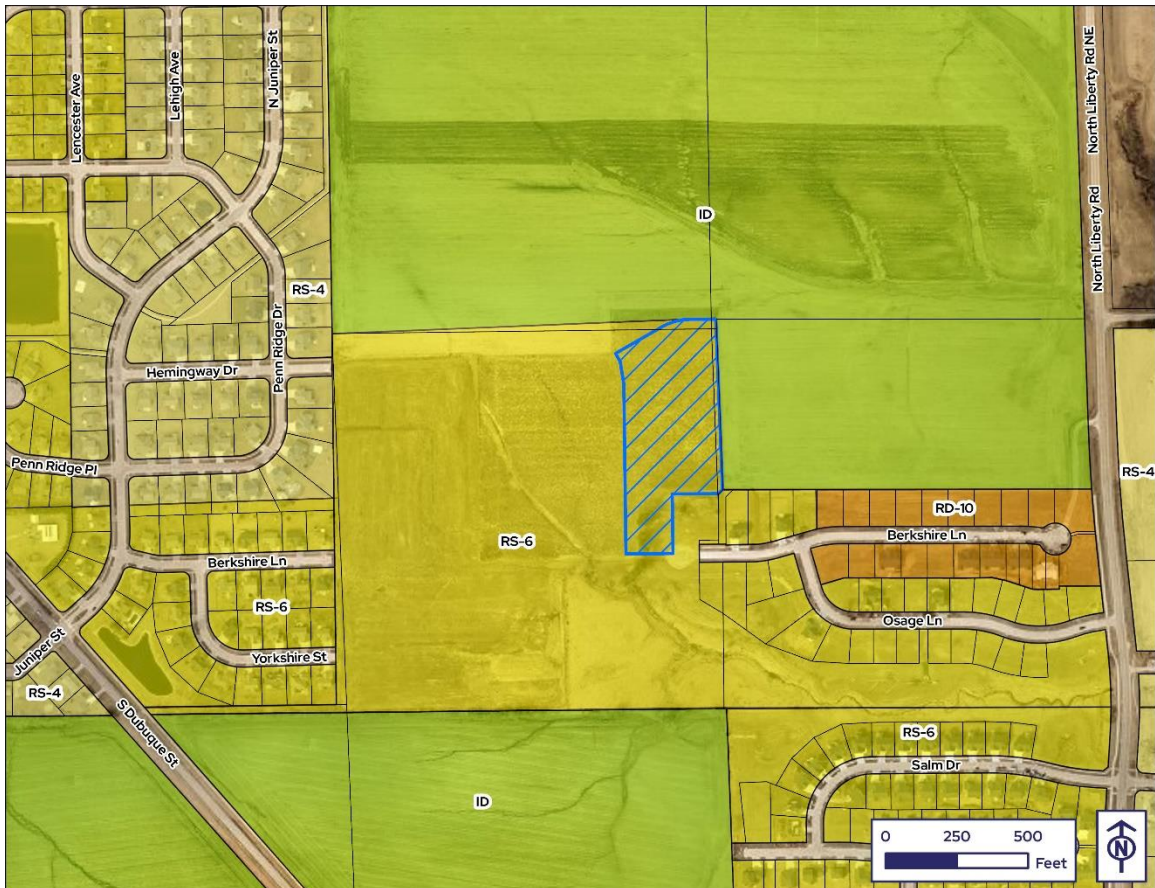
2. Current and Proposed Zoning:

Current Zoning

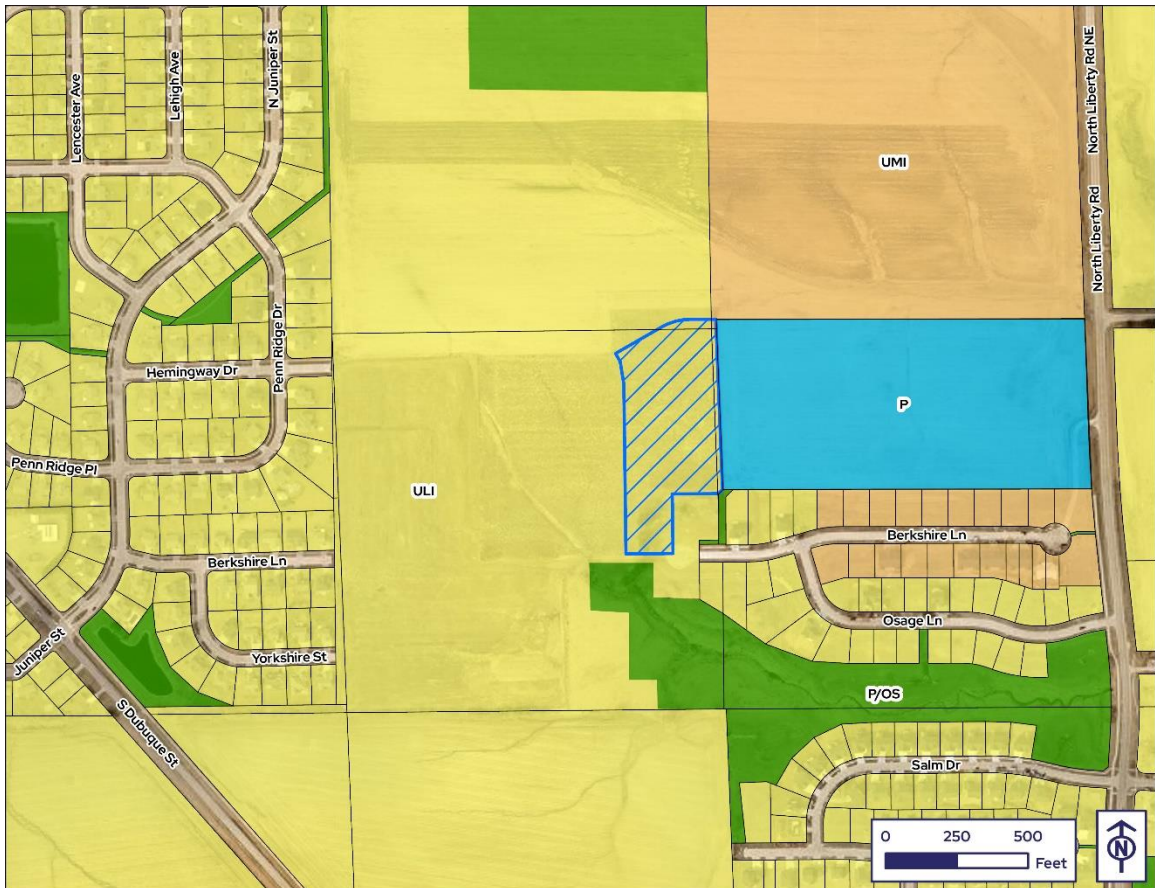
RS-6 Single-Unit Residence District. The RS-6 District is intended to provide for and maintain moderate density single-unit residential neighborhoods. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RS-6 District.

Proposed Zoning

RD-8 Two-Unit Residence District. The RD-8 District is intended to allow for attached single-unit dwellings joined together on a common boundary line with a common wall between the units. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RD-8 District.



3. Consistency with Comprehensive Plan: Land Use Plan designation: Urban Low Intensity.



Urban Low Intensity Description

An efficient, walkable pattern of lower-density development. Compared to denser areas, ULI has more space and separation of uses, with farther distances between destinations and fewer shared amenities. Low-intensity areas can include a horizontal mix of primarily residential and limited non-residential uses at compatible lower densities and scales.

Residential

Emphasis on single-family detached and attached residential developments. Attached housing projects may primarily be at transition areas between arterial or collector streets, small scale commercial uses, and higher intensity districts.

Form and Features

- » General aggregate development density of 3 to 8 units per acre. Lot sizes can vary within developments to provide different housing types.
- » A framework of streets and open space should create neighborhoods and multiple access points for all types of transportation.
- » Open spaces, streets, and trail connections integrate with the larger community.

Relevant Connected to Tomorrow Sections

Section 2 Vision & Goals

Relevant Land Use Tomorrow Guiding Development Principles:

- Promote diverse housing options for all life stages and abilities.
Support high density and medium density housing in close proximity to commercial and service centers to provide intensity-of-use buffers for low density residential uses.

Relevant Mobility for Tomorrow Goals and Guiding Development Principles:

- Coordinate transportation and land use plans, focusing on critical connections illustrated in the land use plan.

Relevant Inclusive Tomorrow Goals and Guiding Development Principles:

- Encourage a variety of dwelling unit types, styles, sizes, and price points to satisfy the needs, desires, and income levels of all people and household sizes.
- Regulate the transitions of site intensity rather than the type of use to grow neighborhoods.

Section 3 Plan for Tomorrow

Relevant Development Principles:

- Connect the city, neighborhoods, and sites with accessible mobility choices.
- Use urban services efficiently to proactively plan for growth and market demands.
- Promote diverse housing options for all life stages and abilities.

4. Public Input:

A virtual good neighbor meeting was held on July 18, 2023. City staff, one member of the Planning Commission and the applicant attended the meeting. There are no objections to the request.

5. Analysis of the Request

Section 165.09(4)(D)(1) of the Zoning Ordinance sets for the approval standards for zoning maps amendments.

Approval Standards. The Planning Commission recommendation and the City Council decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Plan Commission and the City Council must consider the following standards. The approval of amendments is based on a balancing of these standards (staff commentary in italics).

Map Amendments.

- (a) The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

Figure 3.4 within Connected to Tomorrow was utilized to determine which zoning district would be compatible with the Future Land Use Map.

Figure 3.4: Land Use Compatibility

TRADITIONAL LAND USES	AGRICULTURE (AG)	URBAN RESERVE (UR)	URBAN LOW INTENSITY (ULI)	URBAN MEDIUM INTENSITY (UMI)	URBAN HIGH INTENSITY (UHI)	COMMERCIAL/ INDUSTRIAL FLEX (FLX)	PUBLIC AND SEMI PUBLIC (PUB)	PARK AND OPEN SPACE (P, OS)
Agriculture	●	●						○
Rural residential		●						
Low-density residential			●	○				
Medium-density residential			●		○			
High-density residential				●	●	○		
Rural commercial		●						
Neighborhood commercial			○	●	●	●		
Community commercial				○	●	●		
Regional commercial					○	●		
Low/medium intensity office			○	●	●	●		
High-intensity office				○	●	●		
Limited industrial		○				●		
Heavy industrial						○		
Parks and civic uses	●	●	●	●	●	○	●	●
Major public/civic facilities					○	○	●	○
Residential density range (du/A*)	≤40	≤40	3-8	7-14	14+	14+	NA	NA

● Permitted ○ Permitted with special review
*Dwelling Units per Acre

The RM-8 zoning allows a lot size of 5,000 square feet per dwelling unit (8.71 units/acre). It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.

- (b) The compatibility with the zoning of nearby property. The surrounding properties within the Greenbelt Trail development are zoned RS-6 and RD-10, which allow lot sizes of 7,000 square feet and 5,000 square feet per dwelling unit, respectively. It is staff's opinion that the proposed zoning would be compatible with the area.

- (c) The compatibility with established neighborhood character. It is staff's opinion that the proposed zoning would be compatible with established neighborhood character.

- (d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City. It is staff's opinion that the proposed zoning would promote the public health, safety, and welfare of the City.

- (e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification. The ID District is intended to preserve existing agriculture and other non-intensive uses to prevent premature development and non-orderly encroachment of higher intensity urban uses, and to help guide urban growth into suitable areas. Staff is unaware of any active agricultural use on the property.

(f) The extent to which the proposed amendment creates nonconformities.
It is staff's opinion that the proposed zoning would not create any nonconformities.

6. Additional Considerations:

A similar request from RS-6 to RD-10 was denied by City Council in 2021.

7. Staff Recommendation:

Finding:

1. The rezoning request from RS-6 Single-Unit Residence District to RD-8 Two-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from RS-6 Single-Unit Residence District to RD-8 Two-Unit Residence District on approximately 5.28 acres to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval.



To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **August 11, 2023**
 Re **Request of Pratt Real Estate Management, Inc. for a zoning map amendment (rezoning) on approximately 1.59 acres from RS-9 Single-Unit Residence District to RD-10 Two-Unit Residence District. The property is located on the west side of North Jones Boulevard approximately 465 feet south of 240th Street.**

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
- Grant Lientz, City Attorney
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1. Request Summary:

The request proposes to rezone a portion of the proposed Solomon’s Landing development to allow Single-Unit Zero Lot Line Dwellings.



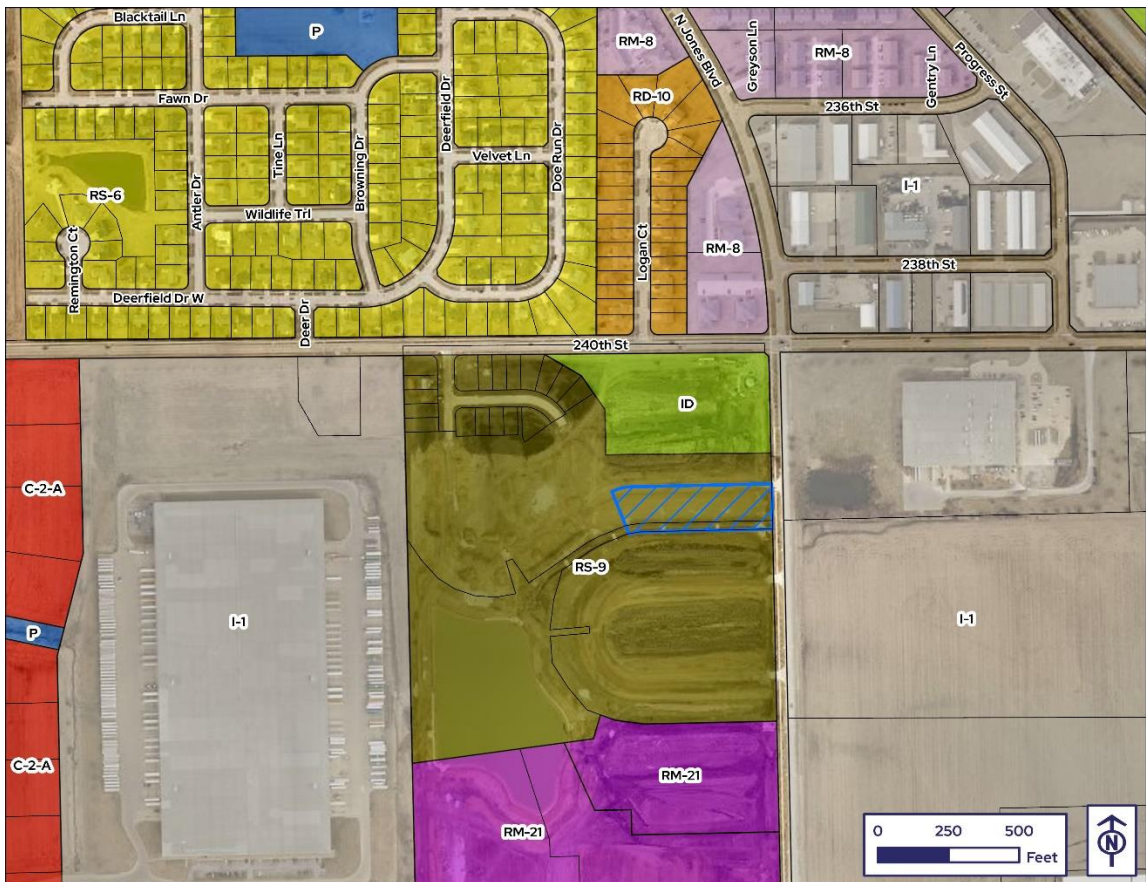
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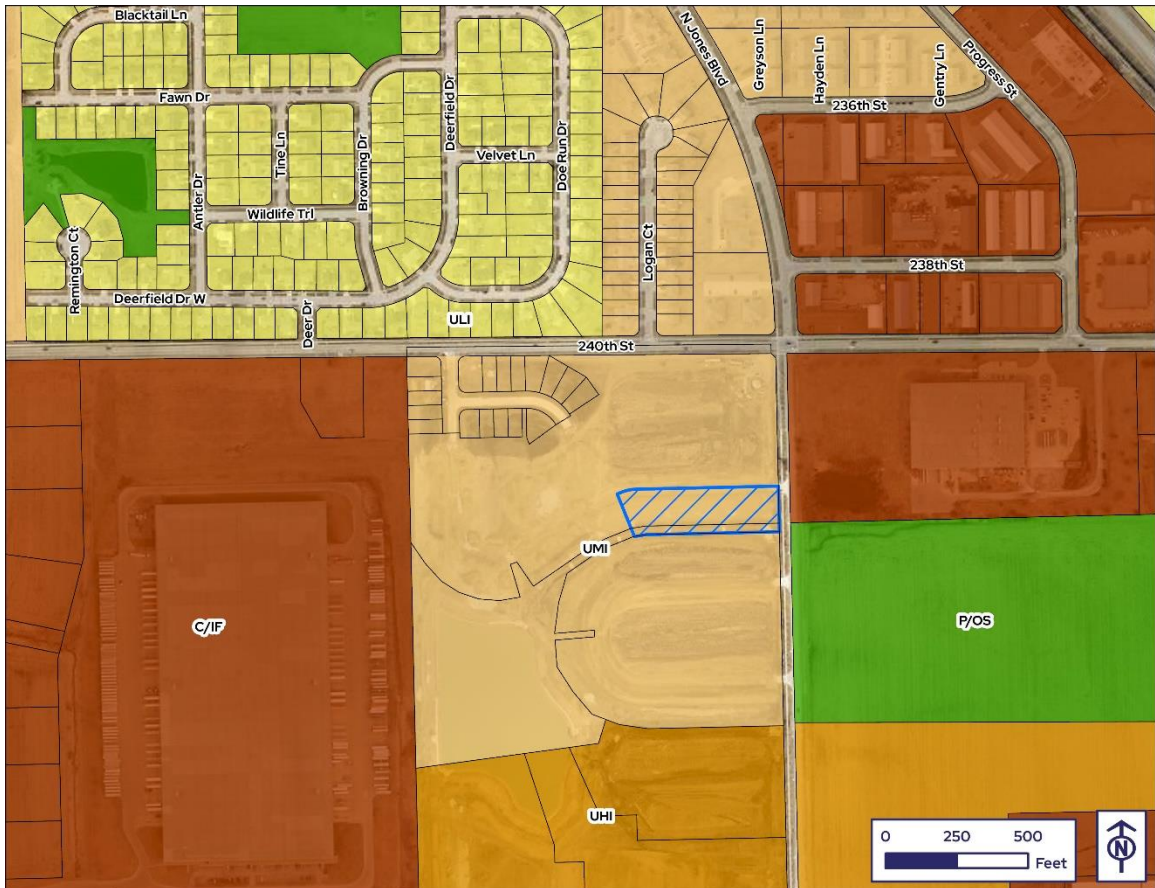
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RD-10 Two-Unit Residence District. The RD-10 District is intended to allow for attached single-unit dwellings joined together on a common boundary line with a common wall between the units. Limited non-residential uses that are compatible with the surrounding residential neighborhoods may be permitted in the RD-10 District.



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Land Use Plan designation: Urban Medium Intensity.



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- » General aggregate development density of 3 to 8 units per acre. Lot sizes can vary within developments to provide different housing types.
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Relevant Connected to Tomorrow Sections

Section 2 Vision & Goals

Relevant Land Use Tomorrow Guiding Development Principles:

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Relevant Mobility for Tomorrow Goals and Guiding Development Principles:

- Coordinate transportation and land use plans, focusing on critical connections illustrated in the land use plan.

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Section 3 Plan for Tomorrow

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Rural residential		●						
Low-density residential			●	○				
Medium-density residential			●	●	○			
High-density residential				●	●	○		
Rural commercial		●						
Neighborhood commercial			○	●	●	●		
Community commercial				○	●	●		
Regional commercial					○	●		
Low/medium intensity office			○	●	●	●		
High-intensity office				○	●	●		
Limited industrial		○				●		
Heavy industrial						○		
Parks and civic uses	●	●	●	●	●	○	●	●
Major public/civic facilities						○	●	○
Residential density range (du/A*)	≤40	≤40	3-8	7-14	14+	14+	NA	NA

● Permitted ○ Permitted with special review
*Dwelling Units per Acre

The RM-10 zoning allows a lot size of 4,500 square feet per dwelling unit (9.68 units/acre). It is staff's opinion that the zoning map amendment would achieve consistency with the Comprehensive Plan and adopted land use policies.

- (b) The compatibility with the zoning of nearby property.
The surrounding properties within the Solomon's Landing development are zoned RS-9, which allows a lot size of 4,500 square feet per dwelling unit. It is staff's opinion that the proposed zoning would be compatible with the area.

- (c) The compatibility with established neighborhood character.
It is staff's opinion that the proposed zoning would be compatible with established neighborhood character.

- (d) The extent to which the proposed amendment promotes the public health, safety, and welfare of the City.
It is staff's opinion that the proposed zoning would promote the public health, safety, and welfare of the City.

- (e) The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

The ID District is intended to preserve existing agriculture and other non-intensive uses to prevent premature development and non-orderly encroachment of higher intensity urban uses, and to help guide urban growth into suitable areas. Staff is unaware of any active agricultural use on the property.

(f) The extent to which the proposed amendment creates nonconformities.
It is staff's opinion that the proposed zoning would not create any nonconformities.

6. Additional Considerations:

A similar zoning map amendment to RD-10 has been submitted for the portion of the development north of the subject property. It is anticipated that this request will be considered by the Planning Commission on September 5, 2023.

7. Staff Recommendation:

Finding:

1. The rezoning request from RS-9 Single-Unit Residence District to RD-10 Two-Unit Residence District would achieve consistency with the approval standards enumerated in Section 165.09 of the Zoning Code.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request for zoning map amendment (rezoning) from RS-9 Single-Unit Residence District to RD-10 Two-Unit Residence District on approximately 1.59 acres to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the zoning map amendment to the City Council with a recommendation for approval.



To **City of North Liberty Planning Commission**
 From **Ryan Rusnak, AICP**
 Date **August 11, 2023**
 Re **Request of the City of North Liberty to establish the Steindler Way private street name.**

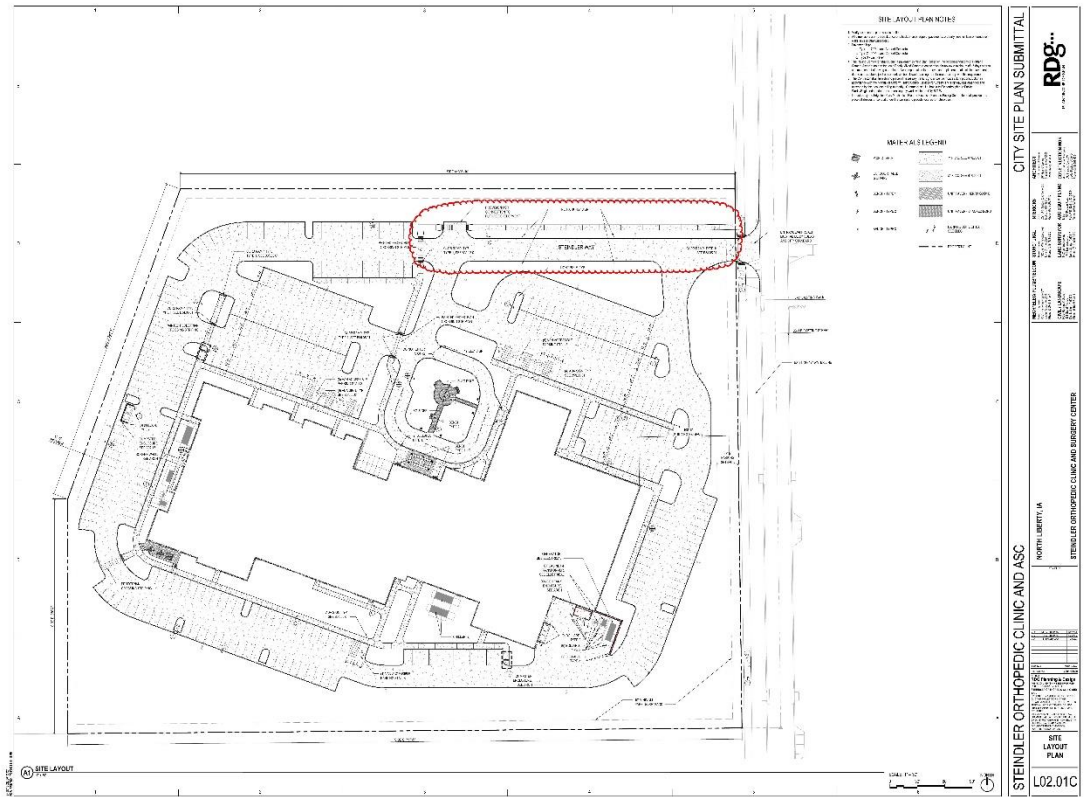
North Liberty City staff has reviewed the subject submission, and offer comments presented in this memo. The staff review team includes the following personnel:

- Ryan Heiar, City Administrator
- Tracey Mulcahey, Assistant City Administrator
- Grant Lientz, City Attorney
- Tom Palmer, City Building Official
- Kevin Trom, City Engineer
- Ryan Rusnak, Planning Director

1. Request Summary:

At the time of preliminary site plan approval, the private street name was not depicted on the Steindler Orthopedic Clinic preliminary site plan. This request proposes to name the entrance street Steindler Way.





2. Public Input:

No public input has been received.

3. Additional Considerations:

Pursuant to Section 139.01 (3) of the Zoning Code:

Proposed street names shall be referred to the Planning and Zoning Commission for review and recommendation.

4. Staff Recommendation:

Finding:

1. The street name is unique and would achieve consistency with City street naming requirements.

Recommendation:

Staff recommends the Planning Commission accept the listed finding and forward the request to establish the Steindler Way private street name to the City Council with a recommendation for approval.

Suggested motion:

I move that the Planning Commission accept the listed finding and forward the request to establish the Steindler Way private street name to the City Council with a recommendation for approval.